

# Electronic Signature Policy

## 1. Purpose

- 1.1. The Corporation of the Town of Fort Erie (Town) is committed to streamlining services using the most up to date technology in order to continue to provide excellent customer service.
- 1.2. This policy and related procedures will identify types of documents for which electronic signatures will be acceptable and the manner in which an electronic signature may be provided.
- 1.3. The purpose of this policy is to streamline Town operations by expediting workflow processes, modernize records, reduce the need for physical recordkeeping and improve customer service.

## 2. Definitions

2.1. For the purposes of this Policy:

2.2. **Document** means any written instrument on paper or in electronic form.

2.3. **Electronic Signature (Digital Signature)** as defined in the *Electronic Commerce Act*, as amended from time to time.

2.4. **Execute** means to carry out activities intended to give effect to a document, making it legally binding and enforceable, including one or more of the following formalities, as may be appropriate:

2.4.1. Signing the Document;

2.4.2. Indicating approval of the form or content of the Document;

2.4.3. Affixing the corporate seal of the Town to the Document;

2.4.4. Delivering the Document to other parties; and “execution” has a corresponding meaning.

2.5. **Multi-Factor Authentication (MFA)** is a multi-step account login process that enhances security by requiring users to enter more information than just a password.

2.6. **Traditional (Wet) Signature** means signing a physical paper document with pen and ink.

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### 3. Application

3.1. This Policy applies to all employees of the Town of Fort Erie, including the Mayor and Council.

### 4. Background

4.1. The *Electronic Commerce Act* provides for the legal management of documents and signatures in electronic format.

### 5. Policy

5.1. The Town shall not compel individuals to transact using electronic signatures; traditional (wet) signatures will be accepted upon request.

5.2. Authorized Council members and Town officers or employees may use electronic signatures, subject to the conditions and restrictions in this Policy.

5.3. Electronic signatures are prohibited on Documents where such execution is against the law.

5.4. Documents executed by Electronic Signature shall:

5.4.1. Include the date and time of signing;

5.4.2. Include evidence of signature validity at the time of signing;

5.4.3. Maintain validity over the long-term; and

5.4.4. Include multi-factor authentication when necessary.

5.5. Agreements/Contracts/Leases

5.5.1. All agreements/contracts/leases shall include a clause allowing Electronic Signatures.

5.5.2. Nothing in this Policy requires the Town to provide or accept Documents with Electronic Signatures without the Town's explicit consent.

5.6. Documents executed by Electronic Signature shall be maintained electronically when able and should be stored in the approved repository and categorized according to the content within the email according to the Town's Records Retention By-law and Town's Records and Information Management Policy.

5.7. Town staff should avoid printing Electronically Signed Documents.

5.8. Documents executed by Traditional Signature may be maintained electronically if the document is digitized following the Document Digitization Procedure.

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5.9. Any reference to legislation, regulations or by-laws in this Policy shall be interpreted to include all amendments and any successor legislation thereof.

## 6. Responsibilities

6.1. Town Clerk shall:

6.1.1. Review this Policy on a regular basis and amend as needed.

6.2. All Employees shall:

6.2.1. Familiarize themselves and comply with this Policy

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