

**TO:** CHIEF ADMINISTRATIVE OFFICER **DATE:** 2021 Nov 23  
**FROM:** CHIEF ELECTION OFFICER  
**SUBJECT: MAIL BALLOT VOTING**  
**PURPOSE:** To provide Council with additional information regarding mail ballot voting.

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**RECOMMENDATION:**

1. **THAT** Council receive this report for information.

**REPORT****1.0 INTRODUCTION**

At the 2021 November 22 open Council meeting Council received a report from the Chief Election Officer outlining a process for utilizing mail ballot voting for Special Voting Opportunities. Arising from consideration of the report Council adopted the following motion:

“THAT the report be REFERRED back to staff to investigate the feasibility, implications, resources and costs associated with the following:

1. expanding the provision of mail ballot voting beyond Special Voting Opportunities, to include those electors with reduced mobility, immunocompromised, unable to leave their homes, as well as those who will be away and unable to vote during advance voting or on election day; and
2. expanding mail ballot voting to all electors upon request.”

**2.0 POLICY SECTION****Goal**

- A Connected Community
  - Digital connection –
  - Provide online access to core City services and information

To: Chief Administrative Officer

From: Chief Election Officer

Re: Mail Ballot Voting

2021 Dec 13.....Page 2

- Social connection –
  - Enhance social connections throughout Burnaby
  - Partnership –
  - Work collaboratively with businesses, educational institutions, associations, other communities and governments
  - Geographic connection –
  - Ensure that people can move easily through all areas of Burnaby, using any form of transportation
- An Inclusive Community
  - Celebrate diversity –
  - Create more opportunities for the community to celebrate diversity
  - Serve a diverse community –
  - Ensure City services fully meet the needs of our dynamic community
  - Enhance City workforce diversity –
  - Support a diversified City workforce by identifying barriers and implementing proactive strategies
  - Create a sense of community –
  - Provide opportunities that encourage and welcome all community members and create a sense of belonging
- A Thriving Organization
  - Organizational culture –
  - Ensure that our core values are reflected in our policies, programs and service delivery
  - Financial viability –
  - Maintain a financially sustainable City for the provision, renewal and enhancement of City services, facilities and assets
  - Human resources –
  - Foster an environment for teamwork, efficiency and excellence to deliver customer service in alignment with our core values
  - Communication –
  - Practice open and transparent communication among staff, Council and the community
  - Reliable services, technology and information –
  - Protect the integrity and security of City information, services and assets
  - Technology and innovation –
  - Support technology development and innovation to empower staff and to advance community objectives

### **3.0 BACKGROUND**

Staff originally proposed to utilize mail ballot voting for Special Voting Opportunities to mitigate the impact of the pandemic and to respond positively to the preferences of care home administrators. A recent survey shows the vast majority would prefer voting by mail ballot for their residents.

However, in 2021 September, without any prior consultation, the Ministry of Municipal Affairs amended s.110 of the Local Government Act (LGA) to permit mail ballot voting at large. This amendment effectively removed any flexibility to allow mail ballot voting for select groups such as persons with disabilities, the immunocompromised etc.

The authority to provide mail ballot voting is on an “all or nothing” basis ie. mail ballot voting at large for everyone, or not at all. In contrast, s.109 of the LGA requires Special Voting Opportunities to be provided in a traditional voting place. The legislation does not grant authority for mail ballot voting to be used for Special Voting Opportunities or for select groups such as those electors with reduced mobility, immunocompromised, or unable to leave their homes.

Staff have considered a variety of options to address this disparity, however in order to ensure the election is conducted securely and in adherence to the legislation, staff have contacted the Ministry to request clarification around using mail ballots for Special Voting Opportunities.

Ministry staff are looking into this as it has broad ramifications for all local governments as many are planning to use mail ballot voting for Special Voting Opportunities.

Once staff receive notification from the Ministry as to how this will be addressed, a report regarding Special Voting Opportunities will be provided to Council in the new year.

It is important to note curbside voting has been utilized in local government elections for decades to meet the needs of those individuals unable to enter a voting place. It will continue to be offered as a service during the 2022 election as well. Staff also looked at the option for a drive-through voting place but the type of location, equipment requirements, internet service and the need for shelter and heat for workers were too cumbersome to make this a viable option.

### **4.0 MAIL BALLOT PROCESS**

Because of the cost, time and impact on staff resources some local governments have chosen not to offer mail ballot voting. There is no general standard or practice across local governments.

