THE CITY OF WINNIPEG

BY-LAW NO. 52/2010

A By-law of THE CITY OF WINNIPEG to amend the Vote-Counting Machines By-law No. 150/2005.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Vote-Counting Machines By-law amended

1 *This By-law amends the Vote-Counting Machines By-law No. 150/2005.*

Definitions amended

2(1) *Section 2 is amended*

(a) by striking out "means a single automated ballot card designed" *in the definition* ***"Ballot"*** *and substituting* "means a single paper ballot designed";

(b) by adding the following in alphabetical order:

"Voters List" means a voters list established and maintained in compliance with *The Municipal Councils and School Boards Elections Act*;

(c) by adding immediately after "cast their vote" *in the definition* ***"Voting Record"*** "or declined their ballot"*;*

2(2) *Section 2 is amended by renumbering it as subsection 2(1) and adding the following immediately after it:*

2(2) Unless otherwise defined, terms used in this By-law have the same meaning as in *The Municipal Councils and School Boards Elections Act*.

Section 4 replaced

3 *Section 4 is repealed and the following is substituted:*

4(1) In the case of an election, the ballot must include, in both French and English, the following:

(a) a list of the office or offices for which eligible voters at each voting place are able to elect one or more candidates;

(b) a list of the names of all of duly nominated candidates for each office

(i) in an order determined by random lot;

(ii) with only each candidate's surname and usual name set out; and

(iii) with each candidate's surname in a larger font than his or her first name;

(c) a place beside each candidate's name for the voter to place an acceptable mark;

(d) a place for the election official to provide his or her initials.

4(2) In the case of a vote referred to in clause 2(b) of *The Municipal Councils and School Boards Elections Act*, the ballot must contain, in both French and English, the question or questions required to be asked under that provision.

4(3) The ballot may contain

(a) instructions to voters to assist in making acceptable marks, to choose an appropriate number of candidates for an office or otherwise to facilitate the election process; and

(b) colours that help to distinguish between offices or questions.

4(4) Subject to the provisions of *The Municipal Councils and School Boards Elections Act*, the information required by this section may be contained on one or both sides of a ballot.

Subsection 5(2) amended

4 *Subsection 5(2) is amended by adding* "or display" *immediately after* "Print out".

Section 6 amended

5(1) *Subsection 6(2) is amended*

(a) in clause (b), by striking out "4(1)" *and substituting* "5(1)"*; and*

(b) in clause (d), by striking out "tabulate" *and substituting* "tabulated".

5(2) *Subsection 6(5) is repealed and the following is substituted:*

(5) Prior to 8:00 a.m. on election day, the election officer shall cause the tabulator to print a copy of all totals in its memory pack and, after ensuring that all totals indicate zero, shall certify by his or her signature on the printout that all totals indicate zero. After the polls close on election day, the election officer shall ensure that the signed printout is provided to the Senior Election Official at Election Headquarters.

Section 7 amended

6 *Clause 7(1)(c) is amended*

(a) by striking out "in the voting record" *and substituting* "on the voters list"*; and*

(b) by striking out "therein" *and substituting* "in the voting record"*.*

Section 8 amended

7 *Subsection 8(2) is amended by striking out* "section 6" *and substituting* "section 7"*.*

Section 9 amended

8 *Section 9 is amended*

(a) in the stem, by striking out "voting official" *and substituting* "voting officials"*;*

(b) in subsection (6), by striking out "remaining" *and substituting* "appropriate"*.*

DONE AND PASSED this 28th day of April, 2010.