



**Council Approval:** April 19, 2022

**Effective Date:** April 20, 2022

**Subject: Election 2022 - Use of Corporate Resources During an Election Policy - CLERKS-05-22.docx**

This Policy falls under the Clerks Department.

<b>Name of Policy:</b> Corporate Use of Resources For Election Purposes		<b>Policy #</b> 05-22
<b>Council Approval</b> April, 19, 2022	<b>Effective Date</b> April 20, 2022	<b>Supersedes</b> Policy # 05-22 dated April 19, 2022
<b>Resolution #</b> 2022-125		

**Purpose:**

The purpose of this policy is to create guidelines in the Municipality of Cramahe for all Candidates running for an elected office during the Election Period and to establish parameters on the use of Corporate Resources for election related purposes.

Adoption of this policy is to clarify that members of Council and Election Candidates are required to follow the provisions of the *Municipal Elections Act, 1996*

**Rationale:**

The Municipal Elections Act, the Election Finances Act (Ontario), and the Canada Elections Act prohibit the Municipality from making contributions in any form to a Candidate or Registered Third Party. As a contribution may take the form of money, goods or services, any use by a Member of Council of the Corporation’s resources for his or her election campaign would be viewed as a contribution by the Municipality to the Member, which is a violation of the Act.

## **Application:**

This policy is applicable to Elected Officials / Candidates/ Municipal Staff

It is the responsibility of Municipal Clerk to: Administer this policy and provide for any related procedures as deemed necessary or desirable for conducting an election

It is the responsibility of Candidates to: Adhere to the guidelines and parameters established by this policy.

It is the responsibility of Municipal Staff to: Ensure that Corporate Resources, as identified by this policy, are not used for Campaigning.

## **General Provisions:**

In accordance with the provisions of the *Municipal Elections Act, 1996*:

- Corporate Resources and Funding shall not be used by a Candidate for Campaigning during the Election Period.
- Members of Council may not be reimbursed for certain expenses during an Election Year.
- All printing, high speed photocopying and distribution, including printing and general distribution of newsletters (unless so directed and approved by Council) will be discontinued for Members of Council from the day prior to Nomination Day in a municipal election. This includes all forms of advertising, including in municipal publications.
- Members of Council may not deliver any unsolicited material where the printing and/or distribution costs are paid by the municipality.
- Members of Council that are Candidates are expected to adhere to the Council Code of Conduct and all applicable municipal policies at all times during the Election Period.
- Staff may not canvass or actively work in support of a municipal candidate or party during normal working hours unless they are on a leave of absence without pay, lieu time, float day, or vacation leave;
- Members of Council may not use their office, or any municipally provided facilities for any election-related purposes, which includes displaying of any campaign related signs in the window or on the premises, as well as displaying any election-related material in the office;

## **Members of Council may not:**

- print or distribute any material paid for by municipal funds that illustrates that a Member of Council or any other individual is registered in any election or where they will be running for office.

- profile (name or photograph), or make reference to, in any material paid by municipal funds, any individual who is registered as a candidate in any election.
- print or distribute any material using municipal funds that makes reference to, or contains the names or photographs, or identifies registered candidates for municipal elections; and that Minutes of municipal Council and Committee meetings be exempt from this policy.
- Use the Municipality's logo, crest, coat of arms, and slogans, or any other images or illustrations owned or under the jurisdiction of the Municipality, may not be used in any Campaign Materials.

### **Corporate Resources - Communications/ Media Platform Guidelines:**

*The following is provided for greater clarity when considering the use of Municipal Social Media and Communication Platforms.*

- Websites, domain names and electronic meeting platforms that are funded by the Municipality may not be used for Campaigning.
- Candidates and Registered Third Parties may provide a link to the Municipality's official election website or webpages in their Campaign Materials in order for electors to access additional information about the election and voting process.
- The Municipality's official election website or webpages will provide Candidate contact information, that may include a link to a Candidate's website and social media platforms.
- The website may include other information supplied by the Candidate to educate electors but shall in no way endorse any Candidate.
- Once a Member of Council registers to be a Candidate, any links from a Municipality website or social media account to his or her website or social media pages will be removed from the Municipality's webpages.
- if the Member's website or social media page contains or will contain Campaign Material. Members shall advise the Municipal Clerk of any intention to use a website or social media page for Campaign Material so that links may be removed from the Municipal website prior to any material being published.
- Members of Council shall not convert a constituency website and/or social media account to an election Campaign website/account if all or a portion of the costs associated with the creating or maintaining of the site were paid by the Municipality at any point in time.

- Members of Council may not use the Municipal's voice mail system to record election related messages.

*The above recommendations also apply to an acclaimed Member or a Member not seeking re-election*

### **Corporate Resources - Municipal Facilities**

*The following is provided for greater clarity when considering the use of Municipal Facilities, including Municipal owned or leased lands, as Corporate Resources:*

- Any Candidate may attend any public Committee, Advisory Committee, Council meeting or Municipality-hosted or funded events; however, they shall not use this forum to speak on or address any matter relating to their Campaign.
- Campaigning and Campaign Material is not permitted in any Municipal facilities, on Municipal land, or at Municipal operated events.
- Campaigning on public sidewalks and highways is permitted, provided that such Campaigning is in compliance with Municipal by-laws

### **Corporate Resources- Municipal Staff**

- In accordance with the Standards of Conduct Policy, Municipal Staff are prohibited from using Corporate Resources for the benefit of a Candidate or Campaign.
- The Clerk may develop and distribute information through various means for the purpose of advising and educating electors.
- Candidates are permitted to promote and distribute election information provided by the Clerk, however that such information is not modified in any way.

### **Corporate Resources- Integrity Commissioner**

- The Municipality's appointed Integrity Commissioner is considered to be a Corporate Resource, under contract with the Municipality and may receive, from time to time, compensation from the Municipality in accordance with services provided.
- In accordance with applicable legislation, Members of Council shall not use the services of the Municipality's Integrity Commissioner during the Election Period for the purposes of seeking advice related to their Campaign.

**Implementation:**

This policy shall become effective immediately upon approval by municipal Council.

Any complaints arising regarding the alleged use of Members' budgets or other Corporate Resources in contravention of this Policy must be made in writing and include the complainant's full name and address. The Municipal Clerk, or their designate, shall have the delegated authority to investigate complaints and resolve any issues.

**Limitation:**

Nothing in this Policy shall preclude a Member of Council from performing their job as a Councilor, nor inhibit them from representing the interests of the constituents who elected them.