



**CITY OF PORT COLBORNE  
2022 MUNICIPAL ELECTION  
PROCEDURE MANUAL**

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Procedures for the Implementation of the Accessibility Plan

**Section:** Clerk’s Division

**Contact:** City Clerk

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**Primary Backup:** Deputy Clerk

**Secondary Backup:** Election Coordinator

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## 1. Legislative Requirements

In addition to the pre-existing accessibility requirements and the City's current Accessible Customer Service Handbook, Section 12 of the *Municipal Elections Act, 1996* (the Act) provides that a Clerk who is responsible for conducting an election shall have regard to the needs of electors and candidates with disabilities. In addition, Subsection 45(2) of the Act provides that in establishing the location of voting places, the Clerk shall ensure that each place is accessible to electors with disabilities. The Act does not provide a definition of "accessible," however; the Clerk will have regard to the built environment and barriers to accessibility.

## 2. Introduction

The City Clerk is responsible for the proper legislative and administrative conduct of Municipal Elections in the City of Port Colborne. In accordance with the *Municipal Elections Act, 1996*, the *Ontarians with Disabilities Act, 2001* and the *Accessibility for Ontarians with Disabilities Act, 2005*, (AODA) the City Clerk is authorized to establish procedures and provide appropriate measures to ensure that all electors can participate fully in the 2022 Municipal Elections. Accordingly, the 2022 Municipal Elections will be conducted in such a manner to ensure that:

- a. Candidates and electors with disabilities have full and equal access to all election information and services.
- b. All electors have full access to Voting Locations.
- c. All electors can privately mark their ballot and have access to alternative methods of voting assistance.
- d. All electors will have access to alternative methods of voting assistance that will permit them to vote independently and privately mark their ballot.

In accordance with the *Municipal Elections Act, 1996* (the Act), following the election, the City Clerk will submit a report to Council concerning the identification, removal and prevention of barriers that affect electors and candidates with disabilities.

## 3. Staff Training

All staff carrying out election duties will be trained to recognize and ensure that persons with disabilities are served in a way that accommodates their individual needs. Training will include:

- a. How to interact and communicate with persons with various types of disabilities.
- b. How to interact with persons with disabilities who use assistive devices or require the assistance of a service animal or support person.
- c. How to use voting equipment and assistive devices to deliver election services.
- d. What to do if a person is having difficulty accessing election information or services.
- e. Review of the purposes of the *Accessibility for Ontarians with Disabilities Act* and the Customer Service Standard's requirements of Ontario Regulation 191/11 for the Integrated Accessibility Standards Regulation.

## 4. Provision of Election Information

Candidates and electors with disabilities will be given the opportunity to receive information and copies of election documents in an accessible format and agreed upon between the requester and the City Clerk. The printed format of this document is available at City Hall or on the City's website at [www.portcolborne.ca/election](http://www.portcolborne.ca/election).

## 5. Notice of Temporary Service Disruption

If there is a temporary disruption in the delivery of election information or services, the City Clerk shall provide public notice on the City's election website, at the physical site of the disruption and, when possible, by social media and in the local media. The notice shall include the reason for the disruption, anticipated duration, and a description of alternative methods of delivering the information or service. In accordance with AODA, every effort shall be made to provide alternative methods of providing the information or service to persons with disabilities.

## 6. Assistance to Candidates

### a. Campaign Expenses

Expenses incurred by a candidate with a disability that are directly related to the candidate's disability and would not have been incurred if not for the election are excluded from the permitted spending limit for the candidate

### b. Service Animals

Candidates requiring service animals are permitted to be accompanied by a service animal at all voting places.

## 7. Assistance to Electors

### a. Voting by Proxy

A person with a disability who is homebound or otherwise unable to attend a voting place may appoint another person to act as a voting proxy to cast a ballot on their behalf. The appointment must be made on the prescribed form available at the Municipal Offices and on the City's election website. The person being appointed as a proxy will be required to take a statutory declaration before the Clerk or their designate. Staff of the City Clerk's Office can administer this oath (Municipal Offices, 66 Charlotte Street, Port Colborne). Once completed, the voting proxy may be exercised at any advance voting location or on voting day. On voting day, the proxy must be exercised at the poll of the person for whom the proxy is voting. The appointment of a proxy may only be made on or after August 22, 2022 and does not remain in force after voting day – October 24, 2022.

