

## 1. Policy Statement

The Municipal Elections Act, 1996, as amended, establishes rules and regulations governing the financing of municipal election campaigns in Ontario. Section 88.8(4) prohibits a municipality from making any contribution to a candidate running in a municipal election, or any individual, corporation or trade union registering to support or oppose a candidate, question or by-law on the ballot. Section 88.18 of the Municipal Elections Act, 1996, as amended, requires municipalities to establish rules and procedures with respect to the use of municipal resources during the election campaign period.

The Election Finance Act, 1990, as amended, and the Canada Elections Act, 2000, as amended, establish regulations for candidates and parties running in provincial and federal elections. Section 29(1) of the Election Finance Act and Section 363(1) of the Canada Elections Act prohibit municipal corporations from contributing to any candidate, constituency association, nomination contestant, leadership contestant, or political party.

As campaign contributions may take the form of money, goods and service, any use of a corporate resource for an election-related purpose by a member of Council, candidate, third party advertiser or employee is prohibited.

## 2. Purpose

The purpose of the Use of Corporate Resources for Election Purposes Policy is to meet the Municipality of Trent Lakes' responsibilities under the Municipal Election Act, the Election Finance Act, and the Canada Elections Act by establishing, for the benefit of Employees, Members of Council, Candidates, political parties, Third Party Advertisers and persons or groups supporting or opposing a question or by-law on a ballot, as well as anyone acting on their behalf, the requirements and restrictions relating to the use of municipal resources and municipal contributions to election campaigns.

## 3. Definitions

**Campaign Activity** – means any action, event or pursuit that promotes or opposes any Candidate or a response to a question or by-law on a ballot or referendum and includes any display, posting or distribution of Campaign Material.

**Campaign Period** – means

- In the case of a regular municipal election, the period between May 1 and Voting day in the year of a municipal election; or
- In the case of a municipal or school board by-election, the period between the passage

of a by-law authorizing a by-election and Voting Day; or

- In the case of provincial or federal election or by-election, the date the writ is issued until Voting Day.

**Campaign Materials** – means any material, regardless of format, that promotes or opposes any Candidate or a response to any question or by-law on a ballot or referendum and includes, but is not limited to, printed literature, banners, posters, pictures, buttons, clothing, signs, magnets and vehicle decals.

**Candidate** – means any individual who has filed nomination in a municipal, school board, provincial or federal election or by-election, or a candidate seeking nomination for a political party. The term Candidate can also be substituted to read political party, constituency association, Registered Third Party, or a person or group supporting or opposing a question or by-law on a ballot.

**Corporate Resources** – means any physical, digital, intellectual or financial asset owned, leased or otherwise controlled by the Municipality and include vehicles, equipment, supplies, services and employees.

**Employees** – means full-time, part-time and contract employees paid by the Municipality of Trent Lakes.

**Member** – means an individual elected or appointed to Council and holding public office during a Campaign Period.

**Municipal Contractor** – means any individual, company, or individual employed by a company contracted to provide goods or services to the Municipality.

**Municipal Facility** – means any land, building or other structure owned, leased, operated or otherwise controlled by the Municipality, other than a Municipal road, and includes the Municipal Office, operation centres, libraries, community and recreation centres, transfer stations, public works depots, parks, trails, sports fields and open space.

**Municipal Technology** – means computers, servers, cell phones, smart phones, telephones, tablets, printers, scanners, copiers, email, file storage, voicemail, or any other equipment or technology controlled, leased or owned by the Municipality.

**Municipality** – means the Corporation of the Municipality of Trent Lakes and includes its agencies, local boards and commissions.

**Third Party Advertiser** – means any individual, corporation or trade union registered in accordance with Section 88.6 of the Municipal Elections Act, Section 37.5 of the Election Finance Act, R.S.O. 1990, c. E.7, or Section 353 of the Canada Elections Act, S.C. 2000, c. 9.

#### **4. Scope**

This policy applies to all Employees, Members of Council, Candidates, political parties, Third Party Advertisers and persons or groups supporting or opposing a question or by-law on a ballot, as well as anyone acting on their behalf.

Nothing in this policy shall preclude a Member from performing their job as an elected official, nor inhibit them from representing the interests of the constituents who elected them.

Elections are subject to the provisions of the Municipal Elections Act, 1996, as amended; Election Finance Act, 1990, as amended; and the Canada Elections Act, 2000, as amended and where there is a conflict between this policy and these Acts, the provisions of the Acts shall prevail.

## **5. Policy**

### **5.1 Technology Related Provisions**

Municipal Technology shall not be used for any Campaign Activity.

Websites, domains and social media accounts that are controlled, operated or funded by the Municipality shall not include any Campaign Materials or links to any website, domain or social media account that features Campaign Material.

Notwithstanding the prohibition on links to Campaign Material from websites, domains and social media accounts controlled, operated or funded by the Municipality, the Municipality of Trent Lakes election webpage that lists Candidates may, subject to the approval of the Clerk, include one link per Candidate to a website containing Campaign Material.

Members of Council are provided access to corporate information technology assets to fulfill their duties and responsibilities as an elected official but may not use these assets for Campaign Activities or the development of Campaign Materials. Distribution lists or contact lists developed utilizing Corporate Resources and in the custody and control of the Municipality or through contact in a Member of Council's role shall not be utilized for Campaign Activity.

Websites, domains and social media accounts used for Campaign Activities by Members must include a clear statement to indicate that the account is for election campaign purposes and is not related to duties as a Member of Council.

### **5.2 Facilities Related Provisions**

Campaign Activities shall not occur at Municipal Facilities. Campaign Materials are not permitted to be displayed at any Municipal Facilities.

