Recommendation


Executive Summary

Under the Municipal Elections Act, 1996, the use of municipal resources for election related activity is strictly prohibited. The Elections Protocol Policy will provide guidance to Council members on election related items such as use of municipal resources, seat vacancy requirements etc. while ensuring that Council members still have the necessary resources available to them to perform their duties.

Background and Discussion

While Grey County does not operate municipal elections, it would be prudent for Grey County to have an election protocol in place to provide guidance to members of County Council on the use of municipal resources during an election campaign as well as requirements of a member should they choose to run for provincial or federal election in the riding.

The policy also provides general guidance related to use of County marketing and promotion services, use of email, social media and attendance at events during an election campaign. It is the intent that the policy strikes a balance between ensuring that council members have the resources to perform their duties as a member of Grey County Council while establishing guidelines to ensure that, during an election campaign, members do not receive any benefits by
virtue of their office.

**Legal and Legislated Requirements**

This policy will provide guidance in relation to the Municipal Elections Act, 1996 in the use of municipal resources during an election as well as the Canada Elections Act pertaining to elected officials running for other levels of government.

**Financial and Resource Implications**

There are no financial or resource implications related to this policy.

**Relevant Consultation**

- Internal CAO Kim Wingrove
- External

**Appendices and Attachments**

*Election Protocol Policy (attached)*
Corporate Policy

Election Protocols for Members of County Council Policy

Approved by:  
Last Revision Date:  January 2018  
Scheduled for Review by:  2022  
Policy Number:  G-GEN-012  
Section:  Governance

Policy Statement

This policy will provide guidelines related to election protocols for Members of County Council.

Purpose

The purpose of this guideline is to clarify provisions outlined in the Municipal Elections Act, the Elections Act and the Canada Elections Act pertaining to elected officials running as candidates for other levels of government (Provincial, Federal or Municipal re-election). This outline provides background on the following topics:

- When an elected official (County Councillor, Warden) will resign from the County of Grey as a result of an election
- Use of Grey County corporate resources during a campaign
- Use of Grey County marketing/promotions and services/channels during a campaign

Scope

Candidates Running for Provincial or Federal Seat

Elected officials are not required to immediately resign from their municipal roles and may continue to represent the public, represent the municipality at official functions, and preside over council meetings while registered and/or actively running as a candidate for another level of government-including Legislative Assembly of Ontario (MPP), House of Commons (MP) or appointment to the Canadian Senate.

However, the Legislative Assembly Act and the Municipal Elections Act deem the individual to have resigned their municipal council seat when his or her election to the Legislature is
published in the Ontario Gazette or the Canada Gazette as official records—not withstanding any
swearing in/inaugural election.

Conversely, for information only, a member of the Legislative Assembly of Ontario (MPP), of the
House of Commons (MP), must resign their office by nomination day in order to run as a
candidate in a municipal election.

Use of County Resources During a Campaign

During any election process (municipal, provincial or federal), the appropriate Elections Act
specifies that candidates are required to report all contributions, whether financial or in-kind, and
that the placement of limitations on contributions is intended to level the playing field to prevent
a candidate from outspending his or her opponents. Any use the Grey County resources or
services by a candidate for his or her election campaign to any level of government would be
viewed as a contribution by the County to the Member.

Therefore no elected official, candidate or campaign will use municipal cellphones, computers,
vehicles, property, facilities, equipment, supplies, services, staff or other resources of the
County for any election campaign or campaign-related activities.

Use of County Marketing/Promotions Services During a Campaign

During an election, “third party advertisers”, are required to register with the election authority.
A “third party” is defined as any person or entity that is not a political party, candidate or
constituency association that engages in political advertising. Third parties include
corporations, partnerships, unincorporated businesses and associations. The County, through
its role as an upper-tier government in the Province of Ontario, is obligated and mandated not to
contribute to a campaign.

This mandate includes the following marketing and promotions services:

Email: Elected officials and campaigns will not use the municipal distribution/contact list for
election purposes; the elected official may use their own distribution/contact list developed in
connecting with their constituents.

Print and Promotional Material: Materials paid by municipal funds or managed by
the municipality may at all times identify and picture duly elected officials in the execution of
their official duties. However, all print or promotional material paid by municipal funds or
managed by the municipality will not illustrate or communicate that a Member of Council is
registered in any election or about their campaign, whether municipal, provincial or federal.

Social Media: It is understood that the County will discontinue following all registered
election candidates on its corporate channels during the election process. All channels
managed by the municipality will not illustrate or communicate that a Member of Council is
registered in any election or about their campaign, whether municipal, provincial or federal.
Events: An elected official may continue to, and is reasonably expected to, perform regular municipal duties while registered/running as a candidate for election as long as the event and the promotions associated with the event does not illustrate or communicate that a Member of Council is registered in any election or about their campaign, whether municipal, provincial or federal.

Given the above impacts, when a marketing/promotional activity or event by the municipality could appear to support an elected official’s campaign, whether that appearance is perceived or real, it is appropriate to err on the side of caution and utilize alternate persons or methods to further distance the municipality from a perceived or real campaign alignment. This decision should be determined between senior staff, Head of Council and/or candidate.