



Policies and Procedures Governing Response to Emergency Situations



Policies and Procedures

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1. Purpose

To establish procedures in the event of an emergency during a Municipal Election in the Town of Pelham, in order to preserve the integrity of the election process and ensure that the election process is conducted in accordance with the principles of the *Municipal Elections Act, 1996* (the "Act").

2. Scope

This policy shall be used to manage emergency situations on Voting Day or on advance poll days at each of the respective polling stations, and shall be followed by all municipal election staff. The poll supervisor is responsible for ensuring adherence to this procedure.

3. General

It is recognized that it is impossible to predict if an emergency will occur, and, if it does occur, to what extent the conduct of the election will be affected. The intention of this policy is to provide procedures in the case of specific types of emergencies. Should an emergency be encountered that is not outlined in this procedure, the poll supervisor shall be responsible for immediately contacting the Clerk for instruction and consultation.

4. Declaration of an Emergency

The Emergency Management Act and Civil Protection Act, 1990, defines an emergency as:

"An emergency means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise."

Section 53 of the *Municipal Elections Act, 1996*, states:

"The clerk may declare an emergency if he or she is of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with this Act."

The Act provides that upon declaring an emergency, the Clerk shall make such arrangements as he or she considers advisable for the conduct of the election.

The arrangements made by the Clerk, if they are consistent with the principles of this Act, prevail over anything contained in this Act and the regulations made under it.

The emergency continues until the Clerk declares that it has ended. If made in good faith, the Clerk's declaration of an emergency and arrangements shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness. If the voting is delayed for a prolonged period of time, the returning officer (the Clerk) may extend the voting hours at the voting location, and delay the issuance of any results until the closing of the vote.

4.1. Maintaining the Peace and Order

Section 11(2)(c) of the Act provides that the Clerk is responsible for maintaining peace and order in connection with the election. As such, the Clerk is responsible for determining the need for obtaining assistance of this nature and for making the necessary arrangements in this regard. The Clerk may require assistance of persons specially appointed to aid in maintaining peace and order and may also empower a poll supervisor or deputy returning officer to similarly require the assistance of such persons.

The Clerk or a poll supervisor may remove from the voting place any person causing a disturbance. This applies to a voter, scrutineer, candidate, member of the media or election staff.

The emergency situations outlined below are not intended to be all-encompassing and discretion may be required throughout the voting process.

4.2. Temporary Service Disruption

If there is a temporary disruption in the delivery of election information or services, the Office of the Clerk shall provide public notice on the Town's election website, at the physical site of the disruption and, when possible, in the local media. The notice shall include the reason for the disruption, anticipated duration and a description or alternative methods of delivering the information or

service. Every effort shall be made to provide alternative methods of providing the information or service to all stakeholders.

4.3. Hydro/Power Disruption and Outages

In the event of a hydro outage, the poll supervisor shall:

- 4.3.1. Request that a member of the election team under their supervision contact the Town Clerk (905 892-2607, ext. 315 or 320) immediately to inform of the outage.
- 4.3.2. Ensure that the vote tabulator operator continues processing ballots through the tabulator by using the backup battery power supply.
- 4.3.3. Should the backup power supply (battery) no longer operate, i.e., after approximately one hour, the vote tabulator operator shall continue to accept ballots; however, they will insert the marked ballots into the auxiliary slot in the back-up compartment of the ballot box. These ballots will be duly processed through the AccuVote Tabulator once power is restored, in accordance with the "Procedure for Use of Vote Tabulators" which is appended to this procedure. This shall be conducted in the presence of any scrutineer or candidate.
- 4.3.4. All poll supervisor supply packages contain a flashlight that may be useful in the event of a hydro disruption to ensure the safety of election personnel, electors and any persons in the voting place.

4.4. Fire

Upon arrival at the voting place, election staff shall familiarize themselves with all exits at the polling location. The poll supervisor shall establish a central meeting place located outside of the polling station and communicate this location to all staff prior to opening the polling station. Election personnel should be directed to meet at the designated place should an evacuation of the polling location become necessary.

The following procedures are to be followed should election personnel discover a fire, see smoke, smell gas or should the fire alarm sound:

- 4.4.1. The poll supervisor shall direct one (1) election staff person to immediately call 911 to report the fire.

