

THE TOWNSHIP OF KILLALOE, HAGARTY AND RICHARDS

BY-LAW NUMBER 24-2018

Being a By-Law to approve a Municipal Election Policy regarding the Use of Corporate Resources for Election Purposes;

WHEREAS the "Municipality" deems it advisable to implement a policy to establish guidelines on the appropriate use of corporate resources during a municipal election period;

NOW THEREFORE the Municipal Council of The Corporation of the Township of Killaloe, Hagarty and Richards enacts as follows:

1. THAT the Council for the Township of Killaloe, Hagarty and Richards hereby adopts the policy attached hereto as Schedule "A", and forming part of the by-law;
2. THAT this By-Law shall be deemed to come into force and effect upon final passing thereof.

Read a first and second time this 30th day of April, 2018.

Read a third time and finally passed this 30th day of April, 2018.

Mayor

CAO/Clerk-Treasurer



Schedule "A" to By-Law #24-2018

POLICY: USE OF CORPORATE RESOURCES FOR ELECTION PURPOSES

PURPOSE:

The purpose of this policy is to clarify that all candidates, including Members of Council, are required to follow the provisions of the *Municipal Elections Act, 1996* and that:

- No candidate/third party advertiser shall use facilities, equipment (including computer hardware and/or software), supplies, services, staff or other resources of the municipality for any election campaign or campaign related activities.
- No candidate/third party advertiser shall undertake campaign-related activities on any municipal property, with the exception of participation in campaign related events made available to all candidates (e.g. All Candidates Meeting, or meetings held by community groups that normally use the facility)
- No candidate/third party advertiser shall use the services of persons during hours in which those persons receive any compensation from the municipality.
- No candidate/third party advertiser shall display campaign related signs nor any other election-related material which may identify a candidate in their motor vehicle while it is parked on municipal property.
- The municipality's corporate identity, (i.e. logos, crests, mission statement, vision statement, taglines, etc.) may not be printed or distributed on any election material or included on any election campaign-related website, except in the case of a link to the Municipality's website to obtain information about the municipal election.

APPLICATION:

This policy is applicable to all candidates for municipal Council., Acclaimed Members and a Member not seeking re-election.

POLICY:

1. That, in accordance with the provisions of the *Municipal Elections Act, 1996*:
 - a. Corporate resources and funding may not be used for any election-related purposes. Resources include but are not limited to:
 - Telephones, Voicemail
 - Blackberries
 - Computer
 - Printer
 - E-mail
 - Scanner
 - Cell Phone

- Fax Machine
 - Copier
 - Consumables related to the above equipment such as paper, toner, etc.
 - Township logo
- b. Municipal employees engaged in political activities must take care to separate those personal activities from their official duties. Employees may participate in political activity at the federal, provincial and municipal levels providing that such activity does not take place during their working hours, or use corporate assets, resources or property
 - c. Municipal employees shall not canvass or actively work in support of a municipal candidate or political party while wearing a uniform, badge, logo or any other item identifying them as an employee of the Corporation, or using a vehicle owned or leased by the Corporation.
 - d. A municipal employee 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.
 - e. Candidates/third party advertisers may not use 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 materials in the office.
 - f. The following shall be discontinued for Members of Council from the day prior to Nomination Day in a municipal election year to Election Day:
 - i. all forms of advertising, including in municipal publications;
 - ii. the ordering of stationary;
 - g. Members of Council may not:
 - i. print or distribute any material paid by municipal funds that illustrate that a Member of Council or any other individual is registered in any election or where they will be running for office;
 - ii. 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;
 - iii. 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;
 - iv. website or domain names that are funded by the municipality may not include any election-related campaign material, and
 - v. Members of Council may not use the municipality's voice mail system to record election related messages.
2. In accordance with the *Municipal Elections Act, 1996*, the Municipal Clerk is authorized and directed to take the necessary action to give effect to this policy.
 3. All complaints received from the public shall be in writing and addressed to the Clerk.
 4. If a breach of this policy is confirmed, the candidate shall be required to personally reimburse the Municipality for any of the costs associated with the breach.

LIMITATION:

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

IMPLEMENTATION:

This policy shall become effective immediately upon approval by the Township of Killaloe, Hagarty and Richards' Council.

RATIONAL AND LEGISLATIVE AUTHORITY:

It is necessary to establish guidelines on the appropriate use of corporate resources during an election period to protect the interest of both Members of Council and The Corporation of the Township of Killaloe, Hagarty and Richards. The *Municipal Elections Act, 1996* prohibits a municipality from making a contribution to a candidate. The *Act* also prohibits a candidate or someone acting on the candidate's behalf from accepting a contribution from a person who is not entitled to make a contribution.

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 *Municipal Elections Act, 1996*.