## **b. Vote by Mail on Demand:**

A person with a disability who is homebound or otherwise unable to attend a voting place may choose to Vote by Mail. Vote by Mail on Demand Kits are available to electors who are unable to vote at an advance poll location or at a voting location on voting day. The option to request a Vote by Mail on Demand ballot is an alternative to appointing a voting proxy.

An elector who wishes to request a Vote by Mail on Demand ballot must register between September 1, 2022, and September 26, 2022.

## **c. Voting Locations:**

The Clerk or their designate shall conduct site visits to all potential voting locations and undertake an accessibility evaluation, utilizing the accessibility checklist provided by the Joint Accessibility Advisory Committee. For each voting location, the Clerk or designate shall conduct site visits to assess if barriers exist and determine how they can be addressed or removed. If an accessibility concern is identified, all reasonable measures will be considered to remove the barrier or an alternative location will be considered within the ward if possible. These measures may include the provision of ramps/transition strips, the allocation of additional (temporary) accessible parking stalls, etc.

Voting locations will be communicated by way of social media, print media advertisements, Voter Notification Cards, and the City's website.

## **d. Parking:**

Designated or reserved accessible parking spaces are to be provided close to the entrance of the voting location where possible. Accessible parking spaces will be clearly posted and easy to see from the road or driveway and marked with the international Symbol of Accessibility. An increase in the usual parking limits for people with disabilities will be requested where possible. Routine checks of routes to the entrance of the voting location will be made throughout the day.

## **e. Service Animals, Support Persons, Assistive Devices:**

Electors requiring a service animal, support person, or assistive devices are permitted to **be accompanied at all voting locations.**

If a service animal is excluded from the premises by law, staff will work with the individual to identify alternative methods for the person to access municipal goods, services, and facilities.

A service animal should be easily identified through visual indicators, such as a harness or a vest.

## **f. Entrance to the Voting Location:**

Every effort has been made to use only accessible facilities for voting locations. If, however, the main entrance to the voting location is inaccessible for an elector, an alternative entry point that is accessible will be clearly signed. Wherever possible, the accessible entrance is to be used as the main entrance for everyone. All entrances will be clearly signed using the International Symbol of Accessibility.

## **g. Interior Voting Area:**

Access to the interior voting area and voting booth shall be level and easily traversed. All voting areas are to be well lit and have seating available. All voting areas are to have sufficient space to maneuver a mobility device.

## **h. Accessible Voting Booths:**

Accessible voting booths will be available at each voting location. Voting booths will be low in height and have a wide area to allow for individuals who use a mobility device to vote independently and secretly. A ballot template designed to assist with marking the ballot independently and/or a magnifying sheet will be made available, upon request.

## **i. Voting Assistance:**

Persons with disabilities may be accompanied by a support person within the voting place. In addition, the Deputy Returning Officer (DRO) in each voting place can assist the voter in casting their vote. Prior to entering the voting booth, the DRO shall, in conjunction with the elector, determine the extent to which they need assistance and the best way in which this assistance can be provided. This may include marking the ballot as directed by the person with the disability.

Where a voting place is in an institution or retirement home, the DRO can attend on voters in their specific living areas or at their bedside to assist them to vote. All Election Officers are sworn to an oath of secrecy.

## **j. Accessible Voting Equipment – Advance Voting and Voting Day**

The City of Port Colborne will provide accessible voting equipment on advance voting days and on voting day at one designated location for all eligible voters. This includes the use of an Audio Tactile Interface (ATI), a handheld controller that allows voters with accessibility needs to navigate and make selections to a ballot that is presented in audio form during an accessible voting session. Magnifying sheets will be made available to assist any individual with visual impairments.

