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## **No. 171: COUNCIL – Corporate Resources for Elections**

Reference: Staff Report CORS-020-17, COW – April 24, 2017

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### **1. POLICY STATEMENT**

The Corporation of the Town of Milton and its local boards are committed to ensuring accountable and transparent election practices, relating to the use of corporate resources.

### **2. SCOPE OF POLICY**

This policy applies to members of Council and its local boards, Town and local board employees, registered election candidates (including acclaimed candidates), registered third parties, and members of the public.

### **3. POLICY PURPOSE**

To supplement the provisions of Council's Code of Conduct, Staff's Code of Conduct and the *Municipal Elections Act, 1996*, to provide consistent information and direction to ensure that the Town of Milton's corporate resources and those of its local boards as defined in the *Municipal Affairs Act* are not provided or used for any election-related purpose, unless required or directed by staff in the conduct of said election. Where Town, municipal or related terms are used, it shall also be read to include its local boards as applicable.

For clarity, local boards of the Town of Milton include the Milton Public Library, the Downtown Milton Business Improvement Area, and the Committee of Adjustment. Should any local board of the Town of Milton adopt its own policy governing the use of its resources for elections, such policy shall take precedence over this policy.

### **4. POLICY**

#### **4.1. General Provisions:**

##### **4.1.1 In accordance with the provisions of the *Municipal Elections Act, 1996*:**

- a) Corporate resources and funding may not be used for any election-related purposes:
- b) Staff may 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;
- c) Municipal facilities/property may not be used for any election related purposes, which includes displaying of any campaign related signs or materials on such premises unless all candidates are afforded the same opportunity.



## 4.2 Specific Regulations:

4.2.1 The following, if supplied by the Town, shall be discontinued for all members of Council throughout the period from Nomination Day of the municipal election year until Voting Day, inclusive or in the case of a municipal by-election, for the period 60 days prior to and inclusive of Voting Day, for any members running as candidates in the by-election:

- a) All forms of advertising, including advertising in municipal publications;
- b) All printing, high speed photocopying and distribution, including printing and general distribution and display of newsletters unless so directed and approved by Council;
- c) The ordering of any stationery or office supplies or furnishings unless approved by the Town Clerk;
- d) Links to Council member-related web sites or social media links;
- e) The posting of information relating the activities of Council or any member of Council on the town's website, excluding the minutes of Council and committee meetings. Only the photos and contact phone and/or email posted for each member of Council at the commencement of each term shall remain on the corporate website.

4.2.2 To avoid any confusion with any website or social media accounts used for Council work, members of Council who choose to create or use their own websites or social media accounts shall throughout the period from Nomination Day of the municipal election year until Voting Day, inclusive or in the case of a municipal by-election, for the period 60 days prior to and inclusive of Voting Day, for any members running as candidates in the by-election:

- a) 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 either solely for Council work, for both Council work and election campaign purposes, or solely for election campaign purposes;
- b) Include the statement in clause a) for as long as the website or account is accessible by the public.

4.2.3 Members of Council shall not:

- a) 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;



- b) 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;
- c) Print or distribute any material using municipal funds that makes reference to, or contains the names, photographs, or identifies registered candidates for municipal elections;
- d) Use the corporate website, domain names, other corporate systems, the town crest or logo for campaigning/advertising or as a substitute to distributing newsletters or flyers throughout the period from Nomination Day of the municipal election year until Voting Day, inclusive or in the case of a municipal by-election, for the period 60 days prior to and inclusive of Voting Day;
- e) Use the municipality's voicemail system to record election-related messages;
- f) Use the town's computer network (including the Town's email system) for election-related correspondence;
- g) Use any photographs produced for and owned by the Town of Milton or any photos taken utilizing town equipment or sent through town email accounts for any election related purposes;
- h) Use municipal property or staff in any campaign photos or images unless all candidates are afforded the same opportunity. Photos/images of external Town facilities are permitted. Photos/images of internal Town facilities are not permitted;
- i) Use any corporate facility/property for any election-related purpose unless a market value rental fee has been established corporately and the rental of such is available to all candidates and third parties. Notwithstanding the foregoing, no facility/property shall be rented or used for any municipal election-related purpose by members of Council, candidates, third parties, or the public during any day that voting is taking place on the property, including set-up, hosting, or take-down activities;
- j) Benefit from the use of any corporate pricing established under the town's purchasing policy;
- k) Use any Council or Councillor budgets for election-related purposes or to advertise, promote or support any candidate, third party or any position related to any questions which may be authorized to be placed on the ballot.

4.2.4 Clauses d) g) h) i) above shall also apply to registered candidates, third parties and the public.



- 4.3 Staff Involvement (see also Human Resources Policy A-01 Staff Code of Conduct):
- 4.3.1 Staff, are discouraged from assisting with or any involvement in municipal election campaigns, including posting election signs on their property, phone and e-mail solicitations, signing nomination papers, distribution of brochures and wearing candidate buttons; due to a perceived conflict of interest.
- 4.3.2 Staff, including full time, part time and contract employees 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, registered candidate, or 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) Take care to separate personal activities from their official positions and shall not canvass or actively work in support of a municipal candidate or third party during normal working hours unless on a leave of absence without pay, lieu time, float day or vacation leave;
  - e) 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.
- 4.3.3 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. POLICY MANAGEMENT

- 5.1 Staff are authorized and directed to take the necessary action to give effect to this policy.
- 5.2 The Integrity Commissioner 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.
- 5.3 Nothing in this policy shall preclude a member of Council from performing their duties as a Councillor, nor inhibit them from representing their constituents.



- 5.4 The Town 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 Town Clerk, the amendments do not change the intent of the policy.