



**THE CORPORATION OF THE
TOWN OF COBALT**

BY-LAW NO. 2022 - 11

**Being a By-Law to establish a Use of Corporation Resources during an Election Policy
for the Town of Cobalt**

WHEREAS Subsection 88.18 of the Municipal Elections Act, 1996, S.O. 1996, c.32, as amended, states “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 the Council of the Corporation of the Town of Cobalt deems it expedient to adopt the aforementioned policy;

NOW THEREFORE the Council of the Corporation of the Town of Cobalt hereby enacts as follows:

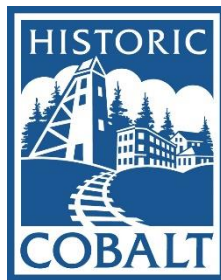
1. The Council adopts a “Corporate Resources during an Election Policy” for the Town of Cobalt, identified as Schedule “A”, attached hereto and forming part of this By-Law;
2. That By-Law 2018-28, as amended, being a By-Law to provide for an Use of Corporate Resources during an Election Policy for the Town of Cobalt is hereby repealed;
3. That the Clerk of the Town of Cobalt is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-Law and Schedule as may be deemed necessary after the passage of this By-Law, where such modifications or corrections do not alter the intent of the By-Law.
4. That this By-Law shall come into force and take effect on the date of its final passing.

Read a first, second and third time and finally passed this 15th day of March 2022.

Mayor

Town Manager

**Schedule “A”
To By-Law 2022 - 11**



**Use of Corporate Resources
During an Election Policy**

In accordance with
Municipal Elections Act, 1996

**PART 1
POLICY STATEMENT**

In compliance with Section 88.18 of the Municipal Elections Act, 1996, S.O. 1996, Chapter 32, as amended (hereinafter the Act), before May 1 in the year of a regulation election, municipalities and local boards shall establish rules and procedures with respect to the use of municipal or board resources, during the election campaign period.

**PART 2
PURPOSE**

The purpose of this policy is:

- a) to establish guidelines for Municipal Candidates, Members of Council and Municipal Employees on the appropriate use of corporate resources during a municipal election campaign period to protect the interest of both the Members of Council and the Town of Cobalt; and
- b) to ensure transparent, accountable and equitable practices during municipal elections.

**PART 3
SCOPE**

This policy is applicable to all Municipal Candidates, Members of Council and Municipal Employees. This policy shall be in effect during all municipal election campaign periods, including by-elections.

**PART 4
DEFINITIONS**

For the purpose of this policy.

- a) "The Act" means the Municipal Elections Act, 1996, S.O. 1996, Chapter 32, as amended and includes any regulations made under;
- b) "Campaign Related Materials" means those materials that promote or oppose the candidacy of a person for elected office;
- c) "Candidate" means a person who is running for office in a Town of Cobalt municipal election, nominated under Section 33 of the Act;
- d) "Corporate Resources" means The Corporation of the Town of Cobalt employees, events, services, facilities, supplies, funds, information and assets;
- e) "Election Campaign Period" begins the date a Candidate files their nomination through to Voting Day in a municipal election year;
- f) "Municipal Employees" includes full-time, part-time, and contract employees, paid by the Corporation of the Town of Cobalt;
- g) "Town" means the Corporation of the Town of Cobalt.

PART 5 POLICY APPLICATIONS

Technical Related Resources

Candidates, Members of Council or Municipal Employees shall not use the following Town's corporate resources as applicable, for the creation of campaign related material, recording of election campaign-related messages or to link to web site that features campaign related material:

- a) Computer;
- b) Cell phones;
- c) Tablets;
- d) Printers;
- e) Scanners;
- f) Photocopiers;
- g) Electronic or other signage that can be used to display messages;
- h) Email or social media accounts;
- i) Web site or domain names;
- j) Telephone system including the voice mail system; or
- k) Any other technology resources.

Town Facilities/Properties

Candidates, Members of Council or Municipal Employees shall not:

- a) Campaign and/or distribute campaign related materials during any function being hosted by the Town, whether on municipal property or not; or
- b) Use/rent a municipal facility/property for any election-related purpose.

Communications

Candidates, Members of Council or Municipal Employees shall not:

- a) Print or distribute, through electronic or non-electronic means, any election campaign related material using corporate resources;
- b) Print or distribute the Town logo on any election campaign related materials, except in the case of a link to the Town's website to obtain information about the municipal election;
- c) Use photographs produced for and/or owned by the Town for any election campaign related purpose; or
- d) Take personal photos outside of Town facilities or on Town property for any campaign related purpose.

Town Corporate Resources

- a) The Town is prohibited from making contribution in any form, using corporate resources, towards, the promotion of or opposition to the candidacy of a person for elected office.
- b) Municipal employees shall not actively work in support of a candidate's municipal election campaign during work hours.

**PART 6
LIMITATIONS**

Nothing in this policy shall preclude any Member of Council from performing their duties as a Member of Council, nor inhibit them from representing the interest of their constituents.

**PART 7
ADMINISTRATION OF POLICY**

Individuals who have questions about this policy are encouraged to contact the Town Clerk. Should a written complaint be received alleging contravention of this policy, the Town Clerk, or their designate, shall have the delegated authority to investigate it. If a breach of this policy is confirmed, the person may be required to personally repay any of the costs associated with the breach and/or issue a public letter of apology to Council.

**PART 8
REVIEW PERIOD**

This policy shall be reviews once during the fourth year of the term of Council.