## 8. Stakeholder Engagement:

### a. Joint Accessibility Advisory Committee:

The Clerk or their designate shall meet with the Joint Accessibility Advisory Committee for the purpose of informing the committee of the provisions of this policy and the accessibility of voting places. The purpose of this meeting shall also be to obtain feedback concerning the implementation of this policy and the provision of election information and services to persons with disabilities as it impacts the election overall.

## 9. Feedback Process:

The feedback provides election staff with an opportunity to take corrective measures to prevent similar recurrences, address training needs, enhance service delivery and provide alternative methods of providing election information and services.

Feedback regarding the manner in which the election services are provided to persons with disabilities may be submitted by:

**Mail or deliver to:** City Clerk,  
City of Port Colborne  
66 Charlotte Street  
Port Colborne, Ontario L3K 3C8

**By phone:** 905-835-2900 ext. 106

**In person:** Municipal Offices, 66 Charlotte Street, Port Colborne

**By e-mail:** [cityclerk@portcolborne.ca](mailto:cityclerk@portcolborne.ca) or [election@portcolborne.ca](mailto:election@portcolborne.ca)

**On the web:** [www.portcolborne.ca](http://www.portcolborne.ca)

The City of Port Colborne Accessible Customer Service Feedback Form is located on the City of Port Colborne website. This form is to be submitted to the City Clerk for response. In addition, election staff can complete the form and submit it on behalf of a person with a disability. Alternatively, the form may be printed and provided to the person for manual completion.

A Voting Location Evaluation Form shall be provided by the Clerk for completion by the DRO of each voting place. The completed form is to be included amongst the supplies returned to the Clerk following the close of the poll.

Each completed feedback form shall be reviewed by City staff who will respond to the candidate or elector directly, if requested, providing an anticipated action and timeframe for a full response, where appropriate. Notification of this process will be printed and displayed at the Municipal Offices and on the City's election website.

The feedback process provides election staff with an opportunity to take corrective measures to prevent similar recurrences, address training needs, enhance service delivery, and provide alternative methods of providing election services.

## 10. Reporting:

In accordance with Subsection 12.1(3) of the *Municipal Elections Act, 1996*, within ninety days of voting day, the Clerk shall submit a report to Council about the identification, removal, and prevention of barriers that affect electors and candidates with disabilities.

## 11. Clerk’s Discretion and Authority:

Programs or services not outlined in this policy may be provided as deemed necessary, solely at the Clerk’s discretion. This policy shall not limit the Clerk’s authority under the *Municipal Elections Act, 1996*, to exercise discretion on the provision of election related services or respond to unforeseen circumstances not otherwise outlined herein.

## 12. Additional information:

### a. Contacts:

Election Coordinator Diana Vasu 905-835-2900 ext. 211 <a href="mailto:election@portcolborne.ca">election@portcolborne.ca</a>	Acting Deputy Clerk Saima Tufail 905-835-2900 ext. 115 <a href="mailto:deputyclerk@portcolborne.ca">deputyclerk@portcolborne.ca</a>	Acting City Clerk Nicole Rubli 905-835-2900 ext. 106 <a href="mailto:cityclerk@portcolborne.ca">cityclerk@portcolborne.ca</a>
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### b. Ministry of Municipal Affairs and Housing - Election Website:

This website contains information about municipal elections, the *Province of Ontario 2022 Candidates Guide - Ontario municipal council and school board elections* and the Ministry’s commitment to promote greater accessibility for voters and candidates with disabilities. For more information, please visit [www.mah.gov.on.ca/Page219.aspx](http://www.mah.gov.on.ca/Page219.aspx) and refer to the 2022 Voters’ Guide - Ontario municipal council and school board elections.

### c. Ministry of Economic Development, Employment, and Infrastructure:

The Ministry of Economic Development, Employment, and Infrastructure has published information with respect to accessibility in Ontario. For more information please visit: <https://www.ontario.ca/page/ministry-economic-development-job-creation-trade>



#### **d. Service Ontario – e-Laws:**

This website contains all current statutes including the *Municipal Elections Act, 1996*, the *Ontarians with Disabilities Act, 2001* and the *Accessibility for Ontarians with Disabilities Act, 2005*: [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca).