

CITY OF ORILLIA

TO: Council Committee - January 16, 2023
FROM: Corporate Services Department
DATE: January 3, 2023
REPORT NO.: CS-23-01
SUBJECT: **2022 Municipal Election - Accessibility**

Recommended Motion

THAT Report No. CS-23-01 be received as information.

Purpose

The purpose of this report is to provide Council with a review of the City's efforts in the 2022 Municipal Election to identify, remove and prevent barriers that affect electors and candidates with differing abilities.

Background & Key Facts

The following are key points for consideration with respect to this report:

- The *Municipal Elections Act*, 1996 (MEA) states:

“12.1 (1) Electors and candidates with disabilities

A Clerk who is responsible for conducting an election shall have regard to the needs of electors and candidates with disabilities.

12.1 (2) Plan - barriers

The Clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before voting day in a regular election.

12.1 (3) Report - barriers

Within 90 days after voting day in a regular election, the Clerk shall prepare a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the report available to the public.

41 (3) Variations for electors with visual impairments

The Clerk shall make such changes to some or all of the ballots as he or she considers necessary or desirable to allow electors with visual impairments to vote without the assistance referred to in paragraph 4 of subsection 52 (1).

45 (2) Location - accessibility

In establishing the locations of voting places, the Clerk shall ensure that each voting place is accessible to electors with disabilities.”

- [Policy 1.14.1.2. - Integrated Accessibility Standards](#) states:

“The Corporation of the City of Orillia is committed to developing, implementing, maintaining and enhancing accessibility in the areas of information and communications, employment, transportation, the design of public spaces and customer service for all residents with disabilities, in a manner that:

- Respects the individuals’ dignity and independence;
 - Provides an equal opportunity to utilize, and benefit from, the City’s goods and services; and
 - Allows persons with disabilities to benefit from the same goods and services at the same time and location, as all other residents.”
- As required in Section 12.1 (2) of the MEA, the “[Election Accessibility Plan](#)” was posted on the City’s website in September 2022 and a link was provided in the “Candidates’ Information Guide” to all municipal election candidates.
 - Staff will be undertaking a comprehensive debrief of the 2022 Municipal Election in due course. Members of Council are welcome to contact the Deputy Clerk directly to provide their comments on any aspect of the 2022 Municipal Election. Comments received will be noted and considered in 2025, prior to preparations for the 2026 Municipal Election.

Options & Analysis**Option 1 - Recommended**

THAT Report No. CS-23-01 be received as information.

This report is provided for information purposes.

The following is a review of the various areas of the election with respect to the identification, removal and prevention of barriers for persons with varying abilities:

Voting Locations

Designated voting locations included the Masonic Building at 24 James Street East (Ward 1), Orillia Recreation Centre at 255 West Street South (Advance Vote Days and Ward 2), Rotary Place at 100 University Avenue (Advance Vote Days and Ward 3) and Patrick Fogarty Catholic Secondary School at 15 Commerce Road (Ward 4).

Staff conducted multiple site visits to inspect the accessibility of these voting locations and identify any concerns. The Accessible Voting Location Inspection/Checklist included the assessment of, but was not limited to the following:

- Parking Areas
- Steps/ramps to entrance(s)
- Presence of handrails
- Types of door hardware and automation (if applicable)
- Width of doorways
- Interior and exterior lighting
- Types of flooring
- Available seating
- Public washrooms
- Facility signage and information systems
- General layout and services
- Fire safety
- Elevators (if applicable)

Upon completion of the inspection/checklist, barriers were identified and reviewed to determine if they could be modified to accommodate electors with differing abilities or if an alternative location was required.

The voting locations were supplied and equipped with the following:

- Directional signage
- Stanchions for queue lines, where required and floor markings to assist with navigation through the voting locations
- A wheelchair and/or transfer chair
- Placement of additional accessible parking spaces and signage, where required
- Greeters to open/close entrance doors and provide information
- Municipal Law Enforcement Officers to provide traffic control and physical assistance, if required
- Election Officials to assist with completion of written forms
- Voting screens that were situated to enable assistive devices such as a wheelchair, scooter or walker with ease of access
- Extra chairs available for electors to rest
- Large print instructions on how to mark the ballot behind each voting screen
- Magnifying sheets (available upon request)

The entire building and property of each voting location (including the parking lot) was declared by the Clerk as the designated voting location so that Election Officials could attend vehicles to assist an elector, if required. A total of three ballots were administered during the Advance Vote Days and Election Day by Election Officials attending vehicles.

