

Viewing and Retention of Election Documents	City Clerk – Election Office
	Procedure No.: EO-26-010

1. Purpose

- 1.1 This procedure sets out the City of Cambridge's requirements for viewing and the retention of documents related to municipal elections and by-elections.

2. Application

- 2.1 This procedure applies to individuals who wish to view municipal election or by-election documents in person, and to election officials responsible for disseminating, maintaining and destroying those documents.

3. Legislative Authority

- 3.1 The Municipal Elections Act, 1996 (MEA) provides powers of the City Clerk, these include the power to provide for any matter or procedure that is not otherwise provided for in an Act or regulation and that, in the City Clerk's opinion, is necessary or desirable for conducting the election (MEA s.12(1)).
- 3.2 Despite the provisions of the *Municipal Freedom of Information and Protection of Privacy Act, 1990* (MFIPPA), all documents and materials filed with or prepared by the City Clerk or any other election official under the MEA are public records and may be inspected by any person at the clerk's office at a time when the office is open (MEA s.88(5)).
- 3.3 Section 3.2 of this procedure does not:
- i. Apply to documents and materials filed with or prepared by the City Clerk or any other election official under the MEA after the expiration of the 120-day period prescribed by the Act (MEA s.88(6)).
 - ii. Apply to election-related documents and materials that have been destroyed in accordance with the retention periods established under the City of Cambridge Records Retention By-law No. 048-17.
 - iii. Entitle a person to inspect the contents of a ballot box or any applications made under section 24 or 25 unless authorized to do so by a court order (MEA s.88 (6.1)).

- a. Application to add, remove, or amend a person's information on the voters' list (MEA s.24).
- b. Application to remove a deceased person from the voters' list, where the City Clerk is satisfied that the person has died (MEA s.25).

4. Procedure

General

- 4.1 Election documents, including those prepared by the City Clerk and those filed with the City Clerk's Office, such as Nomination Papers filed by candidates and Notices of Registration filed by Third Party Advertisers, are public records and may be inspected in person at the City Clerk's Office, City Hall, 50 Dickson Street, Cambridge, in accordance with the *Municipal Elections Act, 1996* (MEA s.88(5)).
- 4.2 Individuals wishing to inspect applicable election documents must schedule an appointment with the City Clerk's Office.

Booking an Appointment

- 4.3 Individuals wishing to inspect applicable election documents must schedule an appointment with the Office of the City Clerk by telephone at (519) 513-6415 or by email at election@cambridge.ca.
- 4.4 Appointments will be scheduled during the City's regular business hours, Monday to Friday, excluding statutory holidays, from 8:30 a.m. to 4:30 p.m.
- 4.5 Prior to inspecting any election documents, individuals must review this procedure and complete and sign an *Election Records Access and Use Declaration* (Appendix A), acknowledging the restrictions governing the use and disclosure of election records (MEA s.88 (10)).

Viewing Election Documents

- 4.6 Upon arrival for a scheduled appointment, the individual will be assisted by the City Clerk or designated election official.
- 4.7 The City Clerk or designated election official will review this procedure and the *Election Records Access and Use Declaration* (Appendix A) with the individual and confirm that the declaration has been completed and signed before access to any election records is granted.
- 4.8 The City Clerk or designated election official will remain present throughout the appointment while election documents are being inspected.

- 4.9 Individuals inspecting election documents may review the records and make written notes or extracts using a note-taking method or device of their choice, subject to the restrictions outlined in this procedure. Notes or extracts may contain no more than one piece of personal information relating to any individual; the recording, compilation, or retention of two or more pieces of personal information about the same individual is prohibited.
- 4.10 Election documents provided for inspection shall not:
- i. Be photocopied, scanned, reproduced, or otherwise duplicated in any format;
 - ii. Be photographed, video recorded, or captured by any electronic device, including mobile phones, tablets, cameras, or other recording equipment;
 - iii. Be removed from the designated viewing area, altered, marked, annotated, or otherwise modified in any manner;
 - iv. Be shared, distributed, transmitted, or disclosed to any unauthorized person without prior authorization of the City Clerk; or
 - v. Be handled in a manner that may damage, compromise, or affect the integrity of the documents.
- 4.11 Notwithstanding section 4.9, individuals inspecting the Voters' List may view the information contained within the list but shall not make notes, extracts, transcriptions, or copies of any information from the Voters' List in any format.

Retention of Ballots and Other Related Materials

- 4.12 The City Clerk shall retain ballots and all other documents and materials related to the election in a secure manner that protects them from unauthorized access for a period of 120 days following the declaration of the election results (MEA s.88(1)).
- 4.13 Upon the expiry of the 120-day retention period, the City Clerk shall destroy all ballots in the presence of two witnesses and shall also destroy all other election-related documents and materials, unless:
- i. A court order requires that the ballots, documents, or materials be retained (MEA, s.88(3)(a));
 - ii. A recount has been commenced and not finally disposed of (MEA s.88(3)(b)).

Retention of Election Campaign Finance Documents

- 4.14 Notwithstanding section 4.13 of this procedure, the City Clerk shall retain the following records until the members of Council or a local board elected at the next regular election have taken office (MEA s.88(4)):
- i. Financial statements and auditors' reports, in the prescribed form, relating to a candidate's election campaign finances (MEA, s.88.25);
 - ii. Financial statements and auditors' reports, in the prescribed form, relating to a registered third party's election campaign finances and third-party advertising activities (MEA, s.88.29);
 - iii. Documentation related to the return of a surplus from a candidate's or registered third party's campaign, including any required payments and supporting records (MEA, s.88.32).

Retention of all other Election-related Materials

- 4.15 Notwithstanding section 4.14 of this procedure, election-related records that are required for operational, financial, legal, or historical purposes, including but not limited to campaign finance records, election results records, and election personnel records, shall be retained in accordance with the City of Cambridge Records Retention By-law No. 048-17 and any other applicable legislative requirements.

Records Destruction

- 4.16 Except as otherwise provided for under sections 88(3), 88(4), and 88(9) of the *Municipal Elections Act, 1996* (MEA), or as required by the City of Cambridge Records Retention By-law No. 048-17, all election-related documents and materials shall be destroyed following the expiry of the applicable retention period (MEA s.88(2),(3),(4),(5),(6),(9)).
- 4.17 Once records become eligible for destruction, as soon as possible, the City Clerk will arrange for the records to be securely destroyed in their presence and with two appointed witnesses.
- 4.18 Upon the destruction of ballots and other election related documents and records, a Record of Destruction will be signed by the City Clerk and both witness and maintained.

5. Legislation

Municipal Elections Act, 1996, S.O. 1996, CHAPTER 32

6. Related Policies/Procedures

No related procedures.

7. Revision History

Action	Date
Procedure Approved	July 2026