

THE CORPORATION OF THE TOWNSHIP OF HILTON

BY-LAW NO. 1499-26

Being a by-law to adopt a policy for the Use of Municipal Resources During an Election Period for the Corporation of the Township of Hilton.

WHEREAS Section 5(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipal council shall exercise its powers by by-law, except where otherwise provided;

AND WHEREAS Section 5(3) of the *Municipal Act, 2001*, as amended, provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

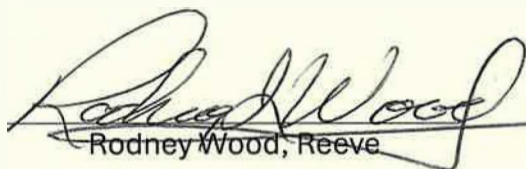
AND WHEREAS Section 5(4) of the *Municipal Act, 2001*, as amended, provides that subsections (1) to (3) apply to all municipal powers, whether conferred by this Act or otherwise;

AND WHEREAS Section 88.18 of the *Municipal Elections Act, 1996*, S.O. 1996, c.32, as amended, requires municipalities and local boards to establish rules and procedures with respect to the use of municipal or board resources, during an election campaign period, before May 1 in the year of a regular election;

NOW THEREFORE the Council of the Corporation of the Township of Hilton hereby enacts as follows:

1. **THAT** the Use of Municipal Resources During an Election Period Policy attached hereto as Schedule "A" is hereby adopted.
2. **THAT** Schedule "A" attached hereto shall form part of this By-law.
3. **THAT** this By-law shall come into force and take effect on the day of passing.

Read a first, second and third time and finally passed this 11 day of March 2026.


Rodney Wood, Reeve


Sara Dinsdale, CAO/Clerk-Treasurer

THE CORPORATION OF THE TOWNSHIP OF HILTON

Schedule "A" to By-Law No. 1499-26

Subject: Use of Municipal Resources During an Election Period Policy
Source: By-law 1499-26
Date Approved: March 11, 2026
Resolution No.: 2026-58

1. SHORT TITLE

1.1 This By-law shall be cited as the 'Use of Municipal Resources Policy'.

2. PURPOSE

2.1 Section 88.18 of the *Municipal Elections Act, 1996* requires municipalities and local boards to establish rules and procedures with respect to the use of municipal or board resources during the election campaign period.

2.2 Section 88.8(4) of the *Act* specifies that a municipality shall not make a contribution to a Candidates, and section 88.12(4) specifies that a municipality shall not make a contribution to a Registered Third Party.

2.3 The purpose of this policy is to provide a consistent approach and clear direction regarding the use of Municipal Resources during an election Campaign Period.

This policy is intended to:

- a) Ensure compliance with the *Municipal Elections Act, 1996* with respect to the prohibition of a municipality making a contribution to a Candidate or a Registered Third Party in the form of money, goods or services;
- b) Ensure Candidates and Registered Third Parties are treated fairly and consistently within the Township;
- c) Ensure the integrity of the election process is maintained at all times;
- d) Establish appropriate use of Municipal Resources during an election Campaign Period in order to:
 - Protect the interest of Members of Council, Candidates, Registered Third Parties, Township Staff and the Corporation; and
 - Ensure accountable and transparent practices.

3. SCOPE

- 3.1 This policy applies to Candidates (including acclaimed Candidates), Registered Third Parties, and Township Staff. This policy also applies, where applicable, to the Township's local boards and committees.

4. DEFINITIONS

- 4.1 "Act" shall mean the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, as amended.
- 4.2 "Campaign Period" shall mean the official campaign period of a municipal election, commencing on May 1st and ending on December 31st of a regular election year, or in the case of a by-election, as determined by the *Act*.
- 4.3 "Campaign Purposes" or "Campaign Materials" shall mean any activity or material that promotes or opposes the candidacy of an individual seeking office, or a "yes" or "no" answer to a question on the ballot.
- 4.4 "Candidate" shall mean a person who has filed a nomination under section 33 of the *Act* and includes any person acting on their behalf.
- 4.5 "Clerk" shall mean the individual appointed as the Township Clerk, or their designate.
- 4.6 "Members of Council" shall mean the Council of the Township of Hilton.
- 4.7 "Municipal Resources" shall mean real property, goods, and services owned, controlled, leased, acquired, or operated by the Township of Hilton, including, but not limited to facilities, parks, vehicles, equipment, monetary funds, technology, IT systems, social media accounts, logos, and supplies.
- 4.8 "Registered Third Party" shall mean an individual, corporation, or trade union that has filed a Notice of Registration with the Clerk in accordance with the *Act*.
- 4.9 "Staff" shall mean any person employed by the Township of Hilton on a full-time, part-time, or seasonal basis.
- 4.10 "Township" shall mean the Corporation of the Township of Hilton.

