

A Guide to Township **Polling Places**



For Township Clerks, Election Commissioners
and Other Election Administrators



This packet is one of the many MTA resources available from
the MTA Member Information Services Department at:

Michigan Townships Association
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Michigan Townships Association Staff prepared this packet for educational purposes to assist township officials in township governance, statutory compliance, and day-to-day township administration. The examples and sample language provided are not intended as legal advice, and townships are urged to consult with their local legal counsel on questions of law.

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Introduction

State law closely regulates the election system, including how polling places are selected and equipped. As the election administrator and chair of the township Election Commission, the Township Clerk exercises policy leadership as it pertains to polling places. If changes are to be made, the Township Clerk will likely be the official who initiates them.

This resource toolkit will provide the information needed to determine polling places, equipment and supplies, as well as to provide a reference checklist, diagrams and other resource information.

This packet has been designed so that you can easily refer to the checklist on page 5 as a quick reference of the steps necessary to select and equip polling places and, if needed, read beyond the checklist for more detailed information on all aspects of polling place arrangements.

Guide to Township Polling Places Checklist

Designating, Arranging, Equipping and Regulating

Step	Action	Detail	✓
1	Do you have enough time to designate a new polling place? You cannot establish, move or abolish a polling place less than 60 days before an election.	Page 11	
2	When designating a polling place, you must consider if it is a permissible place under the law.	Page 9	
3	You must also consider how accessible the location is for persons with disabilities.	Page 14	
4	You should consider other factors such as: lighting, heating and ventilation, parking, waiting area space, sanitary facilities, phones, etc.	Page 10	
5	Prepare a recommendation for new polling place and bring it before the township board for approval.	Pages 9 and 11	
6	Township Clerk notifies County Clerk.	Page 11	
7	Township Clerk notifies Bureau of Elections by updating the Qualified Voter File (QVF).	Page 9	
8	Township Clerk notifies all registered voters of the polling place change by both: <ul style="list-style-type: none"> a. First class mail and b. QVF "in-box" processing of new voter registration card. 	Page 11	
9	<i>On Election Day</i> (at a minimum, and as far in advance as possible), a notice showing the new polling places and directions must be posted in two places in each precinct affected by the changes.	Page 11	

Definitions

Absent Voter: A qualified and registered elector who meets 1 or more of the following requirements ([MCL 168.758](#))

- (a) On account of physical disability, cannot without another's assistance attend the polls on the day of an election.
- (b) On account of the tenets of his or her religion, cannot attend the polls on the day of election.
- (c) Cannot attend the polls on the day of an election in the precinct in which he or she resides because of being an election precinct inspector in another precinct.
- (d) Is 60 years of age or older.
- (e) Is absent or expects to be absent from the township or city in which he or she resides during the entire period the polls are open for voting on the day of an election.
- (f) Cannot attend the polls on election day because of being confined in jail awaiting arraignment or trial.

Absent Voter Counting Board: A board created by the elections commission that has two precincts or more to receive and count the absent voter ballots ([MCL 168.792a](#)).

Accessible voting equipment: Equipment designed to allow voters who are disabled to vote in a manner that provides the same opportunity for access and participation, including privacy and independence, as other voters (i.e., the AutoMARK).

Ballot: A card through which votes are recorded ([MCL 168.794\(b\)](#)).

Counting Boards: An additional board of election inspectors created by the township board, by resolution, for the purposes of counting the ballots cast in the precinct at an election and makes a statement of returns of that count. ([MCL 168.679](#)).

Election challenger: A challenger appointed by a state-recognized party, an incorporated organization, an organized group of citizens interested in the adoption or defeat of a proposal on the ballot, or an organized group of citizens interested in preserving the purity of elections and in guarding against the abuse of the elective franchise. A candidate does not have the authority to appoint challengers. ([MCL 168.730](#))

Election commission: The clerk, supervisor and treasurer in a general law township ([MCL 168.26](#)). The clerk and two trustees appointed by the township board in a charter township ([MCL 42.4](#)). The clerk is the chairperson of the election commission for both general law and charter townships.

