



City of North Bay Report to Council

Report No: CORP-2025-009

Date: January 8, 2025

Originator: Karen McIsaac, City Clerk and Véronique Hie, Deputy City Clerk

Business Unit:

Department:

Corporate Services

Clerks Department

Subject: Method of Vote – 2026 Municipal and School Board Elections

Closed Session: yes no

Recommendation

That Council refer Report to Council CORP 2025-009 re Method of Vote for the 2026 Municipal and School Board Elections from Karen McIsaac and Veronique Hie to the General Government Committee.

Background

The *Municipal Elections Act, S.O. 1996* (the Act) governs the conduct of all Municipal and School Board Elections held within the Province of Ontario. Pursuant to the Act, municipalities have until May 1st in the year of an election to pass a by-law authorizing the use:

1. of voting and vote-counting equipment.
2. by electors of an alternative voting method that does not require electors to attend at a voting place in order to vote.

The Council of the City of North Bay by way of By-Law No. 2021-69 approved the use of voting and vote-counting equipment together with Alternative Voting (on-line voting) for the 2022 Municipal and School Board Elections.

The principles of the Act include:

- maintaining the secrecy and confidentiality of the voting process and individual votes;
- providing an election that is accessible to the voters;
- providing an election that is fair and non-biased;
- ensuring the integrity of the process is maintained throughout the election;

- ensuring the results of the election reflect the votes cast, and that valid votes be counted and invalid votes be rejected so far as reasonably possible; and
- ensuring voters and candidates are treated fairly and consistently within the municipality.

Method of Vote - 2022 Municipal and School Board Elections:

The 2022 Municipal and School Board Election was the first election that the City of North Bay provided electors with the choice to vote in-person with vote tabulators or on-line voting.

Advance Polls:

There were three (3) in-person advance voting locations, located at the West Ferris Arena, Memorial Gardens and Castle Arms II. The advance polls were held on October 12, October 13 and October 14th.

On-line voting went live on October 13, 2022, and remained available until the end of Voting on October 24, 2022.

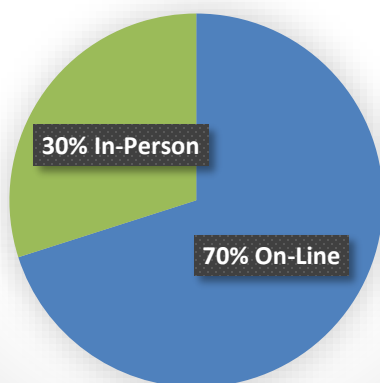
Election Day:

The number of polls in 2022 for in-person voting were reduced to five (5) Super Polls which were located at West Ferris Arena, Memorial Gardens, the Davedi Club, Canadore College (Commerce Court) and Vincent Massey Public School. There were also the Special Polls being Retirement and Nursing Homes.

Three of the Special Polls elected to run an on-line election for their residents to allow the residents to vote at their leisure and not have to attend in-person on Election Day to cast their vote. These Special Polls reported that the residents had no issues with on-line voting.

The chart below illustrates that the clearly preferred choice of electors voting in the 2022 Election was the on-line platform.

2022 Municipal Election Votes by On-Line and In-Person



Costs:

The cost of the 2022 Municipal Election was \$249,578.00. The highest costs consisted of the rental of the vote tabulators together with accessible ballot markers, paper ballots and advance poll and election day staff (112 individuals) that are required to run the paper option of the election. The Clerk's Department also requires a full-time staff member for a six-month duration to help with the administrative tasks of the Election.

Accessibility:

The City Clerk and Deputy City Clerk attended the Municipal Accessibility Advisory Committee (MAAC) to advise of the use of the on-line platform in the 2022 Election and to obtain advice from the Committee as to whether or not they felt the platform was accessible.

The suggestions of MAAC were provided to Simply Voting (the on-line platform provider) and they confirmed that the concerns of MAAC had already been considered and implemented by Simply Voting.

We received positive feedback regarding the simplicity and accessibility of the on-line platform.

Security of System – Audits:

The City of North Bay in conjunction with the Muskoka Clerk's Group issued an RFP for a Third-Party Auditor to audit the on-line system that was being used by the City of North Bay, the Town of Huntsville, the Town of Gravenhurst and the Town of Bracebridge.