Based on research focusing on the use of mail ballots in the most recent Provincial and Federal elections, staff estimate preparation of 25,000 mail ballot packages for mail voting

at large. A full uptake of 25,000 mail ballots is the equivalent, on average, to 17 voting places. However there are too many unknowns at this point to consider reducing the number of voting places should Council decide to undertake mail ballot voting at large.

The 25,000 mail ballots is equivalent to 15.5% of the current voters list. Research has found other municipalities considering mail ballot voting at large are using estimates ranging from 10% of their total voters list to 30% of their total voters list and other percentages in between. If Burnaby were to use 20% of the total voters list the volume would be in the area of 32,000 mail ballot packages.

If the City of Burnaby offers mail ballot voting at large the process is as follows:

- Step 1 is to advertise and offer the opportunity to apply for a mail ballot. Legislation requires a voter to apply to vote by mail. Applications would be collected either through an online application where the voter can upload their two required pieces of identification (ID), picking up an application in person with the appropriate ID or requesting an application be mailed to a voter with copies of ID provided in the return mail.

Mail ballot *applications* would be made available from 2022 September 01 until 2022 September 30th.

- Once an application is returned it is checked for completeness and voter eligibility. If the individual is not on the voter's list they may complete an application to become a registered elector or non resident property elector.
- Under the best circumstances it is hoped the City would receive delivery of mail ballots by 2022 September 23 or 24. If there are delays they may not be received until September 26.
- Once mail ballots are received the mail ballot packages would be finalized. It is anticipated mail ballot packages would be available between 2022 September 27 – 29 depending upon when ballots are received. A mail ballot package includes:
  - Outer envelope in which the package is either picked up or mailed to a voter;
  - The ballot in Secrecy Envelope 'A',
  - Certification Envelope 'B' which must be printed with spaces for the voter to record his or her full name and residential address; a statement to be signed by the person voting declaring that the voter...
    - (i) is entitled to be registered as an elector for the election
    - (ii) is entitled to vote by mail ballot, and
    - (iii) has not previously voted in the election and will not afterwards again vote in the election.

To: Chief Administrative Officer  
From: Chief Election Officer  
Re: Mail Ballot Voting  
2021 Dec 13.....Page 5

- Return envelope 'C' with a City return address, application to register as a voter (if needed), and instructions on how to Vote.

When the ballot is completed it is placed in the Secrecy Envelope 'A', sealed, put into the Certification Envelope 'B', sealed, signed, placed in the Return Envelope 'C' and returned either by mail or dropped off at Christine Sinclair Center or in designated ballot boxes at voting places on advance and general voting days.

- When completed mail ballots are received they are placed in secure storage until the time, designated by bylaw, they may be opened and fed into the tabulator.
- If a voter applies for a mail ballot and then changes their mind wishing to attend a voting place, the mail ballot must be surrendered before being permitted to vote at a voting place. A mail ballot may be surrendered to the Burnaby Elections Office or to a Presiding Election Official at a voting place.

A copy of the information and forms provided to voters requesting a mail ballot is *attached* for reference as Appendix C. For Council's information a process flow chart is *attached* as Appendix A and a copy of the mail ballot application is attached as Appendix B.

Staff recommend that if Council proceeds with mail ballot voting at large, the bylaw include the ability to process ballots on two advance voting days as determined by the Chief Election Officer, otherwise it is unlikely tabulating the vote would be completed on general voting day. Candidate representatives would be advised of the opening of ballots and be able to attend as they would in any voting place.

Given the potential volume from mail voting at large, seven teams of six election workers would be employed on general voting day, strictly for mail ballot processing. Smaller teams would be employed on advance voting days.

On the date and time designated in a mail ballot voting bylaw, and under the supervision of a Deputy Chief Election Officer, two Presiding Election Officials and two Alternate Presiding Election Officials, two election workers would remove received mail ballots from secure storage, open the envelopes and determine whether they are complete. Incomplete packages would be rejected. Reasons for rejection may include incomplete certification statements, lack of identification, or not registered as an elector and not applying to be a registered elector, or not qualified to vote in accordance with the Local Government Act.

Two election workers will enter information into the DataFix Voter View system to ensure people have not previously voted at a voting place. Voter View will also ensure they do not vote at a voting place after submitting a mail ballot. Two election workers would open the ballot envelope and feed ballots into the tabulator. Up to four tabulators would be used for this purpose.

