

# KING TOWNSHIP CORPORATE POLICY



## USE OF CORPORATE RESOURCES DURING AN ELECTION PERIOD

POLICY NO.:  
COR-POL-106

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Clerk's Division	Issue Date:	2018-04-09
	Reviewed Date:	2022-04-21
	Issue No.:	3
	Next Review:	2026-04-21

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### 1 PURPOSE STATEMENT

1.1 The purpose of this policy is to meet the legislative requirements under section 88.18 of the *Municipal Elections Act, 1996*, as amended, (the *Act*) which requires municipalities and local boards to establish rules and procedures with respect to the use of municipal resources during the municipal Election Period.

### 2 POLICY OBJECTIVE

2.1 King Township is committed to a fair and transparent municipal election process, and abiding by the principles of the *Act*, including but not limited to the principles that elections must be fair, unbiased and accessible to all voters, and that all candidates and voters should be treated fairly and consistently.

### 3 APPLICATION/SCOPE

3.1 This policy applies to all Candidates, Members of Council, an acclaimed Member of Council, a Member of Council not seeking re-election, Registered Third Parties and all Staff working for the Corporation of the Township of King during an Election Period, unless otherwise defined.

### 4 DEFINITIONS

4.1 **Campaign Activity/Material:** Any election-related activity or material for the purpose of supporting or opposing the election of a Candidate or a question on the ballot, and includes, but is not limited to, the distribution of materials (paper and electronic), advertising (including any form of electronic advertising), any form of promotion and/or communications (including by means of social media, website), display of signage, etc.

4.2 **Candidate:** Any person who has filed and not withdrawn a nomination for an elected office at the municipal (upper and lower tier) and school board level in an election or by-election.

4.3 **Election Period:** In the case of a regular municipal election or municipal by-election, the election period commences on the first day nominations may be filed and ends on Voting Day.

4.4 **Member of Council:** A person who has been elected or appointed to an Office on Council, including the local Ward Councillor, Mayor or Regional Chair.

4.5 **Nomination Day:** In the case of a regular municipal election, the third Friday in August in the year of the election. In the case of a municipal by-election, the date fixed by the Clerk in accordance with section 65 of the *Act*.

4.6 **Registered Third Party:** In relation to a municipal election, an individual, corporation or trade union that is registered with the Township Clerk, as per section

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88.6 of the *Act*, whose purpose is to promote, support or oppose a candidate for office, or an issue on a question on a ballot, and is not under the direction of a candidate.

- 4.7 **Staff:** Any full-time and part-time persons hired by the Township, including, but not limited to contract, temporary, seasonal, students, co-op placements, volunteers and appointed committee and board members (while carrying on Township led activities).
- 4.8 **Township Resources:** Includes any and all real property, goods and/or services owned, controlled, acquired, and/or operated by the Township including but not limited to: materials, equipment, community recreation centres/arenas, libraries and other facilities, technology, Township databases, intellectual property and supplies.
- 4.9 **Voting Day:** In the case of a regular municipal election, the fourth Monday in October in the year of the election or in the case of a by-election means the 45<sup>th</sup> day after Nomination Day, in accordance with the *Act*.

### 5 GENERAL PROVISIONS

- 5.1 Any Members of Council, Candidates or Registered Third Parties shall not use the facilities, equipment, supplies, services, Staff or other Township Resources for any election-related Campaign Activity or Materials.
- 5.2 Corporate events that occur annually or regularly, and are expected to continue into the future, are not constrained by this policy.
- 5.3 This policy does not preclude a Member of Council from performing their duties as a Councillor, nor inhibit them from representing the interests of their constituents.

### 6 FACILITY PROVISIONS

- 6.1 Candidates or Registered Third Parties may not use any municipally-provided facilities for any election-related Campaign Activity or for the display of any election-related Campaign Materials on the premises.
  - 6.1.1 Despite section 6.1, Candidates or Registered Third Parties may use municipal facilities for Campaign related meetings subject to the usual rental charges and permit procedures.
  - 6.1.2 Despite section 6.1, "All Candidates" meetings may be held in a municipal facility; however, there shall be no Campaign Activity or Material outside of the rented permitted area of the municipal facility.

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### 7 STAFF PROVISIONS

- 7.1 Staff shall not canvass or actively work in support of a campaign for a Candidate or Registered Third Party during normal working hours, unless they are on a leave of absence without pay, lieu time or vacation leave.
- 7.2 Staff shall not post, promote or distribute Campaign Material on behalf of a Candidate or Registered Third Party at Township facilities, on Township property or through Township communication channels such as social media or media releases.
- 7.3 Staff are expected to take extra care during an Election Period to ensure that they behave in a manner that residents, Members of Council and potential Candidates for election see as impartial, fair, and unbiased.

### 8 COMMUNICATION PROVISIONS

- 8.1 The Township website shall not include or link to any election-related Campaign Activity or Material.
  - 8.1.1 Despite section 8.1, one link to the Candidate's website and one link to the Candidate's email will be permitted on the Township's website under the elections area in the Candidate Information section.
- 8.2 Websites or domain names that are funded by the Township shall not include any election-related Campaign Material.
- 8.3 Member of Councils' biographies, websites and social media links will be removed from the Council Section of the website after Nomination Day. Only the name, ward, picture, contact phone number and office email of the Member of Council will remain in place.
- 8.4 King Township's logo, crest, slogan, brand, etc. may not be printed or distributed on any election Campaign Materials or included on any election Campaign related website, domain or social media site, except in the case of a link to King Township's election website ([www.king.ca/elections](http://www.king.ca/elections)) to obtain information about the municipal election process.
- 8.5 Corporate newsletters by a Member of Council after Nomination Day are not allowed unless directed and approved by Council and/or the Chief Administrative Officer.
- 8.6 Any mass corporate communication by a Member of Council of 100 pieces or more is not permitted after Nomination Day unless directed or approved by Council and/or the Chief Administrative Officer.
- 8.7 Any new Township communication materials or notices (such as media releases,

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media advisories, invitations for special events, flyers, posters, banners or social media) will not reference the name of a Candidate after Nomination Day.

**9 TECHNOLOGY PROVISIONS**

- 9.1 Any cell phone, tablet, computer or internet service that is funded by the Township are not to be used for any election-related Campaign purposes.
- 9.2 The Township's voicemail system may not be used to record election-related messages.

**10 RELATED DOCUMENTATION**

- 10.1 *Clerks Report CL-2018-03*
- 10.2 *By-law 2018-26*
- 10.3 *Municipal Elections Act, 1996*
- 10.4 *Council Code of Conduct*

**11 APPROVAL AUTHORITY**

<u>Council</u>	<u>2018-26</u>	<u>Original Signed</u>	<u>April 21, 2022</u>
<b>Authority</b>	<b>By-law</b>	<b>Township Clerk</b>	<b>Date</b>

**12 REVIEW AND REVISION HISTORY**

- 12.1 Updated definition of nomination day in accordance with the *Municipal Elections Act. Updated King's election website URL.*