

Purpose

This document establishes and clarifies the procedures by which special ballot voting is administered in a Markham municipal or school board election.

Application and scope

These procedures apply to all Markham municipal and school board elections where special ballots are available.

Legislative authority

Section 43 of Ontario's Municipal Elections Act (MEA) requires an advance vote to be held on one or more dates for a municipal or school board election, and requires Markham's City Clerk to establish these dates as well as the number, location and hours of voting places.

Section 45(7) of the MEA requires Markham's City Clerk to establish a voting place at each retirement home and institution meeting a prescribed occupancy threshold for eligible voters who are residents of the facility. Section 45(8) authorizes Markham's City Clerk to offer service to voters who are residents of designated retirement homes and institutions but are unable to access the voting area.

Section 12 of the MEA authorizes Markham's City Clerk to establish and/or clarify any matter of the election process that is not prescribed by law and is necessary or advisable for conducting the election. Section 12.1(1) further directs Markham's City Clerk to have regard for the needs of voters with disabilities in conducting an election.

Section 42 of the MEA directs that, where the council of a municipality has passed a by-law authorizing the use of alternative voting methods or vote counting equipment, the clerk of the municipality will establish procedures and forms for the use of the methods and/or equipment, which if consistent with the guiding principles of the MEA, prevail over anything prescribed by the MEA and any regulations made under it. Under this authority, Markham's City Clerk has determined that special voting places may be held during the advance vote in addition to or instead of final voting day.

Procedures

1. General

- 1.1 A special ballot will consist of a printed paper ballot issued at:
 - (a) a special voting place designated by Markham's City Clerk; or,
 - (b) at a voter's private residence, where eligible and requested.

- 1.2 Special ballots will be issued during a period established by Markham's City Clerk, which will begin no earlier than the first business day that is within 30 days of final voting day and end no later than 6 PM the second day before final voting day.
- 1.3 If a special ballot is issued outside a special voting place or without the supervision of an election official, a special ballot kit may be provided consisting of:
 - (a) a special ballot;
 - (b) an inner secrecy envelope; and,
 - (c) an outer envelope bearing the voter's name, ward and school support (as applicable), and a declaration to be signed by the voter.

2. Special voting places

- 2.1 The following will be designated as special voting places:
 - (a) Elections Markham Headquarters;
 - (b) retirement homes and other prescribed care institutions meeting the MEA's minimum occupancy threshold;
 - (c) other facilities considering factors such as:
 - i. recent history of hosting a special voting place;
 - ii. a large population of eligible residents and/or service users with accessibility needs; and,
 - iii. whether resident voters and/or service users can be adequately served by a regular voting place and other voting options.
- 2.2 Special voting places will be administered during the following hours:
 - (a) For Elections Markham Headquarters, between 8:30 AM and 4:30 PM (local time) excluding weekends and statutory holidays.
 - (b) For other designated facilities, for a minimum of two consecutive hours between 10 AM and 6 PM during the special ballot period established by Markham's City Clerk.

- 2.3 With the exception of Elections Markham Headquarters, special ballots issued at designated special voting places will be issued only to eligible residents and/or service users of the host facility.
- 2.4 Once a facility is designated as a special voting place by Markham's City Clerk, Elections Markham will contact the facility to:
 - (a) schedule a date and time during which the facility will serve as a special voting place; and,
 - (b) provide authorized facility administrators with a form or letter that can be issued to eligible residents and/or service users and used as acceptable identification to register and vote.
- 2.5 Notice of the dates and times for special voting places will be communicated to residents and service users.
- 2.6 When issuing a special ballot at a special voting place, the election official will:
 - (a) verify the voter's identity and eligibility;
 - (b) mark the voter as voted using Elections Markham's online voters' list management system;
 - (c) initial the top of the ballot;
 - (d) show the voter how to indicate their selection(s); and,
 - (e) provide the voter with the ballot and a ballot marking pen.
- 2.7 To mark a special ballot at a special voting place, the voter will:
 - (a) proceed behind a privacy screen;
 - (b) fill in the oval(s) next to the voting option(s) of their choice with a ballot marking pen; and,
 - (c) return their ballot to the election official with their selections concealed.
- 2.8 On receiving a marked special ballot from a voter at a special voting place, the election official will insert the ballot into the ballot box.
- 2.9 A voter is deemed to have declined their ballot and struck off the voters' list if they do either of the following after being issued a special ballot at a special voting place:

