

Instant Runoff – Ranked Choice Voting Regulations

The following regulations are adopted by the Burlington City Council pursuant to Burlington Charter § 5 (24 V.S.A. app., ch3, § 5 (b) (4):

I. **Ballot design**

Ballots shall be designed so as to allow voters to rank as many candidates as they wish, up to and including all candidates in order of choice except that the ranking of choices shall not be increased over the number of candidates who have qualified for the ballot. Voters will have the option to write-in one name only and rank that write-in in any position.

II. **Vote Tabulation**

Election officials shall tabulate the first preference votes for all candidates (which includes write-in candidates). If a candidate receives a majority of first preferences, that candidate is elected. In addition to the tabulation of first preferences, the chief administrative officer shall tabulate the preferences of the voters within 10 days of the vote.

If no candidate receives a majority of first preferences, an instant runoff re-tabulation shall be performed by the Board of Civil Authority (BCA) or its designee(s) within five business days of the election. The instant runoff re-tabulation shall be conducted in rounds. In each round, each voter's ballot shall count as a single vote for whichever continuing candidate the voter has ranked highest. The candidate with the fewest votes after each round shall be eliminated until only two candidates remain, with the candidate then receiving the greatest number of votes being elected pursuant to the rules set forth below.

1. The Board of Civil Authority (BCA) or its designee(s) may, at the outset, accelerate the process of performing the instant runoff tabulation by eliminating all candidates and write-ins with no mathematical possibility of winning and counting ballots that ranked those candidates first, as votes for the highest ranked advancing candidate for that office on each ballot. Candidates with no mathematical possibility of winning are any two or more candidates or write-ins with the fewest votes whose combined total of votes is less than the votes credited to the candidate with the next greatest number of votes cast.
2. If a ballot has no more continuing candidates ranked on it, the ballot is exhausted, that is, no longer included in subsequent tabulations.
3. If a ballot skips a number, the skipped ranking shall be ignored and the ballot will be counted for the next ranked continuing candidate if that skipped number is reached, that is, there are no "skipped" rankings.
4. A ballot that gives two or more candidates the same ranking is exhausted when that ranking is reached, unless only one of the candidates so ranked has advanced to the current round of counting.
5. In the case of a tie between candidates for last place, and thus elimination, occurring at any stage in the tabulation, the tie shall be resolved so as to eliminate the candidate who received the least number of votes at the immediately previous stage of the tabulation. In the case of a tie to which a previous stage does not apply, or such previous stage was also a tie, the tie shall be resolved by a random chance procedure such as drawing lots.

6. If there is a tie vote between the two candidates with the highest number of votes after the instant runoff re-tabulation is completed, a recessed election between or among these candidates shall take place in the time and manner set for runoff elections in 24 V.S.A. app., 3, § 5 (a).
7. In order to facilitate recording of voters' intent on all ballots, and incorporating these votes into the ballot data, the Board of Civil Authority, (BCA) or its designee(s), may use machine readable "stand-in ballots." When a ballot has been marked in such a way that the voter's intent is clear to the BCA, or its designee(s), but cannot be read by the ballot reading machine (such as a circled name without the mark sense bubble filled in), the BCA, or its designee(s), may fill out a stand-in ballot that will be fed through the machine. A three-member committee of the BCA, or its designee(s), from different parties must first agree on the voter's intent. If they do not agree unanimously, the ballot shall be set aside and dealt with subsequently by the entire BCA. A ballot that has unanimous agreement on voter intent (or decision by the BCA) will be prominently numbered in red in the top left corner of the front of the ballot followed by the letter "A" (e.g. "1-A"). The corresponding stand-in-ballot shall have ALL contests filled in according to the voter's intent and be numbered in red in the top left corner of the front of the ballot followed by the letter "B" (e.g. "1-B"). All unreadable ballots that have had a stand-in filled out—shall be kept with all of the other ballots; said unreadable ballots shall not be intermixed with all the other ballots and shall be placed in an envelope labeled "Originals – Stand-in ballots have been substituted for these original unreadable ballots." Once the stand-in ballots have been fed through the machine, they shall also be kept with all of the other ballots. Said stand-in ballots shall not be intermixed with all the other ballots and shall be placed in an envelope labeled "Stand-in ballots."

III. **Recounts**

Recounts shall be pursuant to Title 17 § 2601.