



STANDARD OPERATING PROCEDURE – ME-2026-15
EMERGENCY PROCEDURE (s. 53)

2026 MUNICIPAL ELECTIONS

Approved by:

A handwritten signature in black ink, appearing to read "Cassandra Child".

Cassandra Child, AOMC, Dipl.M.A.
Clerk/Returning Officer

Town of Cochrane

April 13, 2026

EMERGENCY PROCEDURE (S.53 MUNICIPAL ELECTIONS ACT, 1996)
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1. PURPOSE

- a) The purpose of this Procedure is to establish the processes to be followed in the event of an emergency pursuant to section 53 of the *Municipal Elections Act, 1996* that may interfere with the proper conduct of the municipal election.
- b) This Procedure applies to all voting methods authorized by the Clerk, including in-person voting, optical scan vote tabulator voting, and internet and Alternative Voting Method.
- c) This Procedure applies to the Alternative Voting Method (internet and telephone voting) and all supporting election infrastructure, including Voter Help Centres, voter assistance services, and the electronic tabulation of results.

2. LEGISLATIVE AUTHORITY

- a) Section 53(1) of the Act provides that if circumstances have arisen that, in the opinion of the Clerk, are likely to prevent the election being conducted in accordance with the Act, the Clerk may declare an emergency and make such arrangements as the Clerk considers advisable for the conduct of the election.
- b) Section 53(3) of the Act provides that the Clerk may apply to the Ontario Superior Court of Justice for direction where the Clerk determines that the emergency may affect the validity of the election.
- c) An emergency under this section is distinct from an unforeseen circumstance addressed under section 12 of the Act. Section 53 applies where the integrity, security, or orderly conduct of the voting process is materially disrupted or at risk of disruption.

3. DETERMINATION OF EMERGENCY

- a) An emergency exists where, in the opinion of the Clerk, circumstances have arisen that are likely to:
 - i. Prevent the election from being conducted in accordance with the Act.
 - ii. Interrupt or materially interfere with voting.
 - iii. Compromise or threaten ballot security or vote integrity.
 - iv. Prevent electors from having a reasonable opportunity to cast a ballot; or
 - v. Undermine public confidence in the electoral process.
- b) The determination that an emergency exists shall rest solely with the Clerk and shall be final for the purposes of election administration.

4. SCOPE OF EMERGENCIES

- a) Emergencies may arise from natural events, infrastructure failures, operational disruptions, unlawful interference, public health directives, or technical system failures affecting voting operations.

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- b) Where the Municipality utilizes internet and Alternative Voting Method (AVM), an emergency shall include any disruption, compromise, or suspected compromise of the electronic voting environment, including but not limited to system outages, telecommunications failures, cybersecurity incidents, unauthorized access attempts, data integrity concerns, encryption failures, vendor platform disruption, or cloud hosting interruption.
- c) Where a disruption to the Alternative Voting Method system originates from or is identified by the voting system supplier, the supplier shall immediately notify the Clerk and implement its internal incident response protocols. The Clerk shall retain sole authority to determine whether an emergency exists and whether to activate any emergency procedures, including those established under section 53 of the Municipal Elections Act, 1996.

5. DECLARATION OF EMERGENCY

- a) The Clerk may declare an emergency verbally or in writing.
- b) The declaration shall take effect immediately upon issuance.
- c) Where practicable, the Clerk shall document:
- i. The nature of the emergency.
 - ii. The affected voting place, process, or system.
 - iii. The time of declaration; and
 - iv. The actions taken in response.

6. CLERK'S AUTHORITY UPON DECLARATION

- a) Upon declaring an emergency, the Clerk may make such arrangements as are considered advisable for the conduct of the election.
- b) Without limiting the generality of section 6.1, the Clerk may:
- i. Delay the opening of a voting place.
 - ii. Relocate a voting place.
 - iii. Suspend or resume voting.
 - iv. Extend voting hours where authorized by law.
 - v. Secure ballots, tabulators, and voting materials.
 - vi. Isolate, suspend, or restrict access to electronic AVMs.
 - vii. Issue binding directions to election officials; and
 - viii. Seek legal advice or apply to the Ontario Superior Court of Justice pursuant to section 53(3) of the Act.

7. ELECTRONIC VOTING INCIDENT RESPONSE

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- a) Where the emergency involves internet or Alternative Voting Method (AVM) the Clerk shall immediately initiate appropriate incident response measures.
- b) Such measures shall include notification to the voting service provider, preservation of audit logs and system access records, securing administrative credentials, and assessment of system integrity.
- c) The Clerk may suspend the electronic voting platform where necessary to preserve vote integrity or system security.
- d) Electronic voting shall not resume until the Clerk is satisfied that vote security, encryption integrity, and data transmission processes have been verified.

8. SUSPENSION AND EXTENSION OF VOTING

- a) Where voting is suspended due to an emergency, the Clerk shall ensure that the time of suspension and resumption is recorded and that all ballots, voting equipment, and electronic systems are secured.
- b) Where an emergency materially interferes with elector access or voting duration, the Clerk may extend the voting period to ensure electors have a reasonable opportunity to cast a ballot.
- c) Any extension shall be documented and publicly communicated in a neutral and consistent manner and shall apply uniformly to all electors.

9. COMMUNICATION

- a) The Clerk shall ensure that communication during an emergency is timely, factual, and limited to procedural information.
- b) Notice may be provided through the municipal website, official social media channels, media release, direct notification to candidates and registered third parties, and such other means as the Clerk considers appropriate.
- c) Communications respecting electronic voting incidents shall not disclose sensitive technical information that could compromise system security.

10. DOCUMENTATION AND REPORTING

- a) All emergency events declared under this Procedure shall be fully documented.
- b) Where an emergency is declared, the Clerk shall document the nature of the emergency, the time and date of the declaration, the actions taken in response, and the rationale supporting those actions. Public notice of the emergency and any resulting changes to the administration of the election shall be provided as soon as reasonably practicable through available and appropriate communication channels.

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- c) A summary of any emergency declared pursuant to section 53 shall be included in the Clerk's post-election report to Council.

11. LIMITATION

- a) Nothing in this Procedure authorizes the Clerk to waive or disregard a mandatory statutory requirement unless expressly permitted under section 53 of the Act.

12. JUDICIAL DIRECTION

- a) Where the Clerk determines that an emergency may affect the validity of the election, the Clerk may apply to the Ontario Superior Court of Justice for direction pursuant to section 53(3) of the Act.