

Committee of the Whole (2) Report

DATE: Tuesday, November 12, 2019

WARD(S): ALL

**TITLE: USE OF CORPORATE RESOURCES FOR ELECTION
PURPOSES POLICY**

FROM:

Wendy Law, Deputy City Manager, Administrative Services and City Solicitor

ACTION: DECISION

Purpose

To seek approval for a new consolidated policy governing the limitations on the use of municipality's resources for election purposes as required by the *Municipal Elections Act, 1996*.

Report Highlights

- This policy was prepared with feedback from candidates, staff, election officials and best practices from the policies of over 20 Ontario municipalities.
- Relevant provisions from existing City policies are consolidated and clarified into a single reference for future elections.
- Framework will allow candidates to pay for permits to book community centres and parks for campaign activities, while respecting the public's right to uninterrupted use of those public facilities.

Recommendations

1. That the Use of Corporate Resources for Election Purposes Policy (Attachment 1) be approved.
2. That the Permitting of City Facilities by Members of Council and Registered Candidates Policy CL-008 be repealed.
3. That Section 10 of the Council Member Expense Policy CL-012 be repealed.

Background

Section 88.18 of the *Municipal Elections Act, 1996* requires municipalities to establish rules and procedures with respect to the use of municipal resources during the election campaign period. Further, the *Ontario Election Finances Act* and *Canada Elections Act* further imposes limitations on municipalities as it pertains to support or contributions to political parties, associations and candidates.

The City of Vaughan's current policy framework governing the use of corporate resources for election purposes is fragmented and inconsistent, creating issues in the implementation and enforcement of a coherent policy. The attached policy seeks to prepare one singular policy, which is now the standard amongst Ontario municipalities, allowing for clarity in a comprehensive policy framework.

Previous Reports/Authority

N/A.

Analysis and Options

The proposed Use of Corporate Resources for Election Purposes Policy sets out the restrictions for candidates as it pertains to engaging with City of Vaughan employees, facilities, media and communications, technology and other assets. The new policy balances the need to prevent candidates and current elected municipal officials from using corporate resources in support of an election campaign, while also allowing all candidates a degree of access to City facilities and properties in order to engage with the public and conduct their campaign.

The new policy recognizes that City owned, or operated properties are community hubs and offer a central location for candidates to connect with voters and promote themselves, often in areas where no suitable private facility is available for the same purpose. The policy imposes reasonable limitations and requires candidates to secure the appropriate permits and pay the appropriate fees as with any other user of a City of Vaughan facility or property.

Incumbent members are also subject to reasonable restrictions during campaign periods to ensure that they can continue to fulfill their responsibilities as elected officials while maintaining a fair and balanced environment for new candidates to campaign. The new policy clarifies acceptable uses of facilities for organized political parties and incumbent elected officials at all levels of government, removing any lack of clarity in the existing policy framework for political discourse and public representation.

Adoption of the proposed policy will also require the repeal of the Permitting of City Facilities by Members of Council and Registered Candidates Policy CL-008 and Section 10 of the Council Member Expense Policy CL-012 which are superseded by new provisions contained in the Use of Corporate Resources For Election Purposes Policy addressing matters such as permitting and use of city facilities and use of public funds by Members of Council during an election.

Financial Impact

There is no financial impact associated with the adoption of this policy.

Broader Regional Impacts/Considerations

This policy also imposes limitations for candidates for provincial and federal office campaigning or conducting political activities in the City of Vaughan.

Conclusion

The proposed Use of Corporate Resources for Election Purposes Policy consolidates existing policy direction while updating the policy framework for clarity and consistency. The new policy was prepared using best practices from over 20 Ontario municipalities, feedback from candidates, city staff and election officials. The policy framework proposed for Council's consideration will provide clearer language, greater opportunity for candidates to engage voters, and respect the need for the Corporation to remain neutral and non-biased during an election.

For more information, please contact: Evan Read, Manager, Elections and Special Projects, Extension 8241

Attachments

1. 03.C.03 Use of Corporate Resources for Election Purposes Policy, Office of the City Clerk, November 12, 2019

Prepared by

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Todd Coles, City Clerk and Returning Officer, Extension 8281