

Bill No. 631  
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 for Municipal Election Purposes".

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 for Municipal Election Purposes";

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or adopts a Council policy pertaining to the Use of Corporate Resources During a Municipal Election Year is hereby repealed.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 for Municipal Elections Purposes", attached hereto as Appendix "A", 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 30, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 30, 2017  
Second Reading – October 30, 2017  
Third Reading – October 30, 2017

## Appendix "A"

### Policy to Restrict the Use of City of London Resources for Municipal Election Purposes

#### Purpose:

To clarify the restrictions pertaining to the use of City of London resources for directly or indirectly benefitting a municipal election campaign.

#### Definitions:

For the purposes of this policy,

"Campaign-related activities" shall mean any activities that may directly or indirectly benefit a municipal election campaign.

"City" shall mean The Corporation of the City of London

"City resources" shall include, but not be limited to City employees, events organized or funded solely or jointly by the City, City facilities, City funds, City information and City infrastructure

#### Application:

This policy applies to the use of City resources by any party in a manner that would directly or indirectly benefit a municipal election campaign.

#### Policy:

1. Without exception, all parties shall adhere to the applicable provisions of the *Municipal Elections Act, 1996*, as amended, the Declaration of Office for Members of Council, the Code of Conduct for Members of Council and the Code of Conduct for Employees, regarding the use of City resources.
2. City resources, assets and funding that shall not be used by any party to directly or indirectly benefit a municipal election campaign 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 and/or use of the property, facilities and/or equipment is permitted under other legislation (e.g. Election Sign By-law, etc.)
  - City funds
  - Print or electronic materials paid for by the City promoting an individual
  - 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 shall not canvass or actively work in support of a municipal candidate during business hours unless they are on paid or unpaid leave.
4. Campaign-related signs or materials shall not be displayed at or in City-owned or leased facilities, unless otherwise permitted by legislation, and, where permitted for display, shall comply with the provisions of the Election Sign By-law.
5. No individual 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 may directly or indirectly benefit a municipal election campaign. This does not limit a Member of Council from communicating with constituents on matters of interest that are relevant to the business of the City and fall within the fiduciary responsibility of

the Member of Council, providing that these do not promote the personal interests of a Member of Council.

6. No individual shall host a town hall or ward meeting that would directly or indirectly benefit a municipal election campaign. Rather, town hall or ward meetings shall be focused on the interests of the constituency regarding City business.
7. 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 City business, during their period of office.