

**THE CORPORATION OF THE TOWNSHIP OF MCGARRY**

**BY-LAW NO. 2018-10**

**BEING A BY-LAW T TO ADOPT THE POLICY  
ELECTION USE OF CORPORATE RESOURCES**

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WHEREAS Subsection 88.18 of the Municipal Elections Act, 1996, S.O. 1996, c.32, as amended, states, 'Before May 1 in the year of a regular election, 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';

AND WHEREAS the Council of the Township of McGarry is expedient to adopt the aforementioned policy;

NOW THEREFORE, THE COUNCIL of the Township of McGarry enacts as follows:

1. The 'Election Use of Corporate Resources' Policy is hereby adopted as set out in Schedule 'A' attached hereto and forming part of this By-Law.
2. This By-Law shall come into force and effect on the date of passing.

BY-LAW READ A FIRST AND SECOND TIME ON APRIL 16, 2018

BY-LAW READ A THIRD AND FINALLY PASSED APRIL 16, 2018

THE CORPORATION OF THE TOWNSHIP OF MCGARRY

  
MAYOR

  
CLERK-TREASURER



## Schedule "A" to By-Law 2018-10

### Purpose and Legislative Authority

Section 88.18 of the Municipal Elections Act, 1996, S.O. 1996, states '*Before May 1 in the year of a regular election, 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.*'

This policy is to provide guidance for 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 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.

### SCOPE

This policy applies to Members of Council, to all municipal election candidates, third party advertisers, and all employees of Township of McGarry.

This policy applies to an acclaimed Member or candidate and a Member not seeking re-election.

This policy applies to the Election Campaign Period commencing May 1<sup>st</sup> of an election year to Election Day inclusive.

### Policy Statement

- In order to comply with the provisions of the Municipal Elections Act, 1996, S.O. 1996, it is essential that Members of Town Council, election candidates, and Town employees maintain the highest standards of ethical conduct. This policy reflects not only the Provincial law, but also the conduct necessary to ensure sound governance, transparency and accountability.

### Procedure

- a) Corporate resources, assets and funding shall not be used for any election related purpose.
- b) Staff 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 or vacation leave.



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- c) No Member of Council or election candidate shall use the facilities, equipment, supplies, services, staff or other resources of the municipality (including Town letterhead, Town business cards, Town email accounts, etc.) for any election campaign or campaign related activities.
- d) The Municipality's technology system, including computers, laptops, emails, cell phones, etc., shall not be used for any election campaign or campaign related activities. The Town's voicemail system shall not be used to record campaign messages.
- e) Websites or domain names that are funded, owned or operated by the Municipality shall not be used for any election campaign or campaign related activities, other than non-partisan election material that is required for the proper administration of the municipal election under the Act and basic contact information for candidates.
- f) No member or candidate shall use municipal property or facilities for any election related purpose. This includes displaying of any campaign related signs in the window or on the premises, as well as displaying any election related material. Election campaign materials include flyers, buttons, etc.
- g) No member or candidate shall use municipal facility/property for any election-related purpose unless a market value rental fee has been established corporately and the rental of such is available to all candidates and third parties.

The only exception, at the Clerk's discretion, is an All Candidates Meeting organized by a local group between Nomination Day and Election Day. To qualify as an All Candidates' Meeting, the meeting must be organized by a group not affiliated with any particular candidate(s) and must invite all candidates running in the Municipal Election to participate.
- h) Campaign related activities or materials shall not be permitted at any Town operated or sponsored events.
- i) The Town's logo, crest, slogan, etc., shall not be used in any campaign-related activities/material or included on campaign related websites, social media, etc.
- j) Distribution lists, contact lists, and ratepayer information acquired, developed and provided utilizing municipal resources or through contact in a member of Council's role shall not be used for election purposes.
- k) Photographs and videos produced for and owned by the Town may not be used for campaign related activities.



**Limitations**

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

Nothing in this policy shall preclude a Staff member from exercising his/her civic duty to participate in the municipal election process.

Nothing in this policy shall prevent Staff from conducting an election in accordance with the Act, or providing non-partisan election information material on behalf of the Municipality so as to inform the public about the election and the election process.

