

Category: Operational
Policy Name: **The Library and Political Elections**
Date Approved: May 28, 2018

Scope and Legal Framework:

The Library must act and appear to act in a non-partisan way at all times, but especially during elections, while supporting the democratic process, freedom of expression and informed discussion on political issues. The library must comply with legislation related to elections. These regulations are included in the Municipal Elections Act, 1996 as amended by Bill 181, the Municipal Elections Modernization Act, 2016. Specifically, Clause 88.18 Use of municipal, board resources states: Before May 1 in the year of a regular election, municipalities and local boards shall establish rules and procedures with respect to the use of municipal or board resources, as the case may be, during the election campaign period.

This policy applies to Board members, employees and volunteers of the library in their dealings with candidates and political parties and the use of library resources during the campaign periods for municipal elections, but these rules and procedures will also be used for provincial and federal elections.

Policy

The Lake of Bays Public Library Board will follow the Township of Lake of Bays Policy, CO-1.3, Use of Corporate Resources during Election Campaign periods.

For application to the Library, Township policy should be read as follows: for “Township” read “Library”.

Related Documents

Municipal Elections Act, 1996
Township of Lake of Bays CO-1.3 Use of Corporate Resources during Election Campaign periods policy

Signature of the Chairperson _____

Document Revision Record:

Revision Level	Date
Initial Approval	May 28, 2018
Last Review/Revision	April 21, 2026
Year of Next Review	2030

Appendix A: Township of Lake of Bays CO-1.3 Use of Municipal Resources during Election Campaign Periods Policy

1. PURPOSE

1.1 This policy is established in accordance with Section 88.18 of the Municipal Elections Act (MEA) which requires municipalities to develop rules and procedures regarding the use of Municipal Resources during an Election Campaign period. Its purpose is to ensure transparency, fairness, and compliance with legislative requirements by regulating the use of Municipal Resources during municipal Election Campaigns.

1.2 While the primary legislative authority for this policy is the MEA, this policy also provides guidance for the use of Municipal Resources during Campaign Periods for provincial and federal Elections, to ensure consistent and equitable treatment of all Candidates, Third Party Advertisers, and political entities.

2. POLICY

2.1 This policy is designed to balance the rights to freedom of expression and assembly of Candidates with the Municipality's legal obligation to maintain neutrality and fairness during Election Campaigns. It ensures that no Candidate, Registered Third Party Advertiser, or Political Party is provided with an unfair advantage through the use of Municipal Resources.

2.2 The policy acknowledges and supports the continued fulfillment of official responsibilities of Elected Officials.

2.3 Elected Officials, who are also Candidates, are expected to clearly separate their roles as officeholders and Campaign participants. Any potential conflicts between these roles must be resolved in a manner that prioritizes the public interest.

3. DEFINITIONS

a) **Campaign Activity or Campaign(ing)** means any action undertaken by or on behalf of a Candidate, Registered Third Party Advertiser, or Political Party, or related to a question on a ballot, intended to promote or oppose a Candidate or a response to a question on a ballot. This includes the display, posting, or distribution of Campaign Materials. Campaigning does not include the presence of Elected Officials, Candidates, or Registered Third Party Advertisers at events in a personal capacity, provided there is no display of Campaign Materials or solicitation of votes.

b) **Campaign Material** means any item, regardless of format or medium, that promotes or opposes a Candidate or a response to a question on a ballot. This includes, but is not limited to, printed literature, banners, posters, pictures, buttons, clothing, signs, magnets, and vehicle decals.

c) **Campaign Period** means (for municipal Elections), the period from the date a Candidate files their nomination until Voting Day. For provincial and federal Elections, the period from the issuance of the writ until Voting Day.

d) **Candidate** means any individual (or their agent) who has filed and not withdrawn a nomination for elected office at the municipal (including school board), provincial, or federal level in an Election.

e) **Chief Administrative Officer** means the individual (or designate) appointed by By-law in accordance with s.229 of the Municipal Act.

f) **Clerk** means the individual appointed by By-law in accordance with s.228 of the Municipal Act, or their delegate in accordance with s.228(4) of the Municipal Act; and, the individual prescribed by the MEA as responsible for conducting elections within the municipality (s.11).

g) **Council or Council Member** means the elected or appointed Members of Council of the Municipality.

h) **Election** means an Election or By-Election at the municipal (including school board), provincial, or federal level, or the submission of a question or by-law to the electors.

