



TOWNSHIP OF MONTAGUE

Elections Policy – Use of Corporate Resources Policy

Approval Date: August 15th, 2017

POLICY STATEMENT

These guidelines establish the appropriate use of Township resources during an election period to protect the interests of the Township, the Council and ratepayers.

The *Municipal Elections Act, 1996*, as amended, prohibits a municipality from making a contribution to a candidate. The *Act* also prohibits the candidate, or someone acting on the candidate's behalf, from accepting a contribution from a person who is not entitled to make a contribution. Since contributions may take the form of money, goods, or services, any use by a Member of Council of the municipality's resources for his/her election campaign would be viewed as a contribution and, therefore, a violation of the *Act*.

PURPOSE

To provide members of Council, candidates for Council, and all staff with direction on the administration of corporate resources with respect to campaigns.

LEGISLATIVE AUTHORITY

Section 88.8 (4) of the *Municipal Elections Act, 1996*, as amended, states that a municipality shall not make a contribution to candidate.

Section 88.18 of the *Municipal Elections Act, 1996*, as amended states that municipalities and local boards shall establish rules and procedures with respect to the use of municipal or board resources, as the case may be, during the election campaign period.

Section 12 of the *Municipal Elections Act, 1996* states that a Clerk who is responsible for conducting an election may provide for any matter or procedures that is not otherwise provided for in an Act or regulation, and, in the Clerk's opinion, necessary or desirable for conducting the election.

APPLICATION

This policy is applicable to all candidates during the campaign period, including members Council, as well as acclaimed members or members not seeking re-election. Additionally, this policy is applicable to municipal employees.

DEFINITIONS

“Campaign Period” begins on the first day a nomination can be filed with the Clerk’s office, as defined by the Municipal Elections Act, 1996.

“Campaign related materials” means any materials that promote or oppose the candidacy of a person elected for office.

“Municipal property” means any municipally owned property and, for the purposes of this policy, includes the road allowance directly in front of the municipally owned property.

SPECIFIC POLICY TERMS

In general, candidates shall follow the following regulations related to the use of corporate resources:

- a) No candidate shall use the facilities, equipment, supplies, services, staff or other resources of the Township of Montague for any election campaign or campaign related activities
- b) No candidate shall undertake campaign-related activities on municipal property.
- c) Employees may not provide services to candidates during the hours in which the employee receives compensation from the township

For greater clarity, specific examples are defined below:

- a) Corporate resources, assets and funding may not be used for any election-related purpose;
- b) Staff may not canvass or actively work in support of 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;
- c) Members of Council may not use a municipal office or any municipally-provided facilities for any election related purposes. Neither campaign related signs nor any other election related material will be displayed in or in front of any municipal facility;
- d) Websites or domain names that are funded by the Township may not include any election-related campaign material;
- e) Members of Council may not use the Township’s website to provide links, directly or indirectly, to external websites for election-related activities. Candidate information will be displayed by the Clerk on the Township’s election webpage for all candidates under the candidates section only.

- f) Members of Council may not use the Township's voice mail system or the computer network (including the email system) to record or distribute election-related correspondence;
- g) The Township's corporate identity (logo, crest, coat of arms, slogan, etc.) shall not be printed or distributed on any election-related materials or be 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.
- h) The Township's technology resources including laptops, printers, tablets, phones and any other corporate technological resources as applicable shall not be used for the creation, distribution or recording of election material.

LIMITATIONS

Nothing in this policy shall preclude a Member of Council from performing their duties as Councillor, Reeve or Deputy Reeve, nor inhibit them from representing the interests of their constituents.

A specific exemption for campaigning on municipal property is for the provision of an "All Candidates Night" at the municipally owned Rosedale Hall in which all eligible candidates are invited to participate in an open event for Township residents. Provisions related to signage and other promotional material will continue to apply.

Nothing in this policy precludes employees of the Township of Montague from responding to or addressing inquiries or requests for information from candidates or members of Council, as it pertains to their positions. However, candidates shall make every effort to direct informational requests through the Clerk or Returning Officer in writing to ensure fairness for all candidates.

ENFORCEMENT

The Clerk, or designate, shall have the delegated authority to investigate and resolve any issues arising from any written complaint regarding a contravention of this policy. If a breach of the policy is confirmed, the Member or Candidate will be subject to any penalty provisions under the *Act*.

REVIEW CYCLE

Once per term of Council

REFERENCES AND RELATED POLICIES

Municipal Elections Act, 1996, as amended
Elections – Municipal Employee Involvement Policy
Elections - Campaign Materials Policy