

By-Law 2021-179

**A By-Law of the City of Greater Sudbury to Authorize Various Matters
Under the Municipal Elections Act, 1996, as Amended,
for the 2022 Municipal and School Board Election**

Whereas Section 42(1)(a) of the *Municipal Elections Act, 1996*, S.O. 1996, c.32, as amended, permits the Council of a local municipality to pass by-laws authorizing the use of voting and vote-counting equipment such as voting machines, voting recorders or optical scanning vote tabulators for municipal elections;

And Whereas Council of the City of Greater Sudbury has determined that it is appropriate to provide for the use of optical scan vote tabulators on election day with respect to the 2022 municipal election but not for the advance vote;

And Whereas Section 42(1)(b) of the *Municipal Elections Act, 1996*, S.O. 1996, c.32, as amended, permits the Council of a local municipality to pass by-laws authorizing electors to use an alternative voting method, that does not require electors to attend at a voting place in order to vote;

And Whereas the Council for the City of Greater Sudbury has determined that it is appropriate to provide for alternative voting in the form of internet voting in addition to in-person voting for the 2022 municipal election, including any advance vote;

And Whereas subsection 9(2) of the *Municipal Elections Act, 1996*, S.O. 1996, c.32, as amended, provides that the council of a municipality may pass a by-law allowing the use of:

- (a) French, in addition to English, in prescribed forms; and
- (b) French, in notices, forms (other than prescribed forms) and other information provided under the *Municipal Elections Act, 1996*, as amended;

And Whereas Council of the City of Greater Sudbury has determined that it is order to authorize the use of French in the 2022 municipal election;

Now Therefore Council of the City of Greater Sudbury hereby enacts as follows:

Use of Optical Scanning Vote Tabulators

1.-(1) The use of optical scanning vote tabulators including any and all associated hardware and software, is hereby authorized for use on election day with respect to the 2022 municipal and school board election:

- (a) for the positions of Mayor for the City of Greater Sudbury, Councillors for Wards 1 to 12, inclusive, in the City of Greater Sudbury; and
- (b) for the positions of District School Board Trustees for the Rainbow District School Board (Public-English), Sudbury Catholic District School Board (Separate-English), Conseil scolaire public du Grand Nord de l'Ontario (Public-French) and Conseil scolaire catholique du Nouvelon (Separate-French); and
- (c) for any question or questions which may be put to the electors in accordance with the *Municipal Elections Act, 1996*, S.O. 1996, c.32.

(2) For clarity, the authorization provided for in subsection 1(1) hereof shall not include any advance vote held in respect of the said 2022 municipal and school board election.

Electronic Voting / Advance Vote / Proxy Voting

2.-(1) The use of electronic voting as an alternative voting method is hereby authorized with respect to the 2022 municipal and school board election, including any advance vote:

- (a) for the positions of Mayor for the City of Greater Sudbury, Councillors for Wards 1 to 12, inclusive, in the City of Greater Sudbury; and
- (b) for the positions of District School Board Trustees for the Rainbow District School Board (Public-English), Sudbury Catholic District School Board (Separate-English), Conseil scolaire public du Grand Nord de l'Ontario (Public-French) and Conseil scolaire catholique du Nouvelon (Separate-French); and
- (c) for any question or questions which may be put to the electors in accordance with the *Municipal Elections Act, 1996*, S.O. 1996, c.32.

(2) The alternative voting method authorized in subsection 2(1) shall be in addition to the option of the elector attending a physical voting space to vote using a paper ballot on election day only.

(3) Section 43 of the *Municipal Elections Act, 1996*, S.O. 1996, c.32, as amended, regarding advance vote shall apply in respect of the 2022 municipal and school board election.

(4) Section 44 of the *Municipal Elections Act, 1996*, S.O. 1996, c.32, as amended, regarding proxy voting shall apply only when an elector attends a physical voting place in order to vote on election day and shall not apply to internet voting authorized under subsection 2(1).

Use of French in all Forms

3.-(1) For the 2022 municipal election the following shall be made available for use in the French language in addition to the English language:

- (a) all prescribed forms under the *Municipal Elections Act, 1996*, S.O. 1996, c.32, as amended; and
- (b) all notices, forms (other than the prescribed forms) and other information, provided under the *Municipal Elections Act, 1996*, as amended.

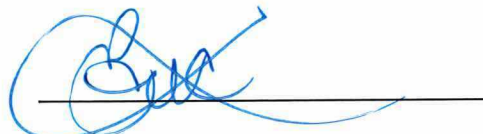
Effective Date

4. This By-law shall come into force and take effect immediately upon the passing thereof and shall remain in force only for the 2022 municipal election.

Read and Passed in Open Council this 23rd day of November, 2021



Mayor



Clerk