



POLICY TITLE	Use of Municipal Resources During an Election Campaign Period		
CATEGORY	Governance		
POLICY NUMBER	A09 GOV 001 LS		
DEPARTMENT	Legislative Services		
POLICY AUTHOR	Town Clerk		
POLICY TYPE	Corporate Policy		
APPROVED BY	Council		
EFFECTIVE DATE	April 29, 2022	REVIEW DATE	April 1, 2026

POLICY STATEMENT

Pursuant to Section 88.18 of the [Municipal Elections Act, 1996](#) (the “Act”) and in order to ensure the proper conduct of an election, it is appropriate to establish guidelines regarding the use of municipal resources during a municipal election campaign period to ensure transparency, equity and fairness and to protect the interests of both Candidates and the municipal corporation.

The *Ontario Election Finances Act, 1990* and the *Canada Elections Act, 2000* include similar prohibitions with respect to provincial and federal election campaigns. Specifically, Section 29 of the *Ontario Election Finances Act, 1990* prohibits contributions from corporations, which includes municipal corporations. Section 363 of the *Canada Elections Act, 2000* similarly provides that only individuals may make campaign contributions.

POLICY PURPOSE

The purpose of this policy is to ensure that all registered Candidates, Third Party Advertisers, Elected Officials, Boards and Committees, and Staff to the provisions of the Act in regard to the use of Municipal Resources during an election campaign period.

LEGISLATIVE AUTHORITY

- [Ontario Election Finances Act, 1990](#)
- [Municipal Elections Act, 1996](#)
- [Canada Elections Act, 2000](#)



POLICY SCOPE & EXEMPTIONS

The policy applies to:

- All Candidates for a municipal election or by-election
- Where applicable, all Candidates for a provincial or federal election or by-election
- All Elected Officials of the Town of Lincoln including those not seeking re-election
- All staff employees
- Members of local boards and advisory committees, and
- Registered Third Parties

Nothing in this policy shall serve to restrict the Clerk from utilizing municipal resources for the proper conduct of an election in accordance with the requirements of the Act.

Nothing in this policy shall serve to preclude a Member of Council from performing their duties as a Member of Council, nor inhibit them from representing the interests of the constituents who elected them.

POLICY ADMINISTRATION

1. Roles and Responsibilities

The Town Clerk is authorized and directed to take the necessary action to give effect to this policy.

The Town 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 Clerk, the amendments are minor in nature and do not change the intent of the policy.

2. Activities

In accordance with the provisions of the *Municipal Elections Act, 1996*:

- a) Municipal Resources shall not be used for Campaign-related purposes;
- b) Candidates shall not use any municipal facilities, equipment, supplies, services, staff or other resources of the municipality (including municipal letterhead, municipal business cards, municipal email accounts, municipal computers, municipal budgets and any other municipal resource) for any election campaign or campaign-related activities;



- c) No Candidate shall undertake campaign-related activities on any municipal property; and
- d) No Candidate shall use the services of persons during hours in which those persons receive any compensation from the municipality.
- e) Campaign-related signs or any other Campaign-related material, including vehicles which may identify a Candidate, shall not be displayed at any municipal facilities;
- f) Candidates shall not campaign and/or distribute Campaign literature during any function being hosted by the municipality whether the function is being undertaken on municipal property or not;
- g) Candidates shall not use municipal funds to print or distribute any material that reference, contain the names or photographs of, or identify registered Candidates;
- h) Candidates are responsible to ensure that the content of any communications material, including printed material such as newsletters, advertising, etc. that may be funded by the municipality is not directly Campaign-related.
- i) Websites, domain names, and social media handles that are funded by the municipality may not include any Campaign-related material subject to:
 - i. Candidates are permitted to link to any Town document available to the public or on a public Town webpage from their own Campaign website;
 - ii. Candidates are not permitted to incorporate any video or other material (e.g., photo(s)) for which the Town has proprietary rights on their own web page or social media account;
 - iii. Candidates are not permitted to use social media handles (e.g., @TownofLincolnON) or “tag” Town of Lincoln in any Campaign-related social media posts;
 - iv. Candidates shall not use the Town’s I.T. resources, including the Town’s email system or any individual websites linked through the Town’s website and social media accounts used for Town communication, for any Campaign and/or Campaign-related activities;
 - v. If a Candidate uses any website or social media account for campaigning, such websites or accounts must not be created or supported by Municipal Resources (e.g., Candidates must utilize



personal cell phones, tablets and/or computers to support such accounts);

