



City of Belleville

Subject: Use of Corporate Resources for Election Purposes

Dated: April 2018

Revised: April 2022

POLICY STATEMENT

The Municipal Elections Act, 1996, as amended, in addition to general rules related to the administration of municipal elections, establishes rules and regulations governing the financing of municipal election campaigns in Ontario. Section 88.8(4) prohibits a municipality from making a contribution to a candidates' election campaign and Section 88.12(4) prohibits a municipality from making a contribution in relation to third party advertisements. Further to the above, the Act stipulates that a contribution may be accepted only from a person or an entity that is entitled to make a contribution. In accordance with Section 88.15(1), a contribution may take the form of money, goods and services. Section 88.18 requires that before May 1 in the year of a regular election, municipalities shall establish rules and procedures with respect to the use of municipal resources during the election campaign period.

PURPOSE

The purpose of the Use of Corporate Resources for Election Purposes Policy is to establish rules and procedures to ensure that municipal resources are not used for Municipal, Provincial, or Federal election-related purposes.

The Policy is further intended to preserve public confidence in municipal government, to safeguard the public's trust in the electoral process, to ensure that Candidates, Members of Council and Registered Third Parties are treated fairly, and to comply with legislative requirements.

SCOPE

This Policy applies to all Candidates, Members of Council, Registered Third Parties, Staff, and members of the public during an election period.

DEFINITIONS

"Act" means the Municipal Elections Act, 1996, S.O. 1996, c.32, as amended.

"Campaign Activity" means any action, event or pursuit that supports or opposes the

election of a Candidate or a question on the ballot, and includes, without limiting the generality of the foregoing, the distribution of Campaign Materials.

“Campaign Materials” means any material, regardless of format, that promotes or opposes any Candidate, or a response to any question on a ballot and includes, but is not limited to printed literature, banners, posters, pictures, balloons, signs, magnets, vehicle decals, and clothing.

“Candidate” means a person who has filed a nomination for office pursuant to section 33 of the Act, and includes a person who has filed a nomination for election to a school board pursuant to the Education Act, as amended, and also includes individuals who are running for office in a Provincial or Federal election.

“Clerk” means the Clerk of the City, or his/her designate.

“Council” means the Council of the City.

“Employee(s)” means any full-time, part-time and contract employee hired by the City including, but not limited to, unionized and non-unionized employees, students, temporary employees, and cooperative placement employees.

“Member” means a member of the Council of the City.

“Policy” means the “Use of Corporate Resources for Election Purposes Policy” Policy.

“Registered Third Party” means an individual, corporation or trade union that has filed a Notice of Registration as a third party advertiser in a municipal election.

“City” means The Corporation of the City of Belleville.

RESPONSIBILITIES

Staff in the Clerk’s office is responsible for communicating this Policy to Candidates, Members, and Registered Third Parties and shall ensure that the Policy is reviewed on a regular basis (at least once during each election cycle).

Department Heads, Managers, and Supervisors are responsible for communicating this Policy to their staff.

Council Members, Candidates and Registered Third Parties are accountable to read and comply with this Policy. However, nothing in this Policy is intended to prevent a Member from performing their duties as Councillor, nor inhibit them from representing the residents of the City.

Staff are authorized and directed to take the necessary steps to give effect to this Policy.

POLICY

Council Members, Candidates and Registered Third Parties **are not permitted to:**

- 1) Use equipment, supplies, services, Employees or other resources of the municipality for any Campaign Activity;
- 2) Display Campaign Material in any municipally owned or operated building or facility;
- 3) Use City funds to acquire any resources for any Campaign Activity, including ordering of stationery and office supplies;
- 4) Use City facilities or property for Campaign Activity, including advertising, unless the facility or property (such as those opportunities at the Quinte Sports & Wellness Centre and City bus shelters, buses and benches) are rented in accordance with City policies, procedures and practices as may be in effect from time to time, and the applicable rental rates are paid;

NOTE: rentals must be paid from the campaign account of the Registered Third Party or Candidate.

- 5) Use photographs produced for and owned by the City for Campaign Activity;
- 6) Use City funds to print or distribute Campaign Material;
- 7) Make reference to and/or identify any individual as a Candidate, political party, Registered Third Party, or support or oppose a question on a ballot during an election, on any social media sites, blogs, or other new media created and managed by City Employees;
- 8) Use the City brand, logo, coat of arms, crest, slogan or corporate program identifiers, including any municipal election logo, on any Campaign Material, whether printed or on a campaign website; and
- 9) Use of City information technology assets, infrastructures, or data (e.g. computers, wireless devices, portals, corporate email, web pages, telephones) for Campaign Activity.

Council Members are not permitted to use any Council or Councillor budget for Campaign Activity.

Council Members, Candidates, and Registered Third Parties who attend City organized or City sponsored/sanctioned events are not permitted to engage in Campaign Activity at the event.

A Council Member who attends an event as a representative of Council, is not to engage in Campaign Activity while attending that event.

EMPLOYEE ROLES AND RESPONSIBILITIES

Employees are not permitted to engage in Campaign Activity during hours in which that Employee is receiving compensation from the City, save and except during scheduled time off (i.e. vacation, leave of absence).

Employees are not permitted to sign nomination papers during hours in which that Employee is receiving compensation from the City, save and except during scheduled time off (i.e. vacation, leave of absence).

Employees wishing to participate in Campaign Activity must take care to separate those personal activities from their position and responsibilities with the City. Employees participating in Campaign Activity must ensure that such activity does not take place during hours in which that Employee is receiving compensation from the City, save and except during scheduled time off (i.e. vacation, leave of absence) and are prohibited from using City assets, resources or property for those activities.

Employees participating in Campaign Activity may not do so while wearing City branded clothing, a badge or any other item that identifies them as a City Employee, or while using a City branded vehicle.

Employees shall not post or distribute Campaign Materials on behalf of a Candidate or Registered Third Party at City facilities or on City property.

ADMINISTRATION

In accordance with the Municipal Elections Act, 1996, as amended, the City Clerk is authorized and directed to take the necessary action to give effect to this policy.

LIMITATION

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

EFFECTIVE DATE

This policy shall come into effect immediately upon approval of City Council