



Corporation of the Town of Cobourg

Division: Legislative Services

Effective Date: April 30, 2025

Department: Clerk's

Approval Level: Council

Policy Title: Use of Corporate Resources
Policy for Election Purposes

Section # 2-5
Policy # LEG-ADM23
New Policy #: LS-031

1.0 Purpose

1.1 This Policy is a requirement of the Town of Cobourg in ensuring accountable and transparent election practices relating to the use of corporate resources in accordance with the *Municipal Elections Act, 1996*, (MEA) as amended. Adhering to the following main principles:

1. Elections must be fair, unbiased, and accessible to all voters; and
2. Voters and Candidates should be treated fairly and consistently.

1.2 The purpose of this Policy is to meet the Town's responsibilities in establishing guidelines on the appropriate use of corporate resources during an election period to protect the interest of the current and future members of Council, staff, and the Corporation of the Town of Cobourg.

2.0 Definitions

2.1 "Act" means the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, as amended.

2.2 "Campaign Period" means:

- For a municipal or school board election; the Election Period commences on the first day prescribed for the filing of nominations in accordance with the MEA and ends on voting day.
- A provincial or federal election; the Election Period commences the day the writ for the election is issued and ends on voting day.
- A question on the ballot; the period commences the day Council passes a by-law to put a question to the electorate and ends on voting day.
- A by-election; the period commences when the by-election is called and ends on voting day.
- For Registered Third Parties the date on which the Notice of Registration as a third party advertiser is permitted to be filed and ends on voting day.



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- 2.3** “**Candidate**” means any person who has filed, and not withdrawn a nomination, for an elected office at the municipal, regional, school board, provincial and federal level or political party in an Election or by-election. Where referred to herein, the term Candidate can also be substituted to read political party, constituency association, Registered Third Party, or a person or group supporting or opposing a question on a ballot.
- 2.4** “**Corporate Resources**” means items that a person would have access to only by virtue of their elected Office or employment with the Town of Cobourg. These items include the use of an Office title (such as “Mayor”, “Deputy Mayor”, or “Councillor”); Town Employees; Town events; Town property, goods, and/or services owned, controlled, leased, acquired or operated by the Town including but not limited to: facilities, parks, materials, equipment, monetary funds, technology, Town IT system and resources, data bases, social media, intellectual property and suppliers.
- 2.5** “**Member**” means an elected Member of the Council of the Town of Cobourg, which includes a Member not seeking re-election.
- 2.6** “**Registered Third Party**” means an individual, corporation, or trade union that is registered under section 88.6 of the Act or “Third Party” under the *Election Finances Act*, R.S.O. 1990, c. E.7 and the *Canada Elections Act* (S.C. 2000, c. 9).
- 2.7** “**Staff**” shall mean all full-time, part-time and contract persons hired by the Town.

3.0 Policy

3.1 Responsibilities

- (1) It is the responsibility of Candidates to adhere to the guidelines and parameters established by this policy.
- (2) It is the responsibility of the Clerk to administer this policy and provide for any related procedures as deemed necessary or desirable for conducting an election.
- (3) It is the responsibility of Staff to ensure that Corporate Resources are not used for Campaigning.



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3.2 General Provisions

- (1) The Act states that municipalities cannot make a contribution (including money, goods and services) to a candidate. The *Election Finances Act* and the *Canada Elections Act* impose similar restrictions for provincial and federal election campaigns.
- (2) The Act also prohibits a candidate, or someone acting on the candidate's behalf, from accepting a contribution from a person or entity who is not entitled to make a contribution. As a contribution may take the form of money, goods and services, any use of the Corporation's resources for an election campaign could be viewed as a contribution by the Town, which is a violation of the Act.
- (3) Corporate Resources shall not be used by a Candidate for Campaigning during the Election Period.

3.3 Corporate Resources – Technology

- (1) Members are provided access to corporate information technology (I.T) assets to fulfill their duties and responsibilities as an elected official but may not use those assets for Campaigning or the development of Campaign Materials.
- (2) Websites, domain names and electronic meeting platforms that are funded by the Town of Cobourg may not be used for Campaigning.
- (3) Candidates may provide a link to the Town's official election website or webpages in their Campaign Materials in order for electors to access additional information about the election and voting process, provided the information is not modified in any way. The Town's official election website or webpages will provide Candidate contact information, which may include a link to a Candidate's website and social media platforms.
- (4) The biographies for Members will be removed from the website on Nomination Day. The pictures and contact information will remain on the website. No changes to the contents of the information on the website will be allowed as of May 1st in an election year.

