



Corporate Policy

Category: Administration
Sub-Category: Clerk's Department

Title: Use of Corporate Resources During an Election Period

Policy Number: TBD
Approved by: Council
Administered by: Clerk
Effective: TBD

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1. Purpose

The purpose of this policy is to provide a consistent approach and clear direction regarding the use of corporate resources during the election campaign period. This policy should be interpreted as a general prohibition against use of corporate resources for any election-related purposes.

This Policy is intended to:

- a) Ensure compliance with the *Municipal Elections Act, 1996, S.O. 1996, c. 32*, as amended (the Act), with respect to the role of the Town in contributing to a municipal and trustee election campaign.
- b) Ensure Candidates and Registered Third Parties are treated fairly and consistently within the municipality.
- c) Ensure the integrity of the election process is always maintained.
- d) Establish the appropriate use of resources during an election period, in order to:
 - protect the interests of Members of Council, Candidates, Registered Third Parties;
 - ensure accountable and transparent election practices.

2. Policy Statement

Members of Council are required to conduct themselves in accordance with the Act. The use of Corporate Resources, both actual municipal property and Staff time, for election-related activity is strictly prohibited. The prohibition applies to both the promotion and opposition to the candidacy of a person for elected office. Election related activity applies not only to a Candidate's personal campaign for office, but also other campaigns for municipal, provincial and federal office.

This policy clarifies that all election Candidates, including members of Town Council, are required to follow the provisions of the Act.

3. Application and Scope

This policy applies to all employees of the Municipality, Candidates, political parties, constituency associations, Registered Third Parties, and persons or groups supporting or opposing a question on a ballot, as well as anyone acting on their behalf, during a Campaign Period.

4. General Provisions

- 4.1. That in accordance with the provisions of the Act, Corporate Resources and/or funding may not be used for any election-related purposes.
- 4.2. All Staff shall:

- a) Behave in a manner that is impartial, fair and unbiased toward all registered candidates and third parties.
- b) Consult with their direct Supervisor prior to agreeing to perform any task requested by a member of Council, Candidate, or Registered Third Party that exceeds their normal duties or could be construed as contributing to an election campaign.
- c) Not rent any corporate facility/property for any municipal election-related purpose to members of Council, candidates, third parties or the public during any day that voting is taking place anywhere on the property, including set-up, hosting, or take-down activities.
- d) Not canvass or actively work in support of a municipal candidate or third party during normal working hours unless they are on a leave of absence without pay, lieu time, float day or vacation leave.
- e) Take care to separate personal activities from their official positions.
- f) Request and obtain a leave of absence without pay should they wish to run for federal, provincial, or municipal office and abide by the respective legislation governing such elections.
- g) To avoid a perceived conflict of interest, staff are discouraged from assisting with or having any involvement in municipal election campaigns, including posting election signs on their property, phone and/or e-mail solicitations, signing nomination papers, distribution of brochures and wearing candidate buttons.

4.3. Election campaign activities are not permitted at Town Hall (located at 5941 Highway 89).

4.4. Municipally owned or run assets and facilities, excluding Town Hall, may be rented in accordance with municipal agreements and current rates and fees for election campaign activities providing that the rental is available to all registered candidates and registered third parties. Use of rentals are subject to the following conditions:

- a) all election campaign materials must only be displayed within the allotted rental period in the allotted rented area designated in the rental agreement.
- b) rentals for campaign related activities are not permitted from the first date of advance voting to the day after voting day; and
- c) the town reserves the right to refuse or cancel a rental contract at any time, in accordance with the terms of the contract, should it conflict with the town's corporate values or established policies or procedures, or presents a health and safety concern.

4.5. The Town will not host or organize all-candidates meetings or debates. With the exception of Town Hall, use of town facilities for all-candidates meetings or debates is permitted, provided that the rental fee is paid and all candidates for an office are invited to attend and participate.

- 4.6. Election signs cannot be posted on Town property and are permitted only in accordance with the County of Wellington Sign By-Law and the Town's Sign By-law.
- 4.7. Registered candidates and registered third parties may attend town organized or funded events during a campaign period, but may not display or distribute any campaign materials, or engage in any election related activities.
- 4.8. The following shall be discontinued for all Members of Council and Registered Candidates or Third-Party Advertisers during the Blackout Period:
- a) Advertising in municipal publications or on municipally owned property.
 - b) All printing, photocopying and distribution, unless so directed and approved by Council.
 - c) Use of the Citizen Request Portal (CRP) platform to enter requests on behalf of any resident; and
 - d) Contacting municipal Staff to request attention to a matter raised by a constituent during a campaign-related event, including door-to-door campaigning.
- 4.9. Members of Council shall not:
- a) Print or distribute any material paid 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.
 - b) 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.
 - c) 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 (Minutes of Municipal Council and Committee meetings are exempt from this policy).
 - d) Enter into joint ventures using municipal funds outside of Minto during the Blackout Period, unless specifically approved by Council (i.e., Memorial Events). Where such an event is scheduled, Members of Council may attend to bring greetings from the Town, but Campaigning is not permitted; and
 - e) Use the Town's IT Resources, including Social Media accounts, for any election campaign or campaign-related activities.
- 4.10. Website or domain names that are funded by the municipality may not include any election-related Campaign Material.
- 4.11. Members of Council may not use the municipality's voicemail system to record election-related messages.
- 4.12. The policies contained herein also apply to an acclaimed Candidate(s), a Member of Council not seeking re-election, or to a Registered Third Party.

