



## USE OF CORPORATE RESOURCES FOR ELECTION PURPOSES

### Schedule A to By-law 2026-22

#### 1.0 POLICY STATEMENT

- 1.1 Corporate resources, assets, and funding shall not be used for election-related purposes except where expressly permitted. The Municipality will maintain neutrality, ensure equal access to information, prevent promotion or opposition of any candidate, and apply restrictions consistently to municipal, provincial, and federal elections where applicable.

#### 2.0 PURPOSE AND SCOPE

- 2.1. This policy ensures the impartial and appropriate use of municipal resources and assets by prohibiting their use for any election-related activities, in accordance with the *Municipal Elections Act*, 1996. It reinforces that municipal resources, funds, operations, events, and facilities must remain non-partisan and cannot be used to support or oppose any candidate, campaign, or ballot question at the municipal, school board, provincial, or federal level.
- 2.2 This policy is in effect for the duration of any election or by-election campaign period.

#### 3.0 DEFINITIONS

- 3.1 **Acclaimed:** means a Candidate elected by acclamation pursuant to section 37 of the Act.
- 3.2 **Act:** means the *Municipal Elections Act*, 1996, S.O. 1996, c. 32, as amended.
- 3.3 **Campaign Contribution:** Means anything of value (money, goods, or services) given to influence an election.
- 3.4 **Campaign Materials:** Any materials used to solicit votes or promote/oppose candidates (print, digital, signage, clothing, social media, etc.)
- 3.5 **Campaign-Related Activities:** Any activity meant to elicit support for a candidate or ballot question during an election period.

- 3.6 **Candidate:** means a person who has filed a nomination 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.
- 3.7 **Clerk:** means the Clerk of the Municipality or his/her designate.
- 3.8 **Corporate Resources:** Means real property, goods and/or services owned, controlled, leased, acquired, or operated by the Municipality including but not limited to facilities, parks, materials, equipment, monetary funds, technology, Municipality IT systems and resources, databases, intellectual property, and supplies
- 3.9 **Corporate Brand/Identifiers:** Municipality logo, crest, coat of arms, slogan, chain of office, or other official identifiers.
- 3.10 **Council:** means the Council of the Municipality of West Elgin.
- 3.11 **Election Period:** This begins when nomination papers are filed and ends December 31st (regular election) or 45 days after voting day (by-election).
- 3.12 **Member:** means a member of the Council of the Municipality of West Elgin and includes the Mayor of the Municipality.
- 3.13 **Municipality:** means the Municipality of West Elgin
- 3.14 **Municipal resources:** means real property, goods and/or services owned, controlled, leased, acquired, or operated by the Municipality including but not limited to: facilities, parks, materials, equipment, monetary funds, technology, Municipal IT systems and resources, databases, social media, intellectual property, and supplies.
- 3.15 **Nomination Day:** means the deadline to file a nomination pursuant to section 31 of the Act.
- 3.16 **Policy:** means this Use of Corporate Resources for Election Campaign Purposes
- 3.17 **Staff:** means all full-time and part-time persons hired by the Municipality, including but not limited to the Chief Administrative Officer, Managers, Supervisors, salaried employees, hourly employees, administrative staff, and contract, temporary, student, secondment, and co-operative placement staff.
- 3.18 **Voting Day:** means, in the case of a regular election, the fourth Monday in October in the year of the election -or- in the case of a by-election, the 45th day after Nomination Day, as noted in section 5 and subsection 65(4) of the Act.

#### 4.0 RESPONSIBILITIES

##### 4.1. Members of Council/Candidates

- a) Understand, support, and comply with this policy, Council Code of Conduct, and related procedures.
- b) Seek clarification of any aspect of this policy, as required, and seek independent legal advice, where appropriate.

#### 4.2. Municipal Employees

- a) Ensure relevant requirements of this policy are fulfilled in any duties and activities undertaken in their official position as a Municipality employee
- b) Understand and support this policy and ensure accountability for their actions.
- c) Seek clarification of any aspect of this policy, as required.

