


POLICY

	Policy:	Corporate Resources Not Permitted to Be Used for Elections Purposes		
	Department:	Legislative Services		
	Division:	Clerk's Division	By-Law No.:	N/A
	Administered By:	Clerk	Approval Date:	Dec. 11, 2023
	Replaces:	Use of Corporate Resources For Elections Purposes – April 9, 2018		
	Attachment(s):	N/A		

1. POLICY STATEMENT

The Corporation of the Town of Amherstburg is committed to establishing 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 and that:
 - 3.1.1. 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 and;
 - 3.1.2. 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.
- 3.3. This policy shall be reviewed every five (5) years from the date it becomes effective, and/or sooner at the discretion of the CAO or designate.

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. **Office** means a member of the Council of the Town of Amherstburg or Trustee of any school board.

- 4.4. **Resources** include but are not limited to, telephone, voice mail, computer, printer, scanner, mobile phone, smart phone, fax machine, copier, consumables related to the above equipment such as paper, toner, etc.
- 4.5. **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 centres and other facilities, technology, Town developed computer programs and technological innovations, databases, intellectual property and supplies.

Common definitions, acronyms, and terms are available in the Glossary located on the Town's Policies webpage.

5. **INTERPRETATIONS**

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.

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. Candidates shall not undertake campaign related activities on Town owned and/or operated facilities.
- 6.1.3. Candidates shall not 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:
 - 6.1.5.1. 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;
 - 6.1.5.2. 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;

- 6.1.5.3. 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;
- 6.1.5.4. Use websites or domain names that are funded by the Town; and,
- 6.1.5.5. 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. **Council** has the authority and responsibility to:
 - 7.1.1. Adopt the Corporate Resources Not Permitted to Be Used for Election Purposes Policy.
- 7.2. The **CAO** has the authority and responsibility to:
 - 7.2.1. Ensure compliance with the policy.
- 7.3. The **Clerk or designate** has the authority and responsibility to:
 - 7.3.1. Investigate any complaint that arises regarding the alleged use of corporate resources in contravention of this policy and resolve without fear of repercussions from any member of Council, candidate or member of the public.

8. LEGISLATIVE REFERENCES

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