- 4.13. Campaign Materials are not permitted to be placed on community bulletin boards in Town facilities, or at any location marked as a voting location and may not be worn/displayed when carrying out the duties of an office, including Town Staff during working hours. Campaign Materials will be required to be removed from non-municipal voting places once advance polling or voting commences. A car “wrapped” to reference a Candidate or containing campaign signs may be covered or removed from the parking lot of the polling location, whereupon recovery will be at the expense of the Candidate.
- 4.14. The Town’s logos are registered trademarks and owned by the Town of Minto. Use of the Town branding materials is reserved exclusively by the Town for its own use. Candidates must not, under any circumstances, use a Town logo or any variation of it on any Campaign Material, Election Sign, Social Media or campaign website.
- 4.15. Election procedures prohibit the use of cameras inside a polling location; however, a Candidate is permitted to be photographed entering the polling location.
- 4.16. The Clerk is authorized and directed to take the necessary action to give effect to this policy.

5. Definitions

“Act” or “The Act” means the Municipal Elections Act, 1996, as amended from time to time, and includes any regulation made thereunder.

“Blackout Period” refers to the temporary period from the day upon which a Candidate has filed their nomination up to and including Election Day, during which time certain privileges are discontinued for Members of Council, the Mayor and any Registered Candidate.

“Candidate” or “Registered Candidate” means a person who is running in a municipal, provincial or federal election, and shall be deemed to include a person seeking to influence other persons to vote for or against any Candidate or any question or By-law submitted to the electors under section 8 of the Act.

“Campaigning” means any activity by, on behalf of, or in opposition to a Candidate, political party or ballot question during an election Campaign Period that is meant to elicit support or opposition, including display of Campaign Material.

“Campaign Material” means material in any media (i.e., print, radio, television, website and social media) used to promote or oppose a Candidate, political party or ballot question. Campaign Material includes, but is not limited to, banners, literature, posters, place cards/signs, buttons/pins, clothing, car wraps, etc.

“Campaign Period” commences on the date a Candidate files their nomination paper and extends through to December 31 of the election year (45 days after voting in the case of a by-election). For a federal or provincial election, the Campaign Period begins with the issuance of the Writ through to Voting Day.

“Clerk” or “Town Clerk” means the Clerk of the Town of Minto, or their designate.

“Corporate Resources” includes, but is not limited to, the Town of Minto’s Employees, events, funds, information, Information Technology* (IT) Resources/application and corporate assets.

“Election Period” begins on the first day upon which nominations may be filed and extends through to Voting Day, as determined in accordance with the Act, during a regular election year.

“Employees” or “Staff” includes full-time, part-time and contract Employees paid by the Corporation of the Town of Minto.

“Facility” means any property under the care and control of the Town, including property owned, leased, occupied, or used by the Town, including by not limited to community centres, meeting rooms, lobbies, sports fields, parks, pools, arenas and associated parking areas, etc.

“Information Technology (IT) Resources” means Town-owned or issued IT Resources, including but not limited to:

- a) Hardware such as laptops, tablets, portable and computing devices and related peripherals, and wireless communication devices (e.g., smart phones, cell phones, etc.).
- b) All internet and email systems, including websites or domain names that are funded by the municipality.
- c) Electronic data transmission equipment, devices and networks.
- d) Business systems and services and all Town-managed data and software.
- e) All types of telephone, radio and other audio/voice or audio/visual communication equipment, devices and networks, including voicemail.
- f) Local and network storage media used in the operation of these resources, including but not limited to, CD’s, tape media, paper, USB, flash memory, flash drives, external hard drive, cloud storage, etc.
- g) Data, information, and other work products such as computer programs, databases, spreadsheets, etc.; and
- h) This is deemed to include Town data and information accessed, stored, created, processed, transmitted, or filed in a personal electronic device.

“Nomination Day” for a regular municipal election or by-election is the date determined in accordance with the Act.

“Social Media” means publicly available, third party-hosted, interactive web technologies used to produce, post, and interact through text, images, video and audio to inform, share, promote, collaborate, or network. Examples include: blogs, podcasts, Facebook, Twitter, Instagram, Bang the Table etc.

“Town” or “Town of Minto” means the Corporation of the Town of Minto.

“Registered Third Party Advertiser” or “Third Party Advertiser” means a person or entity, who is not a Candidate, who has registered with the Clerk to engage in political advertising, to support, promote or oppose a Candidate or a yes or no question on the ballot.

“Voting Day” means:

- a) For a municipal election, the day on which the final vote is taken as the date set out in the Act; and
- b) For a provincial or federal election or by-election, the day set out according to the Elections Act (provincial) and Canada Elections Act (federal).

6. References and Related Documents

Municipal Elections Act, 1996
Council Code of Conduct

7. Review Schedule

Date	Description
TDB	Passed