

**CORPORATION OF THE TOWN OF PETAWAWA**

**BY-LAW 1148/17**

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**BEING A BY-LAW TO ADOPT THE ELECTION-RELATED  
RESOURCES POLICY FOR THE 2018 MUNICIPAL ELECTION**

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**WHEREAS** Section 88.18 of the *Municipal Elections Act, 1996, S.O. 1996, c. 32*, as amended, states that before May 1 in the year of a regular election, municipalities and local boards shall establish rules and procedures with respect to the use of municipal or board resources, as the case may be, during the election campaign period;


**AND WHEREAS** Council wishes to adopt an election-related resources policy;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN  
OF PETAWAWA ENACTS AS FOLLOWS:**

1. That the Council of the Corporation of the Town of Petawawa adopts the Election-Related Resources Policy, attached hereto as Schedule "A" and forming part of this by-law, to meet the requirements of Section 88.18 of the *Municipal Elections Act, 1996, S.O. 1996, c. 32*, as amended.
2. That this by-law shall come into force and take effect following third reading.

By-law read a first and second time this 18<sup>th</sup> day of September, 2017.

By-law read a third time and passed this 18<sup>th</sup> day of September, 2017.

  
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Mayor

  
\_\_\_\_\_  
Clerk

**SCHEDULE "A" TO BY-LAW 1148/17**

**ELECTION-RELATED RESOURCES POLICY**



**2018 MUNICIPAL ELECTION**

This Policy is for use in the 2018 Municipal Election, and any associated by-elections, and provides direction to Members of Council and all Town Staff on the administration of Corporate resources and Council expense allowances with respect to election-related matters.

## **PURPOSE**

To provide direction to Members of Council and all Town Staff on the administration of Corporate resources and Council expense allowances with respect to election-related matters.

## **PRINCIPLE**

Public funds are not to be used for any election-related purposes, including the promotion of or opposition to the candidacy of a person for elected office. Corporate resources are included within the definition of public funds, and further includes Town of Petawawa equipment, facilities, website access, and email address.

The *Municipal Elections Act, 1996, S.O. 1996, c. 32*, as amended, states:

**Section 88.18** Before May 1 in the year of a regular election, municipalities and local boards shall establish rules and procedures with respect to the use of municipal or board resources, as the case may be, during the election campaign period. 2016, c. 15, s. 56.

## **POLICY**

### **1. Definition**

For the purpose of this policy “election-related purposes” refers to the occurrence of a municipal election or by-election. It also includes any participation in federal and provincial elections that is partisan in nature.

### **2. Campaign-Related Materials**

- (a) At no time shall Corporate resources and/or Council expense allowances be used to sponsor or produce any campaign-related materials. For the purposes of this clause, the phrase “campaign-related materials” means those materials that promote or oppose the candidacy of a person for elected office. Further, Corporate resources are not to be used for the transmission and/or receipt of election-related material. Subject to Clause 2 (b), this prohibition is not meant to restrict Council from routinely communicating with constituents via written correspondence or by email; however, Members of Council are responsible for ensuring that any communications or activities funded by the Town through each Councillor’s expense allowance is not related to an election.
- (b) In a municipal election year or in the event of a by-election, Corporate resources and Council expense allowances are not to be used to sponsor any advertisements, flyers or newsletters for the 60-day period prior to, and including, Voting Day. All communications must be delivered by the

beginning of this period. This prohibition also applies to the use of any Town equipment, facilities or websites if the access is Town-sponsored.

- (c) In a municipal election year should a Member of Council wish to make a donation and/or sponsorship from his/her Council expense allowance, all donations/sponsorships shall be made prior to filing nomination papers. Once nomination papers have been filed, no such donation/sponsorship shall be allowed to be made from the Council Member's expense allowance.
- (d) Notwithstanding Clause 2 (b):
  - (i) Where an emergency occurs, a non-emergency related community issue arises or where an annual community event is held during the 60-day period prior to, and including, Voting Day, a Member of Council may use Corporate resources to advise or contact their constituents with the approval of the Clerk or his/her designate;
  - (ii) The prohibitions set out in Clause 2 (b) are not applicable where the Town equipment, facilities or website access are available for such use by the public generally and the Member of Council is receiving no special preference with respect to its use; and
  - (iii) The prohibitions set out in Clause 2 (b) are not applicable to a Member of Council who is acclaimed, or who is retiring from office and therefore not a candidate in the election.

### **3. Expense Allowance Administration**

- (a) In a municipal election year, a pro-rated portion of the annual expense allowance for each Member of Council is to be reserved for the new term of Council. This means that up to 11/12 of the expense allowance can be spent by the incumbent Member and 1/12 is to be reserved for the next term. The Treasurer will monitor expenditures to assist each Member in ensuring that the expense allowance threshold is not exceeded.
- (b) In the event of a by-election, or an appointment for a position of Council, the annual expense allowance will be set aside on a pro-rated basis for the newly elected representative based on the start date of the new Member.

### **4. Staff Involvement in Elections**

In line with the Town's Employee Code of Ethical Conduct and Conflict of Interest Policy, Town Staff are expected to preserve the public trust and confidence in the Town and apply the core values of the Code to their daily work. With respect to Elections, employees are expected to promote the principles of transparency, impartiality, respect and accountability as follows:

- (a) Employees engaged in political activities must take care to separate those personal activities from their official positions. Employees may participate in political activity at the federal, provincial and municipal levels providing that such activity does not take place during work hours or utilize Town assets, resources, or property. Notices, posters or similar material in support of a particular candidate or political party are not to be displayed or distributed by employees on Town work sites or on Town property.
- (b) Employees seeking the nomination or candidacy of any elected provincial or federal political office must request, and obtain, an unpaid leave of absence from the time of declaration of intent until the cessation of the political candidacy. The employee shall abide by the respective legislation governing such elections.
- (c) Employees wishing to be a candidate for municipal office for a municipality which is also the employer, must request an unpaid leave of absence beginning the day the employee is nominated and ending on voting day. The employee shall abide by the respective legislation governing the election.
- (d) Employees wishing to be a candidate for municipal office for a municipality which is not the employer, may run for and serve in municipal elected offices provided no conflict of interest exists between the elected office and the employee's responsibility to the Town. Employees will also disclose in writing to the Chief Administrative Officer their intent to seek the role of elected official on a municipal government. The employee shall abide by the respective legislation governing the election.

## 5. **Enforcement**

Should any written complaint arise regarding the alleged use of Council expense allowances or other Corporate resources in contravention of this policy, the Clerk, or his/her designate, shall have the delegated authority to investigate it and resolve any issues. If a breach of this policy is confirmed, the Member will be required to personally repay any of the costs associated with the breach. If a Town employee breaches this policy, the employee will be disciplined in accordance with the Town's Human Resources Corporate Policies and Procedures.