Optical Scan Voting System (i.e., Tabulator): The tabulator employs precinct-based tabulation technology known as "electronic tabulating equipment." Electronic tabulating equipment is an apparatus that electronically examines and counts votes recorded on ballots and tabulates the results in the precinct.

Poll Watcher: A person who wishes to observe the election process from a designated “public area” of the polling place who is not a qualified election challenger.

Polling place: A place designated for holding an election that consists of a processing/voting and public area.

Precinct: A political subdivision within the confines of a township. When not divided according to law into two (2) or more election precincts, each township shall be an election precinct. ([MCL 168.654](#))

Qualified elector: Any person who possesses the qualifications of an elector as prescribed in section 1 of article 2 of the state constitution and who has resided in the township 30 days. ([MCL 168.10](#) and [Article II § 1 of the Michigan Constitution of 1963](#))

Qualified Voter File (QVF): QVF is a computerized statewide voter registration and election management system that links election officials throughout the State of Michigan to a fully automated, interactive voter registration database.

Registered voter: Every citizen of the United States who has attained the age of 18 years, who has resided in this state 30 days, and who meets the requirements of local residence provided by law, shall be an elector and qualified to vote in any election except as otherwise provided in this constitution. ([MCL 168.509t](#))

Voting station: An enclosure provided to ensure ballot secrecy during the voting of the ballot ([MCL 168.794](#)).

1. The Role of the Township Election Commission

The township Election Commission, with the Clerk as chair, is in charge of all township elections.

The Clerk, Supervisor and Treasurer constitute the Election Commission in a **general law township** ([MCL 168.26](#)).

A **charter township** Election Commission consists of the Clerk and two Trustees appointed by the Township Board ([MCL 42.4](#)).

The commission meets as often as necessary, although it must meet at least once for each election to appoint election inspectors.



The Election Commission is specifically involved in township polling places by assisting the clerk in assessing the township's voting equipment needs and furnishing polling place supplies for local elections.

The comprehensive statutory duties of the Election Commission include:

- Establishing the boundaries and determining the size of township precincts ([MCLs 168.658](#) and [168.661](#)).
- Appointing three or more election inspectors for each precinct at least 21 days, but not more than 40 days, before each election ([MCL 168.674](#))
- Designating the chairperson of the election inspectors ([MCL 168.674](#)).
- Assessing the township's voting equipment needs and recommending voting equipment to the township board ([MCL 168.670](#)).
- Printing and proofing ballots, and furnishing election supplies for elections not held in conjunction with state or county elections ([MCL 168.670](#)).
- Testing township electronic voting machines in preliminary and public accuracy tests ([MCL 168.798](#)).
- Establishing precinct absent voter counting boards in townships with more than two precincts that choose to establish an absent voter counting board ([MCL 168.792a](#)).

Members of the Election Commission can be compensated as determined by the township board.

All meetings of the Election Commission are subject to the Open Meetings Act ([MCL 15.261](#), *et seq.*), so meetings must be properly noticed, the public must be allowed to attend, a public comment period must be included, and minutes must be kept.

Election Commission records are subject to disclosure under the Freedom of Information Act ([MCL 15.231](#), *et seq.*).

2. Designating a Polling Place

A polling place is a place designated for holding an election that consists of a processing/voting area and a public area. The **Clerk** makes the initial arrangements in identifying polling places, but the **township board** must give final approval of all polling places. ([MCL 168.662](#)) Absent voter counting board and counting board locations must meet all the criteria of a polling place.

Permissible polling places

A polling place can be a:

- School building
- Fire Station
- Police Station
- Other publicly owned or controlled building



If none of these are available or convenient to use, a township may use a building owned or controlled by an organization that is exempt from federal income tax as provided by section [501c other than 501c\(4\), \(5\), or \(6\) of the Internal Revenue Code of 1986](#). This may include a church, social club, etc.