- 4.4.2. The poll supervisor should ensure everyone remains calm and instruct everyone to leave the building immediately, including voting staff, electors, candidates and/or scrutineers.
- 4.4.3. The deputy returning officers shall exit with unused ballots. Deputy returning officers shall, if time permits, put all loose documentation, including unused ballots, into the supply box provided to them, unless of course personal safety is in danger.
- 4.4.4. With the assistance of the revisions deputy returning officer, the vote tabulator operator shall exit with the AccuVote tabulator and active ballot box. The vote tabulator operator is responsible for keeping the AccuVote Tabulator in their possession at all times. The revisions deputy returning officer and vote tabulator operator shall make every attempt to safely remove any ballot boxes that have been filled and duly sealed as well, if it is of no threat to personal safety.
- 4.4.5. Everyone shall evacuate the building immediately using the nearest safe exit and assemble at the designated meeting place outside of the polling location. Election personnel are required to remain onsite. It may be necessary to relocate to a different, alternate polling location. This will be determined by the Clerk and notice shall be appropriately given through the Town's website, posting of a sign (where possible) at the voting location and through the use of local media, if possible.
- 4.4.6. The poll supervisor shall contact the Clerk as soon as safely possible.
- 4.4.7. The poll supervisor shall ensure that everyone has safely evacuated the building and conduct a head count/roll call of election staff to ensure that no one remains inside the building.
- 4.4.8. The poll supervisor shall initiate re-entry into the polling location only when so authorized by the fire chief.

4.5. Medical Emergency

Election personnel should inform the poll supervisor of any medical conditions that may be relevant.

If an election official, elector, candidate or scrutineer becomes ill or is injured at a polling location, the poll supervisor shall:

- 4.5.1. Make the person as comfortable as possible and employ the assistance of election personnel to assist.
- 4.5.2. Direct election personnel to call 911.
- 4.5.3. Contact the Clerk immediately to discuss the situation and determine what, if any, action is required, i.e., if the medical emergency involves election personnel, a replacement may be deployed.

Should an election official member become ill or be injured, but not sufficiently ill to request or require an ambulance, the Clerk shall be contacted immediately who shall, if required, make the necessary arrangements to send a replacement.

Replacement staff have been hired and trained and will remain on standby throughout Voting Day.

The ballots and the AccuVote Tabulator must be protected at all times by an authorized election official who is not affected by the emergency to ensure the integrity of the election process is upheld. If the vote tabulator officer or a deputy returning officer becomes ill, the poll supervisor or float deputy returning officer shall take over this responsibility until such time as a replacement has been dispatched and arrives at the polling location.

4.6. Bomb Threat

In the event of a bomb threat, the poll supervisor shall:

- 4.6.1. Call 911 immediately.
- 4.6.2. Maintain the peace and order of the polling place, and ensure that everyone in the polling station remains calm.
- 4.6.3. Deputy returning officers shall place all loose documentation, including unused ballots, into the supply box provided to them.
- 4.6.4. With the assistance of the revisions deputy returning officer, the vote tabulator operator shall exit with the AccuVote Tabulator and active ballot box. The vote tabulator operator is responsible for keeping the AccuVote Tabulator in their possession at all times. The revisions deputy returning officer and vote tabulator officer shall make every attempt to safely remove any ballot boxes that have been filled and duly sealed as well, again if it is of no threat to personal safety.

- 4.6.5. Everyone shall evacuate the building immediately using the nearest safe exit and assemble at the designated meeting place outside of the polling station. Election officials are required to remain onsite. It may be necessary to relocate to a different, alternate, polling station.
- 4.6.6. The poll supervisor shall contact the Clerk as soon as safely possible.
- 4.6.7. The poll supervisor shall ensure that everyone has safely evacuated the building and conduct a head count/roll call of election officials to ensure that no one remains inside the building.
- 4.6.8. The poll supervisor shall initiate re-entry into the polling station only when so authorized by the appropriate authorities (Niagara Regional Police).
- 4.6.9. Election officials shall not make any attempt to locate the explosive device.
- 4.6.10. To facilitate any investigation by law enforcement authorities and any follow-up and resolution to this incident, election officials should all be prepared to provide as much information as possible to the authorities, including a description of the person(s) who made the threat.

4.7. Weather Emergency

- 4.7.1. In the event that a severe weather event occurs on Voting Day, i.e., severe precipitation causing flooding at any or all voting locations or a winter storm, the Clerk will work in consultation with appropriate municipal CIS staff to uphold the integrity of the voting process and to provide all reasonable opportunities to electors to exercise their right to vote.
- 4.7.2. If the weather event impedes one (1) isolated voting place and it is found necessary to relocate, the Old Pelham Town Hall facility, 491 Canboro Road, Ridgeville, will be designated as the alternate site. The Clerk will accordingly extend the hours of voting to ensure electors have the opportunity to vote and accommodate any delay experienced while relocating the voting place. This will result in a delay in tabulating the results for reporting purposes.

4.7.3. The Clerk will inform electors and candidates of the relocation through the Town's website, posting a sign at the voting place and through the local media, if possible.

4.7.4. If a major weather event occurs that impacts the entire municipality, the Clerk, in consultation with the appropriate municipal officials, i.e., the chief administrative officer and if applicable, the fire chief, may declare an emergency and make any necessary arrangements to extend the hours of voting accordingly.