#### 4.3. Municipal Clerk

- a) Ensure the administration, communication, and interpretation of this policy.
- b) Receive and respond to any complaints, concerns, and inquiries/requests for guidance related to this policy.
- c) Delegate in writing any designate(s) assigned to administer any or all of this policy.
- d) Review this policy every term of Council through the Municipality's established policy review process and as required by changes to legislation. The Municipal Clerk is authorized to make minor administrative updates as may be necessary to maintain compliance with legislation, while respecting and preserving the intent of the policy.
- e) Provide guidance with respect to election-related matters in relation to this policy, and to issue in writing any interpretation on the application of this policy and any related approvals or prohibitions. Such guidance, interpretation, approvals, and prohibitions shall be based on the overarching legislative requirement for public funds and resources not to be used for any election-related purposes, including the promotion of or opposition to the candidacy of a person for elected office.

### **5.0 PROCEDURE**

Corporate resources, assets or funding may not be used for any election-related purposes, except as identified in this policy.

#### **5.1. Election Campaigning**

- a) No person shall use Municipality resources for campaigning.
- b) Election campaign activities are not permitted at the Municipal Office (located at 22413 Hoskins Line, Rodney, ON, N0L 2C0).

- c) Candidates and Registered Third Parties may not rent any Municipal facilities for campaigning purposes, with the following exclusions for all facilities but the Municipal Office:
  - i. Use of Municipality 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.
- d) The Municipality will not host, organize, or advertise all-candidates meetings or debates.
- e) Election campaign signs or material may not be displayed in any Municipality owned or operated facilities, including on a road allowance.
- f) Registered candidates and registered third parties may attend municipal organized or funded events during a campaign period, but may not display or distribute any campaign materials, or engage in any election related activities.
- g) In any material printed, distributed, or paid for by the municipality, a candidate is not permitted to:
  - i. Be identified as a candidate or prospective candidate;
  - ii. Be featured in a manner that could reasonably be interpreted as promoting or opposing their candidacy;
  - iii. Include campaign-related messaging, slogans, or imagery; or
  - iv. Be referenced by name in a manner that provides them with an advantage over other candidates.

## 5.2 Use of Corporate Identifiers

- a) The Municipality's corporate logo, corporate branding, crest, chain of office, coat of arms, slogan, or other corporate identifiers or that of its affiliates, shall not be used by registered candidates or registered third parties for any election campaign-related purposes.
- b) Registered candidates and registered third parties may not use photographs, videos, electronic images, or graphics, produced by the municipality or its affiliates for any election campaign-related purposes.
- c) Corporate resources shall not be used for the development, creation, design, printing, or distribution (electronic or print) of:
  - i. Any material that illustrates that a member of Council or any other individual is registered or intends to run for office; or
  - ii. Any campaign material that makes reference to, or contains the name or photographs, or identifies registered candidates.
  - iii. Any material that is linked in any way to an election campaign (i.e. campaign messaging, a campaign logo, or a social media handle or hashtag which links to campaign social media channels, websites and/or materials).

- d) Municipal records, lists, and files produced using Municipal resources, with the exception of those specifically made for the use of candidates and registered third party advertisers for election purposes in accordance with the *Municipal Elections Act, 1996*, may not be used by any candidates or registered third party advertisers, unless the database has already been released for public use.
- e) The Municipality will not publish any material used to promote individual campaigns

### 5.3 Municipal Staff

- a) In accordance with the Employee Code of Conduct, municipal staff and individuals employed by the offices of the elected officials, including any contractor providing services to the Municipality, shall not canvass or actively work for any registered candidate or registered third party during hours in which the staff/contractor is receiving compensation from the Municipality.