Mobile Voting Locations

Section 45 (7) of the MEA states that on voting day, a voting place shall be provided on the premises of an institution in which, on September 1, 20 or more beds are occupied by

persons who are disabled, chronically ill or infirm and a retirement home in which, on September 1, 50 or more beds are occupied.

Accordingly, four mobile voting teams were coordinated to service the following retirement homes/institutions:

- Leacock Care Centre, Leacock Retirement Lodge, Lake Simcoe Independent and Assisted Living Residence, Oak Terrace, Spencer House, Atrium Orillia, Champlain Manor, Trillium Manor, Birchmere Retirement Residence, Sundial Lakeview Retirement, and Orillia Soldiers' Memorial Hospital.

Staff communicated with the Administrators of each of these facilities in advance of the election to ensure accurate Voters' List data was compiled and available.

Each facility was also provided with voting information and an election poster specific to their location and voting times so that their residents would be prepared and aware of the identification requirements.

If a voter was unable to physically attend the voting location, the Election Official could attend to the voter in their specific living area or at their bedside to assist them to vote. All Election Officials were appointed under oath to maintain and uphold the privacy of the vote when appointed to serve in the municipal election.

Shortly before Election Day, the Birchmere Retirement Residence and Sundial Lakeview announced that their facilities were in COVID outbreak status. Consequently, the Deputy Returning Officers were unable to access these facilities to establish voting locations. Election Officials offered to train Birchmere and Sundial staff on Municipal Election processes to help them administer ballots to their residents, however, staff from these residences respectfully declined. Clerk's Division staff are aware that some residents from Sundial Lakeview were shuttled to Patrick Fogarty Catholic Secondary School (Ward 4 location) on Election Day to exercise their votes.

Ballots

The ballots had the following characteristics:

- White paper stock with black print
- Last names of candidates were in bold
- Limited use of upper-case letters
- Magnifying sheets available upon request

All 20 ballot faces are designed to:

- Meet Canadian National Institute for the Blind (CNIB) best practices regarding use of the largest possible "sans serif" or clean font, provide for contrast of background and print and to limit use of block capitalization for ease of readability for a variety of visual abilities
- Ease of identification for election workers using colour coding for the different school board qualifications

Accessible Ballot Marking Device

During all five Advance Votes and at all four voting locations, the Accessible Ballot Marking Device (ABMD) was offered so that any elector with differing abilities could mark, review, and cast their ballot in a private and independent manner.

At the voting locations, every elector was provided with an unmarked paper ballot. If an elector wanted to mark their ballot using an assistive device, an Election Official was available to individually instruct the elector on the Ballot Marking Device voting process and options.

The elector had the option of using the Audio Tactile Interface (ATI) assistive vote selector device or optional additional assistive devices such as paddles or sip-and-puff.

The ATI is a handheld controller that has 10 buttons which are colour-coded, have different shapes and are labelled in braille. The ATI is the quickest and easiest device for voters who can push buttons firmly.

The optional sip-and-puff device is an effective option for electors who have varying abilities associated with mobility, such as paralysis and fine motor skill challenges. Electors navigate the ballot and make selections by using their mouth and “sipping” or “puffing” into the device as prompted by the audio instructions.

The optional paddle buttons are ideal for electors who may have difficulty pushing buttons on the ATI. Electors navigate the ballot and make selections by pressing on the left (L) or right (R) paddles with their hand, arm or foot, as prompted by the audio instructions.

Election Officials accommodated all voters requiring/requesting assistance. Electors also occasionally requested that a person of their choosing assist them in marking their ballot. Those individuals were required to declare an Oath of Friend of Elector prior to being permitted to assist.

A total of two electors used the ABMD over the course of the Advance Vote Days and Election Day.

