

**THE CORPORATION OF THE TOWNSHIP OF
NORTH KAWARTHA
BY-LAW #45/06**

**BEING A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF NORTH
KAWARTHA TO ADOPT A POLICY FOR USE OF CORPORATE RESOURCES FOR
ELECTION PURPOSES.**

WHEREAS under the Municipal Elections Act, 1996 S.O. 1996 c. 32, Section 70 (4) a municipality is prohibited from making a contribution to a candidate;

AND WHEREAS the Council of the Corporation of the Township of North Kawartha deems it necessary to adopt a policy for Use of Corporate Resources for Election Purposes;

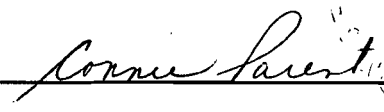
NOW THEREFORE the Council of the Corporation of the Township of North Kawartha hereby enacts the said policy attached hereto as Schedule "A" and forming part of this by-law.

In the event that section or sections of this by-law thereof are found by a Court of competent jurisdiction to be invalid or ultra vires, such section, sections or parts thereof shall be deemed to be severable, with all other sections or parts of this by-law remaining in the full force and effect.

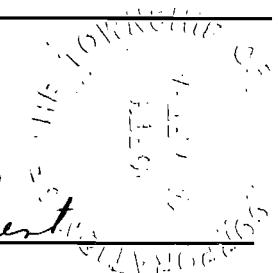
**READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL
THIS 18TH DAY OF APRIL, 2006.**



Jim Whelan, Reeve



Connie Parent, Clerk



SCHEDULE "A"

TOWNSHIP OF NORTH KAWARTHA POLICY

USE OF CORPORATE RESOURCES FOR ELECTION PURPOSES

General Policy Statement:

The purpose of this policy is to clarify that members of council are required to follow the provisions of the Municipal Elections Act, 1996 and that:

- No member shall use the facilities, equipment (including computer hardware and software), supplies, services, staff, staff offices or other resources of the Municipality (including Councillor newsletters and Councillor budgets) for any election campaign or campaign related activities.
- No member shall undertake campaign-related activities on municipal property, with the exception of participation in campaign related events made available to all Candidates that may be held in Municipal Community Centres (ie. All Candidates Meeting).
- No member shall use the services of persons during hours in which those persons receive any compensation from the Municipality.

Application: This policy is applicable to all Members of Municipal Council.

Specific Policy:

- (1) That, in accordance with the provisions of the Municipal Elections Act, 1996:
 - (a) Corporate resources and funding shall not be used for any election-related purposes;
 - (b) No member shall utilize municipal staff for election purposes or to canvass or actively work in support of a municipal candidate or party during normal working hours unless they are on a leave of absence without pay, lieu time, float day, or vacation leave;
 - (c) Members of Council shall not use the Council Office, or any municipally-provided facilities for any election-related purposes, which includes displaying of any campaign related signs in the window or on the premises, as well as displaying any election-related material in the office;
 - (d) No member shall display campaign related signs or materials in their motor vehicle while it is parked on municipal property;
 - (e) The budgets for Members of Council for the period January 1 to Election Day in a municipal election year be restricted to 11/12ths of the approved annual budget amount with the provision that subsequent to election day:
 - i. New Members of Council be allocated a budget equal to 1/12th of the approved budget amount for the month of December; and
 - ii. Re-elected Members of Council have available to them the balance of funds remaining as of Election Day;
 - (f) The following shall be discontinued for Members of Council from the day prior to Nomination Day in a municipal election year to Election Day except as required to perform their regular duties as a Member of Council:
 - i. all forms of notices, advertisements and communications to ratepayers in municipal publications;

- ii. all printing, photocopying and distribution, including printing and general distribution of newsletters;
- iii. the ordering of office furniture and furnishings, except those of an emergency nature, as well as no movement of furniture and furnishings; and
- iv. the ordering of stationery (including letterhead, business cards, name tags etc..);

(g) Members of Council shall not:

- i. print or distribute any material paid by Municipal funds that illustrates that a Member of Council or any other individual is registered in any election or where they will be running for office;
- ii. profile (name or photograph), or make reference to, in any material paid by municipal funds, any individual who is registered as a candidate in any election;
- iii. print or distribute any material using municipal funds that makes reference to, or contains the names or photographs, or identifies registered candidates for municipal elections; and that minutes of Municipal Council and Committee meetings be exempt from this policy.

(h) Members of Council are responsible to ensure that the content of any communications material, including printed material such as newsletters, advertising, etc. funded by the municipality for the operation of the Municipality is not directly election-related;

(i) Web sites or domain names that are funded by the Municipality shall not include any election-related campaign material but may include contact information for each candidate (ie. address, phone number, email address etc...);

(j) Members of Council shall not use the Municipality's voice mail system to record election related messages and shall not utilize the Municipality's email address for election related messages;

(k) The above recommendations also apply to an acclaimed Member or a Member not seeking re-election; and

(2) That the Municipal Clerk be authorized and directed to take the necessary action to give effect to this policy.

Limitation:

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

Implementation:

This policy shall become effective immediately upon approval by Municipal Council.

Policy Justification:

It is necessary to establish a policy on the appropriate use of corporate resources during an election period to protect the interests of both the Members of Council and the Corporation. The Municipal Elections Act, 1996 prohibits a municipality from making a contribution to a candidate. The Act also prohibits a candidate, or someone acting on the

candidate's behalf, from accepting a contribution from a person who is not entitled to make a contribution.

As a contribution may take the form of money, goods or services, any use by a Member of Council of the Corporation's resources for his or her election campaign would be viewed as a contribution by the municipality to the Member, which is a violation of the Act.