A polling place **cannot** be a place owned or sponsored by a political committee. “Political committee” is defined as a person who is described as being a sponsor under section 24(3) of the Michigan Campaign Finance Act, Public Act 388 of 1976, [MCL 169.224](#), including a subsidiary of a corporation or a local of a labor organization if the corporation or labor organization is considered a sponsor under section 24(3).

A polling place may be established at a for-profit or nonprofit residence or facility in which 150 persons or more aged 62 or older reside or at an apartment building or complex in which 150 persons or more reside.

A township board may also approve polling places located within the limits of a city that has been incorporated from territory formerly a part of the township. ([MCL 41.103](#))

If two townships share a border and utilize a combined township hall or other publicly owned or controlled building within one of the township’s boundaries and outside of the other township’s boundaries, then each township board may provide a polling place in that publicly owned building for one or more election precincts. The township can only use this option if there is not another publicly owned or controlled building by either the township or another organization exempt from federal income tax available.

When a public or nonprofit location is not available

If all of these options are exhausted, then a township shall make arrangements for the rental or erection of a suitable building(s) for use as polling place(s). A township may also find it appropriate to establish a central polling place. A central polling place can consist of up to six precincts or less if it is possible and convenient for the electors to vote in a central polling place. If a township chooses this latter option, then all other polling places must be abolished.

Other polling place considerations



Election Day can become a very busy and confusing day for election workers and voters. To ensure that Election Day runs smoothly, the township should check to be sure that each polling place has:

- Proper lighting
- Proper heating and ventilation
- Sufficient parking
- Indoor space for waiting lines
- Sanitary facilities
- An operating telephone (mandatory if transmitting election results electronically).

The township should also determine how accessible the location is for persons with disabilities and whether voting equipment can be easily delivered and assembled.



Changing a polling place location without changing the precinct

A township cannot establish, move or abolish a polling place less than 60 days before an election, unless the polling place has been damaged, destroyed, or rendered inaccessible or unusable as a polling place. ([MCL 168.662\(4\)](#))

1. The Township Board approves a suitable polling place for each precinct.
2. The Clerk must notify the County Clerk immediately following the approval of a suitable polling place by the township board.
3. The Clerk must make all necessary changes in the QVF. Follow the instructions in the QVF Manual Chapter 9. It is important to make these QVF changes because Michigan citizens will use the Michigan Voter Information Center (MVIC) website (<http://www.michigan.gov/sos/0,1607,7-127-1633-49313--,00.html>) to guide them to the proper polling place. The information for this website is taken directly from the QVF system.
4. Provide first class mail notice to the registered voters of the affected precincts of the polling place change.*
5. Post a notice of change in two public places in each precinct affected by the change showing the new polling places (on election day or as soon as possible).

*An updated Voter Identification Card must be issued to each voter affected by a voting district change or a polling place reassignment.

3. Arranging a Polling Place

A polling place is composed of a **processing/voting area** and a **public area**. The Clerk, as the elections administrator, should give consideration to the space needed to establish these two areas as well as the need for an orderly flow of traffic and the right of voters to cast their ballots in secrecy.

The **processing/voting area** is reserved for:

- The precinct inspectors engaged in processing voters
- The voters applying to vote and in the process of voting
- Any challengers qualified to serve in the precinct

