



A People Place, A Change of Pace
SHELburne
ONTARIO, CANADA

CORPORATE POLICY

DEPARTMENT: Legislative Services/Clerks

POLICY: Use of Corporate Resources for Municipal Elections Policy

APPROVAL: COUNCIL

EFFECTIVE DATE: May 2022

1. POLICY STATEMENT

The Town of Shelburne is committed to ensuring accountable and transparent election practices relating to the use of municipal resources.

This policy applies to all members of Council, Registered Election Candidates (including acclaimed candidates), Registered Third Parties, municipal and local board employees and members of the public.

2. PURPOSE

This Policy is intended to:

- a) ensure compliance with the Municipal Elections Act, 1996, S.O. 1996, c. 32, as amended, with respect to the role of the Town in contributing to a municipal and trustee election campaign.
- b) ensure Candidates and Registered Third Parties are treated fairly and consistently within the municipality.
- c) ensure the integrity of the election process is always maintained.
- d) establish the appropriate use of resources during an election period, in order to:
 - I. protect the interests of Members of Council, Candidates, Registered Third Parties, Staff and the Corporation; and
 - II. ensure accountable and transparent election practices.



3. DEFINITIONS

For the purpose of this policy, the following definitions apply:

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

Candidate - means a person who has filed a Nomination Form for an 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, R.S.O. 1990, c. E.2, as amended.

Clerk - means the Clerk of the Town of Shelburne or their designate.

Corporate Resources - means real property, goods and/or services owned, controlled, leased, acquired, or operated by the Town including but not limited to facilities, parks, materials, equipment, monetary funds, technology, Town IT system and resources, databases, websites, social media, intellectual property, and supplies.

Election Day - a regular election is the fourth Monday in October in the year of the election, as prescribed by the Municipal Elections Act, 1996.

Members of Council - means the Council of the Town of Shelburne.

Member - means a Member of the Council of the Town of Shelburne.

Policy - means this Use of Corporate Resources for Municipal Elections Policy.

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

Staff - means all full-time, part-time and contract persons hired by the Town.

Town - means The Corporation of the Town of Shelburne.



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4. POLICY

No Person with access to or control of Corporate Resources shall use Corporate Resources for the purposes of an election or contribute or allow the contribution of Town Resources for campaign-related purposes.

For greater clarity from May 1st of the municipal election year until the Inaugural Meeting in December, inclusive, Members of Council, Candidates and Third-Party Advertisers shall not:

- a) Use the Town crest, logo, brand, coat of arms, letterhead, slogan or other such municipally owned property in campaign-related material either in print or digital format.
- b) Use the Town website, domain names, or social media accounts in campaign-related material either in print or digital format.
- c) Use the Town voicemail system to record election-related messages.
- d) Use the Town computer network (including the Township's email system) for election-related correspondence.
- e) Use any photographs or video material produced for and owned by the Town or any photos taken utilizing Town equipment or sent through Town email accounts for any election-related purposes.
- f) Use corporate information technology (IT) assets, infrastructure or data (i.e., computers, corporate email, web pages, social media links, portals, photocopiers, scanners, fax machines or telephones) to respond to or communicate campaign-related messages.
- g) Benefit from the use of any Town pricing established under the Town's procurement policy.
- h) Use any Council or Councillor budgets for election-related purposes or to advertise, promote or support any Candidate or Registered Third Party, or any position related to any questions which may be authorized to be placed on the ballot.
- i) Print or distribute any material paid for 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.
- j) Profile (name or photograph), or make reference to, in any material paid for by municipal funds, any individual who is registered as a Candidate in any election.



- k) Print or distribute any material using municipal funds that makes reference to, or contains the names, photographs, or identifies registered Candidates for municipal elections.
- l) Use Town property or staff in any campaign photos.
- m) Use any municipal facility/property for any election-related purpose unless a rental fee has been established and the rental of such is available to all candidates and Registered Third Parties. Notwithstanding the foregoing, no facility/property shall be rented or used for any municipal election-related purpose by members of Council, candidates, Registered Third Parties, or the public during any day that voting is taking place on the property, including set-up, hosting, or take-down activities.

To avoid any confusion with official websites and social media accounts used for the Town, members of Council, Candidates and Registered Third Parties who choose to create or use their own websites or social media accounts shall, throughout the period from May 1st of the municipal election year until the date of the inaugural meeting in December, inclusive, include a clear statement, easily found and readable, on each website or social media account's home page indicating that the account is being used personally or for election campaign purposes and is not associated with the Town of Shelburne.

All staff shall:

- a) Behave in a manner that is impartial, fair and unbiased toward all registered candidates and third parties.
- b) Consult with their direct Supervisor prior to agreeing to perform any task requested by a member of Council, Candidate, or Registered Third Party that exceeds their normal duties or could be construed as contributing to an election campaign.
- c) Not rent any corporate facility/property for any municipal election-related purpose to members of Council, candidates, third parties or the public during any day that voting is taking place anywhere on the property, including set-up, hosting, or take-down activities.
- d) Not canvass or actively work in support of a municipal candidate or third party during normal working hours unless they are on a leave of absence without pay, lieu time, float day or vacation leave
- e) Take care to separate personal activities from their official positions.



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- f) Request and obtain a leave of absence without pay should they wish to run for federal, provincial, or municipal office and abide by the respective legislation governing such elections.

To avoid a perceived conflict of interest, staff are discouraged from assisting with or having any involvement in municipal election campaigns, phone and e-mail solicitations, signing nomination papers, distribution of brochures and wearing candidate buttons.

Staff may be involved in provincial and federal campaigns as long as this involvement does not affect the objectivity with which they must discharge their duties as a representative of the Town.

5. ADMINISTRATION

Staff are authorized and directed to take the necessary action to give effect to this policy.

The Integrity Commissioner, if appointed, may at any time be consulted by members of Council with regard to complying with any part of this policy and will be responsible for enforcement of this policy through Council's Code of Conduct. If an Integrity Commissioner is not appointed, the Clerk shall be responsible for the enforcement.

Nothing in this policy shall preclude a member of Council from performing their duties as a member of Council

During an election, responses to information requests from a Candidate or Registered Third Party will be provided to Council and all Candidates in a manner deemed appropriate by the Clerk. It is at the Clerk's discretion to determine if a request for information from members of Council, who are also Candidates, is made in the capacity as a member of Council or as a Candidate, bearing in mind the requirement for fair and transparent treatment of all Candidates.

The Clerk is delegated the authority to make administrative changes to this policy that may be required from time to time due to legislative changes or if, in the opinion of the Clerk, the amendments do not change the intent of the policy.