

CORPORATE POLICY AND PROCEDURE



POLICY	Use of Corporate Resources during an Election
CATEGORY	Corporate
AUTHORITY	City Clerk's Office
RELATED POLICIES	Code of Conduct for Council and Local Boards
APPROVED BY	City Council
EFFECTIVE DATE	October 23, 2017
REVISION DATE	

Policy Statement

The Municipal Elections Act (the Act), 1996, as amended, establishes regulations governing campaign finance for candidates running in a municipal election. Section 88.8 (4) of the Act prohibits municipalities from making campaign contributions to municipal candidates.

The Election Finance Act, 1990, as amended, and the Canada Elections Act, 2000, as amended, establish regulations for candidates and parties running in provincial and federal elections. Section 29 (1) of the Election Finance Act and Section 363 (1) of the Canada Elections Act prohibit a municipal corporation 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, any use of corporate resources for election related purposes, by candidates or staff, is not permitted.

Purpose

The purpose of this policy is to ensure compliance with the Municipal Elections Act, the Election Finance Act and the Canada Elections Act, by clarifying for candidates, current members of City Council and City staff the legislative requirements relating to campaign finances.

The provisions identified in this policy are in effect throughout the duration of the campaign period in a municipal election year or in the event of a by-election and from the dropping of the writ to Voting Day in a provincial or federal election.

Definitions

“the Act” means the Municipal Elections Act, 1996, as amended.

“Campaign period” means the date a candidate files their nomination through to Voting Day in a municipal election year or in the event of a by-election.

“Candidate” means any individual running for an elected office, including Mayor, Councillor, School Board Trustee, Member of Provincial Parliament and/or Member of Parliament or anyone acting on their behalf.

“City of Guelph employee” means any individual working for, or receiving compensation from, the City of Guelph; including those in part-time, seasonal or contract positions.

“Election” means any municipal, federal or provincial election including by-elections.

“Election related purposes / activities” means any participation in an election that seeks to promote or oppose the candidacy of an individual seeking office.

“Members” means City Councillors, the Mayor or anyone acting on behalf of a City Councillor or the Mayor.

Members of Council and Candidates

The following section applies to members, candidates, and those acting on behalf of a member or candidate.

Use of City Facilities, Services and Property

City of Guelph facilities, services and property may not be used for any election related purposes except as identified in this policy.

This provision does not prevent members from conducting their regular duties as political representatives for their constituents.

City of Guelph Employees

- Members and candidates may not use City of Guelph employees for any election related purposes during regular business hours or while the employee is receiving compensation from the City.

Municipal Facilities and Property

- Members and candidates may not use the interior of any City-owned or run facilities for any election related purposes unless rented in accordance with standard City of Guelph rental procedures.

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- Notwithstanding the ability to use the interior of any City-owned or run facilities for election related purposes, if rented in accordance with standard City of Guelph rental procedures, no election related activities, including campaigning and the distribution of campaign literature, are permitted to take place inside City Hall.
 - Members and candidates may engage in election related activities, such as the distribution of campaign literature, outside of City-owned or run facilities.
 - Notwithstanding the ability to engage in election related activities outside of City-owned or run facilities, no election related activities, including campaigning and the distribution of campaign literature, are permitted to take place outside on the property of City Hall.
 - Members and candidates may not campaign, distribute campaign literature, or engage in election related activities at any function hosted by the City of Guelph.
 - Election signs, or other election material, may not be displayed in, or on the property of, any City-owned or run facilities.

Technology

- Corporate resources or services such as computers, cell phones, smart phones, telephones, tablets, printers, scanners, copiers, e-mail, file storage, voicemail, or any other equipment or technology owned by the City of Guelph, may not be used for any election related purposes.
- Websites and domains that are operated or funded by the City of Guelph shall not include any election related campaign materials or links to any sites which include election related campaign material.
- Notwithstanding the ban on election related campaign materials and links on websites and domains operated or funded by the City of Guelph, the City of Guelph election website which lists candidates may include one link per candidate to a website which features election related campaign material.
- When a current member of Guelph City Council registers as a candidate all links to social media accounts and personal external websites will be removed from City of Guelph run or funded websites and domains.

Communications

- The City of Guelph logo, crest, coat of arms, flag, slogan, or other similarly branded corporate resources or property shall not be used by any candidate for any election related campaign materials, including printed literature, signage and websites.

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- In any material printed or distributed by the City of Guelph, candidates may not convey that they, or any other individual, are a candidate in an election.

Employees of the Corporation of the City of Guelph

The following applies to all City of Guelph employees.

- Employees may not engage in election related activities during their normal working hours or anytime they are receiving remuneration from the City of Guelph. This includes providing administrative support to candidates such as photocopying campaign literature or providing technical assistance.
- Employees may engage in election related activities as long as those activities are separate from their official positions and duties. Employees must ensure that their political activities do not create a perceived or actual conflict of interest in their day-to-day work.
- While engaging in election related activities, City of Guelph employees shall not wear any clothing, such as a uniform or badge, which identifies them as a City of Guelph employee.
- While engaging in election related activities, City of Guelph employees shall not use any vehicles, technology, or other resources that are owned or leased by the City of Guelph.