5. Contingency Plans

5.1. Replacement of Election Official(s)

If for any reason an individual hired as election personnel proves to be unsatisfactory, the Clerk has the authority to dismiss the individual and to arrange for a replacement from the "standby" election official pool. This practice will only be undertaken where it has been determined that the integrity of the election process is or might be questioned, such as repeated failure to balance the ballot count, leaving the assigned station unattended for repeated or extended periods of time or failure to properly conduct themselves in accordance with the procedures outlined through the Election Personnel training sessions. The Clerk will consult with the poll supervisor in this regard.

5.2. Notification to Electors of Delay in Voting

Every effort will be undertaken to ensure the election process runs seamlessly and that the integrity of the vote is upheld at all times. If an occasion arises where it has been deemed necessary by the Clerk to delay voting at any polling place, notification to electors as to the extended hours of voting, if any, relocation of the polling place, and/or reporting of results will be conducted through the Town's website, signage at the polling location and through the local media, i.e., cable television and local radio stations.

If an emergency or extended delay occurs at any of the voting places on Voting Day or advance polling days, the Clerk has the authority to withhold the release of results for any office affected until after such time as all voting for that office is complete.

5.3. Election During or Immediately Following a Public Health Event

At the time of writing this procedure, the State of Emergency has been lifted within the Town of Pelham with respect to the Novel Coronavirus COVID-19 pandemic. The following procedures will be incorporated into the 2022 Municipal and School Board Election to ensure the safety of all stakeholders:

5.3.1. Candidates

- 5.3.1.1. Candidates are encouraged to file their nominations by appointment.
- 5.3.1.2. 25 Endorsement Signatures: The Town is recommending a separate form for each endorsement to reduce the number of touch-points per page.
- 5.3.1.3. Candidates will be responsible for their own health and safety during door-to-door campaigning and it is recommended that physical distancing be practiced at all times.
- 5.3.1.4. When campaigning, if there is any doubt regarding the health status of the campaign staff/volunteers/candidate, they should not participate.
- 5.3.1.5. It is recommended that campaign staff have access to alcohol-based hand rub.
- 5.3.1.6. It is recommended that door-to-door campaigning takes place through the door whenever at all possible and when not able to do so, physical distancing be maintained.
- 5.3.1.7. Masks are encouraged for door-to-door campaigning.
- 5.3.1.8. Information regarding requirements for candidates or scrutineers attending a voting place will be provided by the Clerk prior to Advance Voting or Voting Day.

5.3.2. Election Poll Workers/Polling Stations

- 5.3.2.1. Polling stations will be setup to properly delineate for physical distancing.
- 5.3.2.2. Additional staff will be hired for cleaning of polling station.
- 5.3.2.3. Election officials will be provided PPE for use, if desired.

- 5.3.2.4. Voting screen tables will be wiped after each elector – this will need to include drying time so as not to dampen the next ballot.
- 5.3.2.5. The polling station cleaner position will direct electors to “every other” voting booth to allow for dry time and physical separation – voting booths will be numbered for easier reference.
- 5.3.2.6. Hand hygiene should be practiced before electors are provided PPE and again when they remove the PPE to limit potential for cross-contamination.
- 5.3.2.7. Disinfectant being used for cleaning and disinfection of surfaces should be of a low-level hospital grade disinfectant, to be reviewed by Public Health for appropriateness.
- 5.3.2.8. Such disinfectant should have a short “contact time,” being the time the product needs to stay wet to provide sufficient kill of microorganisms of concern, 1-3 minutes preferred.
- 5.3.2.9. Disinfectant should contain a Drug Identification Number on the bottle/container.
- 5.3.2.10. High touch surfaces such as door handles and other items which may be touched frequently should be cleaned and disinfected periodically throughout the day.

5.3.3. Electors

- 5.3.3.1. Each elector will be given a pen and asked to keep it; we have confirmed that ballpoints will be suitable for ballot marking and the AVOS tabulator will be capable of reading the mark.
- 5.3.3.2. All attempts will be made to use secrecy folders one-time only.
- 5.3.3.3. Communications leading up to voting days will make recommendations that electors who are self-isolating or those in quarantine should take advantage of the On Demand Special Ballot process;
- 5.3.3.4. COVID-19 positive electors shall not attend a voting station, as COVID-19 positive persons are required to

remain on their personal property unless attending urgent medical appointment to avoid exposing others.

- 5.3.3.5. These restrictions will be heavily communicated, electors in isolation being encouraged to use the On Demand Special Ballot process.

5.4. Should Pandemic Escalates or if Situation Warrants:

The Clerk has the authority, under the Act, Section 53(1), to declare an emergency and put on hold the voting process.

Such declaration would be done in close consultation with Public Health to determine if the pandemic presents an increased public health issue that cannot be addressed through the measures being applied to the election. Monitoring of current pandemic status in Niagara will be required.

The procedures listed above are superseded by COVID-19 regulations as per the Province of Ontario and Niagara Regional Health at the time of advance polls and Voting Day.