

Bill No. 585
2017

By-law No. CPOL.-_____

A by-law to revoke and repeal Council policy entitled "Use of Corporate Resources During a Municipal Election Year" and replace it with a new Council policy entitled "Policy for the Use of City of London Resources During a Municipal Election Period".

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Council of The Corporation of the City of London wishes to revoke and repeal Council policy entitled "Use of Corporate Resources During a Municipal Election Year" and replace with a new policy entitled "Policy for the Use of City of London Resources During a Municipal Election Period";

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Any policy of The Corporation of the City of London approved, adopted, or amended by Municipal Council on a day prior to the day this by-law is in force and effect, pertaining to Use of Corporate Resources During a Municipal Election Year is hereby revoked.
2. Any by-law of The Corporation of the City of London in force and effect on a day prior to the day this by-law is in force and effect, which approves, amends or adopts a Council policy pertaining to the Use of Corporate Resources During a Municipal Election Year is hereby repealed.
3. The policy entitled "Policy for the Use of City of London Resources During a Municipal Election Period", attached hereto as Appendix 'A(1)', is hereby adopted.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on October 3, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 3, 2017
Second Reading – October 3, 2017
Third Reading – October 3, 2017

Appendix “A(1)”

Policy for the Use of City of London Resources During a Municipal Election Period

Purpose:

To clarify the restrictions pertaining to the use of City of London resources during an election period.

Definitions:

For the purposes of this policy,

“Campaign-related activities” shall mean any activities that may directly or indirectly promote any candidate in a Municipal Election.

“City” shall mean The Corporation of the City of London

“City resources” shall mean the facilities, equipment, property, supplies, services, systems, software, media inventory, brand, staff or financial resources of The Corporation of the City of London.

“election period” shall mean the period beginning on January 1st of the year during which a regular municipal election is held, or on Nomination Day for a municipal by-election, and ending upon the City Clerk’s certification of the election results.

Application:

This policy applies to an acclaimed Member of Council, a Member of Council not seeking re-election, a Member of Council seeking re-election, any other election candidate and any employee of The Corporation of the City of London.

Policy:

1. Any acclaimed Member of Council, Member of Council not seeking re-election, Member of Council seeking re-election, other election candidate and any employee of The Corporation of the City of London shall adhere to the provisions of the *Municipal Elections Act, 1996*, as amended, the Code of Conduct for Members of Council and the Code of Conduct for Employees, all of which restrict the use of City resources during an election period.
2. City resources, assets and funding restricted from use for election-related purposes during an election period include, but are not limited to:
 - City staff
 - City property, facilities and/or equipment, except in those cases where use of the property, facilities and/or equipment are rented in accordance with City procedures applicable to the general public
 - City funds
 - Print or electronic materials paid for by the City promoting a Member of Council
 - Any photos or videos produced by the City, including electronic images and videos
 - City mail room supplies and services
 - City print room supplies and services
 - City technical services and equipment (e.g. computers, laptops, mobile devices and applications such as voice mail, e-mail, Internet and Intranet, City web pages and domains, etc.)
 - City brand (e.g. logos, crest, etc.)
 - Lists and files produced using City resources, with the exception of lists produced for election purposes in accordance with the *Municipal Elections Act, 1996* (e.g. Voters List).
3. City staff may not canvass or actively work in support of a municipal candidate during business hours unless they are on leave of absence without pay, lieu time, overtime leave or vacation leave.
4. Campaign-related signs or materials may not be displayed at or in City facilities and, where permitted for display, shall comply with the provisions of the Election Sign By-law.

5. No Council Member shall distribute, in print or electronic form, material paid for by the City that illustrates, references, promotes, profiles or otherwise relays information about an individual that is, or will be, a registered candidate in an election, with the exception of official reports and/or minutes of City Council and Standing Committee meetings.
6. Nothing in this Policy is intended to prohibit a Member of Council from performing their job as an elected representative to represent the interests of their constituents regarding corporate business.