3.4 Social Media



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- (1) Members shall not convert a constituency website and/or social media account to an election Campaign website/account if all or a portion of the costs associated with the creating or maintaining of the site were paid by the Town at any point in time.
- (2) Members who choose to create or use social media accounts for campaigning must include, for the duration of the election period, a clear statement on each campaign website or social media account's home page (or profile) indicating that the account is being used for election campaign purposes and is not related to their duties as a Member.

3.5 Corporate Resources – Communications

- (1) Websites or domain names that are funded by the Town shall not include any Election-Related Campaign Material.
- (2) Material created by the Town shall not be used in any Election-Related Campaign Materials, unless it is in the public domain published by the Town, and is used to promote a Town event, service, program, or initiative. No Candidate shall use such material or accompanying text or description of the material for campaign purposes.
- (3) The Town's crest, logo, brand, coat of arms, slogan, or official colours may not be used in Election-Related Campaign Materials (printed or online), excluding materials referred to in subsection 3.4 (3).
- (4) Town funded newsletters are not permitted after Nomination Day in an election year.
- (5) Members may not use Council portraits and/or photographs funded by the Town, either as a corporate or Member expense, in Campaign Materials.
- (6) Distribution lists or contact lists developed using Corporate Resources and in the custody and control of the Town shall not be used for election purposes.

3.6 Corporate Resources – Municipal Facilities

- (1) Any Candidate may attend any public Committee, Advisory Committee, Council meeting or Town-hosted or funded events; however, they shall not use this forum to speak on or address any matter relating to their Campaign.



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- (2) Candidates may pay the full market rental fees and rates for use of Town Facilities, with the exception of Victora Hall (55 King Street West), in accordance with Town rental policies and procedures and the appropriate rental rates shall be paid from the Candidate's campaign account. Candidates shall set up and remove all Campaign Materials; including, but not limited to: signs, posters, and other campaign-related paraphernalia within the allotted rental period.
- (3) Campaigning and Campaign Material is not permitted in any Municipal facilities, on Municipal land, or at Municipal operated events, including electronic meetings while working remotely, unless rented in accordance with the Town of Cobourg rental policies and procedures, in accordance with the provisions provided for in subsection 3.7 (2).
- (4) Campaigning on public sidewalks and highways is permitted, provided that such Campaigning is in compliance with Municipal by-laws.
- (5) A vehicle or trailer displaying Campaign Material, whether the Campaign Material is displayed on the outside or inside of the vehicle or trailer, shall be prohibited during the Election Period from parking in a Town owned or operated parking lot, and shall not be prohibited from parking on Municipal highways provided the vehicle is parked in accordance with the Town's Parking By-law. That being said, campaign vehicles or vehicles displaying campaign information may be parked in a municipal parking lot if it is for the purpose of a normal operation or visit to a municipal facility. However, they may not be parked there for an extended period of time or outside of normal operating hours.
- (6) A vehicle or trailer displaying Campaign Material, whether the Campaign Material is displayed on the outside or inside of the vehicle or trailer, shall be prohibited from parking on Municipal property or a Highway within 150 meters of a polling location for the dates such locations are open for voting from two hours before the polling location opens for voting until two hours after the polling location is closed for voting.

3.7 Corporate Resources – Staff

- (1) Municipal Staff are prohibited from using Corporate Resources for the benefit of a Candidate or Campaign.
- (2) While not prohibited, it is recommended that Employees remain neutral and not show support for any municipal Candidate.
- (3) Employees are advised to be especially mindful of public perception during



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municipal Elections. Employees are strongly discouraged from actively working in support of a municipal Candidate. This recommendation includes, but is not limited to: lieu time, float day, vacation leave, after work hours and weekends; as well as Employees who are on a leave of absence or other long-term absence from employment with or without pay.

3.8 Corporate Resources – Integrity Commissioner

- (1) The Town's appointed Integrity Commissioner is considered to be a Corporate Resource under contract with the Town and may receive, from time to time, compensation from the Town in accordance with services provided.
- (2) In accordance with applicable legislation, Members of Council shall not use the services of the Town's Integrity Commissioner during the Election Period for the purposes of seeking advice related to their Campaign.

3.9 Enforcement

- (1) Any complaints arising regarding the alleged use of Members' budgets or other Corporate Resources in contravention of this Policy must be made in writing and include the complainant's full name and address.
- (2) The Municipal Clerk, or their designate, shall have the delegated authority to investigate complaints and resolve any issues.

4.0 Scope

- 4.1 This policy shall apply to Candidates, Members, and Staff.

5.0 Administration

- 5.1 The Chief Administrative Officer shall designate the Municipal Clerk to implement and administer the terms of this policy and shall establish related operating procedures as required.

6.0 Cross Reference

Policy # (related policies)

Procedure # (related procedures)



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Report No.	Revision Purpose	Approval Signature	Approval Date
LS-2025-013	Clarify expectations of staff		April 30, 2025