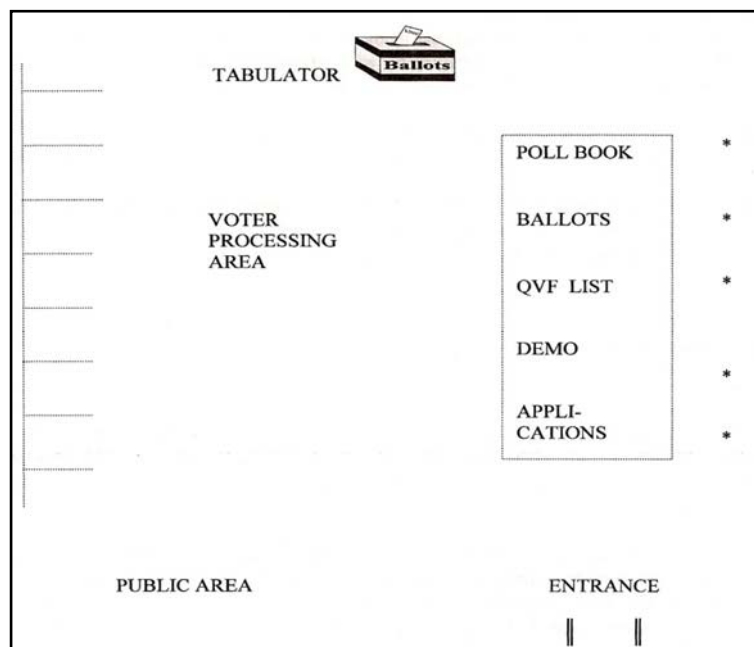
No other persons have the authority to be present in the processing/voting area.

The processing/voting area may also include a separate area for counting absent voter ballots. If a township has more than two precincts, it may also choose to establish a separate absent voter counting board.

The **public area** is reserved for:

- Voters entering and exiting the polling place
- Any persons on hand to observe the election who do not have official “challenger” status (i.e., a poll watcher). *(An election challenger must be duly approved through the challenge appointment process by the county clerk or the township clerk. ([MCL 168.731](#)))*

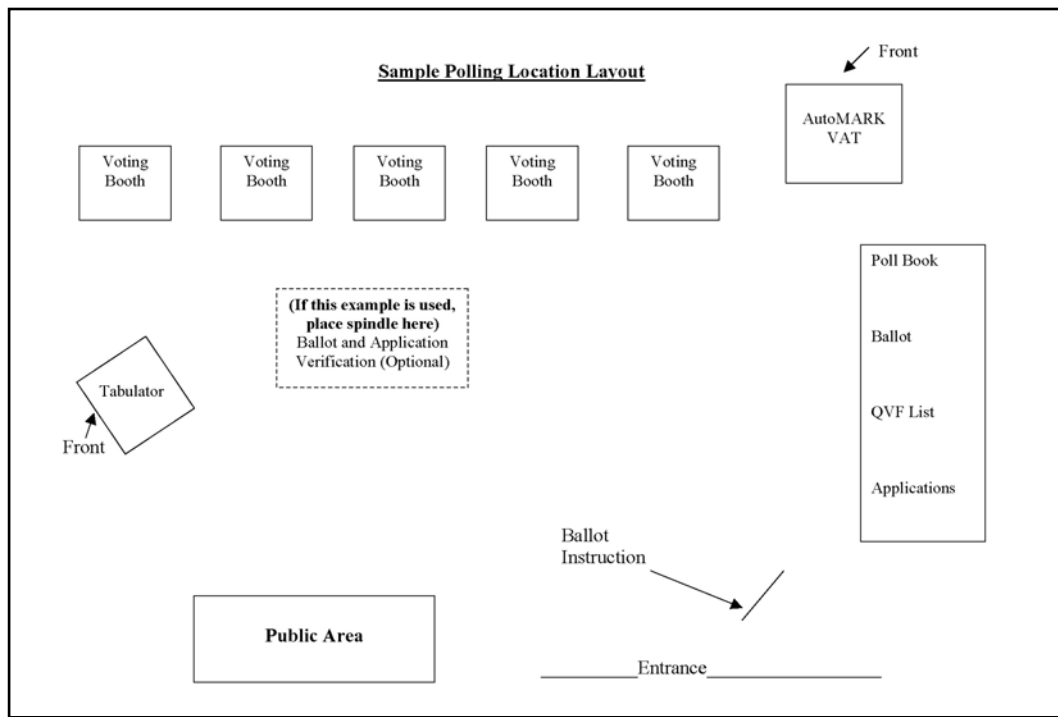
Some type of barrier must be established so that the processing/voting area of the polling place can be distinguished from the public area of the polling place. It could be a string, rope, sign, tape on the floor, etc.