- vi. Sitting members of Council who choose to create or use social media accounts for campaigning must include, for the duration of the Election Period, a clear statement on each Campaign website or social media account's home page indicating that the account is being used for Campaign purposes and is not related to their duties as a Member of Council; and
- vii. The online list of Candidates shall be the only area of the Town of Lincoln's website where links to external Campaign websites will be permitted during the Election Period.
- j) Candidates may not under any circumstance use a Town logo or any variation of it on any Campaign material, election signs, social media or Campaign websites.
- k) Candidates may not use the municipality's voicemail system and/or cell phones to record or broadcast Campaign-related messages.
- l) Staff engaged in political activities must take care to separate those personal activities from their official positions. Staff may participate in political activity at the federal, provincial and municipal levels providing that such activity does not take place during work hours or use corporate assets, resources, or property.
 - i. Staff shall not produce, display or distribute notices, posters or similar material in support of a Candidate at any Municipal Facilities or using any corporate resources;
 - ii. Staff shall not canvass or actively work in support of a municipal, provincial or federal Candidate or party during normal working hours unless they are on a leave of absence without pay, lieu time, float day, or vacation leave;
 - iii. Staff shall not canvass or actively work in support of a municipal Candidate or political party while wearing a uniform, badge, logo or any other item identifying them as an employee of The Corporation, or using a vehicle owned or leased by the municipality.

3. Election Signs

Placement of election signs for municipal, provincial and federal elections must be in accordance with the Town's Election Sign By-law (2022-28).



POLICY COMMUNICATION

This policy will be included in the Candidate Information Package and posted on the Town's website.

DEFINITIONS

In this policy:

“Act” means the *Municipal Elections Act, 1996*, as amended from time to time, and includes any regulation made thereunder.

“Campaign” means any work, effort, activity, or thing intending to influence persons to vote for or against any Candidate or any question or by-law submitted to the electors in an election.

“Campaign Period” begins on the date a Candidate files their nomination and continues through to and including Voting Day.

“Candidate” means a person who has filed a nomination to run in a municipal, provincial or federal election, including acclaimed candidates, and shall be deemed to include Third Party Advertisers and any person seeking to influence other persons to vote for or against any candidate or any question or by-law submitted to the electors.

“Clerk” means the Town Clerk of the Town and/or their designate.

“Election Period” means the period commencing on Monday, May 1 in the year of a municipal election and continues through to and including Voting Day.

“Municipal Facilities” means any real property owned or under the control of the Town of Lincoln.

“Municipal Resources” includes but is not limited to Town of Lincoln Staff, events, funds, information, resources, and assets (including municipal letterhead, municipal business cards, municipal email accounts, municipal computers, municipal budgets).

“Municipal/Public Property” means land owned by the Town, the Corporation of the Regional Municipality of Niagara, the Province of Ontario, and includes any Boulevard or Road.

“Staff” includes full-time, part-time, contract employees, and students paid by or employed by the Town of Lincoln.

“Third Party Advertisers” means an individual who has registered as a Third Party Advertiser with the Town of Lincoln and has met the following eligibility:

- a resident in Ontario; or



- a corporation carrying business in Ontario; or
- a trade union that holds bargaining rights for employees in Ontario.

“Town” means The Corporation of the Town of Lincoln.

“Voting Day” is the day on which the final vote is to be taken in an election.

RELATED PROCUDURES

There are no related procedures.

REVISION HISTORY

- APR 29 2022 – Policy revised by Town Clerk and provided a new policy number
- DEC 20 2017 – Approved – New Policy (CS-2017-01)