



Council Policy

Council Policy Number:	
Council Policy Name:	Use of Corporate Resources for Election Purposes
Date Approved by Council:	October 8, 2013
Date revision approved by Council:	April 24, 2018
Related SOP, Management Directive, Council Policy, Forms	

Policy Statement and Rationale:

The purpose of this policy is to clarify the use of corporate resources by members of Council or members of Committees of Council as required by the provisions of the Municipal Election Act, 1996, as amended.

It is necessary to establish guidelines on the appropriate use of corporate resources during an election period to protect the interest of the current and future Members of Council and Members of Committees of Council, staff and the Corporation of the City of Kawartha Lakes. The Municipal Elections Act, 1996, as amended, 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 or Committee 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 Act.

Scope:

This policy is applicable to all members of Council, members of Committees of Council, all registered candidates, election campaign staff and municipal staff. Nothing in this policy shall preclude a Member of Council or Committee of Council from performing their job as a Councillor or Member of the Committee, nor inhibit them from representing the interests of the constituents who elected them. This policy applies during any election campaign.

Definitions:

“City”, "City of Kawartha Lakes", "Kawartha Lakes" or "Corporation" means The Corporation of the City of Kawartha Lakes;



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"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the *Municipal Act, 2001*, 5.0 2001 c.25;

"election campaign" means for municipal purposes the time frame from registration day until the City Clerk declares the official election results. In provincial and federal elections means the time frame as legislated.

"member" means an elected member of the municipal Council of the City of Kawartha Lakes, any member of the public appointed by the municipal Council to serve on a Committee of Council, or any person who is part of an election campaign team of a member.

"municipal property" means all city property including any buildings or other structures on the land or parking areas that are on the same property as buildings or other structures, including but not limited to City Hall Customer Service Centres, Libraries and Areas.

"nomination period" means from the first day that nominations can be filed until nomination closing.

"registration day" means the day the candidate files with the City Clerk the prescribed nomination form, the declaration of qualification and the prescribed nomination filing fee.

"social media" means web-based applications that allow users to interact, share and publish content such as text, links, photos, audio and video using media platforms including but not limited to Facebook LinkedIn, Twitter, Instagram, Snapchat, Flickr, YouTube, wikis and blogs.

Policy, Procedure and Implementation:

1.0 General

- 1.01 No member shall use the facilities, equipment, supplies, services, staff or other resources of the municipality, including Councillor newsletters, Councillor budgets, for any election campaign or election campaign related activities.
- 1.02 No member shall undertake campaign related activities on municipal property unless a valid rental agreement has been entered into by the candidate.
- 1.03 No member shall use the services of any person or persons during hours in which that person or those persons receive any compensation from the municipality.

2.0 Specific Policy

- 2.01 Corporation resources and funding shall not be used by a member for any election-related purposes including city email or internet resources.
- 2.02 Staff shall 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.
- 2.03 Staff of the Corporation shall not participate in the provision of materials, information or services to a member, which are intended to be used for the election campaign of a member or for any candidate, or that would not normally be available to the public and/or information required by Council to ensure informed decision making.
- 2.04 Members may not use the Councillor Office, or any municipally-provided facilities for any election-related purposes, which includes but is not limited to, displaying of any campaign related signs in the window of their vehicle or on the premises, as well as displaying any election-related material in the Councillor's Office or any municipal facility except as outlined in 1.02.
- 2.05 The budgets for members of Council for the period January 1st to Election Day in a municipal election year shall be restricted to 11/12ths of the approved annual budget amount with the provision that subsequent to election day:
- a) New Members of Council will be allocated a budget equal to 1/12th of the approved budget amount for the month of December to cover the cost of items such as new reference material, copies of legislation, subscriptions, and orientation material; and
 - b) Re-elected Members of Council have available to them the balance of funds remaining as of the end of the term of Council.
- 2.06 The following will not be allowed for members, through the Corporation from ~~Registration Day~~ **the day a member registers as a candidate** in a municipal election year to Election Day:
- a) all forms of advertising, including in municipal publications;
 - b) the ordering of City stationery ie. Business cards, letterhead;
 - c) use of **city owned facilities, including parking to** display election material ~~vehicles parked on municipal property.~~
- 2.07 Members may not:
- a) print or distribute any material paid by municipal funds that illustrates that a Member or any other individual, is registered in any election or where they will be running for office;

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- 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 Council or Committee meetings be exempt from this policy); and
 - d) enter into joint ventures using municipal funds outside their existing wards from Registration Day to Election Day, in the year of a municipal election, unless specifically approved by Council.
- 2.08 Web sites or domain names that are funded by the municipality shall not include any election-related campaign material other than material placed there by the City Clerk/Returning Officer.
- 2.09 Web sites or domain names funded by a member shall not be linked to any web sites or domain names or city web pages that are funded by the municipality after ~~registration day~~ **nomination period begins**, except for www.city.kawarthalakes.on.ca.
- 2.10 Members may not use the municipality's voice mail system to record election-related messages.
- 2.11 During years when a municipal election is being held, Ward Newsletters shall not be allowed from ~~August 1st to the Election Day~~ **the beginning of Nomination Period** and up to ~~Election~~ **Inaugural** Day of that year.
- 2.12 During the years when a municipal election is being held, Town Hall Meetings shall not be allowed from ~~July 1st~~ **the first day of the Nomination Period** to the ~~Election~~ **Inaugural** Day of that year, ~~unless the costs of the meeting, including standard rental facility fees and advertising costs, are paid for personally by the member.~~
- 2.13 No form of City controlled social media shall be used for campaign purposes.
- 2.14 The above policies also apply to an acclaimed member or a member not seeking re-election.

3.0 Administration

- 3.01 The Municipal City Clerk is authorized and directed to take the necessary action to give effect to this policy.



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4.0 Implementation

4.01 This policy shall become effective immediately upon approval by Council.