

Section: Council

Title: Use of Municipal Resources During an Election

Policy Number:

Approved by: Council

Administered by: Corporate Services Department

Effective: March 23, 2026 (By-Law 2026-18)

POLICY STATEMENT

This Policy establishes rules and procedures on the use of municipal resources of the Township during the Election Period.

All provisions contained in this Policy shall serve to protect freedom of expression while ensuring that:

- Township facilities, equipment, services, or other resources are not used for any Election Related Purpose or Activity to provide an unfair advantage to any Candidate, Third Party Advertiser, political party, constituency association, or any other person or group supporting or opposing a question on a ballot; and
- The services of Staff during the hours which those Staff receive any compensation from the Township, are not used for any Election Related Purpose or Activity to provide an unfair advantage to any Candidate, Third Party Advertiser, political party, constituency association, or any other person or group supporting or opposing a question on a ballot; and
- Members of Council are not precluded from performing their duties as elected officials, nor inhibited from representing the interests of their constituents; and
- Information and communication related to an election shall continue to be open and accessible to the public, with content to be produced by the Municipal Clerk or their designate; and
- The Municipal Clerk, under the Municipal Elections Act (MEA), is the primary authority responsible for administering the municipal election and ensuring compliance with all legislative provisions.

PURPOSE

The purpose of this policy is to ensure compliance with the Municipal Elections Act, 1996, the Election Finances Act, 1990 and the Canada Elections Act, 2000 for all Candidates, Registered Third Party Advertisers, Members of Council, Staff and persons or groups supporting or opposing a question on a ballot during the Election Period and to establish parameters on the use of municipal resources for an Election Related Purpose or Activity.

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SCOPE

This policy applies to all Township staff, Candidates, sitting Members of Council or local board (whether or not the member is seeking re-election), acclaimed Members of Council, constituency associations, Registered Third Party Advertisers, persons or groups supporting or opposing a question on a ballot, as well as anyone acting on their behalf.

The rules and procedures of this Policy are in effect throughout the duration of the Election Period in a municipal election year, in the event of a by-election, and from the dropping of the writ to Voting Day in a provincial or federal election or by-election.

The Municipal Elections Act, 1996 (MEA) establishes regulations governing the campaign finances for Candidates running in a municipal election. Section 88.8 (4) of the MEA prohibits municipalities from making contributions to Candidates. Section 88.18 of the MEA requires the establishment of rules and procedures with respect to the use of municipal and board resources, as the case may be, during the election campaign period.

The Election Finances Act, 1990, and the Canada Elections Act, 2000, as amended, establish regulations for candidates and parties running in provincial and federal elections and prohibit municipal corporations from making campaign contributions to any candidate, political party or constituency association in a provincial or federal election.

As a campaign contribution may take the form of money, goods, or services, this Policy provides a fair and consistent guideline for municipal corporate resources that can and cannot be used during municipal, provincial and federal elections.

DEFINITIONS

Candidate shall mean any person who has been nominated under Section 33 of the MEA, and for the purpose of this Policy, the Mayor, , Councillor, school board trustee, Member of Provincial Parliament and/or Member of Parliament or anyone acting on their behalf. Where referenced in this Policy, the term Candidate can also be substituted to read political party, constituency association, or a person or group supporting or opposing a question on the ballot;

Campaign(ing) shall mean any activity by or on behalf of a Candidate, political party, constituency association, Registered Third Party Advertiser, or question on a ballot that may directly or indirectly promote any Candidate in an Election Period or when the writ is dropped in a provincial or federal election or by-election. This does not include the appearance of elected officials, other candidates or their supporters, or registrants at an event in their personal capacity without the display of any signage or graphic which identifies the individual as a Candidate or registrant and without the solicitation of votes;

Campaign Period shall mean the time from the date a Candidate files their nomination to Voting Day.

Campaign Materials shall mean any materials used to advocate for or against the nomination, endorsement, election or defeat of a Candidate(s) or question on the ballot during the Election Period, including but not limited to, literature, banners, posters, petitions, pictures, buttons, clothing, or other paraphernalia. This includes materials on all media, including broadcast, print, display, electronic, radio, television, and the internet (websites or social media, etc.);

Election Period shall mean the official Campaign Period of an election for:

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- A municipal or school board election: the Election Period commences on the first day prescribed for the filing of nominations in accordance with the MEA and ends on Voting Day;
- A provincial or federal election: the Election Period commences the day the writ for the election is issued and ends on Voting Day;
- A question on the ballot: the period commences the day Council passes a by-law to put a question to the electorate, and ends on Voting Day;
- A municipal or school board by-election: the period commences when the

by-election is called and ends on Voting Day.

Election Related Purpose or Activity shall mean any participation in an election that seeks to promote or oppose the candidacy of a Candidate, Registered Third Party Advertiser or any person or group supporting or opposing a question on a ballot;

Member of Council shall mean the Mayor or a Councillor of the Township.

