

The Corporation of The City of North Bay

POLICIES AND PROCEDURES	MUNICIPAL ELECTIONS
	APPROVED: NOVEMBER 1, 2005 RESOLUTION No. 2005-738
	SUBJECT: MUNICIPAL ELECTIONS
	USE OF CORPORATE RESOURCES FOR ELECTION PURPOSES POLICY

POLICY & PURPOSE

This Policy is to clarify the provisions of the *Municipal Elections Act, 1996* and applies to all members of municipal Council.

SCOPE

The purpose of this policy is to clarify that members of Council are required to follow the provisions of the *Municipal Elections Act, 1996* and that:

- No member shall use the facilities, equipment, supplies, services, staff or other resources of the municipality (including newsletters and budgets) for any election campaign or campaign related activities.
- No member shall undertake campaign-related activities on municipal property during regular working hours.
- No member shall use the services of persons during hours in which those persons receive compensation from the municipality.

Specifically, and in accordance with the provisions of the *Municipal Elections Act, 1996*:

1. Corporate resources and funding may not be used by members of Council for any election-related purposes.
2. Staff may not canvass or actively work in support of a municipal candidate during normal working hours unless they are on a leave of absence without pay, lieu time, or vacation leave.

3.
 - (1) Subject to subsection (2), Members of Council may not use any municipally-provided facilities for any election-related purposes, which include displaying of any campaign related signs in the window or on the premises, as well as displaying any election-related material in the office.
 - (2) After Nomination Day Members of Council and all other certified candidates for office may use the parks listed in Schedule "A" hereto for the display of election signs.
4. The Budget for Mayor of Council for the period January 1 to Voting Day in a municipal election year be restricted to 11/12ths of the approved annual budget amount with the provision that subsequent to Voting Day:
 - (i) the Mayor Elect be allocated a budget equal to 1/12th of the approved budget amount for the month of December; or
 - (ii) the acclaimed Mayor be allocated a budget equal to 1/12th of the approved budget amount for the month of December.
5. The following be discontinued for Members of Council from the day prior to Nomination Day in a municipal election year to Voting 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 any emergency nature, as well as no movement of furniture and furnishings; and
 - (iv) the ordering of stationery.
6. Members of Council may not:
 - (i) print or distribute any material paid by municipal funds that illustrate that a Member of Council or any other individual is registered in any election or where they are running for office;
 - (ii) profile (name or photograph), or make any 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 candidates for municipal elections; and that the Minutes

of municipal Council and Committee Meetings are exempt from this provision.

7. Members of Council are responsible to ensure that the content of any communications material, including printed material such as newsletters, advertising, etc. funded by the municipality is not directly election-related.
8. Web sites or domain names that are funded by the municipality may not include any election-related campaign material.
9. Members of Council may not use the municipality's voice mail system to record election related message.
10. These policies also apply to an acclaimed Member or a Member not seeking re-election.

ENFORCEMENT:

11. The Municipal Clerk be authorized and directed to take the necessary action to give effect to this policy.

LIMITATION

12. Nothing in this policy shall preclude a Member of Council from performing his/her job as a Member of the Council, nor inhibit them from representing the interests of the constituents who elected them.

IMPLEMENTATION

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

RATIONALE AND LEGISLATIVE AUTHORITY

14. Guidelines for the appropriate use of corporate resources during an election period are necessary to protect the interests of both the Members of Council and the Corporation.

Section 70(4) (3) of the *Municipal Elections Act, 1996* prohibits a municipality from making a contribution to a candidate. Section 70(7) of the Act 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 or the Corporation's resources for his or her election campaign would be viewed as a contribution by the municipality to the Member, which is a violation of the Act.

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SCHEDULE "A"

After Nomination Day Members of Council and all other certified candidates for office, may use the following parks for the display of election signs:

1. Lee Park – from Judge Avenue to James Street.
2. Thomson Park – beside Fisher Street.
3. Main Street East Overpass – from Oak Street East to Judge Avenue.