i) **Elected Official** means an individual elected or appointed at the municipal (including school board), provincial, or federal level.

j) **Employee** means any individual employed by the Municipality on a full-time, part-time, seasonal, or contract basis, including volunteers and members of municipal services such as fire departments.

k) **Municipal Elections Act (MEA)** means the Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched., as amended.

l) **Municipality** means The Corporation of the Township of Lake of Bays.

m) **Municipal Facilities** means all lands (including parks and other open spaces), buildings, and structures owned, leased, operated, or otherwise controlled by or under the jurisdiction of the Municipality.

n) **Municipal Identifiers** means any branding elements, chain of office, crests, indicia, logos, slogans, symbols, uniforms, and similar identifiers.

o) **Municipal Information** means any source of information, including but not limited to: database contents, emails, files, records, social media content and their elements (i.e., hashtags), and websites.

p) **Municipal Resources** means any physical, intellectual, or financial asset that is owned, leased, or otherwise controlled by the Municipality, including, but is not limited to: Employees, equipment, infrastructure, meetings, Municipal Facilities, Municipal Identifiers, Municipal Information, Municipal Technology, services, supplies, and vehicles.

q) **Municipal Technology** means any technology or equipment owned, leased, controlled or funded by the Municipality, including but not limited to, email accounts, computers, copiers, domains, hardware, mobile devices, scanners, social media platforms and their elements (i.e., hashtags), software, systems, telephone, voicemail, websites.

r) **Political Party** means a political organization registered under the Election Finances Act (Ontario) or listed in the registry of parties under Section 374 of the Canada Elections Act.

s) **Registered Third Party Advertiser** means an individual, corporation, or trade union (or their agent) registered in accordance with Section 88.6 of the MEA or equivalent provisions under provincial or federal legislation.

t) **Returning Officer** means an individual appointed to administer federal or provincial Elections in a riding or district.

u) **Voter Help Centre** means a physical location designated to assist electors with voting, including providing access to voting devices, voter information, education and communications, and support with updating elector information.

v) **Voting Day** means the final day on which electors may cast their vote in an Election.

4. APPLICATION

4.1 This policy applies to the use of Municipal Resources during Campaign Periods for:

- a) Municipal Elections, including school board Elections.
- b) Provincial and federal Elections; and
- c) Questions on a ballot.

4.2 The provisions of this policy:

- a) May be subject to additional municipal by-laws and policies.
- b) Are in effect:
 - i) For municipal Elections - throughout the Campaign Period as defined in the MEA.
 - ii) For provincial and federal Elections - from the issuance of the writ to Voting Day.

4.3 This policy applies to:

- a) All Candidates for municipal and school board Elections.
- b) All Candidates for provincial or federal Elections.
- c) All Elected Officials of the Municipality, including those not seeking re-Election.
- d) All municipal staff.
- e) All Registered Third Party Advertisers.

4.4 References to Political Parties within this policy apply only to provincial and federal Elections and do not pertain to municipal Elections.

5. ADMINISTRATION

Use of Municipal Facilities and Resources

5.1 **Conduct of the Election:**

- a) The Clerk or a Returning Officer may utilize or cause to be utilized, any Municipal Facility and associated Municipal Resources in the conduct of an Election or as a Voter Help Centre, subject to availability, conditions and restrictions, and any applicable fees.

5.2 Long-Term Care Facilities and Residential Complexes:

a) Campaign Activities within Long-Term Care Homes and other residential complexes operated by a Municipality is permitted under the Residential Tenancies Act, 2006. The Residential Tenancies Act states:

“No landlord shall restrict reasonable access to a residential complex by candidates for Election to any office at the federal, provincial or municipal level, or their authorized representatives, if they are seeking access for the purpose of canvassing or distributing Election material.”

b) For the purposes of this provision, Long-Term Care Homes and other residential complexes operated by the District Municipality of Muskoka are considered “residential complexes” under the Residential Tenancies Act.

5.3 Campaign Activities:

a) No Campaign Activities shall take place in or on, any Municipal Facility during the Campaign Period.

b) No permits, licenses, leases, agreements or approvals will be issued during the Campaign Period for the use of any Municipal Facility for the purpose of Campaign Activities.

c) Election signs are regulated and defined in the Election Sign By-law of the Municipality.

