

Authority: Item 6.7 (a), English Public School Board By-Election: Voting Methods and Tabulating By-law (FCS24053)
CM: October 9, 2024 Ward: 4
Written approval for this by-law was given by Mayoral Decision MDE-2024-20
Dated October 9, 2024

Bill No. 179

CITY OF HAMILTON

BY-LAW NO. 24-179

A By-law to Authorize the Use of Optical Scanning Vote Tabulators for the 2025 Ward 4 By-Election to Fill the English Public School Board Trustee Vacancy, and to Repeal By-law 21-147

WHEREAS Section 42 of the *Municipal Elections Act, 1996*, SO 1996, c32 provides that the Council of a local municipality may, by by-law, authorize the use of an alternate voting method that does not require electors to attend at a voting place in order to vote;

WHEREAS Section 42(5) of the *Municipal Elections Act, 1996*, SO 1996, c32 provides when a by-law authorizing the use of an alternative voting method is in effect, sections 43 (advance votes) and section 44 (voting proxies) apply only if the by-law so specifies;

WHEREAS Section 42 of the *Municipal Elections Act, 1996*, SO 1996, c 32 provides that the council of a local municipality may, by by-law, authorize the use of voting and vote-counting equipment such as voting machines, voting recorders or optical scanning vote tabulators;

WHEREAS Council recognizes the benefits of alternative voting methods to remove voting barriers for the electorate who are unable to attend voting in person;

WHEREAS research and practice has overwhelmingly shown that vote-by-mail is a safe and secure method of voting; and,

WHEREAS Council is committed to accessibility to City government that engages with and empowers all citizens to be involved in their community.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That this By-law be referred to as the *Municipal Election Voting Methods and Tabulating By-law*.
2. That the use of optical scanning vote tabulators for the purpose of counting votes in municipal elections is hereby authorized for municipal elections in accordance with Section 42(1)(a) of the *Municipal Elections Act, 1996*.

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3. That the use of online voting as an alternative voting method is hereby authorized in accordance with Section 42(1)(b) of the *Municipal Elections Act* for the 2024 Ward 4 School Board By-Election.
4. That this By-law shall come into force on the date of its enactment.
5. That By-law 21-147 be repealed.

PASSED this 9th day of October, 2024.

A. Horwath
Mayor

M. Trennum
City Clerk