Michigan Department of State, Bureau of Elections

The processing/voting area should be arranged with the following considerations:

1. Tables and chairs must be available for the election inspectors.
2. Sufficient room must be available in front of the table for electors to stand.
3. Position the election inspectors so they have a clear view of the polling place.
4. The arrangement must accommodate enough voting stations to serve the precinct.
5. Voting stations and Tabulators must be positioned in view and close to the election inspectors so that they can be monitored at all times without interfering with the voter processing area.
6. Ensure that the lighting is adequate for election inspectors and for each voting station.
7. All accessible voting guidelines must also be followed. See the section on accessible voting for more detail.
8. In instances where a polling place is used to accommodate two or more precincts, care must be taken to clearly separate the precincts to avoid voter confusion. For example, entering the room from different doors for different precincts.



Michigan Department of State, Bureau of Elections



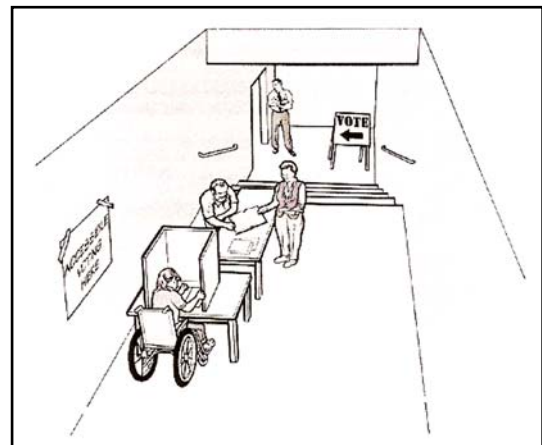
Polling places must be accessible

The federal [Americans with Disabilities Act](#) (ADA) and [Help Americans Vote Act of 2002](#) (HAVA) guarantee persons with disabilities an equal opportunity to participate in the mainstream of public life offered to all Americans, including their right to vote. Michigan's Department of State administers HAVA in Michigan and has [HAVA resources](#) available on its Web site.