5.4 Campaign Activities – Exemptions:

a) The Municipality will not host or organize all-Candidates meetings or debates. However, the Clerk may authorize in writing the use of a Municipal Facility for such events provided that:

i) All Candidates or Political Parties in the Election are invited to attend and participate.

ii) The Municipal Facility is rented in accordance with applicable rental agreements.

iii) Full-market rental fees are paid.

iv) Campaign Materials are displayed only during the approved rental period and within the designated area specified in the rental agreement.

v) Rentals are not permitted during advance voting days or within fourteen (14) days before Voting Day.

vi) The Municipality reserves the right to refuse or cancel any rental agreement at its sole discretion.

b) In circumstances where a Municipal Facility is the only suitable location for a specific Campaign Activity, the Clerk may authorize in writing an exemption, subject to the following conditions:

i) The Municipal Facility is rented in accordance with applicable rental agreements.

ii) Full-market rental fees are paid.

iii) Campaign Materials are displayed only during the approved rental period and within the designated area specified in the rental agreement.

iv) Rentals are not permitted during advance voting days or within fourteen (14) days before Voting Day.

v) The Municipality reserves the right to refuse or cancel any rental agreement at its sole discretion, or if the proposed use conflicts with municipal policies, procedures, or by-laws.

5.5 Municipal Identifiers and Resources:

a) Municipal Identifiers shall not be used, printed, posted, or distributed on Campaign Materials, or included on any Election-related websites, domains, or social media platforms, except when linking to the Municipality's official website(s).

b) Candidates shall not use photographs featuring Employees wearing or operating equipment bearing Municipal Identifiers.

c) The use of photographs or videos not produced by the Municipality and taken from publicly accessible locations is permitted in Campaign Activities, provided they do not incorporate Municipal identifiers in a manner that contravenes this policy.

d) Municipal Resources shall not be used for any element of Campaign Materials or Campaign Activities in relation to Candidates, Registered Third Party Advertisers or those intending to become a Candidate or Registered Third Party Advertiser.

5.6 Municipal Information, Technology and Equipment

a) Candidates, including Council Members, Political Parties, and Registered Third Party Advertisers, are entitled to the same access to information as any member of the public.

b) General information provided to a Candidate or Registered Third Party Advertiser that may be of value to others will be shared with all Candidates and Registered Third Party Advertisers through the Clerk's office, either by posting to the Municipality's voting website or webpages or through other appropriate channels to ensure equal access.

i) Requests for information not publicly available will be processed through the Freedom of Information Act (FOI) process, facilitated by the Clerk's office.

ii) Personal meetings between Candidates or Registered Third Party Advertisers and Employees will not be accommodated.

c) Municipal databases may not be used for Campaign purposes unless:

i) The database has been specifically created for use by Candidates or Registered Third Party Advertisers; or

ii) The database is publicly available.

d) Municipal Technology shall not be used for any Campaign Activity or include any Campaign Material or links to sites that feature Campaign Material and may not be re-designated for Campaign purposes or provide a link to a Campaign site.

5.7 Attendance at Municipal Events and Activities:

a) Candidates, Political Parties or Registered Third Party Advertisers are permitted to attend municipal events or activities as private citizens but may not conduct any Campaign Activity while in attendance.

b) Upon the issuance of the writ, Members of Parliament or Provincial Parliament respectively, are no longer Elected Officials and shall not be invited to municipal events in any official capacity.

5.8 Council Members:

a) If a Council member receives communications related to Campaign activities through the Municipality's voicemail, email system, or computer network, they must respond using their Campaign-specific voicemail or email. The response should inform the sender that the use of Municipal Resources for Campaign purposes is strictly prohibited.

b) Any technology or equipment used by a Council Member for Campaign purposes must be personally owned and not created, maintained, or supported by Municipal Resources. Websites and social media accounts used for Campaigning must clearly state that they are intended solely for Campaign Activities and are not affiliated with the Council Member's official duties.

c) Council Members continue to serve in their official capacity until the start of the new Council term. During the Campaign Period, they may attend municipally organized events and participate in ceremonial roles, including speaking and engaging in official activities. However, they must not engage in Campaign Activities or distribute Campaign Materials at these events.

d) Council Members, as private citizens, may choose to support Political Parties, Candidates or Registered Third Parties. However, they must clearly indicate that such endorsements are made in a personal capacity and not in their official role. Council Members must avoid any appearance of using their office or Municipal Resources to promote Political Parties, Candidates or Registered Third Parties. To uphold public trust and the integrity of the electoral process, Council Members should take every effort to distinguish their official duties from any involvement in municipal, provincial, or federal Election Campaigns.

e) Council Members shall not use Municipal Resources to host, promote, sponsor, or assist in organizing any event that includes direct participation by Candidates from other levels of government. Such involvement may give rise to actual or perceived partisanship, which must be avoided in both the planning and execution of these events.

f) Council Members may engage with constituents on federal or provincial matters that affect their ward or the Municipality at large, including issues that directly impact municipal affairs. These communications must remain strictly nonpartisan.

