



# Policy

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POL.COR.18.01

## Use of Corporate Resources for Election Purposes

<b>Policy Type:</b>	Corporate Policy (Approved by Council)
<b>Date Approved:</b>	February 12, 2018
<b>Department:</b>	Clerk's Department
<b>Staff Report:</b>	FAF.18.10 "Use of Corporate Resources for Election Purposes Policy"
<b>By-Law No.:</b>	n/a

### Policy Statement

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The Corporation of the Town of The Blue Mountains and its local boards and committees are committed to ensuring accountable and transparent election practices relating to the use of corporate resources.

### Purpose

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The purpose of this policy is to provide a consistent approach and direction regarding the use of Corporate Resources during the election campaign period in accordance with the *Municipal Elections Act, 1996*.

This policy replaces the previous "Use of Corporate Resources for Election Purposes Policy, A.POL.01". This policy shall become effective immediately upon approval by Council of the Town of The Blue Mountains.

### Application

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This Policy applies to all Members of Council, Candidates, Registered Third Parties in a municipal election, and Staff during a campaign period.

This Policy is intended to:

- i) ensure compliance with the Municipal Elections Act, 1996, with respect to the role of the Town contribution to a municipal and trustee election campaign;
- ii) ensure Candidates and Registered Third Parties are treated fairly and consistently within the municipality;
- iii) ensure the integrity of the election process is maintained at all times;
- iv) establish the appropriate use of resources during an election period, in order to:
  - a. protect the interests of Members of Council, Candidates, Registered Third Parties, Staff and the Corporation; and
  - b. ensure accountable and transparent election practices.

## Definitions

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**“Act”** means the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, as amended.

**“Campaign Period”** for candidates, the date on which the Nomination Form is filed until December 31 in the year of an election (unless a request for extension of campaign period has been filed)

For Registered Third Parties, “Campaign Period” is the date on which the Notice of Registration as a third party advertiser is filed until December 31 in the year of an election (unless a request for extension or campaign period has been filed)

**“Candidate”** means a person who has filed a Nomination Form for an office pursuant to section 33 of the Act, and includes a person who has filed a nomination for election to a school board pursuant to the *Education Act, R.S.O. 1990*, c. E.2, as amended.

**“Clerk”** means the Clerk of the Town or their designate.

**“Corporate Resources”** means real property, goods and/or services owned, controlled, leased, acquired, or operated by the Town including but not limited to: facilities, parks, materials, equipment, monetary funds, technology, Town IT system and resources, databases, social media, intellectual property, and supplies.

**“Election Day”** for a regular election is the fourth Monday in October in the year of the election, as prescribed by the *Municipal Elections Act, 1996*.

**“Members of Council”** means the Council of the Town of The Blue Mountains.

**“Member”** means a Member of the Council of the Town of The Blue Mountains.

**“Nomination Day”** for a regular election is the fourth Friday in July in the year of the election, as prescribed by the *Municipal Elections Act, 1996*.

**“Policy”** means this Use of Corporate Resources for Election Purposes Policy, POL.COR.18.01

**“Registered Third Party”** means an individual, corporation or trade union that has filed a Notice of Registration as a third party advertiser in the municipal election.

**“Staff”** means all full-time, part-time and contract persons hired by the Town.

**“Town”** means The Corporation of the Town of The Blue Mountains.

**“Voting Day”** means, in a regular election, is the fourth Monday in October in the year of the election –or- in the case of a by-election, the 45<sup>th</sup> day after Nomination Day, as noted in section 5 and subsection 65(4) of the *Municipal Elections Act, 1996*.

## Policy

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1. In accordance with the provisions of the Municipal Elections Act, 1996, as amended, Members of Council, Candidates, and/or Registered Third Parties in a Campaign Period are not permitted to:
  - a) Use equipment, supplies, services, Staff, or other resources of the Town for any campaign or campaign related activities;
  - b) Use Town funds to acquire any resources for any campaign or campaign related activities, including order of stationary and office supplies;
  - c) Use Town facilities or property for campaign events, unless the facility or property is rented in accordance with Town agreements and the appropriate rates are paid by the Candidate or Registered Third Party. Notwithstanding the foregoing, no facility/property shall be rented or used for any municipal election-related purpose by members of Council, Candidates, Registered Third Parties, or the public during any day that voting is taking place on the property, including the set-up, hosting or take-down activities;
  - d) Benefit from the use of any corporate pricing established under the Town's Purchasing Policy;
  - e) Use Town funds to print or distribute any material that makes reference to, or contains the names or photographs, or identifies Candidates or Registered Third Parties.
  - f) Use the Town logo, crest, or corporate program identifiers on any election campaign related material, either printed or on a campaign website. This includes any Town municipal election logo and any related identifiers.
  - g) Use any Council or Councillor budgets for election-related purposes or to advertise, promote or support any Candidate, Registered Third Party or any position related to any questions which may be authorized to be placed on the ballot.
  - h) Use corporate Information Technology (IT) assets, infrastructure, or data (e.g. computers, wireless devices, portals, corporate email, web pages, blogs, telephone) to communicate election related messages

Note: The Clerk will include the contact information for Candidates and Registered Third Parties' on the Town's website, on the "Election" page of the Town website during the Campaign Period.

## Use of Corporate Resources for Election Purposes

2. The following services will be discontinued for Members of Council who are Candidates as of the end of Nomination Day:
  - a) all forms of advertising, including in Town publications (i.e. paper or web-based);
  - b) all printing services, including printing, photocopying and distribution of publications, such as newsletters, with the exception of communications specifically related to an authorized or scheduled Town event (i.e. Public Meeting);
  - c) the ordering of office furniture and furnishings, except those of an emergency nature, as well as no movement of furniture and furnishings; and,
  - d) the ordering of stationary and business cards.
3. The budgets for Members of Council for the period of January 1 to Election Day in a municipal election year be restricted to 11/12<sup>th</sup>s of the approved annual budget amount with the provision that subsequent to Election Day:
  - a) new Members of Council be allocated a budget equal to 1/12<sup>th</sup> of the approved budget for the month of December; and
  - b) re-elected Members of Council have available to them the balance of the funds remaining as of Election Day;
4. Candidate, Registered Third Party and Staff Conduct
  - a) A Member of Council attending an event as a representative of Town Council is not permitted to campaign while conducting Town business. A Member of Council may speak at an event as a representative of Town Council, but is not permitted to use the event as an opportunity to campaign;
  - b) Candidates or Registered Third Parties are not permitted to engage in campaign activities directed at Town Staff while those Staff are at their workplace or engaged in work for the Town.
  - c) Town Staff shall not perform any work in support of a Candidate of Registered Third Party during hours in which the Town Staff is receiving any compensation from the Town, except during scheduled time off (i.e. vacation, leave of absence without pay, lieu time). Town Staff shall not post or distribute campaign material on behalf of a Candidate or Registered Third Party at Town facilities or on Town property.

## **Exclusions**

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It is recognized that Members of Council are holders of their office until the end of the Council term. Nothing in this Policy shall preclude a Member of Council from performing their job as a Councillor, nor inhibit them from representing the interests of the constituents who elected them.

## **References and Related Policies**

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1. *Municipal Elections Act, 1996*
2. Council Code of Conduct for Members of Council Policy, POL.COR.07.07
3. Progressive Discipline Policy, POL.COR.13.24

## **Consequences of Non-Compliance**

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The Town Clerk is authorized and directed to take the necessary action to give effect to this policy.

## **Review Cycle**

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This policy will be reviewed by the Town Clerk following each Municipal Election, and will be updated in accordance with legislative requirements.