

**TOWN OF GEORGINA – CLERK’S DIVISION  
POLICY No. DCS-CL-032 as amended**

<b>Subject:</b> <b>USE OF CORPORATE RESOURCES FOR  ELECTION PURPOSES</b>	<b>Authority, Ref. &amp; Sec.</b>  <b>Council</b>		
<b>Policy Classification:</b>  <b>Clerk’s Division</b>	<b>Pages:</b>  <b>1 of 7</b>	<b>Year</b> <b>Month</b> <b>Day</b>  <b>2022</b> <b>04</b> <b>06</b>	
<b>Recommended/Approved by:</b>  <b>Council</b>	<b>Contact Position for Inf.</b>  <b>Town Clerk</b>		

**1. Policy Statement**

The purpose of this policy is to clarify that all election candidates, including Members of Council, are required to follow the provisions of the *Municipal Elections Act, 1996, S.O. 1996, c. 32, as amended* (the Act) and during a municipal election campaign period:

- 1) No candidate or third party advertisers shall use the facilities, equipment, supplies, services, staff or other resources of the Town for any election campaign or campaign-related activities, including Councillor newsletters, e-newsletters, Councillor budgets, Town of Georgina registered trademarks or Town of Georgina branding such as the logo.
- 2) No candidate, including Members of Council, or third party advertisers shall use the services of persons during hours in which those persons receive any compensation from the Town. A Town employee must be on a leave of absence without pay, lieu time, float day or vacation leave to participate in any election campaign or campaign-related activity.
- 3) No candidate shall undertake campaign-related activities on *any* facility that is owned, operated and/or controlled by the municipality other than under the following circumstances. Notwithstanding Clause 1 above, candidates, including Members of Council, and third party advertisers may use municipal facilities for campaign related meetings subject to the usual rental charges and permit procedures for such use. Campaign-related signs or any other election/campaign-related materials shall only be displayed within the area designated in the rental agreement and all materials shall be removed when the rental period ends. “All Candidates” meetings may be held in a municipal facility; however, neither campaign-related signs nor any other election/campaign-related materials will be displayed in any municipal facility during an “All Candidates” meeting.

This provision excludes the use of facilities in the Town of Georgina Civic Centre at 26557 Civic Centre Road, which shall not be used by any candidates or Members of Council for any election-related purpose.

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## 2. Definitions

**Acclaimed:** A candidate elected by acclamation pursuant to Section 37 of the *Municipal Elections Act, 1996, S.O. 1996, c. 32, as amended*.

**Candidate:** A person who has filed, and not withdrawn, a nomination for elected office pursuant to the *Municipal Elections Act*.

**Campaign Materials:** Any materials used to solicit votes for a candidate(s) or question on the ballot, during an election campaign period, including but not limited to literature, banners, posters, pictures, buttons, clothing, or other paraphernalia. Campaign Materials include materials in all media, for example, print, displays, electronic radio or television, or online including websites or social media.

### **Campaign Period:**

- For Candidates, the period commencing on the date a Candidate files their nomination and ending on December 31 in the case of a regular election and 45 days after voting day in the case of a by-election, unless the campaign period is extended pursuant to the *Municipal Elections Act, 1996*. The Candidate Campaign Period is deemed to end on the day a nomination is withdrawn, on Nomination Day if the nomination is rejected, or on the day the Candidate files their financial statement pursuant to the *Municipal Elections Act, 1996*.
- For Registered Third Parties, the period commencing on the date a Third-Party Advertiser is registered and ending on December 31 in the case of a regular election and 45 days after voting day in the case of a by-election, unless the campaign period is extended pursuant to the *Municipal Elections Act, 1996*.

**Clerk:** The Town Clerk for the Town of Georgina or his/her designate.

**Corporate Resources:** Any items, services, or resources which are the property of the Town of Georgina, including but not limited to, materials, equipment, vehicles, facilities, and, technology, intellectual property, images, logos and supplies. Working hours, the time where the Town pays its employees to complete certain duties or tasks, is also considered to be a Corporate Resource.

**Election:** An election or by-election held under the *Municipal Election Act*.

**Election-related:** Anything that relates directly to an election.

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**Nomination Day:** Nomination day, in the case of a regular municipal election, is the 3<sup>rd</sup> Friday of August in the year of the election, and in the case of a by-election, the date established in accordance with Section 65 of the Act.

**Staff:** Full-time and part-time individuals hired by the Town of Georgina, including contract, temporary, student, secondment or co-operative placement.

**Third Party Advertisers:** Any person, who is not a registered candidate, corporation or trade union who is registered under Section 88.6 of the Act.

**Voting Day:** Voting day in a regular election is the fourth Monday in October and in the case of a by-election, the 45<sup>th</sup> day after Nomination Day.

**3. Direction**

This policy applies to all employees of the Town of Georgina, candidates in a municipal election, Members of Council, including acclaimed Members and Members not seeking re-election, Registered Third Party Advertisers, and persons or groups supporting or opposing a candidate or a question on the ballot.

**4. Scope and Responsibilities**

It is necessary to establish guidelines on the appropriate use of corporate resources during a municipal election to protect the interests of both the Members of Council and the Town. The *Municipal Elections Act, 1996, S.O. 1996, c. 32, as amended* prohibits a municipality from making a contribution to a candidate or third party advertiser. 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.

