

Use of Corporate Resources for Election Purposes Policy

Approved By: Council
Approval Date: April 17, 2018
Effective Date: April 17, 2018
Revision Date: February 3, 2026

Policy Statement

The Municipal Elections Act, 1996, as amended, establishes the election campaign finance rules for candidates running in a municipal election. Section 88(8)(4) prohibits municipalities such as The Corporation of the Township of Douro-Dummer from making campaign contributions.

The Election Finance Act, 1990, as amended, and the Canada Elections Act, 2000, as amended, establish regulations for candidates and parties running in provincial and federal elections. Section 29(1) of the Election Finance Act and Section 363(1) of the Canada Elections Act prohibit a municipal corporation from making campaign contributions to any candidate, political party or constituency association in a provincial or federal election.

As campaign contributions may take the form of money, goods or services, any use of corporate resources for election related purposes, by candidates, third party advertisers or Township staff, is not permitted.

No candidate or registered third party advertiser shall use the facilities, equipment, supplies, services, staff or other resources of the Township for any election campaign or campaign related activities.

Purpose:

This Policy provides direction to candidates, third party advertisers, members of Council and all Township staff on the administration of corporate resources and members' budgets with respect to election related matters. The purpose of this Policy is to clarify that all election candidates at the municipal, provincial and federal level, including Members of Township Council and third party advertisers are required to follow the provisions of the Municipal Elections Act, 1996, as amended, the Election Finance Act, 1990, as amended, the Elections Act, 1990, as amended, and the Canada Elections Act, 2000, as amended, as applicable.

The Policy is intended to:

- Ensure compliance with the Municipal Elections Act, 1996, as amended, the Elections Finance Act, 1990, as amended, and the Canada Elections Act, 2000, as amended, in regard to the role of the Township contributing to a candidate's and/or a registered third party's campaign;
- Ensure that candidates and registered third parties are treated fairly and consistently within the Township;
- Ensure the integrity of the election process is maintained at all times;
- Establish the appropriate uses of resources during an election period, in order to:
 - Protect the interests of Members of Council, candidates, registered third parties, Township staff and The Corporation; and
 - Ensure accountable and transparent practises.

Application:

This Policy is applicable to all municipal candidates (including any acclaimed candidates), Members of Council (including a member who is not seeking re-election), Township of Douro-Dummer staff and registered third parties. This Policy shall be in effect during all municipal election campaign periods, including by-elections. This Policy also applies to acclaimed Members or Members not seeking re-election.

Administration:

This Policy shall be administered/implemented by the Clerk. Procedures may be defined, and amended from time to time, by the Clerk to address the specific implementation of this Policy.

All questions or concerns with respect to this Policy should be directed to the Clerk.

Definitions:

Election Campaign Related Activities and Materials mean any resources used to promote, support or oppose a candidate or a "yes" or "no" vote related to a question on the ballot, including but not limited to literature, banners, posters, pictures, buttons, clothing or other paraphernalia. Activity means any action or event by or on behalf of a candidate, political party, or third party advertiser meant to promote, support or oppose a candidate or a "yes" or "no" vote related to a question on the ballot during the election period. Campaign related activities do not include the appearance of elected officials acting in their capacity of Councillor, School Board Trustee, Member of Provincial Parliament, or Member of Parliament.

Campaign Period means the official campaign period of an election.

- For a municipal election, the campaign period commences on the May 1 of an election year and ends on December 31 of an election year.
- For a provincial or federal election, the election period commences on the day the writ for the election is issued and ends on voting day.
- For a by-election, the period commences the day the by-election is called and ends on voting day.

Candidate means any individual running for an elected office, including Mayor, Councillor, School Board Trustee, Member of Provincial Parliament and/or Member of Parliament or anyone authorised to act on their behalf.

Election related purpose refers to the occurrence of a municipal election or by-election. It also includes any participation in federal and provincial elections that are partisan in nature.

Nomination Day refers to the third Friday in August in a municipal election year, as defined in the Municipal Elections Act, 1996, as amended. In the case of a by-election, nomination day will be announced as legislated.

Third party, third party advertiser or registered third party means an individual, corporation or trade union that promotes, supports or opposes a candidate or a "yes" or "no" vote related to a question on the ballot in accordance with the Municipal Elections Act, 1996, as amended.

Exclusions:

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

References & Related Policies:

- By-law 2020-21, Council Code of Conduct, as amended.
- By-law 2021-66, By-law to Regulate Election Signs.
- Canada Elections Act, 2000, as amended.
- Elections Finance Act, 1990, as amended.
- Municipal Elections Act, 1996, as amended.
- Policy A-14, Township of Douro-Dummer Staff Code of Conduct, as amended.

Consequences of Non-Compliance:

Should a written complaint be received alleging contravention to this Policy, the Clerk or their designate, shall have the delegated authority to investigate it. If a breach of this Policy is confirmed, the person shall be required to personally repay any of the costs associated with the breach.

Review Cycle: This Policy will be reviewed on an as needed basis.

Policy Application

Communications Related Provisions

At no time shall corporate resources and/or Council Member budgets be used to sponsor or produce any election campaign related materials (municipal, provincial and federal).