Township shall mean The Corporation of the Township of Wilmot;

Municipal Elections Act (MEA) shall mean the Municipal Elections Act, 1996, as amended;

Registered Third Party Advertiser shall have the same meaning as “Registered Third Party” under the MEA, or “Third Party” under the Election Finances Act and Canada Elections Act;

Staff shall mean an employee of the Township and includes but is not limited to full-time, part-time and casual labour employees or persons under contract for employment services with the Township.

Third Party Advertisement shall mean an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing,

(a) A Candidate; or

(b) A “yes or no” answer to a question on a municipal ballot referred to in subsection 8(1), (2) or (3) of the MEA, but does not include an advertisement by or under the direction of a Candidate or an advertisement described in subsection (2) or (2.1) of the MEA.

Voting Day shall mean the day on which the final vote is to be taken in an election or by-election.

STANDARDS AND PROCEDURES

In accordance with the MEA, the following are guidelines established by the Township:

Municipal Resources – Township Facilities, Equipment and Staff

- a) Township resources and assets, including equipment, facilities, office locations or furnishings, stationery, supplies, Staff and funding shall not be used by a Candidate, Registered Third Party Advertiser, or any other person or group supporting or opposing a question on a ballot for Campaigning during the Election Period. Furthermore, no Candidate, Registered Third Party Advertiser or any other person or group supporting or opposing a question on a ballot shall use the facilities, supplies, staff and funding for any Election Related Purpose or Activity;

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- b) Staff shall not canvass, promote or actively work in support of a Candidate or group supporting a Candidate, Registered Third Party Advertiser, or any other person or group supporting or opposing a question on a ballot during working hours unless they are on a leave of absence without pay, maternity/parental leave, lieu time, float day, vacation day, or any other day off from work excluding sick days or personal/family emergency days. Staff shall not canvass or actively work in support of a Candidate, Registered Third Party Advertiser, or any other person or group supporting or opposing a question on a ballot while wearing a Township uniform, badge, crest or other item identifying them as Staff, or while using a Township vehicle;
- c) Staff shall not use their position as an employee of the Township for the purpose of interfering with or affecting the results of an election or question on the ballot, nor use their official title while participating in otherwise permissible political activities;
- d) Candidates, Registered Third Party Advertisers, or any other person or group supporting or opposing a question on a ballot shall not use the services of Staff during hours which those staff receive any compensation from the Township, for any Election Related Purpose or Activity;
- e) Candidates, Registered Third-Party Advertisers, or any other person or group supporting or opposing a question on a ballot shall not use the Township Office, Township facility/location or municipally provided facility/location for any Election Related Purpose or Activity including but not limited to the display of any Campaign Material or sign in the window or on the premises;
- f) **Notwithstanding the above**, Township owned or operated facilities may be rented in accordance with Township rental agreements and current fees or charges, for Campaign activities, provided that the rental is available to all Candidates and Registered Third Party Advertisers. Use of the facilities are subject to the following conditions:
 - i. All Campaign Materials must be displayed only within the allocated rental period and in the allocated rental area designated in the rental agreement (i.e., not in the hallway leading to the rental area, or elsewhere on the premises);
 - ii. Rentals for Campaign related activities are not permitted from the day voting begins, to the day after Voting Day; and
 - iii. The Township reserves the right to review or cancel all rental contracts at any time, in accordance with the terms of the rental contract, should it conflict with the Township's corporate values or established policies or procedures, or present a health and safety concern.
- g) Candidates, Registered Third-Party Advertisers, or any other person or group supporting or opposing a question on a ballot are not permitted to rent advertising space on arena boards, lobby monitors, digital signs, or any other Township advertising platform during the Election Period;
- h) **Notwithstanding the above**, Campaigning on public sidewalks and highways is permitted, provided that such activity is in compliance with Township, regional, provincial or federal regulation.

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Municipal Resources – Integrity Commissioner

- i) The Township's appointed Integrity Commissioner is considered to be a Township resource, under contract with the Township, and may receive, from time to time, compensation from the Township in accordance with services provided. Members of Council shall not use the services of the Township's Integrity Commissioner during the Election Period for the purpose of seeking advice related to their Campaign.

Use of Municipal Identifiers and Resources

- j) No photographic or video material created or funded by the Township shall be used for any Election Related Purpose or Activity. This includes any Council portraits funded by the Township;
- k) No Township crest, logo, coat of arms, brand, slogan or another other branding related image shall be used for any Election Related Purpose or Activity (print material, social media, website, etc.);
- l) Members of Council are prohibited from reproducing and/or distributing materials, paid by Township funds, that illustrate that a Member of Council or any other person is considering or is registered as a Candidate in an election or by-election;
- m) Members of Council shall not profile (name, photograph or image) or refer to, in any material paid by Township funds, any individual who is considering or is registered as a Candidate for any election or by-election;
- n) Candidates, Registered Third-Party Advertisers, or any other person or group supporting or opposing a question on a ballot may capture their own photos of Township facilities/locations for use in Campaign Materials, provided the image is taken from a publicly accessible area and does not contain a Township sign, logo, crest, coat of arms or slogan in the background;
- o) Candidates, Registered Third-Party Advertisers, or any other person or group supporting or opposing a question on a ballot shall not Campaign, distribute Campaign Material or engage in any Election Related Purpose or Activity at any function or meeting hosted or sponsored by the Township, regardless of whether the activity or function is on Township property, from the day the Candidate or Registered Third Party Advertiser files a nomination or registers with the Township to the end of Voting Day.