This audit included a penetration test to determine if they could gain access to privileged information or perform unauthorized operations, extensive security testing, password and authentication testing, host security testing and exploitation to determine if there were any security flaws, vulnerabilities or deficiencies.

The City's Information Systems Department together with the Muskoka Group's Information Systems Departments were satisfied with the outcome of the third-party audit.

The City of North Bay's Chief Financial Officer together with the Deputy City Clerk conducted daily audits of the voting system from the date it went live on October 13, 2022 until the end of Election Day on October 24, 2022.

The daily audit was to ensure the voting website was working properly, that the ballot configuration was correct, that the results were not accessible prior to the election's close, that any suspicious activity was being reviewed as well as reviewing the election log and reports.

Two-step authentication:

To vote on-line electors received a letter which contained a unique six (6) digit code, this unique code together with their date of birth was required to be entered into the voting platform to be able to vote in the 2022 Election.

As with paper voting, if the elector did not receive a letter with their unique identification (ID) number they had to attend the Municipal Office and provide identification to ascertain a new ID number to be able to vote.

As always, there is a notice on the letter which advises that it is an offence to vote more than once for any elected office within the same municipality or school board jurisdiction.

Staff Recruitment:

Staff recruitment for the 2022 election became very onerous. Most of the citizen base that work elections are aging, it became increasingly challenging to recruit staff to work at the 2022 Election.

Staff Training:

It takes approximately 1 to 2 full weeks to provide training to the election staff for the in-person portion of the election. It is mandatory for election staff to attend a training session, which is unpaid. We will have to reconsider the non-payment for training as this became an issue with the election staff during the 2022 election. This would incur further costs for the 2026 Election.

Voters List:

The Deputy City Clerk is part of the Elections Ontario Municipal Working Group being the transition of the Municipal Voters' List from the Municipal Property Assessment Corporation to the Province of Ontario. The Province of Ontario has assumed the voters list, and it is anticipated that the next Provincial Election will take place in June of 2026, this will help to ensure the accuracy of the Voters' List for the 2026 Municipal Election.

The City will be starting an advertising campaign in 2025 to advise citizens that they will need to verify that they are on the Voters' List and that their date of birth and school board designation is correct. The Provincial website is currently up and running at:

<https://www.registertovoteon.ca/register-of-voters>.

Key Findings from the Association of Municipal Clerk Treasures of Ontario (AMCTO) re 2022 Municipal Elections:

It has been an AMCTO tradition post-election, to ask municipalities for election administration and operational information following municipal elections, to look for key trends. Once completed the information is shared with Municipalities.

Some of the key findings were:

- In the 2018 Municipal Election there were over 192 out of the 444 Municipalities that used on-line voting as their method of vote, which increased in the 2022 Municipal Elections to more than half (58%) of Municipalities using on-line voting.
- 14% of Municipalities had challenges recruiting staff.
- Satisfaction with internet voting increased between 2018 and 2022 with 15% more municipalities that used internet reporting that they were very satisfied with the method in 2022.
- Challenges with the MPAC Voters' list.

2026 Method of Vote Options for Council's Consideration:

In looking forward to the method of vote for the 2026 Municipal and School Board Elections, staff has reviewed the following voting methods which are itemized below for Council's consideration:

Option 1: **In-Person Voting with vote tabulators as the only method of vote:**

This is the most traditional of all voting methods and is the method that the City of North Bay has historically used.

This method requires all electors to attend a polling station, either through advance polls or on Election Day itself. Proxy votes would be permitted, subject to the terms described in the *Municipal Elections Act*.

All registered voters would be sent a voter identification card, giving details of the advance polls and Election Day polling stations.

Pros:

Traditional in-person voting offers registered voters a secure and monitored location to cast their vote. The polling stations would be monitored by election staff, municipal staff and scrutineers who would be able to ensure all votes were cast in a secure environment and that all ballots were accounted for in a controlled process.

Voting in-person is also considered the simplest and most familiar method of voting for many. Registered voters would be required to attend a designated polling station on Election Day to cast their ballot, but otherwise would not require additional instruction or education throughout the process, as many are familiar with this method of voting.

