

THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

BY-LAW NO. 2020-059

BEING a by-law to adopt an Electronic and Digital Signature Policy.

WHEREAS the *Municipal Act, 2001*, c. 25 s. 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the *Municipal Act, 2001*, c. 25 s. 5 (3) provides that the powers of every council are to be exercised by by-law;

AND WHEREAS Council deems it advisable to adopt an Electronic and Digital Signature Policy for the Township of South Stormont.

NOW THEREFORE Council of the Township of South Stormont enacts as follows:

1. That the Electronic and Digital Signature Policy attached hereto as Schedule "A" and forming part of this by-law be adopted effective this 12th day of August, 2020.
2. That any other by-law inconsistent with this by-law is hereby repealed.


READ AND PASSED in open Council signed and sealed this 12th day of August, 2020.

Mayor



Clerk



	TOWNSHIP OF SOUTH STORMONT
	Title: Digital and Electronic Signature Policy (Schedule A to By-law No. 2020-059)
	Policy Category: Corporate Services
	Effective Date: August 12, 2020
	Revision Date:

Policy Statement

The Township of South Stormont is committed to providing excellent customer service. With the use of digital and electronic signatures, residents will receive better service and Township staff will achieve efficiencies that allow for cost savings and increased human resource capabilities.

Purpose

1. This policy will provide guidance on when a digital signature or electronic signature is considered official and acceptable by the Township of South Stormont.
2. This policy will expedite workflow processes, reduce recordkeeping requirements and improve customer service.

Scope

1. This policy shall apply to all administrative documents for each department within the Township of South Stormont.
2. This policy shall apply to all corporate documents produced by or for each department to confirm, authorize or execute decisions made by Council or its appointed boards and committees.
3. All electronic submissions received are subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
4. This policy does not apply to commissioned documents or any forms submitted in accordance with the Municipal Elections Act. In addition, this policy does not apply to Township by-laws or Council meeting minutes.

Objectives

1. The Digital and Electronic Signature Policy will allow both residents and Township staff the opportunity to enhance service delivery while reducing costs, paper use and staff time.

Policy

1. Electronic signature use is not mandatory, and no person shall be compelled or required to transact using electronic or digital signatures. Where a traditional signature is requested, the Township shall consent.
2. The Township of South Stormont may permit and accept the use of electronic or digital signatures at its discretion.
3. All Directors may, at their discretion, accept electronic submission of documents bearing electronic signatures.
4. The way documents with electronic signatures are received must be reliable for the purpose of identifying the person and shall be accepted or declined at the discretion of the responsible Director.
5. No person, through the transmission of an electronic submission bearing an electronic signature, shall represent themselves in a way that is false or misleading. Where a Director believes that a misrepresentation has occurred, the submission shall not be processed.
6. Acknowledgment or confirmation of receipt from the Township of South Stormont is not required in conjunction with an electronic submission. However, it is the sole responsibility of the person transmitting an electronic submission to ensure that the submission has been received.
7. The Township may require a digital signature certificate that is valid at the time when the document is digitally signed for any document at the Township's sole discretion.
8. The Township shall require a digital signature certificate for all agreements with a monetary value greater than \$100,000. When required for use, the certificate must be readable by any person or entity who is entitled to have access to the digital signature certificate.
9. The assignment of appropriate records retention and disposition of electronic submissions shall be managed in accordance with the Township's Records Management Program, including, but not limited to its policies, procedures and by-laws in force and effect.

Monitoring and Compliance

1. Directors and the CAO are responsible for ensuring compliance with the Digital and Electronic Signature Policy. In cases of policy violation, the Township may investigate and determine appropriate corrective action.

2. The Director of Corporate Services/Clerk shall undertake periodic reviews of the policy and make recommendations should they be required.

Authority and Related Polices

Legislated Requirements:	Electronic Commerce Act, 2000
	Municipal Freedom of Information and Protection of Privacy Act, RSO, 1990
	Municipal Elections Act, 1996
	Municipal Act, 2001
Related Policies:	Records Management Policy
	Records and Information Management Procedures
	Document / Digital Imaging

Definitions

Council: Council of the Township of South Stormont

Certificate: A certificate or digital signature certificate is a unique, digitally signed document which authoritatively identified the identity of an individual or organization.

Director: the appointed head of each department or their designate as identified in the Township of South Stormont organizational chart of through delegation.

Digital Signature: a type of electronic signature in which reliability characteristics have been reinforced with cryptography to augment document reliability.

Electronic Submission: refers to a document submitted electronically, including but not limited to email, web form, facsimile or external device (i.e. CD, hard drive)

Electronic Signature: refers to symbols or other data in digital form included with an electronic submission as verification of the sender’s intent to sign. Electronic signatures include, but are not limited to:

- a typed name at the end of an email;
- a typed name on an electronic form of document;
- an image of a handwritten signature on an electronic submission;
- a personal identification number (PIN);
- clicking “agree” or “disagree” within an online platform;

- a handwritten but digitally captured signature made on a touch device, such as a tablet or smartphone; and a digital signature captured through a digital certificate.

Keywords

Digital signature

Electronic signature

Electronic submission

Contact

For more information on this policy, contact:

Director of Corporate Services/Clerk

Township of South Stormont

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