Municipal Resources – Technology, Websites & Social Media

- p) Candidates, Registered Third-Party Advertisers or any other person or group supporting or opposing a question on a ballot shall not use Township standard-issue electronic devices, software, information technology asset, infrastructure or data (e.g., fax, computers, wireless devices, portals, corporate email, websites, domain name, social media platforms) or telephone for any Election Related Purpose or Activity. The Municipal Clerk shall, in consultation with the Director of Corporate Services, determine what is considered a standard-issue electronic device, software, information technology assets, infrastructure, data, etc.;
- q) Websites, domain names, and any/all social media platforms that are operated or funded by the Township shall not include any Campaign Material or links to any site that feature Campaign Material:

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- i. During the Election Period, any Member of Council biographies on the Township website and links to personal websites and/or social media sites shall be reduced to council-related contact information only.
 - ii. The Candidate Election List is the only area of the Township's website where links to election campaign websites may be posted during an Election Period.
- r) Candidates, Registered Third-Party Advertisers or any other person or group supporting or opposing a question on a ballot shall not use Township standard-issue electronic devices, corporate information, software, information technology asset, infrastructure or data (e.g., fax, computers, wireless devices, portals, corporate email, websites, domain name, social media platforms) or telephone to communicate election related messages:
- i. It is suggested that Council Members, during the Election Period, include an auto-reply email message and voicemail message such as "As a sitting Member of Council, I must ensure that my actions as a Candidate are kept separate from any actions related to the upcoming municipal election. As such, I will not be reading or responding to any campaign related communications using this email address. Election campaign inquiries should be directed to my personal/campaign email and voicemail";
- s) **Notwithstanding the above,**
- i. Messages posted to the Township's social media may be shared by a Candidate, Registered Third Party Advertiser or any other person or group supporting or opposing a question. The post shall not be modified, manipulated or intentionally taken out of context;
 - ii. Candidates, Council Members and Registered Third Party Advertisers or any other person or group supporting or opposing a question on a ballot may provide the election telephone number, election email address, or a link to the Township's official election website/social media site(s) in Campaign Material for electors to access additional information about the election and voting process;
 - iii. Information contained on the applicable 'consent to release' form filed with the Municipal Clerk as part of the nomination process, may be included on the Township's election website/social media site(s).

Municipal Resources – Access to Information

- t) All Candidates, Registered Third Party Advertisers, or any other person or group supporting or opposing a question on a ballot making a request for information must adhere to the regulations stipulated in the Municipal Freedom of Information and Protection of Privacy Act, and guidelines established by the Township. Information requested must be for election purposes only or general purposes thereof and may be reviewed and deemed appropriate by the Municipal Clerk. At the discretion of the Municipal Clerk, information provided to one Candidate, Registered Third Party Advertiser or any other person or group supporting or opposing a question on a ballot, that is of general nature and provides valuable guidance to all others, will be provided to all through the Township website or via email to ensure equal access to information;
- u) Township records, lists or files produced using Township resources, with the exception of those specifically made for the use of Candidates and Registered Third Party

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Advertisers, or any other person or group supporting or opposing a question on a ballot, for election purposes in accordance with the MEA, may not be used by a person unless the record, list or file has been released for public use.

RESPONSIBILITIES

- a) The Municipal Clerk, or designate, is responsible for communicating the Policy to Members of Council, Candidates, Registered Third Party Advertisers and Staff.
- b) In accordance with the MEA, the Municipal Clerk, or designate, is authorized and directed to take necessary action to give effect to this Policy.
- c) Members of Council, Candidates, Registered Third Party Advertisers and Staff are accountable for complying with this Policy.

COMMUNICATION

This policy will be published on the Township website.

EVALUATION

In accordance with the Governance Policy, the Municipal Clerk shall review this Policy with the Corporate Leadership Team in advance of each municipal election and present to Council for consideration.

LEGISLATIVE REPORTING REQUIREMENTS

- Municipal Elections Act, 1996
- Election Finances Act, 1990
- Canada Elections Act, 2000
- Code of Conduct for Elected Officials
- Councillor Use of Civic Space Policy
- Accountability and Transparency Policy
- Council - Staff Relations Policy
- Social Media Administrative Directive
- Corporate Crest/Coat of Arms Usage Policy
- Information and Technology Usage Policy