Candidates' Information Guide

All candidates were provided with information to familiarize themselves with the following guides located on the Ministry of Children, Community and Social Services' website so they could make their meetings, campaign literature, campaign offices, etc. more accessible:

- Ontario's Accessibility Laws and Standards
<http://www.mcscs.gov.on.ca/en/mcscs/publications/accessibility/allCandidatesMeeting/conducting.aspx>
- *Ontarians with Disabilities Act, 2001*
<https://www.ontario.ca/laws/statute/01o32>

- Accessibility in Ontario
<https://www.ontario.ca/page/accessibility-in-ontario>
- Election Ontario's Multi-Year Accessibility Plan 2022-26
<https://www.elections.on.ca/content/dam/NGW/sitecontent/2022/reports/2022-2026%20Elections%20Ontario%27s%20Multi-Year%20Accessibility%20Plan.pdf>
- AMCTO Voters' Guide to Accessible Voting
- AMCTO Candidates' Guide to Accessible Elections

Transportation

An entirely accessible, full-sized Orillia Transit Bus was provided as the dedicated Free Election Express Bus and was available to all electors on Election Day. The Election Express Bus:

- Contained 35 regular seats and up to four accessible spaces.
- Departed hourly from the Downtown Transit Terminal to each of the four voting locations starting at 10:00 a.m. and the last departure from downtown was 8:00 p.m. for pick-ups only.
- Transported 12 electors on Election Day.

Maps and posters were displayed prior to Election Day at the downtown terminal notifying transit users of when and where the Election Express Bus would operate.

The Orillia Wheelchair Limousine Service (OWLS) operated during its regular daytime and after-hours schedule with residents being asked to call ahead for bookings.

Residents were advised and reminded of these services through the City's Weekly Bulletin and various posts on the City's social media channels.

Advertising and Information

Promotional materials for the 2022 Municipal Election aimed to create awareness of accessible features and ensured voters had the necessary information to participate on Advance Vote Days or Election Day.

The Voter Information Brochure included information on:

- Proxy Voting
- Accessible Ballot Marking Device
- Commitment to Accessibility
- Election Express Bus

The Voter Notification Packages, which were issued to all eligible electors within each household, included information on:

- Accessible Voting Locations
- Proxy Voting
- The availability of accessible voting equipment at all Advance Vote Days and at each Voting Location on Election Day to assist voters

The City's Bulletin Board advertised the following notices:

- September 28, 2022 - Public Information Session to demonstrate the Accessible Ballot Marking Device
- October 19, 2022 - Election Express Bus and Proxy Voting

Posters were used to advertise:

- Specific information regarding Advance Vote Days, Election Day, voting locations as well as how to appoint a proxy and where to seek information on the election.

The posters were distributed to:

- All municipal facilities
- Orillia Public Library
- Orillia Opera House
- Orillia Fire Stations
- Leacock Museum
- Lakehead University
- Georgian College
- Orillia Transit

News Releases issued on September 26, 2022 and October 19, 2022 contained information on the Election Express Bus and Accessible Ballot Marking Device.

The Media Kit included the:

- Election Express Bus Schedule
- Voter Information Brochure
- Overview of the Accessible Ballot Marking Device

The City's website included information regarding:

- Accessible Ballot Marking Device
- Proxy Voting
- Election Express Bus route
- Links to accessible voting information on external websites
- Candidate and elector information
- Various documents and forms available in PDF format so all citizens could easily access

The City's social media channels were used to outline information related to the Election Express Bus schedule and the Accessible Ballot Marking Device.

Voting Proxies

If an elector was unable to attend a voting location, the elector was able to appoint another person to act as a voting proxy to cast a ballot on their behalf. This process involved the prior completion and certification of a prescribed provincial form. A total of 34 proxy votes were exercised during the 2022 Municipal Election.

Training

All staff carrying out election duties participated in Accessible Customer Service Training and specific Election Training to comply with the City's Multi-Year Accessibility Plan and to ensure that persons with differing abilities were served in a way that accommodated their individual needs.