Notwithstanding the prohibition of Campaign Activities at Municipal Facilities, Campaign Activities will be permitted at Municipal Facilities for all-candidates meetings booked by a third-party and no Campaign Material will be permitted outside of the room that has been booked.

Campaign Activities shall not occur during any function being hosted, managed or coordinated

by the Municipality, whether at a Municipal Facility or not.

Campaign Materials shall not be permitted on any road allowances adjacent to Municipal Facilities. Any Campaign Materials on road allowances not adjacent to Municipal Facilities shall be in accordance with the appropriate legislation.

The Municipality shall not be responsible for investigating or prosecuting any acts of vandalism to the Campaign Materials of the Candidates.

### **5.3 Communications Related Provisions**

Corporate Resources and funding shall not be used for any Campaign Activities or Campaign Materials.

Candidates are responsible for ensuring that the content of any communication material printed, hosted, or distributed by the Municipality is not election campaign related.

Information contained in/on all Campaign Material is the responsibility of the Candidate or Third Party Advertiser and any questions or concerns should be directed to the Candidate or Third Party Advertiser.

Any newsletters or editorials, including the Mayor's Message, hosted or distributed using Municipal Technology shall be discontinued for the Campaign Period during the years when a municipal election is being held.

Beginning in 2026, during the years when a municipal election is being held, the annual Ratepayer/Cottage Association Meeting shall be scheduled prior to the first day of the Campaign Period.

The Municipality's logo, crest, coat of arms, slogan, and other similarly branded Corporate Resources or trademarks shall not be used for any Campaign Material, except in the case of a link to the Municipality's website to obtain information about the municipal election.

Photographs, including Council portraits, produced for and owned by the Municipality shall not be used for any Campaign Materials.

Corporate Resources that have been published to the Municipal website or social media (e.g., strategic plans, staff reports, minutes, agendas, press releases, recordings) may be linked on Candidate and Third Party Advertiser's websites, but shall not be housed on the website, and shall not be taken out of context/modified/reproduced for use in any Campaign Material.

Candidates or Third Party Advertisers may provide the election telephone number, election email address, or a link to the Municipality's official election website or webpages in Campaign Materials for electors to access additional information about the election and the voting process. The Clerk may develop and distribute information through various means for the purpose of advising and educating electors. Candidates or Third Party Advertisers are permitted to promote and distribute election information provided by the Clerk, provided that

such information is not modified in any way.

Campaign Materials shall not be worn/displayed when carrying out the duties of an office, including Employees during working hours. Candidates and Employees shall not participate in any Campaign Activities while wearing a uniform, nametag, badge, logo or any other item identifying them as a Member or Employee of the Municipality.

Any Candidate may attend any public Advisory Committee or Council meeting; however, they shall not use this forum to speak on, or address, any matter relating to their campaign.

#### **5.4 Employee and Contractor Provisions**

Employees have the right to engage in political activities, including Campaign Activities; however, Employees shall be mindful of their responsibilities under the Employee Code of Conduct. Employees must be aware of public perception while engaging in Campaign Activities and ensure that their involvement does not create a perceived or actual conflict of interest with their official positions. Before participating in Campaign Activities, Employees are strongly encouraged to discuss their proposed participation with their supervisor or manager to identify perceived or actual conflicts of interests that may arise. Employees may be prohibited from participating in Campaign Activities where there is a potential for a conflict of interest or the perception that the integrity of the election may be compromised.

Employees who engage in Campaign Activities shall not do so during their regular working hours or while receiving compensation from the Municipality, unless the Employee is on a pre-approved personal paid or unpaid leave of absence, including time off in lieu of overtime, flex time, vacation or parental leave. Employees shall not use any Corporate Resources for Campaign Activities, including wearing any item that identifies them as an Employee or affiliated with the Municipality.

Employees shall make every effort to remain impartial throughout the election process. Candidates will also be advised of these matters so that they are aware of staff's role related to the election campaign.

The services of Municipal Contractor shall not be used for any Campaign Activities while the Municipal Contractor is directly engaged in the delivery of goods or services for which the Municipal Contractor is receiving compensation from the Municipality.

The Municipality's appointed Integrity Commissioner and the municipal solicitor are considered to be Corporate Resources, under contract with the Municipality, and may receive, from time to time, compensation from the Municipality in accordance with services provided. Members and Candidates shall not use the services of these professionals during the Campaign Period for the purposes of seeking advice related to their campaign.

Members shall not enter requests to any Employee on behalf of any resident or contact Employees to request attention to a matter raised by a constituent during a Campaign

Activity.

## 6. Budget Related Provisions

Corporate Resources and funding, including approved mileage budget, shall not be used for any Campaign Activities or Campaign Materials.

From January 1<sup>st</sup> to Voting Day in the year of a municipal election, budgets allocated to Members (Mayor's budget, mileage, conference expenses) will be restricted to 11/12ths of the approved annual budget.

Candidates newly elected to Council during a regular municipal election will be allocated a budget equal to 1/12ths of the approved budget for the time period between November 15<sup>th</sup> and December 31<sup>st</sup>.

A Member re-elected to the same office of Council during a regular municipal election will be allocated the balance remaining available as of Voting Day.

In the event of a by-election or an appointment for a position on Council, funds from the vacated Member's budget will be set aside on a pro-rated basis for the newly elected/appointed representative, based on the start date of the new Member.

## 7. Review Cycle

This policy will be reviewed on an as needed basis.

This Policy was previously referred to as AD-56.

## 8. Repeals

This Policy repeals a previous version and all revisions.

## 9. Related Information

Revisions to this document may impact the following policies, procedures, and/or by-laws.

#	Document Title
N/A	No related documents were identified at the time the policy was passed

## 10. Policy Revisions

Version	Date Approved	Council Resolution
1	March 22, 2022	B2022-031