



MUNICIPALITY OF West Elgin

Staff Report

Report To: Council Meeting
From: Jana Nethercott, Clerk
Date: 2022-02-24
Subject: Use of Corporate Resources During an Election Policy

Recommendation:

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk re: Use of Corporate Resources During an Election Policy; and

That West Elgin hereby considers the By-law to adopt the Use of Corporate Resource During an Election Policy.

Purpose:

The purpose of this report and recommendation is to update the Use of Corporate Resources During an Election Policy to ensure compliance with the Municipal Election Act.

Background:

Section 88.18 of the *Municipal Elections Act*, 1996 (MEA) requires municipalities and local boards, before May 1 of an election year, to establish rules and procedures with respect to the use of municipal or board resources during the election campaign period.

The MEA specifies that a municipality or local board cannot make a contribution to a municipal election candidate (Section 88.8 (4)) or a registered third party (Section 88.12 (4) as of April 1, 2018).

A “contribution” includes:

- a) money, goods and services given to and accepted by or on behalf of a person for his or her election campaign (Section 88.15 (1));
- b) money, goods and services given to and accepted by or on behalf of an individual, corporation or trade union in relation to third party advertisements (Section 88.15 (2) as of April 1, 2018).

Since a “contribution” may take the form of money, goods or services, any use of the Corporation’s resources for an election campaign by a Member of Council who is a candidate, or by any candidate or any registered third party, would be a contribution by the municipality.

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

These rules and procedures are intended to:

1. Ensure compliance with the *Municipal Elections Act*, 1996, in regards to the role of the municipal contributing to a municipal and trustee election campaign;
2. Ensure candidates and registered third parties are treated fairly and consistently within the municipality;
3. Ensure the integrity of the election process is maintained at all times;
4. 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.

This policy clarifies the use of social media and municipal email during an election period and staff involvement in election campaigns during a municipal election.

Financial Implications:

N/A

Policies/Legislation:

Municipal Elections Act

Council Code of Conduct for Council and Committee Members