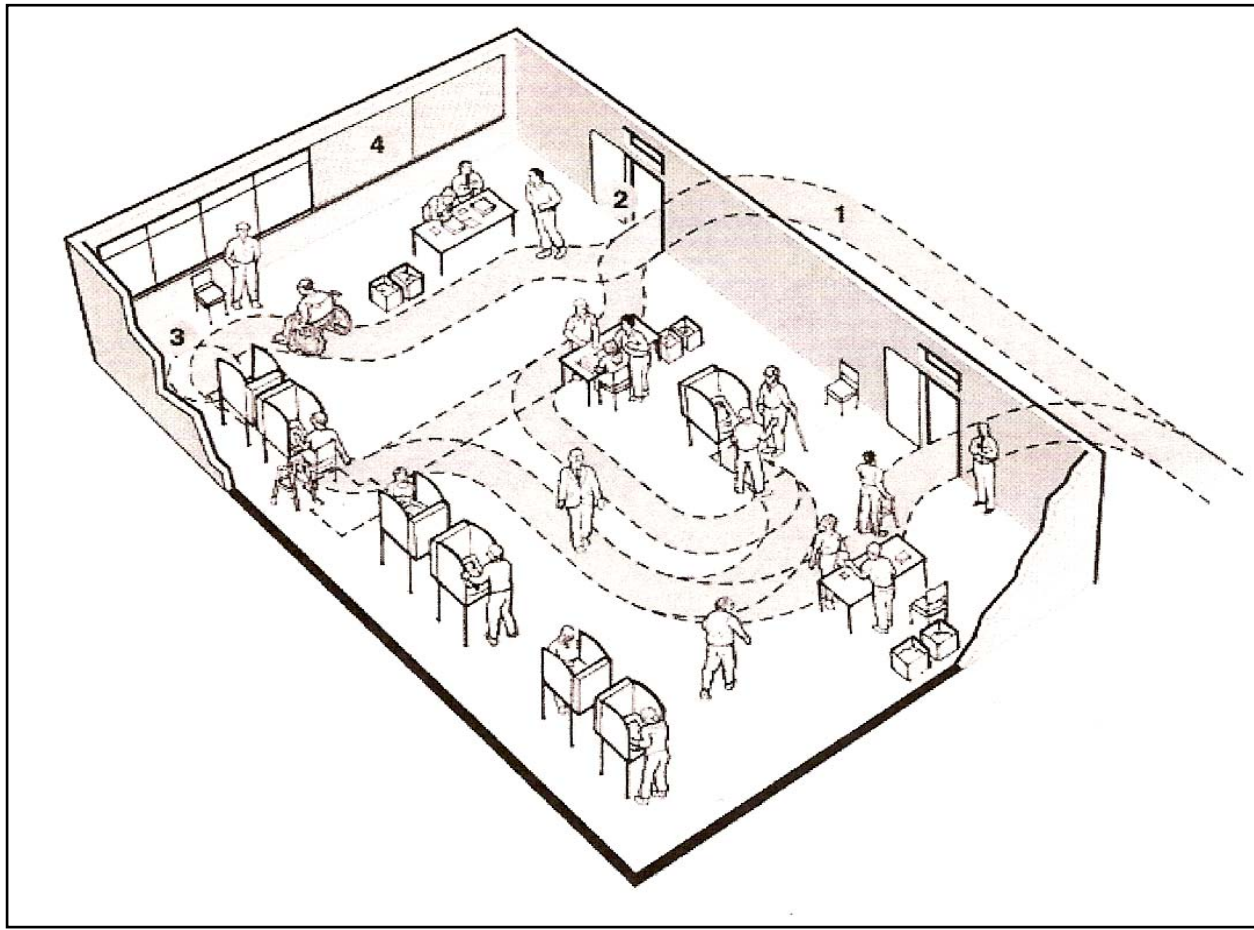
Because townships must comply with the ADA and HAVA, the process of choosing and arranging a polling place for the greatest accessibility is very important.

Under the Michigan Election Law, "accessible" means the removal or modification of policies, practices and procedures that deny any individual with a disability the opportunity to vote, including the removal of physical barriers as identified in section 261(b) HAVA. The removal of barriers includes the path of travel, entrances, exits, and voting areas of each polling facility. It also includes resources for informing disabled individuals about the availability of accessible polling places and training of election officials, poll workers, and election volunteers on how best to promote the access and participating of individuals with disabilities.

When choosing a new site for a polling place, the township should select a facility that is accessible to voters who use wheelchairs or scooters or who have difficulty walking. The township should also improve existing polling places that are not accessible by using temporary elements, such as portable ramps, or by working with building owners to make permanent alterations that improve the accessibility of the polling place.



U.S. Dept. Justice, Civil Rights Div., Disability Rights Section



U.S. Dept. Justice, Civil Rights Div., Disability Rights Section

On Election Day, election workers should check parking lots and walkways for loose gravel, potholes or broken pavement. Make sure that doors leading into the building and rooms used for voting are not blocked, making entrance difficult for persons using wheelchairs, walkers or crutches.

Ensure that some seating is available in the public area and along waiting lines for persons who cannot stand for long periods of time.

Dogs assisting persons with disabilities must be admitted into all polling places.

The U.S. Department of Justice provides an [ADA Checklist for Polling Places](#). (See **Resources** on page 20 for the Web address of the [DOJ's ADA Home page](#).)

The checklist should be used when evaluating the accessibility of potential new polling places and when identifying physical barriers in existing polling places. It is designed to prompt you to check key features by asking questions about sizes, sloped surfaces, and availability of accessible features, and in some areas it suggests alternatives if a physical barrier is identified. By using the checklist, you can identify accessible polling places and or make the temporary and permanent modifications to existing polling places.