It is important to recognize the volume of material we could potentially be processing. A busy voting place processes approximately 1500 voters in a 12 hour period, our busiest voting location processes over 3000 voters. While mail ballots would likely reduce the impact on voting places we have no way to determine which voting places would be impacted and therefore need to maintain our current complement.

Council will note this is very different from the recent mail ballot process used by the Federal and Provincial governments. The senior governments operate under different legislation and timelines. The timelines in the Local Government Act are very restrictive and this was not addressed when the legislation was changed.

## 5.0 MAIL BALLOT COSTING

Council also requested additional details on the costs of an enhanced mail ballot program. The costs below are reasonable estimates for 25,000 mail ballots but are not included in the 2022 election budget:

Envelopes (not including freight)	14,000.00
DataFix Mail Ballot Module	18,000.00
Mail Ballot election workers	29,000.00
Additional Laptops and Tabulators	8,000.00
IDRS Preparation of Mail Ballot Application Package	19,117.02
IDRS Preparation of Mail Ballot Packages	38,718.43
Mail (outgoing)	89,000.00 (2022 postal rates)
Mail Ballots (Separate Order Scored for Folding)	<u>7,000.00</u>

<b>TOTAL COST (estimated)</b>	<b>222,895.45</b>
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This cost estimate does not provide return mail postage as part of the package. If Council wishes to provide return mail postage the cost is estimated at an additional 24,150.00

Additional internal costs not reflected in this report include creation of the mail ballot application form, both online and in print form, staff time for developing and coordinating mail ballot materials, answering enquiries, providing assistance to voters to complete applications, and send out packages as required.

Given this process was not considered in planning for the 2022 election it will also result in overtime costs and election results may be delayed depending upon volume received.

Finance Department staff advise that although funding for mail ballots was not identified in the overall general elections budget within the 2022 – 2026 Financial Plan, staff will utilize the City's Operating Surplus Reserve to manage the additional costs to be incurred should Council decide to move forward with mail ballots.

To: Chief Administrative Officer  
From: Chief Election Officer  
Re: Mail Ballot Voting  
2021 Dec 13.....Page 7

## 6.0 RECOMMENDATION

It is recognized this is a Council decision. If Council chooses to proceed with mail ballot voting at large the following motions would need to be adopted arising from receipt of this report.

1. THAT Council direct staff to proceed with mail ballot voting at large for the 2022 Local Government Election.
2. THAT Council authorize amendment and/or preparation of the appropriate bylaw(s) to facilitate mail ballot voting at large in accordance with the processes outlined in this report.



Lynne Axford  
CHIEF ELECTION OFFICER

DC

Copy: Director Finance/Deputy CAO  
Director Corporate Services  
City Solicitor  
City Clerk

