

THE CORPORATION OF THE TOWN OF SMITHS FALLS

BY-LAW NO. 8999-2017

*BY-LAW TO ADOPT AN ELECTION RELATED RESOURCES POLICY
FOR THE
TOWN OF SMITHS FALLS*

WHEREAS Section 8 of the Municipal Act, SO 2001, as amended provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 9 of the Municipal Act, SO 2001, as amended provides that Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS the Municipal Elections Act, 1996 provides that public funds are not to be used for any election campaign purpose, including the promotion of or opposition to the candidacy of a person for elected office.

AND WHEREAS this policy provides direction to Members of Council and all staff on the administration of corporate resources with respect to election campaign matters.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Smiths Falls enacts as follows:

1. THAT the Election-Related Resource Policy attached as "Schedule A" forming part of this by-law is hereby adopted.
2. THAT this by-law shall take effect on the date of its passing.

Read a first and second time this 18th day of December, 2017

Read a third time and passed this 18th day of December, 2017



Mayor



Clerk



SMITHS FALLS

RISE AT THE FALLS

POLICY AND PROCEDURE

Subject: Election-Related Resource Policy

Date of Adoption: December 18, 2017

Purpose:

To provide direction to Members of Council and all staff on the administration of corporate resources with respect to election campaign matters.

Principle:

In compliance with the Municipal Elections Act, 1996, public funds are not to be used for any election campaign purposes, including the promotion of or opposition to the candidacy of a person for elected office.

Policy Elements:

1. Definition

For the purpose of this policy, "election campaign purposes" refer to the occurrence of a municipal election or by-election.

2. Campaign-Related Materials

At no time shall corporate resources 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. Subject to Clause 3, this prohibition is not meant to restrict Members from routinely communicating with residents. However, Members of Council are responsible for ensuring that any communications or activities funded by the Town are not related to an election.

3. Equipment

The provision of computers, cell phones, internet and telephone access to all or some Members of Council will continue during the period following Nomination Day. This is to allow Members of Council to continue serving residents in their capacity as the sitting/current Council with a term ending on November 30.

4. Enforcement

Should any written complaint arise regarding the alleged use of corporate resources in contravention of this policy, the Chief Administrative Officer, or designate, shall have the delegated authority to investigate it and resolve any issues. If a breach of this policy is confirmed the Member of Council will be required to personally repay any of the costs associated with the breach.