Subject: **Use of Corporate Resources for Election Purposes**

Policy Statement:

Members of Council are required to conduct themselves in accordance with the *Municipal Elections Act, 1996*. The use of municipal resources, both actual municipal property and staff time, for election-related activity is strictly prohibited. The prohibition applies to both the promotion and opposition to the candidacy of a person for elected office. Election-related activity applies not only to a Member's personal campaign for office, but also other campaigns for municipal, provincial and federal office.

This policy clarifies that all election candidates, including members of Township of Limerick Council are required to follow the provisions of the *Municipal Elections Act, 1996* and that:

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

This policy does not preclude a member of Council from performing their duties as a Councillor, nor inhibit them from representing the interests of their constituents.

Scope:

This policy is applicable to all candidates, and all members of Township of Limerick Council, including any acclaimed member of Council or member of Council who is not seeking re-election.

This policy is also applicable to all staff of the Township of Limerick.

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

In accordance with the Municipal Elections Act, 1996, the Township Clerk and authorized designate(s) are responsible for the administration of this policy.

Purpose:

It is necessary to establish guidelines on the appropriate use of corporate resources during an election period to protect the interests of both the Members of Council and the Corporation. 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 Township of Limerick's resources for his or her election campaign would be viewed as a contribution by the Township of Limerick to the member, which is a violation of the Act.

However, it should also be noted that the establishment of guidelines on the appropriate use of corporate resources during an election period would also serve to protect the interests of both the candidates (including current Members of Council) and the Corporation. Should an individual launch a legal challenge, the offence provisions of the Act provide for a penalty of up to $25,000 for an individual and of not more than $50,000 for a Corporation. (s. 94.1 (1) (2))

Policy Applications:

Throughout the Campaign Period all restrictions noted in this policy will be applied to all candidates, all members of Council, including acclaimed candidates, those members of Council not seeking re-election and employees of the Township of Limerick.

Technology Related Provisions

- Candidates, and members of Council shall not use Corporate Resources, provided by the Township of Limerick, for any election related purposes, including computers, cell/smart phones, tablets, printers, scanners, or other services such as email, internet and file storage; and

- Web sites or domain names that are provided by the Township of Limerick shall not include any election-related campaign material or links to sites that feature election-related campaign material; and

- The online Candidate's list shall be the only area of the Township of Limerick's websites where links to external election campaign websites will be posted during the election period; and

- Once a member of Council registers to be a Candidate, links to Twitter, Facebook and other social media accounts, as well as links to personal external website(s) will be removed from all Township of Limerick webpages. In addition, any website activity such as a blog account, for a member of Council will be de-activated and their page will be removed; and

- In an Election year, Mayor and Council biographies will remain static and no changes to these pages will be allowed; and

- The Township of Limerick's voice mail system shall not be used to record election related messages nor shall the computer network, including the Township of Limerick's email system be used to distribute election related correspondence.

Facilities Related Provisions

- Candidates may not campaign and/or distribute campaign literature during any function being hosted by the Township of Limerick, whether on municipal property or not, e.g. Limerick Community Centre

- Candidates shall not use any municipally provided facilities for any election-related purposes. Neither campaign related signs nor any other election-related material will be displayed in any municipally provided facilities; and

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

EXEMPTION:

The Township of Limerick will not organize or host All-Candidates meetings or debates. However, the Clerk may authorize, in writing, the use of a Municipal Facility for such events, provided that:

a) All Candidates are invited to participate;

b) Advertising for the event is done independently, and will not be shared or distributed by the Township of Limerick

b) The Municipal Facility is rented in accordance with applicable rental agreements;

c) Full-market rental fees are paid;

e) Rentals are not permitted during advance voting days or within fourteen (14) days before Voting Period;

Communications Related Provisions

- Members of Council are responsible for ensuring that the content of any communication material, printed; hosted or distributed by the Township of Limerick, is not election campaign related; and

- Candidates shall not print or distribute any election campaign related material using municipal funds; and

- The Township of Limerick will not distribute material through electronic or non-electronic means, which it determines to be election campaign related; and

- The Township of Limerick's logo; crest; coat of arms; slogan; etc. shall 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 Township's website to obtain information about the municipal election; and

- Photographs produced for and owned by the Township of Limerick shall not be used by Candidates for any election purposes; and

- Distribution lists or contact lists developed utilizing Corporate resources or through contact in a Member of Council's role shall not be utilized for election purposes; and

- No advertising paid for by the Township of Limerick shall contain the name of a Councillor or the Mayor unless consistent with their duties as an elected official; and

- In a municipal election year, Township of Limerick's resources and members of Council's budgets shall not be used to sponsor any advertisements, flyers, newsletters from the day after Nomination Day up to and including the final voting day. This prohibition also applies to the use of any Township of Limerick equipment, facilities or websites if the access is Township-sponsored.

Employee Provisions

- 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 and municipal levels providing that such activity does not take place during work hours or use corporate assets or resources, or property. Notices, posters or similar material in support of a particular Candidate or political party are not to be produced, displayed or distributed by employees on the Township of Limerick work sites or property; and

- Employees shall not canvass or actively work in support of a municipal Candidate during normal working hours unless they are on a leave of absence without pay, lieu time, flex day or vacation leave; and

- 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 Township of Limerick, or using a vehicle owned or leased by the Township of Limerick; and

- Employees need to ensure that they act in compliance with the Employee Code of Conduct.

References and Related Documents:

Council Code of Conduct for Council and Committee Members
Election Signs By-law
Municipal Elections Act, 1996

Signed By:

Victoria Tisdale
Chief Electoral Officer
Township of Limerick