Accessibility training included the following:

- Communicating with persons with various types of abilities;
- Interacting with persons with differing abilities who use assistive devices, a support person or a service animal;
- Explaining the voting method;
- Creating a barrier-free voting location;
- Assisting a person who is having difficulty accessing election information or services; and
- Providing voter assistance, if required.

Clerk's Division staff were trained on the Accessible Ballot Marking Device (ABMD) in addition to being trained on how to assist electors who did not wish to use the ABMD. All voting locations employed Clerk's Division staff members to ensure the service was available during all voting opportunities.

A total of 59 Election Officials (Deputy Returning Officers, Tabulator Officers, Line Coordinators/Greeters and Ward Captains) were provided with and acknowledged receipt of the City's Accessibility Awareness Training sheet and the "Understanding Accessible Customer Service" Training Guide.

Election Officials were trained to allow a friend of a voter (provided they swore/declared the Oath of Friend of Elector) to assist with the marking of a ballot.

Election Officials could also attend to assist and enable the voter anywhere on the property designated as a voting location, such as: a person's vehicle where age or mobility created challenges, the exterior walkway for those with vulnerability in crowds, or bedside in a nursing home or retirement facility.

Election Officials were encouraged to be patient, flexible, welcoming, observant, creative, supportive, informed and respectful.

Volunteers

On Election Day, nine volunteers were placed (at various designated times) at all four voting locations to direct electors from outside to inside the voting location and aided with opening doors and other duties.

Financial Impact

The following is a summary of the various costs incurred to provide the accessibility features for the 2022 Municipal Election:

- Transfer chairs were provided at no cost by Ontario Wheelchair Access and Mobility Equipment at all four voting locations.
- Wheelchairs were borrowed at no cost from the Orillia Recreation Centre.
- The rental of four Accessible Ballot Marking Devices, including the Audio Ballot Licence and four add-on components totaled \$6,040.
- A fully accessible, full-sized Orillia Transit Free Election Express Bus was made available to all electors at a cost of \$1,088.
- All advertising was placed in the City's Bulletin Board of the Orillia Today, on the City's website and through social media at no extra cost to the City.

Consultation

Due to the evolving COVID pandemic and various challenges associated with virtual meetings, equipment availability, and members' personal circumstances, the Accessibility Advisory Committee last convened a meeting in January 2020. Staff are currently planning for the re-engagement of the Committee in 2023.

On October 4, 2022, members of the Committee and the general public were invited to participate in a demonstration of the Accessible Ballot Marking Device and provide their comments.

Members of the public were also invited to complete the Accessible Customer Service Feedback Form. One submission was received from an elector who suggested that braille cover sheets should be explored for the 2026 Municipal Election, if paper ballots are the selected method of voting. Braille cover sheets provide those who are visually impaired with an accessible and independent option for voting compared to the accessible ballot marking device.

Ongoing feedback is welcomed to identify areas where changes need to be considered and ways in which the City can improve the delivery of an accessible election. The Election Accessibility Plan is a living document and will continue to undergo changes. Comments on this Plan and the 2022 Municipal Election may be submitted to the Clerk's Division.

Economic Development Impact

There is no direct economic development impact associated with the recommended motion.

Communications Plan

As required in Section 12.1 (3) of the *Municipal Elections Act*, this report will be made available to the public. Following Council ratification, the report will be placed on the City's website for the public's information.

Relation to Formal Plans, City of Orillia Policy Manual and/or Guiding Legislation

The recommendation included in this report is related to the following formal plans, City policies and/or guiding legislation:

- [*Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11*](#)
- [*Policy 1.14.1.2. - Integrated Accessibility Standards*](#)
- [*2018 - 2022 Multi-Year Accessibility Plan*](#)
- [*Municipal Elections Act, 1996, S.O. 1990, c. 32*](#)

Conclusion

For the purposes of the 2022 Municipal Election, the City of Orillia was successful in having regard to the needs of electors and candidates with varying abilities by providing options and alternatives to assist in eliminating identifiable barriers. The City will continue to learn, develop and adjust its approaches in order to meet the needs of individuals with differing abilities. The review of accessibility issues and initiatives and addressing barrier prevention or removal is an ongoing practice.

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