### 5.4 Municipal Services

- a) During a municipal election period, the following Municipal-based services shall be discontinued for Members of Council as of nomination day:
  - i. All development, creation, design, printing, or distribution of members' flyers, newsletters, advertisements, mail outs, publications, etc., whether electronic or print.
  - ii. Use of municipally owned or run assets and facilities, unless rented in accordance with municipal agreements and current rates and fees (as identified in Section 5.1.(c) of this Procedure).
  - iii. The prohibitions set out in Section 5.4.(a) of this procedure do not apply to a Member who is acclaimed, or who is retiring from office and, therefore, is not a candidate in the election.
- b) Corporate resources (such as municipally-issued laptops and email addresses) shall be provided to current Members of Council for Council related purposes and to serve their constituents and shall not be used to support an election campaign.
- c) Through the nomination period for Members of Council, and through the municipal election period for Members of Council who are registered candidates, any references made to the Member of Council in municipal communication materials or at the events itself shall be to the "Mayor", "Councillor", or "Chair of the Committee," etc., rather than by name.

## 5.5 Technology-related Provisions

- a) Websites, domain names, emails, or other corporate systems that are funded by the Municipality shall not include any election-related campaign material or links to sites that feature election-related campaign material. The exception being the official Municipality of West Elgin election website where links to external election campaign websites will be posted during the election period.
- b) Registered candidates and registered third parties, and Members of Council may not use the Municipal website, domain names, and other corporate systems, for campaigning or display of any election-related materials. Links to the Municipality's website are permitted from a campaign election website for the purpose of obtaining information about the election or sharing program/service information.

## 5.6 Social Media

- a) If a Member of Council uses any social media account for campaigning, such account must not be or have been created or supported by Municipal resources. Social media accounts used for campaign purposes must utilize personal tablets and/or computers.
- b) Members of Council who choose to create or use social media accounts for campaigning must include, for the duration of the election period, a clear statement on each campaign website or social media account's home page (or profile) indicating that the account is being used for election campaign purposes and is not related to their duties as a Member of Council.

## 5.7 Municipality Organized/Hosted Events

- a) Members of Council and other elected officials may attend Municipal-organized events and act as participants in their capacity as elected officials, including speaking at the event and partaking in ceremonial activities, but shall not campaign while in attendance or distribute campaign-related materials and they shall not promote or oppose the candidacy of a person for elected office or party.
- b) Where a current Member of Council or elected official is invited to an event, whether a Municipal event or community event, in the capacity of their elected position, they are not to speak of their candidacy, their intention to run, or any campaign-related matters.
- c) Elected officials must adhere to bi-partisan commitments by not including campaign materials (including, but not limited to, uniforms, tents, signage, images, or messaging) that is indicative of their candidacy or associated political party. Materials may make reference to the office they hold/represent.

- d) Candidates, registered third party advertisers, ballot question campaigns and their representatives may attend Municipal events in their capacity as private citizens, but shall not campaign while in attendance or distribute campaign-related materials and they shall not promote or oppose the candidacy of a person for elected office or party.
- e) Candidates, registered third party advertisers and representatives of ballot question campaigns shall not be invited to deliver formal remarks at a Municipality event in their capacity as a candidate, registered third party advertiser or ballot question campaign representative.

## **6.0 ACCESS TO INFORMATION**

- 6.1. All registered candidate and registered third party requests for information must adhere with a standard request for information, as set by the Clerk.
- 6.2. Information provided to one candidate or registered third party that is of a general nature and may provide valuable guidance to all others will be provided to all registered candidates and registered third parties through the Municipality's website to ensure equal access to information.

## **7.0 LIMITATION**

- 7.1 Nothing in this Policy shall prohibit a Member of Council from performing their job as a Member of Council, nor impede them from representing the interests of his/her constituents.
- 7.2 Nothing in this Policy shall preclude a Municipal employee from exercising their civic right and duty to participate in the municipal election process as a private citizen.
- 7.3 Nothing in this Policy shall prevent a Municipal employee from conducting an election in accordance with the Act or providing non-partisan election information material on behalf of the Municipality so as to inform the public about the election and the election process.