Cons:

The costs are generally higher for in-person elections. The highest costs included the lease of the tabulators, salaries of the election workers, ballots.

Ascertaining polling locations is a challenge as there are few municipal facilities that accommodate the space required to hold an election. Pursuant to the Act, School Boards must allow municipalities to use their schools to hold elections without any cost to the municipalities. It has become more and more onerous on the municipality when using schools as polling locations due to the *Safe Schools Act*. The Returning Officer must ensure that all policies and procedures of the school are being followed by election staff and voters.

There is a low degree of accessibility for persons with disabilities particularly those with mobility issues or those that require the

use of adaptive or assistive technology. In accordance with legislation, the municipality must prepare an Accessibility Plan. The City rents equipment to assist those with disabilities to mark their ballots, however statistics found that this specialized equipment is not used.

Those who are not able to attend a designated polling station to vote in-person on Election Day or during advanced polls will not be able to exercise their right to vote unless they have arranged to do so by way of a proxy.

Option 2: **The use of electronic voting as the only method of vote:**

Internet voting would involve providing each elector with unique credentials to access the secure voting website from a personal computer, tablet or smartphone from any location where there is an internet connection during the voting period.

The 2022 Municipal and School Board Election saw over half (58%) of the 444 Municipalities in Ontario included on-line voting as a voting method.

Pros:

Many Municipalities have moved to internet voting as it is a fast and efficient voting method. Online voting users have found it simple, convenient and private. Once the ballot has been completed (selections of choice made), the voter has the opportunity to review their selections prior to marking the ballot "complete". Data is then stored in a secure database and not tabulated until voting has closed. Results are generated in real time and provided easily after the close of election. This method does not allow for unintentionally spoiled ballots and provides warning prompts in races that may be under-voted or left blank.

Voting credentials are mailed to the residents who then have the capability of casting their ballot from anywhere in the world, provided there is internet available and that their confirmatory information is correct on the voters' list. Electors who prefer assistance can still be helped during the voting period in established voting centres or other municipal facilities.

The need to hire additional volunteer or paid staff for an internet only election would be limited. This would lower the cost of the election.

Cons:

Although it is reasonable to anticipate that there will be less discomfort as time passes with the evolution of technology, there are voters who express discomfort due to unfamiliarity with technology, or simply prefer the traditional method of casting their paper ballot.

Despite an encrypted database for voting data storage, there are concerns respecting the security of internet voting, including potential for fraudulent activity, viruses and other technical threats associated with the system and transmission of personal information. Additionally, there is the perception that internet voting may violate privacy, including concerns surrounding friends or family members exercising illegitimate and unlawful authority to compel an elector's vote or voting on their behalf with their credentials.

Using internet voting would still require the municipality to contract with a third-party company for the on-line platform.

This system could be less accessible for persons that do not have computers or mobile devices at their immediate disposal.

Option 3: **Vote-by-Mail:**

In the Vote-by-Mail method all registered electors would be sent a voting kit, several weeks in advance of voting day itself. The kit would include a ballot, a security declaration and a return envelope. Voters then return the ballots via Canada Post, or drop them off in person. Ballots must be received by 8 p.m. on voting day.

Pros:

Vote-by-mail provides improved coverage and convenience for all electors with kits mailed to the preferred mailing address of each qualified elector on the voters list. Individuals are able to vote from the comfort of their home with no additional accessibility provisions required to be considered for the election.

Another benefit of vote-by-mail is that there is no need for proxy voting or advance polls. This saves in additional staff time and removes an added layer of complexity.

Cons:

An exclusively vote by mail system requires that a ballot be issued to everyone listed on the voters list and does not include any

security measures beyond the standard oath of an elector, such as signature matching.

There are some security concerns with vote-by-mail including the possibility of forged ballots or mail fraud, including the opening or tampering of mail or altering ballots.

Vote-by-mail can be expensive considering the cost of postage, additional staff required and necessary education campaign to use this method. Additionally, extra temporary staff will be required to assist with the opening and counting of ballots. A strong communications effort would be needed to ensure all eligible voters are aware of the new method and how to register to vote if they are not already on the voters list.