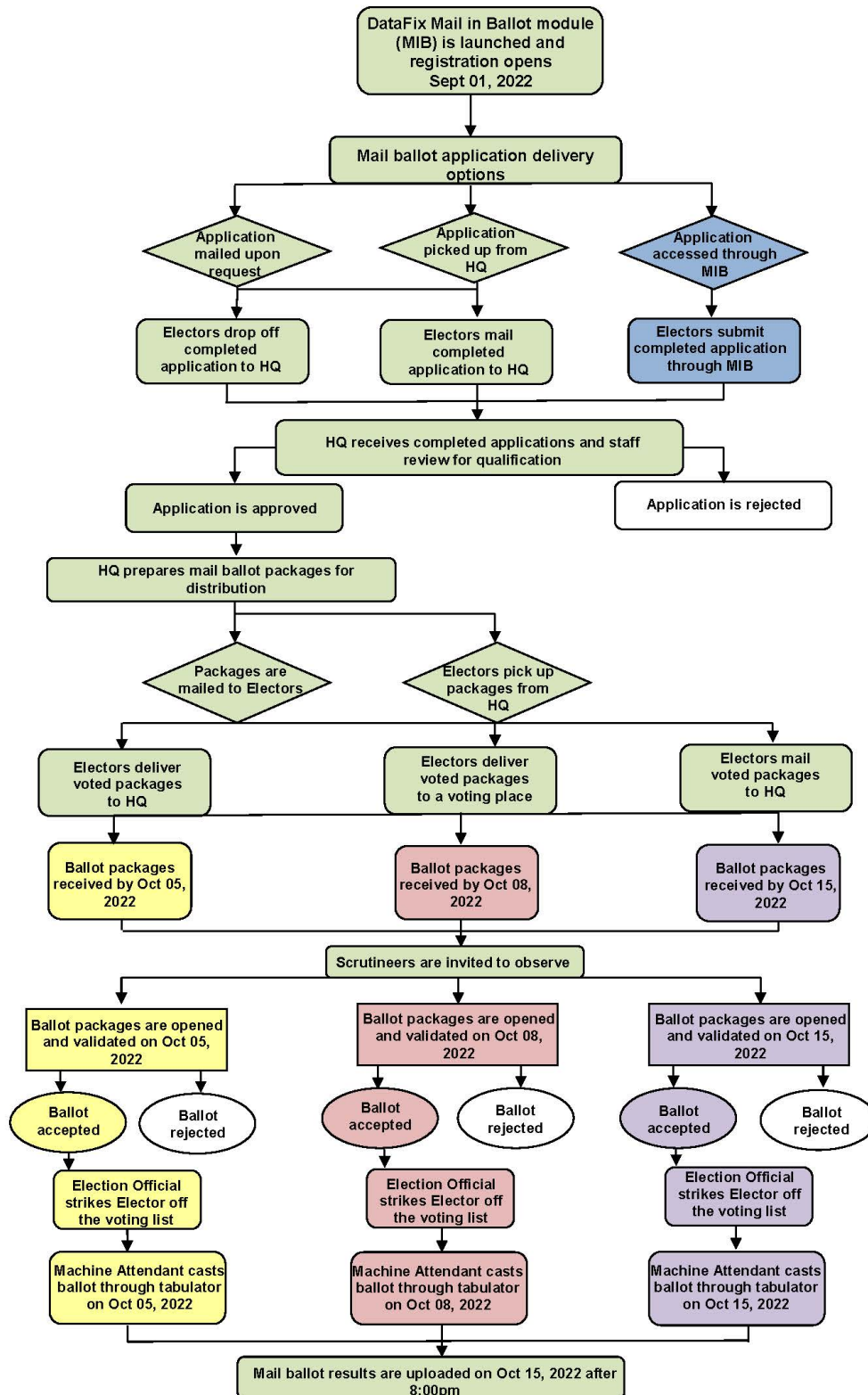
To: Chief Administrative Officer

From: Chief Election Officer

Re: Mail Ballot Voting

2021 Dec 13.....Page 8

## APPENDIX A MAIL BALLOT PROCESS FLOW CHART



To: Chief Administrative Officer  
From: Chief Election Officer  
Re: Mail Ballot Voting  
2021 Dec 13.....Page 9

## APPENDIX B

### 2022 Local Government Election – Mail Ballot Application (Available online and as a hard copy package)

I request that I receive a ballot to vote by mail, under the provisions of Section 110 of the Local Government Act of BC in the Local Government Election to be held on Saturday, 2022 October 15.

1. I am voting as...

- ☐ Resident Elector
- ☐ Non-Resident Property Elector

2. Voting as a Resident: Declaration

I HEREBY DECLARE THAT:

I am a Canadian citizen;  
I am 18 years of age or older today, **OR** if an election or assent voting is in progress, I will be 18 years of age or older on general voting day;  
I have been a resident of British Columbia for at least 6 months immediately before today;  
I am entitled to vote in this election;  
I have not voted in this election;  
I am not disqualified by any enactment or law from voting in this election; and  
I am providing two pieces of approved identification confirming my name, residential address and signature OR the Unique Burnaby Voter ID as it appears on my Voter Card.  
Voter ID # \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant.

**NOTE:** If you are not a registered voter in the City of Burnaby you must complete an Application for Registration as a Local Government Resident Elector (Form 200M) provided with this package, before you can be issued a ballot.

OR

To: Chief Administrative Officer  
From: Chief Election Officer  
Re: Mail Ballot Voting  
2021 Dec 13..... Page 10

## Voting as a Non-Resident Property Elector: Declaration

### I HEREBY DECLARE THAT:

- a) I am a Canadian citizen;
- b) I am 18 years of age or older today, **OR** if an election or assent voting is in progress, I will be 18 years of age or older on general voting day for the election or assent voting;
- c) I have been a resident of British Columbia for at least 6 months immediately before today;
- d) I have been a registered owner of real property in the City of Burnaby for at least 30 days immediately before today;
- e) I am not holding the property in trust for a corporation or any other trust;
- f) I am not entitled to register as a resident elector in the City of Burnaby;
- g) I have not registered as a non-resident property elector in relation to any other parcel of real property in the City of Burnaby;
- h) I have received the written consent of the majority of individuals registered as owners of the real property to be registered as the non-resident property elector for this property (if there is more than one owner of the property); and
- i) I am not disqualified under the *Local Government Act* or any other enactment from voting in an election.

