



The Corporation of the Township of Elizabethtown-Kitley

Policy and Procedure Manual

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Use of Corporate Resources for Election Purposes Policy		

Introduction

As leaders of this community, all members of Council are held to the highest standards of conduct and ethical behaviour. In practical terms, this obligation requires that during a municipal election year, all members of Council who are also candidates must avoid any conflict between personal interest and official duties, and any potential conflict be resolved in favour of public interest. While the business of the Township of Elizabethtown-Kitley must continue to be carried out during the entire term of Council, members are responsible for ensuring that corporate resources are not used for any election-related purpose. 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 Elizabethtown-Kitley.

Further, the *Municipal Elections Act, 1996*, Section 88.18 states that before the first day of May 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.

Legislative Authority

The *Municipal Elections Act, 1996*, as amended (the “Act”), 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, they can begin to campaign, raise campaign funds or incur campaign expenses in accordance with the provisions of the Act.

Contributions are defined under Campaign Contributions, Subsection 88.15 of the *Municipal Elections Act, 1996*. Further, Subsection 88.8(4) (5) states “the following shall not make a contribution – The Crown in the right of Canada or Ontario, a municipality or local board”. In addition, Subsection 88.8(7) states that “a candidate may only accept a contribution from a person or entity that is entitled to make a contribution”. Upon conviction, penalties for breaching the campaign financing provisions of the Act include fines of not more than \$50,000 for a Corporation and up to \$25,000 for an individual.

In defining contributions as money, goods and services, it is apparent that the use of the Corporation's resources relative to an election campaign would be in violation of the *Municipal Elections Act*. Resources would include, but are not limited to the following: facilities, equipment, supplies, services, staff or other resources of the municipality. Further, the use of staff services, or any person receiving compensation from the municipality, during their regular working hours is also deemed to be in contravention of the Act.

Guidelines

The following guidelines shall be used for the Corporation of the Township of Elizabethtown-Kitley, from the commencement of the Nomination and Campaign Period (1st business day in May) until the end of the Election Day (3rd Monday in October) regarding the use of corporate resources for election purposes:

Members of Council and all candidates for the municipal election who have submitted their Nomination Paper to the Clerk or are intending to run for re-election shall not:

- use the facilities, equipment, supplies, services, staff or other resources of the Corporation of the Township of Elizabethtown-Kitley for any election campaign or campaign-related activities. Such resources could include but are not limited to: postage or the use of fax or photocopy machines, phones and computers;
- use municipally funded expense allowances for electoral purposes or electoral gain;
- undertake any campaign-related activities on any municipal property unless full market value rent is paid. No campaign-related activities shall be allowed at the municipal offices in New Dublin and Toledo, the public works facility in New Dublin and Toledo or the three fire stations at any time;
- use business cards, envelopes, letterhead or any material imprinted with the municipal logo 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 regular and special Council and/or Committee Meetings, in print or virtual, being exempt;

use any website or domain names that are funded by the municipality for the dissemination of election-related messages and material.

Limitation

Nothing in these guidelines shall preclude a member of Council from performing their duties as Mayor or Councillor, nor inhibit them from representing the interests of the constituents who elected them to office.

Administration

In accordance with the *Municipal Elections Act, 1996*, as amended, the Clerk or designate shall take the necessary action to give effect to this guidelines. All complaints received from the public shall be in writing and addressed to the Clerk.