Members of Council may not encourage or direct Township staff to produce or distribute election campaign related communication material of any form.

Members of Council shall not:

- Create, print, publish, sponsor or distribute any material paid for by township funds that illustrates that a Member of Council, or any other individual, is registered in any election or will be running for office;
- Profile (name or photograph), or make reference to, in any material paid for using township funds, any individual who is registered as a candidate in any election; and/or
- Create, print, publish, sponsor or distribute any material using township funds that makes reference to, or contains the names or photographs, or identifies registered candidates for municipal elections.

In a municipal election year or in the event of a by-election, corporate resources or the Members' budgets are not to be used to sponsor any advertisements, flyers or newsletters from the day prior to Nomination Day up to and including the final voting day.

The following will be discontinued for Members of Council from the day prior to Nomination Day in a municipal election year to Voting Day:

- All forms of advertising, including Township publications;
- All printing, photocopying and distribution, including printing and general distribution of newsletters unless directed and approved by Council; and
- All forums for public engagement that are led and/or organised by the Township such as "Community Coffee and Conversation" and "Lemonade and Listening".

Candidates shall not create, print, publish, sponsor, or distribute any election campaign related materials using Township funds. This prohibition also applies to the use of any Township equipment, facilities, social media or websites, if the access is Township-sponsored/funded.

In any material created, printed, sponsored or distributed by the Township of Douro-Dummer, candidates are not permitted to:

- Illustrate that an individual (either a Member of Council or any other individual) is a candidate registered in any election;
- Identify where they or any other individual will be running for office; or
- Profile or make reference to candidates in any election.

Notwithstanding the above, the minutes of Council and Committee meetings shall be exempt from this Policy.

The Township's logo, crest, coat of arms, slogan, etc. shall not be printed or distributed on any election campaign related materials, or included on any election campaign websites, except in the case of a link to the Township's website to obtain information about the municipal election.

Photographs produced for and owned by the Township of Douro-Dummer shall not be used for any election campaign related purposes.

Photographs taken utilizing Township equipment or sent through Township accounts shall not be used for any election campaign related purposes.

Candidates and third party advertisers are not permitted to engage in election campaign related activities directed at Township employees while those employees are at their workplace or engaged in work for the Township.

When an emergency is declared during the period beginning the day prior to Nomination Day up to and including final voting day, a Member of Council may use corporate resources to advise or contact their ward constituents to circulate Township produced emergency information with the approval of the Township Clerk.

Use of Township Facilities, Services and Property Provisions

Candidates shall not campaign and/or distribute campaign literature during any function hosted by the Township of Douro-Dummer, whether on Township property or not.

Members of Council, candidates and third-party advertisers shall not use any Township provided facilities for any election related purposes unless the facility is generally available for rent by the public and it is rented in accordance with the Township of Douro-Dummer rental procedures.

If Members of Council, candidates or third-party advertisers rent a facility owned or run by the Township, the posting, circulation, or distribution of campaign material is only to occur within the rented space and within the time allotted for the rental.

In accordance with the Election Sign By-law, no election campaign related signs nor any other election related material shall be displayed in any Township-owned facilities.

Technology Related Provisions

Candidates, Members of Council and third-party advertisers shall not use corporate resources or services such as computers, cell/smart phones, telephones, tablets, printers, scanners, copiers, email, file storage, voicemail, or any other equipment or technology owned by the Township of Douro-Dummer, for election related purposes.

Websites or domain names that are operated or funded by the Township of Douro-Dummer shall not include any election campaign related materials or links to any sites that feature election campaign related information, including but not limited to Instagram, Twitter, Facebook and other social media accounts to any sites that feature election campaign related material.

The digital Candidate's List shall be the only area on the Township of Douro-Dummer's website where links to external election campaign websites will be posted during the Campaign Period.

The Township's voicemail systems (including voicemail on any Township issued phone) and the Township's computer network (including the Township email system and any other corporate communication platforms) shall not be used to create, record, transmit, or store any campaign related messages or correspondence.

Distribution lists or contact lists developed utilizing corporate resources or through a contact in a Member of Council's role shall not be utilized for election purposes.

Township of Douro-Dummer Staff

In keeping with Policy A-14, Township of Douro-Dummer Staff Code of Conduct, Township Staff are expected to preserve public trust and confidence in the Township. Employees engaged in political activities must take care to separate those personal activities from their official positions.

Employees may participate in political activity at the federal, provincial or municipal levels providing that such activity does not take place during work hours or utilize Township assets, resources, or property.

During work hours, Township of Douro-Dummer employees are prohibited from displaying, producing, or distributing any promotional materials or merchandise that makes mention of, promotes, supports, or opposes a particular candidate or political party.

Employees shall not canvass or actively work in support of a candidate or political party during normal work hours, unless they are on a leave of absence without pay, lieu time, or vacation leave.

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 of the Township of Douro-Dummer, or using a vehicle owned or leased by the Township.

Employees wishing to run for federal, provincial or municipal office must request and obtain a leave of absence without pay and abide by the respective legislation governing such elections.