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Signature

Address of your real property in the City of Burnaby:

Suite Number (If applicable):

Street Number:

Street Name:

Postal Code (ex. A1A 1A1)

To: Chief Administrative Officer  
From: Chief Election Officer  
Re: Mail Ballot Voting  
2021 Dec 13..... Page 11

3. Resident Electors please provide your personal and residential information in the City of Burnaby:

First Name:

Last Name:

Date of Birth (MM/DD/YYYY):

Telephone Number:

E-mail Address:

Suite Number (if applicable):

Street Number:

Street Name:

Postal Code (ex. A1A 1A1):

4. Receiving a Mail Ballot

I request to be provided with a mail ballot package as follows:

***NOTE: Mail Ballot Packages are only available as of Noon 2022 September 27.***

- a) Keep it at the Election Office for me or a designated person to pick up

First and last name of person to pick up your ballot is required, the designated person must show photo identification, including their name and signature, when they pick up the mail ballot package.

First Name:

Last Name:

To: Chief Administrative Officer  
From: Chief Election Officer  
Re: Mail Ballot Voting  
2021 Dec 13..... Page 12

b) Mail my ballot package to the following address:

Suite number (if applicable):

Street number:

Street name:

City:

Postal Code:

5. By signing this document, you are confirming that you meet all of the eligibility requirements for voting by mail and that the information provided is accurate:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Date:

## **APPENDIX C**

### **MAIL BALLOT INSTRUCTIONS AND DOCUMENTATION PROVIDED IN MAIL BALLOT PACKAGES**

#### **MAIL BALLOT INSTRUCTIONS**

**This package includes:**

- Ballot
- Secrecy Envelope A
- Certification Envelope B
- Return Envelope C (pre-addressed to City of Burnaby Elections Office)
- If Required:
  - Application Form for Registration as a Local Government Resident Elector
  - Application Form for Registration as a Non-Resident Property Elector
  - Consent Form for a Non-Resident Property Elector
  - Solemn Declaration as to Residency and Identity Form
  - Declaration of Person Assisting an Elector to Mark a Ballot Form
  - Declaration of Person Providing Translation Services to an Elector Form

#### **Identity Documents**

The following are valid documents for proving voter identity (2 must be provided):

- BC Driver's Licence
- BC Identification Card
- Photo BC Services Card
- Certificate of Indian Status as issued by the Government of Canada
- Non-photo BC Services Card
- Student card issued by a post-secondary institution
- Owner's Certificate of Insurance and Vehicle Licence issued by ICBC
- BC Care Card or BC Gold Care Card
- Ministry of Social Development and Economic Security Request for Continued Assistance Form SDES8
- Social Insurance Card
- Canadian Citizenship Card
- City of Burnaby Property Tax Notice
- Statement of Employment Insurance Benefits
- BC Government cheque
- Income Tax Assessment Notice
- Canadian Forces Identification
- Old Age Security Identification Card
- Canadian Passport
- Birth Certificate
- Credit card or debit card or statement
- Utility bill

To: Chief Administrative Officer  
From: Chief Election Officer  
Re: Mail Ballot Voting  
2021 Dec 13..... Page 14

**STEP 1: FOLLOW THE STEPS FOR THE APPLICABLE ITEM BELOW:**

- a) You are registered to vote
  - Follow steps 1 to 5 if you are registered on the City of Burnaby Voter's List as a resident or non-resident property elector.
  - Complete Step 3A if your name or address is different from the information on the Voter's List
- b) You need to register as a Resident Elector:
  - Follow Steps 1 to 5 and 3A if you are a City of Burnaby resident but are not registered to vote.
- c) You need to register as a Non-Resident Property Elector
  - Follow Steps 1 to 5 and 3B if you own property in the City of Burnaby but are not registered as a non-resident property elector.

**STEP 2: COMPLETE YOUR BALLOT**

You are voting for: **ONE (1) MAYOR**  
**EIGHT (8) COUNCILLORS**  
**SEVEN (7) SCHOOL TRUSTEES**

**DO NOT VOTE FOR MORE CANDIDATES THAN NOTED ABOVE**

- Use a black pen or marker to fill in the oval next to the candidate(s) of your choice.
- Fold your marked ballot along the scored line.
- Place the folded ballot in SECRECY SLEEVE A
- If required:
  - If someone helps you complete your ballot, this person must fill out the Declaration of Person Assisting an Elector to Mark a Ballot Form or the Declaration of Person Providing Translation Services to an Elector Form and insert it in your RETURN ENVELOPE C.