Michigan also has a [Polling Place Accessibility Checklist](#) on the Department of State's Web site.

4. Equipping a Polling Place

Polling place supplies

The **Election Commission** provides, and the township pays for, ballots, forms, stationary and supplies for **local** elections.

The **County Clerk** provides, **and pays** for, the following supplies for each precinct for all other elections:

- The official ballots
- A sufficient number of seals for use in sealing the ballot containers/bags and for securing the Tabulator and AutoMARK Voter Assist Terminals
- A statement of returns book (otherwise known as the poll book) and all necessary envelopes for transmitting books and election certificates.
- The voter information display kit (See Voter Information Displays)

The **township** will also need to provide each precinct with:

- A United States flag (measuring not less than 3' wide and 5' long)
- The appropriate number of voting stations and tabulator
- Tables, chairs and any other furniture or equipment needed to set up waiting lines and separate precincts
- Office supplies, secrecy sleeves, and ballot containers (bags).



Voter information displays

Prior to each election, the **County Clerk** must furnish each precinct with two voter information displays that must be posted so that each registered voter has the opportunity to read them.

The information display kits will contain:

- The hours that the polls will be open
- Voting instructions (including instructions in Braille and an audio version). The [Help American Vote Act of 2002](#) requires language accessibility. If a voter requests it, the precinct chair must provide this information to the voter in an alternative format. The U.S. [Election Assistance Commission](#) provides Spanish terms to help assist Spanish speaking voters.



- Townships may also be required to provide auxiliary aids such as sign language interpreters to achieve an equal opportunity for everyone to vote.
- Information on an individual's right to obtain a provisional ballot and instructions on how to vote a provisional ballot
- Information on the identification requirements that apply to voters who register by mail
- Instructions on how to contact the appropriate election official about alleged voting rights violations
- Information on the federal and state laws that prohibit fraud and misrepresentation
- Information on how to challenge another voter as unqualified to vote
- Two instruction ballots
- Other information as deemed necessary

Voting stations

A voting station is defined as an enclosure provided to ensure ballot secrecy during the voting.

At least one voting station must be provided at each polling place for each 300 persons entitled to vote at the precinct. This is a minimum. The township should determine how many voting stations are required based on its specific needs.

In fact, the township **must** provide additional voting stations when the Clerk determines it is appropriate.

To decide when it is appropriate to provide additional voting stations, the clerk must carefully consider three factors: 1) the projected turnout, 2) length of the ballot, and 3) the number of voters each voting station can handle per hour. If the Clerk determines that the number of voting stations needed in each precinct to ensure the orderly conduct of the election exceeds the minimum requirements, additional voting stations must be provided.

Each voting station must be set at a reasonable height, provide a barrier for secrecy and be placed so that a person preparing a ballot is concealed from all other persons.

Each station must provide a sufficient smooth writing surface where ballots can be placed to be marked.

Accessible voting stations must be available that allow a person to vote while seated in a chair or wheelchair while still providing secrecy for the voter.



Voting machines

[Public Act 91 of 2002](#) amended the Michigan Election Law to address the “technology gap” in Michigan’s voting system by directing the Secretary of State to select a uniform voting system.

The Legislature initiated a uniform voting system to reduce election costs, reduce ballot-printing errors, simplify voter education programs and eliminate the need for Michigan residents who move to become acquainted with different voting systems.

As a result of this directive, an optical scan voting system that uses “precinct-based” tabulation technology was adopted.

Optical scan voting systems use physical ballots that can be inspected to verify election results, the ballots are always available for inspection in instances where a recount is needed.

Other advantages include:

- Protecting against ballot spoilage as it provides voters with an opportunity to correct their ballots.
- Election results can be compiled and released with greater speed and efficiency.

Current brand names of optical scan systems used in Michigan are:

- Optech
- Accu-Vote
- AIS
- M-100



These optical scan machines are also known as tabulators. Each precinct must have at least one tabulator per precinct.