The vote-by-mail method requires a more extensive timeframe to mail out the ballots and ensure that they can be returned by voting day. There may be cases where non-resident electors may experience barriers to voting as a result of these timeframes associated with the mailing process or in situations where non-resident voters did not receive a voter kit initially and are unable to pick one up in person prior to the close of voting.

Vote-by-mail is completely reliant on Canada Post, not only to distribute blank ballots but to process completed ballots mailed back to the municipality. Implementing contingency measures are more difficult with this method in the event of a postal service disruption or other unforeseen delay. Voters may also feel pressured to complete their ballots so that they can be mailed as soon as possible to meet the deadline. This may affect the campaign period as there will be little value campaigning in the days immediately before Election Day.

Option 4: **Telephone Voting:**

Voters receive a toll-free telephone number and Personal Identification Number (PIN) in their Voter Information Letter. Voters call the phone number and are prompted to authenticate their identity by entering their PIN and date of birth using a touch-tone dial pad. The system checks whether or not they have voted. If they have not voted, the system will start to read the list of candidates. The voter makes their selections, one at a time. Once voting is completed, the voter is requested to confirm their choices. When the voter confirms a ballot, the results are encrypted and stored anonymously. The voter is issued a receipt number (accessible only online) and is now blocked from voting in this election again. The system never allows a voter to vote twice.

Pros:

Accessibility, most electors have access to a telephone whether it be a land line or a cell phone.

May be able to be provided by the same on-line vendors.

Cons:

Can cause confusion to electors if there is a long list of candidates and need to do multiple confirmations.

Municipalities who have used this method note that many voters who used telephone voting required additional assistance during the telephone voting process, as a result, voting time was increased along with general voter disenfranchisement.

Option 5: **The use of electronic voting through the advance voting period and on Election Day and paper ballots with electronic vote tabulators on Election Day:**

The Hybrid Option was used in the City of North Bay's 2022 Municipal and School Board Elections.

Pros:

Using this method avoided some of the problems with option 1 or option 2. By combining these two methods, there was additional expanded coverage for voters not able to vote in-person and for those who may prefer the convenience of alternative voting.

Having the option to vote in-person assisted those in the community with problematic internet coverage and those who feel unable to use an online system due to their technological awareness or accessibility needs.

Cons:

The hybrid option resulted in higher costs for the 2022 election.

Options for the 2026 Municipal and School Board Elections

Depending on the preference of Council, several options are available for conducting the 2026 Municipal and School Board Elections. Council may choose to offer voters a paper ballot system using optical scan vote tabulating devices, an internet voting system, or a hybrid approach using both systems. Regardless of the method selected, Municipal and School Board Elections also place an increased demand on the City's Information Technology Services branch with respect to setting up and/or equipping the voting locations.

When selecting the method of voting, Council may also need to consider any potential pandemic and the impact this may have on the cost of administering the 2026 Election.

Financial/Legal Implications:

The City budgets \$65,000.00 per year for the Election.

Corporate Strategic Plan

- Natural North and Near
- Affordable Balanced Growth
- Responsible and Responsive Government
- Economic Prosperity
- Spirited Safe Community

Specific Objectives

Options Analysis

Option 1: That Council refer Report to Council CORP 2025-009 re Method of Vote for the 2026 Municipal and School Board Elections from Karen McIsaac and Veronique Hie to the General Government Committee.

This is the recommended option.

Option 2: That Council not refer Report to Council CORP 2025-009 re Method of Vote for the 2026 Municipal and School Board Elections from Karen McIsaac and Veronique Hie to the General Government Committee.

This is not the recommended option.

Recommended Option

That Council refer Report to Council CORP 2025-009 re Method of Vote for the 2026 Municipal and School Board Elections from Karen McIsaac and Veronique Hie to the General Government Committee.

Respectfully submitted,

Name: Karen McIsaac, Dipl. M.A.

Title: City Clerk

Name: Veronique Hie

Title: Deputy City Clerk

I concur with this report and recommendation

Name: Peter E.G. Leckie, B.A. (Hons.), LL.B.
Title: City Solicitor

Name: John Severino, P.Eng., MBA
Title: Chief Administrative Officer

Personnel designated for continuance:

Name: Karen McIsaac, Dipl. M.A.
Title: City Clerk

Name: Veronique Hie
Title: Deputy City Clerk