

**Service Area:** Clerk's Department  
**Source:** *Municipal Elections Act 1996*  
**Date:** May 2, 2018

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**Purpose:**

The purpose of this policy is to clarify that all election candidates, including members of Municipal Council, are required to follow the provisions of the *Municipal Elections Act, 1996*, as amended, and that:

- No candidate shall use the facilities, equipment, supplies, services, staff or other resources of the Municipality for any election campaign or campaign-related activities;
- No candidate shall undertake campaign-related activities on Municipal property except all-candidate forums sponsored by third parties;
- No candidate shall use the services of persons during hours in which those persons receive any compensation from the Municipality.

**Legislative Authority:**

It is necessary to establish guidelines regarding 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 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.

**Application:**

This policy applies to:

- Any acclaimed member of Council
- Any member of Council not seeking re-election
- Any member of Council seeking re-election
- Any other election candidate
- Any employee of the Corporation of the Municipality of Huron Shores

Consistent with the Municipality's Council Code of Conduct and Staff Human Resources Policies and Procedures and in accordance with the provisions of the *Municipal Election Act, 1996*:

- Corporate resources, assets and funding shall not be used for any election-related purposes;
- Employees 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;

- 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 municipal facility.

From the day prior to Nomination Day to Voting Day, in a municipal election year, the following will be discontinued for members of Council:

- All forms of advertising, including those in municipal publications;
- All printing, photocopying and distribution, including printing and general distribution of newsletters unless so directed and approved by Council.

Municipal resources, assets and funding restricted from use for election-related purposes during an election period include, but are not limited to:

- Municipal employees;
- Municipal property, facilities and/or equipment, except:
  - in those cases where use of the property, facilities and/or equipment are rented in accordance with the Municipality's procedures applicable to the general public;
  - if the facility is requested for use by an impartial organization to facilitate an all-candidates forum.
  - Respecting the above exceptions, flyers may be distributed during the private rental period and/or the forum but, must be removed from the facility at the end of the session;
- Municipal funds;
- Print or electronic materials paid for by the Municipality promoting a member of Council or candidate;
- Any photos or videos produced by the Municipality, including electronic images and videos;
- Municipal mail / print supplies and services;
- Municipal technical services and equipment (e.g. computers, laptops, mobile devices and applications such as voice mail, email, Internet and Intranet, Municipal web pages and domains, etc.);
- Municipal branding (logos, coat of arms, tagline);
- Lists and files produced using Municipal resources, with the exception of lists produced for election purposes in accordance with the *Municipal Elections Act, 1996*. (e.g. Voters List).

No Council member shall distribute, in print or electronic form, material paid for by the Municipality that illustrates, references, promotes, profiles or otherwise relays information about an individual that is, or will be, a registered candidate in an election, with the exception of official reports and/or minutes of Municipal Council meetings.

In accordance with the *Municipal Elections Act, 1996*, the Clerk/Administrator is authorized and directed to take the necessary action to give effect to this policy.

**Limitation:**

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

**Non-Compliance with Policy:**

Candidates, Registered Third Parties and/or members of the public who are found to have contravened this policy may be guilty of an offence under the *Municipal Elections Act* and could be subject to the penalties contained therein or other related sanctions.

**Effective Period:**

This policy is in effect for the 2018 Election and all subsequent Elections or By-elections, until rescinded.