The [Help American Vote Act of 2002](#) also stipulated that accessible voting equipment must be furnished in all polling places effective August 8, 2006. To address this federal mandate, the Bureau of Elections chose AutoMARK as the accessible voting equipment to be used by all Michigan precincts. At least one of these machines must be available in each precinct.

5. Regulated Activities at Polling Places

Campaign materials

At all times on township-owned property:

Section 57 of the Michigan Campaign Finance Act, [MCL 169.257](#), prohibits the use of township property, equipment, materials, or employees to expressly advocate voting for or against a candidate or ballot question.

On Election Day—Within 100 feet of any polling place entrance:

Michigan Election Law prohibits campaign materials and campaigning within 100 feet of the entrance to any polling place (MCLs [168.744](#) and [168.931](#)).

A person cannot do the following on Election Day in the polling room or a room/compartment connected to the polling room, or within 100 feet from an entrance to the building in which the polling place is located:

- Persuade or attempt to persuade a person to vote for or against any particular candidate, party ticket, or ballot question being voted on at that election
- Place or distribute stickers (other than stickers provided by election officials pursuant to law)
- Solicit donations, gifts, contributions, purchase of tickets, or similar demands
- Request or obtain signatures on petitions
- Post, display, or distribute any material that directly or indirectly makes reference to an election, a candidate, or a ballot question (other than official materials required by law to be posted, displayed, or distributed in a polling place on Election Day) ([MCL 168.744](#))
- Solicit votes ([MCL 168.931](#))



On Election Day—Outside the 100-foot limit at township-owned polling place

A township board has three options for handling campaign materials on township property beyond the 100-foot limit at a polling place, as long as the policy the board adopts is equally and consistently applied to all persons:

1. A township board may adopt a policy that it will remove unattended campaign signs or other materials from township property outside of the 100-foot limit on Election Day.
2. A board may adopt a policy that it will not “police” its property on Election Day because township officials and employees are busy administering the election.
3. A board may adopt a policy that it will allow unattended campaign materials to be placed in a specific spot on township property on Election Day. A township may also regulate vehicle or other use of the township’s parking lot.

Election Day activities

To ensure that all voters who attend the polls have an opportunity to vote in private without distractions, the following must also be observed:

- The use of video cameras (including cell phone video cameras), cameras and recording devices by voters, challengers and poll watchers are prohibited.
- Broadcast stations and news media may be permitted to briefly film from the public area of the polling room. If there is not room for them to film from the public area, then they may film from the entryway, but never from the voting area and they are not permitted to interview voters inside the polling place.
- The use of cell phones by voters is not allowed in the voting stations. Some townships have a no cell phone policy everywhere within the voting/processing area. If the waiting area is out in the hallway outside of the voting/processing area, cell phones could be used there.
- Television watching is prohibited in the polls.

6. Resources

Help America Vote Act of 2002 (HAVA)

<http://www.fec.gov/hava/hava.htm>

Michigan Voter Information Center (MVIC)

<http://www.michigan.gov/sos/0,1607,7-127-1633-49313--,00.html>

Michigan Qualified Voter File Homepage

http://www.michigan.gov/sos/0,1607,7-127-1633_11976_12001---,00.html

Michigan Qualified Voter File Office:

Bureau of Elections

Treasury Building, 1st Floor

430 W. Allegan, Lansing, MI 48918

Phone: (517) 373-2540

Michigan Secretary of State Elections Homepage

<http://www.michigan.gov/sos/0,1607,7-127-1633---,00.html>

Michigan Department of State

Bureau of Elections

PO Box 20126, Lansing, MI 48901-0726

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Email: elections@michigan.gov

Michigan Townships Association Elections Administration Homepage

<http://www.michigantownships.org/electadmin.asp>

U.S. Department of Justice, Civil Rights Division, Disability Rights Section

ADA Checklist for Polling Places

<http://www.ada.gov/votingck.htm>

United States Election Assistance Commission

<http://www.eac.gov/>