5. POLICY

5.1 General Provisions

- 5.1.1 Municipal Resources shall not be used for any Campaign Purposes.
- 5.1.2 Township funds shall not be used to acquire any resources for Campaign Purposes.
- 5.1.3 Benefitting from corporate pricing or discounts established under the Township Procurement Policy for Campaign Purposes is prohibited.
- 5.1.4 The Township's logos, crest, or branding shall not be used, printed, or distributed on any Campaign Materials or Campaign websites, except for a link to the Township's website for the purpose of obtaining municipal election information.
- 5.1.5 Photographs produced by or owned by the Township, including official Council photographs, shall not be used for Campaign Purposes. Photographs taken using Township equipment or transmitted through Township accounts shall not be used.
- 5.1.6 The services of any Township Staff member shall not be used for Campaign Purposes during hours for which the individual is compensated by the Township.
- 5.1.7 Distribution or contact lists developed using Municipal Resources shall not be used for Campaign Purposes.
- 5.1.8 Members of Council attending events or meetings in their capacity as representatives of the Township shall not engage in Campaign Purposes while conducting Township business.
- 5.1.9 In any material created, printed, or distributed by the Township, Members of Council, Candidates, Registered Third Party, or Township Staff shall not:
 - a) Indicate that an individual is a registered Candidate;
 - b) Identify that they or any other individual intends to run for office; or
 - c) Profile or otherwise reference any candidate in an election.

5.2 Technology

- 5.2.1 Municipal technology and equipment, including computers, mobile devices, telephones, printers, scanners, copiers, email, voicemail, and file storage systems, shall not be used for Campaign Purposes.
- 5.2.2 Township-operated or funded websites and domain names shall not include any Campaign Materials or links to Campaign Material. The Candidate List published on the Township's election webpage may include one link per Candidate to a campaign website.
- 5.2.3 Social media accounts used for Campaign Purposes shall not be created, supported, or maintained using Municipal Resources and shall not use Township logos or branding. Existing social media accounts used by Members of Council for official duties shall not be used for Campaign Purposes. Members of Council using separate accounts for Campaign Purposes must clearly indicate on each account, for the duration of the campaign, that the account is being used for campaign-related activity.

5.3 Use of Municipal Facilities and Property

- 5.3.1 Candidates and Registered Third Parties shall not campaign or distribute or display Campaign Materials on Township-owned or leased property.
- 5.3.2 Candidates and Registered Third Parties shall not campaign or distribute Campaign Materials at any Township-hosted event or function, regardless of location.

5.4 Township Staff

- 5.4.1 Township staff shall not participate in Campaign Purposes during working hours or while receiving remuneration from the Township, including providing administrative or technical support to Candidates.
- 5.4.2 Campaign notices, posters, or similar materials shall not be produced, displayed, or distributed by Staff at Township workplaces or on Township property.
- 5.4.3 Township Staff may engage in Campaign Purposes during personal time, provided such activities are separate from their official duties and do not create a real or perceived conflict of interest.
- 5.4.4 While engaging in Campaign Purposes, Township Staff shall not wear Township clothing, identification, or badges.

The Corporation of the Township of Hilton
Use of Municipal Resources Policy Schedule "A" Cont'd

- 5.4.5 Township Staff shall not use Township-owned vehicles, equipment, technology, supplies, or other Municipal Resources for Campaign Purposes.

5.5 Limitations

- 5.5.1 Nothing in this policy shall preclude a Member of Council from fulfilling their responsibilities as an elected official or representing the interests of their constituents.

5.6 Responsibility

- 5.6.1 The Clerk, or designate, is responsible for communicating this policy to Members of Council, Candidates, Registered Third Parties, and Township Staff.
- 5.6.2 Members of Council, Candidates, Registered Third Parties, and Township Staff are responsible for complying with this policy.

6. ADMINISTRATION

- 6.1 The Clerk is delegated authority to make minor administrative amendments to this policy as required due to legislative changes, provided such amendments do not alter the intent of the policy.
- 6.2 Any questions, concerns, or complaints regarding the interpretation or application of this policy shall be directed to the Clerk or designate. The Clerk is authorized to provide clarification and guidance respecting the use of Municipal Resources during an election Campaign Period. Where, in the opinion of the Clerk, a matter raises a potential contravention of the Act, the Clerk may advise the individual(s) involved of the applicable legislative requirements or refer the matter to the appropriate authority. Nothing in this policy confers enforcement powers or creates penalties beyond those established under the Act or other applicable legislation.