

THE CORPORATION OF THE TOWNSHIP OF MCMURRICH/MONTEITH

BY-LAW 11 -2018

**Being a By-Law to adopt a Use of Corporate Resources
for Election Purposes Policy.**

WHEREAS the Province of Ontario passed the Municipal Elections Act, 1996;

AND WHEREAS section 88.18 of the Municipal Elections Act, 1996, as amended, requires that before May 1 in the year of a regular election, municipalities establish rules and procedures with respect to the use of municipal resources during the election campaign period;

NOW THEREFORE the Council of The Municipal Corporation of the Township of McMurrich/Monteith hereby enacts as follows:

1. That the "Use of Corporate Resources for Election Purposes: policy, attached as Schedule "A" to this bylaw and forming part of this bylaw, be hereby adopted.
2. That this by-law shall take effect on the date of final passing thereof.

Read in its entirety, approved, signed and the seal of the Corporation affixed thereto and finally passed in open Council this 26th day of April, 2018.

Original signed by
Reeve
Joanne Griffiths

Original signed by
Clerk-Treasurer
Cheryl Marshall

Schedule "A"
To By-law 11 – 2018

Use of Corporate Resources for Election Purposes Policy

1. PURPOSE

1.1 As leaders in this community, Members of Council are held to the highest standards of conduct and ethical behavior. In practical terms, this obligation requires that, during a Municipal Election year, members of Council that are also candidates must avoid any conflict between personal interest and official duties, and that any potential conflict be resolved in favour of public interest. While the business of the Township of McMurrich/Monteith must continue to be carried out during the entire term of Council. Members of Council are responsible to ensure that corporate resources are not used for any election-related purposes. For these reasons, it is necessary to establish guidelines on the appropriate use of corporate resources during an election period to protect the interests of both the members of Council and the Township of McMurrich/Monteith.

2. APPLICATION

2.1 This policy is applicable to all Members of Municipal Council including a Member of Council who is acclaimed or a retiring Member.

3. AUTHORITY

3.1 The Municipal Elections Act, 1996, as amended, permits candidates to file nominations in a Municipal Election year as early as the first day of May that the Clerk's Office is open. Once a candidate has filed a nomination paper, he/she can begin to raise campaign funds or incur campaign expenses in accordance with the provisions of the Act. 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.

4. GUIDELINES

4.1 It shall be the Policy of The Municipal Corporation of the Township of McMurrich/Monteith that, from the commencement of the Nomination Day until the end of the Campaign Period, members of Council shall not:

- use the facilities, equipment, supplies, services, staff or other resources of The Municipal Corporation of the Township of McMurrich/Monteith for any election campaign or campaign related activities. Such resources would include newsletters, desktop publishing and graphic services, postage, voicemail or the use of fax machines;
- use municipally funded expense allowances for electoral purposes or electoral gain;
- use municipally funded services such as mobile phones for electoral purposes or electoral gain. Where it is impractical for Council members to discontinue their use of these during the election campaign, Council members shall reimburse the Township for usage of those services that exceeds the normal usage levels;
- undertake any campaign-related activities on any municipal property unless full market value rent is paid. No campaign-related activities shall be allowed at Township Office at any time;
- use business cards, envelopes or letterhead imprinted with municipal logos for election purposes;
- enlist the use of Township staff to work in support of a municipal candidate during working hours unless they are on a leave of absence without pay, lieu time, or vacation leave;

- print or distribute any material paid for by the municipality that illustrates that a member of Council or any other individual is registered in any election or where they will be running for office;
- profile, or make reference to, in any material paid for by the municipality, any individual who is registered as a candidate in any election;
- print or distribute any material using municipal funds that makes reference to, or contains the names or photographs, or identifies registered candidates for municipal elections; minutes of Council and/or Committee Meetings being exempt;
- use the municipality's voicemail system to record election-related messages.
- use the municipality's Township page to promote election-related messages and material;
- use any website or domain names that are funded by the municipality for the dissemination of election-related messages and material; and
- use the municipality's website for election-related campaign material, inclusive of establishing links on the municipality's website to a registered candidate's website, email or blog.

4.2 The following shall be discontinued for the members of Council from the day prior to Nomination Day in a Municipal Election Year until the end of Election Day:

- all forms of advertising, including municipal publications, paid for by the municipality;
- all printing, photocopying and distribution, including printing and general distribution of newsletters unless so directed and approved by Council;
- the ordering of business cards and other like stationery; and
- the ordering of office furniture and furnishings, except those of an emergency nature.

5. LIMITATIONS

5.1 Nothing in this Policy shall preclude members of Council from performing their jobs, nor inhibit them from representing the interests of the constituents who elected them.

6. ENFORCEMENT

6.1 Should any written complaint arise regarding the alleged use of corporate resources in contravention of this policy, the Clerk/Treasurer or designate, shall have the delegated authority to investigate it and resolve any issues. If a breach of this policy is confirmed, the member will be required to personally repay any of the costs associated with the breach.

7. IMPLEMENTATION

7.1 This policy shall become effective immediately upon approval by the Council for The Municipal Corporation of the Township of McMurrich/Monteith.