

Guidelines for Responding to Emergency Situations

Purpose:

To provide for procedures in the event of an emergency during a Municipal Election in order to preserve the integrity of the election and ensure that it is conducted in accordance with the principles of the *Municipal Elections Act, 1996*.

Scope:

This procedure is to be used to manage emergency situations on Election Day at the Polling Location and is to be followed by all municipal election staff. The Election Assistant (EA) or Tabulating Clerk (TC) is responsible for ensuring adherence to this procedure.

General:

It is impossible to predict if an emergency will occur, and if so, to what extent the conduct of the election will be affected. This policy is intended to provide procedures in the case of specific types of emergencies. Should an emergency be encountered that is not outlined in this procedure, the EA or TC is responsible for immediately contacting the Returning Officer (Clerk) for instruction.

Declaration of an Emergency, Sec. 53, *Municipal Elections Act, 1996*

In the event of an emergency, the Clerk may, in accordance with Section 53 of the *Municipal Elections Act, 1996* (the Act), 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 the Act.

On 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 shall be made in good faith, be consistent with the principles of the Act, and shall prevail over anything in the Act and the regulations made under it.

The emergency continues until the Clerk declares that it has ended.

The Act provides that, if made in good faith, the Clerk's declaration of 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 (Clerk) may extend the voting hours at the voting location and delay the issuance of any results until the closing of the vote.

Maintaining the Peace and Order, Sec. 11(2)(c), *Municipal Elections Act, 1996*

Section 11(2)(c) of the Act provides that the Clerk is responsible for maintaining peace and order.

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 the assistance of persons specially appointed to aid in maintaining peace and order. The Clerk may also empower a Deputy Returning Officer (DRO), EA or TC to similarly require the assistance of such persons.

A DRO may remove any person causing a disturbance from the voting place. This applies to voter, scrutineer, candidate, media, etc.

Hydro Outage

In the event of a hydro outage, the Returning Officer (Clerk):

1. Request that the EA or TC contact the Returning Officer (Clerk) to inform of the outage.
2. The TC shall continue processing ballots through the tabulator by using the backup power supply.
3. If the backup power supply no longer works (i.e.: after one hour) insert the ballots into the auxiliary slot in the back-up compartment of the ballot box. . Every ICP has a battery installed. In the event a tabulator loses electricity, the machine will run on the battery for up to two hours
4. The Returning Officer (Town Clerk) will provide direction on extended polling hours or alternate location to re-open the polling location.

Fire/Flood

Staff is required to be familiar with all exits at the polling location. The EA or TC shall establish a central meeting place located outside of the polling location, and communicate the location to all staff.

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

1. Ensure everyone remains calm.
2. The EA or TC shall immediately call 911.
3. The EA or TC shall instruct everyone to leave the building immediately, including voting staff, electors and candidates/scrutineers.
4. The DRO shall exit with the Voters' List and ballots. The DRO shall, if time permits, put all loose documentation, including unused ballots, into the supply box (unless personal safety is in danger).
5. The TC shall exit with the vote tabulator and ballot box. The TC is responsible for keeping the Tabulator in their possession at all times.
6. Everyone shall evacuate the building immediately using the nearest safe exit and shall not use an elevator.
7. The EA or TC shall contact the Returning Officer (Clerk).
8. The EA or TC shall ensure everyone has evacuated the building safely and conduct a head count or roll call to confirm that no one remains inside the building.
9. The EA or TC shall initiate re-entry into the polling location, only once authorized by the Fire Chief.
10. The Returning Officer (Town Clerk) will provide direction on extended polling hours or alternate location to re-open the polling location.

Medical Emergency

If a poll worker, elector, candidate or scrutineer becomes ill or is injured at a polling location, the EA or TC shall:

1. Make the person as comfortable as possible.
2. Call 911, if necessary.
3. Call the Returning Officer immediately to discuss the situation and determine any action required (e.g. to obtain a replacement for the poll worker).

Should a poll worker become ill or be injured, but not sufficiently ill to request an ambulance, the Returning Officer shall be contacted immediately. The Returning Officer (Clerk) shall, if required, make arrangements to send a replacement.

The ballots and the vote tabulator must be protected at all times by an authorized poll worker who is not affected by the emergency (i.e. if the TC is ill, it shall become the EA's responsibility).

Bomb Threat

In the event of a bomb threat, the EA or TC shall:

1. Ensure everyone in the polling location remains calm.
2. The DRO shall put all loose documentation, including unused ballots, into the supply box.
3. The TC shall exit with the vote tabulator and ballot box. The TC is responsible for keeping the Tabulator in their possession at all times.
4. Everyone shall evacuate the building immediately using the nearest safe exit and shall not use an elevator.
5. The EA or TC shall ensure everyone has evacuated the building safely and conduct a head count or roll call to confirm that no one remains inside the building.
6. The EA or TC shall call 911.
7. The EA or TC shall contact the Returning Officer (Town Clerk).

8. The EA or TC shall initiate re-entry into the polling location, only once authorized by the authorities.

9. The Returning Officer (Town Clerk) will provide direction on extended polling hours or alternate location to re-open the polling location.

Staff shall not attempt to locate the explosive device.

To facilitate the resolution and follow-up to this incident, staff should be prepared to provide as much information as possible to the authorities (i.e. a description of the person who made the threat).

Amendment to these Procedures and Rules

1. The Clerk, at any time, has the right to amend this document to facilitate the vote, count, tabulation of the votes and security or any other matter at the sole discretion of the Clerk.

2. The Clerk's ruling on any interpretation of this document is final.

May 2, 2022