


POLICY

	Policy:	USE OF CORPORATE RESOURCES FOR ELECTIONS PURPOSES		
	Department:	CAO		
	Division:	Clerks - Elections	By-Law No.:	n/a
	Prepared For:	Paula Parker	Approval Date:	April 9/2018
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1. POLICY STATEMENT

1.1. To establish guidelines for the use of corporate resources during elections.

2. PURPOSE

2.1 Section 88.18 of the Municipal Elections Act 1996 and amendments thereto requires that before May 1 in the year of a regular election, municipalities shall establish rules and procedures with respect to the use of municipal resources during the election campaign period.

3. SCOPE

3.1. This policy is to clarify that all candidates for municipal Council, including current members of Council are required to follow the provisions of the *Municipal Elections Act, 1996* as amended, and that:

- No candidate shall use the facilities, equipment, supplies, services, or other resources of the Town of Amherstburg for any election campaign or campaign related activities;
- No candidate shall use the services of staff during hours in which those persons receive compensation from the Town.

3.2 This policy applies to all candidates for elected office, including current members of Council.

4. DEFINITIONS

- 4.1. **Act** means the *Municipal Elections Act, 1996*, as amended.
- 4.2. **Candidate** means a person who has filed a nomination for an office pursuant to Section 33 of the *Municipal Elections Act, 1996*, as amended.
- 4.3. **Chief Administrative Officer (CAO)** is the Chief Administrative Officer for the Corporation of the Town of Amherstburg, which includes the roles and responsibilities as laid out in Section 229 of the *Municipal Act, 2001*.
- 4.4. **Clerk** is the Municipal Clerk for the Corporation of the Town of Amherstburg, which includes the roles and responsibilities as laid out in Section 228 of the *Municipal Act, 2001*.
- 4.5. **Council** refers to the current elected Council for the Corporation of the Town of Amherstburg. This includes, as an entirety, the Mayor, Deputy Mayor and Councillors.
- 4.6. **Director** is the person responsible for direction and operational control of a division as defined on the Town's organizational structure.
- 4.7. **Manager** reports directly to a Director (or the CAO in some instances) and who is responsible for a department within a division of the Corporation, as defined on the Town's organizational structure.
- 4.8. **Office** means a member of the Council of the Town of Amherstburg or Trustee of any school board;
- 4.9. **Resources** include but are not limited to, telephone, voice mail, computer, printer, scanner, cell phone, smart phone, fax machine, copier, consumables related to the above equipment such as paper, toner, etc.
- 4.10. **Senior Management Team (SMT)** is comprised of the Chief Administrative Officer and the Directors. If a Director is unavailable, a delegate may be assigned.
- 4.11. **Staff** is any person (or group thereof) who supplies services to the Corporation for wages including any union or non-union, regular or temporary, full-time, part-time, seasonal or casual staff member, including but not limited to permanent staff, temporary staff, committee members, students, recreation staff, contract employees, paid work placements, and adult crossing guards.
- 4.12. **Town Resources** means real property, goods and/or services owned, controlled, acquired, paid by, and/or operated by the Town including but not limited to materials, equipment, community centers and other facilities, technology, Town developed computer programs and technological innovations, databases, intellectual property and supplies.
- 4.13. **Town** is the Corporation of the Town of Amherstburg, including its Boards and Committees.

5. INTERPRETATIONS

- 5.1. Any reference in this Policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a By-law or Town policy shall be deemed to be a reference to the most recent passed policy or By-law and any replacements thereto.
- 5.2. Nothing in this policy expressed or implied shall prohibit a member of Amherstburg Council or a School Board Trustee for performing their job as an elected official, nor impede them from representing the interests of their constituents.

6. GENERAL CONDITIONS

6.1. Use of Corporate Resources

In accordance with the *Municipal Elections Act, 1996*, as amended:

- 6.1.1 Town resources may not be used by candidates for any election related purposes.
- 6.1.2 No candidate shall undertake campaign related activities on Town owned and/or operated facilities.
- 6.1.3 No candidate shall use the services of persons during hours in which those persons receive any compensation from the Town.
- 6.1.4 Neither campaign related signs nor any other election related material will be displayed on or in any Town owned and/or operated facilities.
- 6.1.5 Council Members may not:
 - Print or distribute any material paid by municipal funds that illustrates that a Member of Council or any other individual is registered in an election or where they will be running for office;
 - Profile (name or photograph), any individual who is registered as a candidate in any election or make reference to any material paid by municipal funds;
 - Print or distribute any material using municipal funds that makes reference to, or contains the names or photographs, or identifies registered candidates for municipal election;
 - Use websites or domain names that are funded by the Town;
 - Use the Town's voice mail system to record election related messages and the computer network (including the Town's e-mail system) to distribute election related correspondence.
- 6.1.6 The Town's logo, crest, slogan(s) etc. may not be printed or distributed on any election materials or included on any election campaign related website, except

in the case of a link to the Town's website to obtain information about the municipal election.

- 6.1.7 Photographs produced for and owned by the Town may not be used for any election purpose.

7. RESPONSIBILITIES

- 7.1 Should any written complaint arise regarding the alleged use of corporate resources in contravention of this policy, the Clerk, or designate, shall have the authority to investigate the complaint and resolve any issues without fear of repercussions from any member of Council, candidate or member of the public.

8. REFERENCES AND RELATED DOCUMENTS

- 8.1. *Municipal Elections Act, 1996*, as amended.