

**Authority:** Item 8.4, General Issues Committee Agenda, FCS25025  
CM: July 10, 2025 Ward:City Wide

**Bill No. 139**

## **CITY OF HAMILTON**

### **BY-LAW NO. 25-**

#### **To Authorize the Use of Optical Scanning Vote Tabulators and Alternative Voting Methods for the City of Hamilton**

**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;

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

1. That the use of optical scanning vote tabulators be authorized for the purpose of counting votes in municipal elections in the City of Hamilton in accordance with Section 42(1)(a) of the *Municipal Elections Act, 1996*.
2. That the use of vote by mail be authorized as an alternative voting method for municipal elections in the City of Hamilton in accordance with Section 42(1)(b) of the *Municipal Elections Act*.
3. That this By-law shall come into force on the date of its enactment; and
4. That By-law 24-179 be repealed.

**PASSED** this 9th day of October, 2024.

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A. Horwath  
Mayor

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M. Trennum  
City Clerk