



Municipality of Port Hope

Staff Report

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Report Title: Use of Corporate Resources for Elections Purposes

Report to: Corporate Services Committee

Date of meeting: March 15, 2022

Report Author:

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Department responsible:

Corporate Services

Report Number: CS-03-22

Recommendation:

1. That a resolution be presented to Council to adopt the proposed Use of Corporate Resources for Election Purposes Policy; and further
2. That a by-law be presented to Council to repeal By-law 09/2010.

Highlights:

- The purpose of this report is to present a policy for Council approval regarding the use of corporate resources for election purposes.
- Adoption of this policy will help to ensure that the Municipality of Port Hope upholds the provisions of all applicable legislation as it relates to candidate contributions and the use of Municipal resources by any person who has filed and not withdrawn a nomination in a municipal, provincial or federal election or by-election.

Background:

Section 88.18 of the Municipal Elections Act requires that before May 1st in the year of a regular election, municipalities shall establish rules and procedures with respect to the use of municipal resources during the election campaign period. As such, staff are bringing forward a policy for Council approval which identifies parameters for the proper use of Municipal resources during an election for which a candidate has filed a nomination.

The proposed policy, if adopted, would replace the previous Use of Corporate Resources Policy (By-law 09/2010). The current policy was last updated in 2010 and does not account for advances with respect to use of technology, social media and meeting platforms. The previous policy also does not speak to the use of Integrity Commissioner services, which are considered a corporate resource.

Discussion:

Staff have reviewed the current policy and are recommending that it be repealed and replaced with a policy that includes the use of electronic and social media platforms and is in line with updated legislation and best practices. Definitions, responsibilities, and scope of contributions have also been updated as part of this review to provide a consistent approach regarding the use of corporate resources during the election campaign period in accordance with applicable legislation.

The draft policy broadly defines corporate resources, and then provides additional specifics for three categories of corporate resources including technology, communications, and Municipal facilities. This ensures that any items, services, or resources which are considered as property of the Municipality of Port Hope are not being utilized in connection with or providing and unintended contribution to a candidate's campaign.

The draft policy further identifies that advice by the Municipality's Integrity Commissioner to Members of Council is considered a corporate resource. While Members nominated as candidates in a municipal election may request advice from the Integrity Commissioner during an election period, the request may not be for any campaign related advice as this would constitute a contribution by the Municipality to the candidate.

The policy further outlines staff responsibilities with respect to using corporate resources for the purpose of benefiting a candidate or a campaign.

Financial Considerations:

There are no noted financial considerations for this report.

Communication and Public Engagement:

In addition to the information and forms provided in candidate information packages, all nominated candidates shall receive a copy of the approved Use of Corporate Resources for Election Purposes Policy. The policy will also be posted on the Municipality's election webpages.

Conclusion:

The draft Use of Corporate Resources for Election Purposes Policy is being recommended for Council approval to ensure compliance with the provisions set out in the Municipal Elections Act and to establish a set of standards to be adhered to by the Municipality and all candidates during an election period.

Attachments:

Attachment #1 – Draft Use of Corporate Resources for Election Purposes Policy