As a contribution may take the form of money, goods or services, any use by a Member of Council, candidate or third party advertiser of the Corporation's resources for his or her election campaign would be viewed as a contribution by the Town to the Member, candidate or third party advertiser, which is a violation of the Act.

**5. Details**

5.1 Specific Policy

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The Town of Georgina is committed to ensuring a fair and transparent election process. Elections must be fair and unbiased while making certain candidates and voters are treated in a fair and consistent manner. This policy ensures incumbent candidates do not experience a material advantage over other candidates through the use of corporate resources.

- (a) Corporate resources, assets and funding may not be used for any election-related campaign purposes, including Town registered trademarks or Town branding, such as the Town logo.
- (b) Town events shall not be used for any election-related campaign purposes.
- (c) Staff shall not:
  - (i) use corporate resources to support or oppose a candidate or third party advertiser;
  - (ii) canvass or actively work in support of or opposition to a municipal candidate or party during regular working hours unless they are on a leave of absence without pay, lieu time, float day, or vacation leave and shall not identify as a Town employee if engaged in political activity in accordance with this policy;
  - (iii) canvass or work in support of or opposition to a candidate wearing any item identifying themselves as a Town employee;
  - (iv) work as an election official if related to a Member of Council or a candidate;
  - (v) use official authority or influence to interfere or affect the result of an election, nor use their official title identifying themselves as a Town employee while participating in permissible political activities.
- (d) Candidates, including Members of Council, shall not display materials in municipal facilities for any election-related campaign purposes, which includes displaying of any campaign related signs in the window or on the premises, as well as displaying any election-related material in the office.
- (e) The Town logo, slogan, brand, etc. shall not be used on any election-related campaign materials or be included on a candidate’s or election-related campaign website, including social media, unless it

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is a link to the Town’s website to obtain information about the municipal election process.

- (f) Photographs or images of Town facilities are not permitted for use on election-related campaign materials or websites, including social media.
- (g) Photographs produced for and owned by the Town shall not be used for election-related campaign purposes.
- (h) Distribution lists prepared using corporate resources shall not be utilized for election purposes.
- (i) No Town facility shall be rented for an election-related purpose during any day voting is taking place on the facility property.
- (j) The Budgets for Members of Council for the period January 1<sup>st</sup> to Election Day in a municipal election year be restricted to 11/12<sup>th</sup>s of the approved annual budget amount with the provision that subsequent to election day:
  - i) New Members of Council be allocated a budget equal to 1/12<sup>th</sup> of the approved budget amount for the month of December; and
  - ii) Re-elected Members of Council have available to them the balance of funds remaining as of Election Day.
- (k) The following be discontinued for Members of Council from the day prior to Nomination day in a municipal election year to Election Day:
  - (i) all forms of advertising, including in municipal publications;
  - (ii) all printing, high speed photocopying and distribution, including printing and general distribution of newsletters unless so directed and approved by Council;
  - (iii) the ordering of office furniture and furnishings, except those of an emergency nature, as well as no movement of furniture and furnishings; and
  - (iv) the ordering of stationery.
- (l) Members of Council may not deliver any unsolicited material outside their existing ward where the printing and/or distribution costs are

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paid by the municipality. Care should be taken to ensure that the mailing of newsletters be restricted to the member's ward only (with accommodation made for the normal spillage associated with Canada Post postal walks). This recommendation is to be effective not only during an election year but at all times.

- (m) Members of Council shall not:
  - (i) print or distribute any material paid by municipal funds that illustrates that a Member of Council or any other individual is registered in any election or where they will be running for office;
  - (ii) profile (name and/or photograph) or make reference to, in any material paid by municipal funds, any individual who is registered as a candidate in any election;
  - (iii) print or distribute any material using municipal funds that makes reference to, or contains the names or photographs, or identifies registered candidate, for municipal elections; and that Minutes of municipal Council and Committee meetings be exempt from this policy; and
  - (iv) enter into joint ventures using municipal funds outside their existing wards from Nomination Day to Election Day, in the year of the municipal election, unless specifically approved by Council. At all other times a signed agreement between Ward Councillors is required.
- (n) Members of Council are responsible to ensure that the content of any communications material, including printed and electronic material such as newsletters, advertising, etc. funded by the Town for the operation of each Councillor's Office, is not election-related.
- (o) Web sites or domain names that are funded by the municipality may not include any election-related campaign material.
- (p) Members of Council may not use the municipality's voicemail system to record election related messages; and the computer network (including the Town's e-mail system) may not be used to distribute election-related correspondence.
- (q) Cell phones, tablets and laptops that are funded by the Town may not be used for any election-related campaign purposes.
- (r) The above rules apply to an acclaimed Member or a Member not seeking re-election.

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**5.2 Authorization**

That the Town Clerk be authorized and directed to take the necessary action to give effect to this policy.

**5.3 Staff Prohibitions**

Staff are required to abide by Town Human Resources Policies and Procedures, including Respectful Workplace and Code of Ethics Policies.

**5.4 Limitation**

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

**5.5 Implementation**

This policy shall become effective immediately upon approval by municipal Council.

History:            Policy in effect    2010/05/06  
                         Policy amended    2018/04/11  
                         Policy amended    2018/04/25  
                         Policy amended    2022/04/06