5.9 Employees:

a) Employees engaged in Campaign Activities must take care to separate those personal activities from their activities from their employment relationship with the Municipality. Employees may participate in Campaign Activities in support of a Candidate(s) provided that such activity does not:

i) Occur during their scheduled working hours unless they are on approved leave (i.e. vacation, lieu time, flex time etc.).

ii) Occur when representing the Municipality at an event or activity.

iii) Occur when wearing, carrying or otherwise displaying any Municipal identifiers; and,

iv) Involve the use of Municipal Resources.

b) Employees shall not use their title, position or employment with the Municipality in any way that would lead any person to infer that the Municipality is endorsing a Candidate, Political Party, Registered Third party Advertiser, or a particular response to a question on a ballot.

c) While actively at work, Employees shall not produce, display, or distribute Campaign Material at Municipal Facilities or otherwise promote, endorse or provide information solely for the use of any Candidate, Political Party or Registered Third Party.

6. Responsibility:

6.1 Clerk shall:

- a) Administer and provide advice and clarification on the application of this policy.
- b) Receive and investigate any written complaint regarding the alleged use of Municipal Resources in contravention of this policy.

6.2 Chief Administrative Officer shall:

- a) Ensure consistent compliance with this policy by all Employees across all service areas.
- b) Ensure that any employee who support Council Members in the performance of their duties, or any Employees whose work is directed by Council Members, are complying with this policy.

6.3 Directors, Managers and supervisors shall:

- a) Ensure that this policy is applied and followed with respect to the use of Municipal Resources and Employees managed by their department or division.

6.4 Employees shall:

- a) Understand and apply this policy in carrying out their duties.
- b) Seek clarification and advice on this policy from their supervisor, manager, director or Clerk.

6.5 Elected Officials, Candidates, Political Parties and Registered Third Party Advertisers shall:

- a) Understand, support and comply with this policy and any related procedures.
- b) Seek clarification upon any aspect of this policy, as required, and seek independent legal advice, where appropriate.

6.6 Individuals shall:

- a) Pursue one or more of the following options when submitting complaints related to this policy:

i) Submit a Written Complaint

Written complaints may be submitted to the Clerk via email. Complaints must include specific examples and relevant details outlining how the alleged use of Municipal Resources may have violate this policy.

ii) Contact the Ontario Ombudsman

Individuals may contact the Office of the Ontario Ombudsman for further assistance.

iii) Pursue Legal Remedies

Complainants may seek private legal remedies, including court action.

iv) Campaign Finance Complaints

Concerns related to Campaign finances may be addressed through the compliance audit process outlined in Section 88.33 of the MEA.

v) Election Sign Complaints

Complaints regarding Election signs may be submitted to the Municipality's By-law Enforcement team.

vi) Serious or Criminal Complaints

Complaints involving egregious conduct or potential hate crimes shall be referred to the local detachment of the Ontario Provincial Police.

7. Limitations:

7.1 Nothing in this policy shall prohibit:

- a) The Clerk from performing their statutory duties or providing or using Municipal Resources in the conduct of an election.
- b) An Elected Official from performing their official duties, nor impede them from representing the interests of their constituents.

8. References and Related Documents

- a) Canada Elections Act, 2000
- b) Council Code of Conduct
- c) Election Act, 1990
- d) Election Finances Act, 1990

- e) Election Sign By-law
- f) Municipal Act, 2001
- g) Municipal Elections Act, 1996
- h) Municipal Freedom of Information and Protection of Privacy Act, 1996
- i) Residential Tenancies Act, 2006

9. Revision Control

May 15, 2018	Update to include all candidates and third party advertisers	May 15, 2018
April 12, 2022	General updates including new exceptions section	April 12, 2022
January 2026	Overwrite of previous Use of Corporate Resources for Election Purposes Policy to new Use of Municipal Resources during Election Campaign Periods Policy	Feb 10, 2026

10. Attachments

10.1 None