- (a) returns the ballot to the election official indicating that they do not wish to vote for any candidate;
 - (b) returns the ballot to the election official in order to vote later; or,
 - (c) leaves the special voting place room with the ballot.
- 2.10 If an eligible voter residing at a facility designated as a special voting place is unable to reach the voting room, election officials will deliver a special ballot kit to the part of the facility where the voter is located.
 - (a) Delivery of the special ballot kit will be conducted by at least two election officials.
 - (b) On receiving the special ballot kit, the voter will, under the supervision of the election officials while exercising the secrecy of their vote:
 - i. mark the ballot according to their preferred voting option(s);
 - ii. place the ballot in the inner secrecy envelope and seal the inner secrecy envelope;
 - iii. place the sealed inner secrecy envelope inside the outer envelope and seal the outer envelope; and,
 - iv. sign the declaration on the outer envelope.
 - (c) The election officials will collect the completed special ballot kit and deposit it into the ballot box.
- 2.11 If circumstances do not allow eligible residents and/or service users to access a special voting place, authority may be delegated in writing to deputized facility support persons to issue special ballot kits.
 - (a) Where possible, special ballot kits will be issued to voters one at a time and completed under a deputized facility support person's supervision while maintaining the secrecy of the voter's selections.
 - (b) A voter who is issued a special ballot kit will:
 - i. mark the ballot according to their preferred voting option(s);
 - ii. place the ballot in the inner secrecy envelope and seal the inner secrecy envelope;

- iii. place the sealed inner secrecy envelope inside the outer envelope and seal the outer envelope; and,
 - iv. sign the declaration on the outer envelope.
 - (c) The deputized facility support person will collect the completed special ballot kit and deposit it into the ballot box provided by Elections Markham.
 - (d) Once all special ballot kits have been completed, the deputized facility support person(s) will return the ballot box and uncompleted kits to Elections Markham.
 - (e) Special ballot kits may be issued at a special voting place over multiple days during the special ballot period.
 - (f) The deputized facility support person(s) will secure the special ballot kits and ballot box using the seals supplied by Elections Markham.
 - (g) Special ballots kits given to deputized facility support person(s) will not leave the special voting place at any time except when being collected by Elections Markham.
- 2.12 A special voting place is considered closed once the last voter inside (or in line at) the voting area after the end of the posted operating hours has cast their ballot.
- 2.13 Once all remaining voters at a special voting place have been served, the election officials will seal the ballot box containing the cast ballots or transfer them to a ballot transfer container. Any scrutineers present are permitted to sign the seal applied to the ballot box or ballot transfer container.
- 2.14 Ballot boxes and other election supplies are delivered to Elections Markham for secure storage.

3. Special ballot at a voter's residence

- 3.1 An eligible voter may request a special ballot at their private residence if they are unable to go to a voting place or access other voting options due to chronic illness, injury, or disability.
- 3.2 Special ballots will be issued at a voter's residence between 10 AM and 6 PM during the special ballot period established by Markham's City Clerk.

- 3.3 Upon receiving a request for a special ballot at a voter's residence, an election official will:
- (a) verify whether the voter is registered to vote and whether they have already voted in the election; and,
 - (b) contact the voter to confirm:
 - i. their special ballot appointment date and time;
 - ii. their registration details (e.g., address, school support, etc.) and acceptable identification options; and,
 - iii. any other accommodations required.
- 3.4 Special ballot appointments at a voter's residence will be conducted by at least two election officials. Election officials will not enter the voter's dwelling unit unless assistance is required and requested by the voter, and subject to the discretion of the election officials.
- 3.5 Special ballots issued at a voter's residence will be in the form of a special ballot kit.
- 3.6 To issue a special ballot at a voter's residence, the election official will:
- (a) verify the voter's identity and eligibility;
 - (b) mark the voter as voted on Elections Markham's online voters' list management system;
 - (c) initial the top of the ballot;
 - (d) show the voter how to indicate their selection(s); and,
 - (e) provide the voter with a special ballot kit and a ballot marking pen.
- 3.7 On being issued a special ballot kit at their residence, the voter will:
- (a) mark the ballot according to their preferred voting option(s);
 - (b) place the ballot in the inner secrecy envelope and seal the inner secrecy envelope;
 - (c) place the sealed inner secrecy envelope inside the outer envelope and seal the outer envelope; and,
 - (d) sign the declaration on the outer envelope.

Special Ballot Procedures



- 3.8 The election officials will collect and deposit the special ballot kit inside a ballot box or ballot transfer container.
- 3.9 Once all special ballots have been completed for the day, the election officials will return the ballot box or ballot transfer container with the completed special ballot kit(s) to Elections Markham for secure storage.

4. Processing and tabulation

- 4.1 Special ballots will be processed and tabulated in accordance with Elections Markham's procedures for the use of vote tabulators.

5. Scrutineers

- 5.1 Scrutineers' ability to observe voting at special voting place will be at the discretion of the host facility. Limitations or restrictions will be applied equally to all scrutineers.
- 5.2 Scrutineers are not permitted to observe voting for special ballots issued at a voter's private residence.
- 5.3 Scrutineers are permitted to observe the processing and tabulation of special ballots. Notice will be provided of the dates, times and places where special ballots will be processed and tabulated.

6. Recounts and audits

- 6.1 If a recount is required, the votes will be counted in the same manner as they were initially, unless otherwise directed by court order.
- 6.2 After the election, Elections Markham may perform an audit of the ballots to ensure the accuracy and completeness of the counted votes.

Roles and responsibilities

Elections Markham periodically reviews and updates this policy to support legislative compliance as well as the principles of transparency, consistency, and accessibility. Updates made during an election period will be communicated to candidates and the public.

Date approved: May 2026
Approved by: Markham City Clerk