



TOWNSHIP OF WAINFLEET POLICY

Policy Title:	Use of Municipal Resources for Election
Policy Number:	
Legislative Authority:	<i>Municipal Elections Act, 1996, as amended</i>
Date of Council Approval:	April 1, 2018
Date of Revision(s):	

1. DEFINITIONS

- 1.1. “The Act” means the *Municipal Elections Act, 1996*, as amended from time-to-time, and includes any regulation made thereunder;
- 1.2. “Campaign” means any work, effort, activity or thing intending to influence persons to vote for or against any Candidate or any question or by-law submitted to the electors in an election;
- 1.3. “Campaign Period” begins on the date a Candidate files their nomination and continues through to and including Voting Day.
- 1.4. “Candidate” means a person who has filed a nomination to run in a municipal, provincial or federal election, including acclaimed candidates, and shall be deemed to include third party advertisers and any person seeking to influence other persons to vote for or against any candidate or any question or by-law submitted to the electors;
- 1.5. “Election Period” means the period commencing on May 1 in the year of a municipal election and continues through to and including Voting Day;
- 1.6. “Municipal Facilities” means any real property owned or under the control of the Township of Wainfleet.
- 1.7. “Municipal Resources” includes but is not limited to Township of Wainfleet Staff, events, funds, information, resources and assets;
- 1.8. “Staff” includes full-time, part-time, and contract employees of the Township of Wainfleet and other persons that may be employed or engaged, in either a paid or non-paid capacity, by the municipality;
- 1.9. “Township of Wainfleet” means the Corporation of the Township of Wainfleet;
- 1.10. “Voting Day” is the day on which the final vote is to be taken in an election.



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2. PURPOSE

- 2.1. The purpose of this policy is to ensure that all registered Candidates, Members of Council and Staff adhere to the provisions of the *Municipal Elections Act, 1996, as amended* (the *Act*), in regard to the use of municipal resources during an election campaign period.

3. POLICY STATEMENT

- 3.1. Pursuant to Section 88.18 of the *Act* and in order to ensure the proper conduct of an election, it is appropriate to establish guidelines regarding the use of municipal resources during a municipal election campaign period to ensure transparency, equity and fairness and to protect the interests of both Candidates and the municipal corporation.

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 corporation or a person who is not entitled to make a contribution.

As a contribution may take the form of money, goods or services, any use of the municipal corporation's resources by a Candidate (including a Council Member) for his/her election campaign could be viewed as contribution by the Township to the Candidate, which is a violation of the *Act*.

The purpose of this policy is to notify all registered Candidates, including Members of Council, of the requirement to comply with the provisions of the *Act*:

- No Candidate shall use the facilities, equipment, supplies, services, staff or other resources of the municipality (including municipal letterhead, municipal business cards, municipal email accounts, municipal computers, municipal budgets and any other municipal resource) for any election campaign or campaign-related activities;
- No Candidate shall undertake campaign-related activities on any municipal property; and



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- No Candidate shall use the services of persons during hours in which those persons receive any compensation from the municipality.

4. SCOPE

- 4.1. This policy is applicable to all registered Candidates, including sitting Members of Council, and Staff and is applicable to municipal elections, including by-elections, and applies, with necessary modifications, to provincial and federal elections.

5. PROCEDURES/GUIDELINES

- 5.1. In accordance with the provisions of the *Act*:
- a) Municipal Resources shall not be used for Campaign-related purposes;
 - b) Candidates shall not use any Municipal Facilities for any Campaign related purposes;
 - c) Campaign-related signs or any other Campaign-related material, including vehicles which may identify a Candidate, shall not be displayed at any Municipal Facilities;
 - d) Candidates shall not campaign and/or distribute Campaign literature during any function being hosted by the municipality whether the function is being undertaken on municipal property or not;
 - e) Candidates shall not use municipal funds to print or distribute any material that reference, contain the names or photographs of, or identify registered Candidates;
 - f) Candidates are responsible to ensure that the content of any communications material, including printed material such as newsletters, advertising, etc. that may be funded by the municipality is not directly Campaign-related.



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- g) Websites, domain names, and social media handles that are funded by the municipality may not include any Campaign-related material subject to:
 - i. Candidates are permitted to link to any Township document available to the public or on a public Township webpage from their own Campaign website;
 - ii. Candidates are not permitted to incorporate any video or other material (e.g. photos) for which the Township has proprietary rights on their own web page or social media account;
 - iii. Candidates are not permitted to use social media handles (e.g. @TownshipofWainfleet) or “tag” Township of Wainfleet in Campaign-related social media posts;
 - iv. Candidates shall not use the Township’s I.T. resources, including the Township’s email system or any individual websites linked through the Township’s website and social-media accounts used for Township communication, for any Campaign and/or Campaign-related activities;
 - v. If a Candidate uses any website or social media account for campaigning, such websites or accounts must not be created or supported by Municipal Resources (e.g. Candidates must utilize personal cell phones, tablets and/or computers to support such accounts);
 - vi. Sitting members of Council who choose to create or use social media accounts for campaigning must include, for the duration of the Election Period, a clear statement on each Campaign website or social media account’s home page indicating that the account is being used for Campaign purposes and is not related to their duties as a Member of Council; and
 - vii. The online List of Candidates shall be the only area of the Township of Wainfleet’s website where links to external Campaign websites will be permitted during the Election Period.



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- h) Candidates may not under any circumstance use a Township logo or any variation of it on any Campaign material, election signs, social media or Campaign websites.
- i) Candidates may not use the municipality’s voicemail system and/or cell phones to record or broadcast Campaign-related messages.
- j) Staff engaged in political activities must take care to separate those personal activities from their official positions. Staff may participate in political activity at the federal, provincial and municipal levels providing that such activity does not take place during work hours of use corporate assets, resources, or property.
 - i. Staff shall not produce, display or distribute notices, posters or similar material in support of a Candidate at any Municipal Facilities or using any corporate resources;
 - ii. Staff shall not canvass or actively work in support of a municipal, provincial or federal Candidate or party during normal working hours unless they are on a leave of absence without pay, lieu time, float day, or vacation leave;
 - iii. Staff 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, or using a vehicle owned or leased by the municipality.

5.2. The Clerk is authorized and directed to take the necessary action to give effect to this policy.

5.3. The Clerk is delegated the authority to make administrative changes to this policy that may be required from time-to-time due to legislative changes, or in the opinion of the Clerk, the amendments are minor in nature and do not change the intent of the policy.

Limitations



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- 5.4. Nothing in this policy shall serve to restrict the Clerk from utilizing municipal resources for the proper conduct of an election in accordance with the requirements of the *Act*.
- 5.5. Nothing in this policy shall serve to preclude a Member of Council from performing their duties as a Member of Council, nor inhibit them from representing the interests of constituents who elected them.