



# Use of Corporate Resources for Election Purposes

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## *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 that 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 City of Brockville must continue to be carried out during the entire term of Council, members are responsible to ensure 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 City of Brockville.

## *Legislative Authority*

The Municipal Elections Act, 1996, as amended (the "Act"), permits candidates to file nominations in a municipal election year on May 2<sup>nd</sup>, 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.

Under Campaign Expenses, Subsection 88.19 of the Municipal Elections Act, 1996, expenses are defined as "costs incurred for goods or services by or under the direction of a person wholly or partly for use in his or her election campaign are expenses". Further, Subsections 88.8(4) and 88.12(4) states "the following shall not make a contribution – The Crown in the right of Canada or Ontario, a municipality or local board".

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 regarding the use of corporate resources for election purposes shall be used for the Corporation of the City of Brockville, from May 2<sup>nd</sup> in the year of a municipal election until Voting Day, inclusive or in the case of a municipal by-election, for the period of sixty (60) day prior to and inclusive of Voting Day, for any members running as candidates in the by-election.

Members of Council, candidates and registered third parties 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 City of Brockville for any election campaign or campaign-related

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activities. Such resources could include but are not limited to: postage or the use of fax or photocopy machines;

- 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 City Hall, Gord Watts Municipal Centre, Pollution Control Centre; Water Plant; Brockville Fire Stations or Police Station at any time;
- use business cards, envelopes, letterhead or any material imprinted with the municipal logo or City crest for election purposes;
- enlist the use of City 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 Council and/or Committee Meetings being exempt;
- use any website or domain names that are funded by the municipality for the dissemination of election-related messages and material.

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 the start of the nomination period in 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.

### *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 City 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.

The City 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 City Clerk, the amendments do not change the intent of the policy