**TIP: If you incorrectly mark your ballot or your ballot is damaged, contact City of Burnaby Elections Office at 604.294.7088 for a replacement ballot. You must return the spoiled mail ballot before you may receive a replacement ballot.**

### **STEP 3: COMPLETE CERTIFICATION ENVELOPE B**

- Insert sealed SECRECY ENVELOPE A containing your completed ballot inside CERTIFICATION ENVELOPE B
- Seal CERTIFICATION ENVELOPE B
- Complete, date and sign the certification statement printed on the front of CERTIFICATION ENVELOPE B.

### **NEXT STEP:**

- Go to Step 3A – If your name or address is different from the information on the Voters List
- Go to Step 3A – if you need to register as a Burnaby Resident Elector
- Go to Step 3B – If you own property in the City of Burnaby but need to register as a non-resident property elector
- Go to Step 4 – if you are a registered voter on the Voters List.

### **STEP 3A: REGISTER AS A RESIDENT ELECTOR**

- Complete the Application for Registration as a Local Government Resident Elector (200M) Form
- When you applied for your Mail Ballot Package, if you provided only one piece of identification, include a photocopy of a second piece of identification OR complete the Solemn Declaration as to Residency and Identity Form.
- **NOTE:** Your identification MUST prove your identity and your residence. One piece must include your signature. Please see the list of acceptable identification provided in this package.
- Proceed to Step 4.

### **STEP 3B: REGISTER AS A NON-RESIDENT PROPERTY ELECTOR**

- Complete the Non-Resident Property elector Registration Form
- When you applied for your Mail Ballot Package, if you provided only one piece of identification, include a photocopy of a second piece of identification OR complete the Solemn Declaration as to Residency and Identity Form.
- **NOTE:** Your identification MUST prove your identity and your residence. One piece must include your signature. Please see the list of acceptable identification provided in this package.
- Only ONE property owner may vote. Complete the Non-Resident Elector Consent Form if there is another registered property owner. A MAJORITY of the property owners must sign the Consent Form, including you.
- Provide a copy of a document that proves ownership of the property such as a property title deed or property tax notice.
- Proceed to Step 4.

To: Chief Administrative Officer  
From: Chief Election Officer  
Re: Mail Ballot Voting  
2021 Dec 13..... Page 16

#### STEP 4: COMPLETE YOUR MAIL BALLOT PACKAGE

- Place your sealed CERTIFICATION ENVELOPE B inside RETURN ENVELOPE C.
- If applicable, place any of the following signed forms inside RETURN ENVELOPE C.
  - Application form for registration as a Burnaby Resident Elector
  - Application form for registration as a Non-Resident Property elector
  - Consent form for a Non-Resident Property elector
  - Solemn Declaration as to Residency and Identity Form
  - Declaration of Person Assisting an Elector to Mark a Ballot Form
  - Declaration of Person Providing Translation Services to an Elector Form
- Seal RETURN ENVELOPE C
- Proceed to Step 5

#### STEP 5: RETURN YOUR MAIL BALLOT PACKAGE

- **You may return your completed mail ballot package:**
  - By Mail  
**NOTE:** *In accordance with the Local Government Act of BC, it is the responsibility of the voter to ensure the completed mail ballot package is received by the Chief Election Officer by 8 PM on Saturday, 2022 October 15. Ballots received after 8 pm on this date will NOT be counted.*
  - Drop off in the designated ballot box at any of the 32 voting places on General Voting Day 2022 October 15 from 8:00 am to 8:00 PM
  - Drop off in the designated ballot box at any of the six voting places on Advance Voting Days 2022 October 01, 05 or 08 from 8:00 AM to 8:00 PM
  - Drop off in the Lobby of Christine Sinclair Center, 3713 Kensington Avenue, Burnaby. Monday to Friday from 8:00 AM to 4:30 PM or on Advance and General Voting Days from 8:00 AM to 8:00 PM

#### FOR FURTHER INFORMATION

[www.cityofburnaby/elections](http://www.cityofburnaby/elections)

City of Burnaby Elections Office

604.294.7088

[elections@burnaby.ca](mailto:elections@burnaby.ca)