

By-Law Number 2026-11**A By-Law with respect to the Use of Municipal Resources during an Election Period**

Whereas Section 88.18 of the *Municipal Elections Act, 1996*, as amended, provides that a municipality shall establish rules and procedures with respect to the use of municipal resources during an election period;

Whereas Council deems it expedient to establish a By-law with respect to the use of municipal resources during an election period:

Therefore Be It Resolved That the Council of the Corporation of the Township of South Frontenac hereby enacts as follows:

1.0 Definitions:

In this by-law:

“Campaign related activities” means any activity by or on behalf of a registered candidate, registered third party, or a question on a ballot, meant to elicit support or opposition during the election period.

“Campaign materials” means any materials, including political advertising, used to solicit votes for a candidate(s) or question in an election or any materials that promote or oppose the candidacy of a person for elected office. This includes but is not limited to literature, banners, posters, pictures, buttons, clothing, or other paraphernalia, uniforms, tents, signage, images, or messaging. Campaign materials also include, but are not limited to, materials in all media, for example, print, displays, electronic radio or television, online including websites or social media. Campaign materials do not include election signs, which are governed by the Township of South Frontenac, Election Sign By-law.

“Candidate” means a person who has been nominated for election in a municipal, provincial or federal election in accordance with the applicable elections legislation.

“Corporate resources” means any facilities, infrastructure, assets, equipment, supplies, services, staff or any other resource that belongs to or is funded by the Township.

“Corporate brand” refers to the corporate identity, standards, and images associated with the Corporation of the Township of South Frontenac and is shaped by various elements, including the Township’s name, logo, visual design (including colours), values, crest, chain of office, slogan, messaging, overall community strategy.

“Crest” means the ceremonial coat of arms used for official Township business pertaining to South Frontenac’s elected municipal officials, such as official documentation and proclamations.

“Election period” means the specific period of time during which an election campaign takes place as prescribed by law. Without limiting the generality of the foregoing,

- For municipal elections, it shall mean, with respect to a Candidate, the period of time prescribed by Section 88.24 of the *Municipal Elections Act, 1996*, as amended, begins on the day in which nomination papers are filed with the Clerk and ends on December 31 in the case of a regular election and 45 days after voting day in the case of a by-election. In the case of a registered third party, the election period is the period of time prescribed by section 88.24 and begins on the day the individual, corporation or trade union is registered as a registered third party in relation to the election in the municipality.
- For a provincial election, the election period begins on the date the writ is issued and ends on voting day.
- For a federal election, the election period begins on the date the writ is issued and ends on voting day.

“Political advertising” means advertising that takes a position on an issue that can reasonably be regarded as closely associated with a registered third party or Candidate.

“Registered Third Party” means an individual, corporation, or trade union that has filed a notice of registration with the Clerk in relation to the municipal election pursuant to the *Municipal Elections Act, 1996*, as amended, or has registered as a third party registrant under provincial or federal elections legislation.

“Township” means the Corporation of the Township of South Frontenac.

“Voting day” means the voting day prescribed in the *Municipal Elections Act, 1996*, as amended.

2.0 Purpose

- 2.1 This By-law sets out the rules and procedures with respect to the use of municipal resources during an election period.
- 2.2 This By-law supports compliance with the *Municipal Elections Act, 1996*, as amended, and By-law 2019-12 – Council Code of Conduct.

3.0 Application and Scope

- 3.1 This By-law applies to:
 - a) all candidates for a municipal, provincial or federal election or by-election;
 - b) all elected officials of the Township including those not seeking re-election;
 - c) all municipal staff;
 - d) all Council-appointed citizen members of advisory committees, community committees, the Committee of Adjustment and local boards;
 - e) registered third parties; and
 - f) members of the public
- 3.2 The Township Clerk or their designate has the authority to provide guidance with respect to election-related matters in relation to this By-law, and to issue in writing any interpretation on the application of this By-law and any related approvals or prohibitions. Such guidance, interpretation, approvals, and prohibitions shall be based on the overarching legislative requirement for public funds and resources not to be used for any election-related purposes, including the promotion of or opposition to the candidacy of a person for elected office. The Clerk may seek legal advice on such matters as they consider necessary.

4.0 Election Campaigning

- 4.1 Election campaign activities are not permitted at any Township facility unless otherwise specified in Section 4.3 of this By-law.
- 4.2 Election campaign materials may not be displayed at Township of South Frontenac facilities, unless explicitly permitted elsewhere in this By-law.
- 4.3 Municipally owned or operated assets and facilities, excluding the Township Office, may be rented in accordance with municipal agreements and current rates and fees for election campaign activities providing that the rental is available to all Candidates and registered third parties. A rental is subject to the following conditions:
 - a) all election campaign materials must only be displayed within the allotted rental period in the allotted rented area designated in the rental agreement;

- b) rentals for campaign related activities are not permitted from the first date of advance voting to the day after voting day; and
- c) the Township reserves the right to refuse or cancel a rental contract at any time, in accordance with the terms of the contract, should it conflict with the Township's corporate values or established policies or procedures, or presents a health and safety concern.

4.4 The Township will not host, organize, or advertise all-Candidates meetings or debates. With the exception of the Township Office, a person may host an all-Candidates meeting or debate at Township facilities, in accordance with Section 4.3, and provided that the rental fee is paid and all Candidates for an office are invited to participate.

4.5 Candidates and registered third parties may attend Township organized or funded events during a campaign period, but may not display or distribute any campaign materials, or engage in any election related activities.

5.0 Use of Corporate Identifiers and Resources

5.1 The corporate logo identifies the Township and is used to represent Township programs, services, and facilities. The use of the Township's corporate logo is restricted exclusively for use by the Corporation of the Township of South Frontenac.

5.2 The Township's corporate logo, corporate brand, crest, chain of office, coat of arms, slogan or other corporate identifiers or that of its affiliates, shall not be used by Candidates or registered third parties for any election campaign-related purposes.

5.3 Candidates and registered third parties may not use photographs, videos, electronic images, or graphics, produced by the Township or its affiliates for any campaign-related activities. However, use of Township videos that are posted to a social media platform is permitted, subject to the terms of service of the social media platform.

5.4 Use of photographs or videos not produced by the Township or its affiliates, and taken from a publicly accessible place, in campaign advertising containing the corporate logo, corporate brand, crest, chain of office, coat of arms, slogan or other corporate identifiers is not in contravention of Section 5.2 of this By-law.

5.5 Corporate resources shall not be used for the development, creation, design, printing, or distribution (electronic or print) of:

- a) any material that illustrates that a member of Council or any other individual is registered or intends to run for office; or
- b) any campaign material that makes reference to, or contains the names or photographs, or identifies Candidates.
- c) any material that is linked in any way to an election campaign (i.e. campaign messaging, a campaign logo, or a social media handle or hashtag which links to campaign social media channels, web sites and/or materials).

5.6 No Township consumable materials, such as toner and paper, associated with computer systems shall be used for election campaign-related purposes.

5.7 Township records, lists, and files produced using Township resources, with the exception of those specifically made for the use of Candidates and registered third party advertisers for election purposes in accordance with the *Municipal Elections Act, 1996*, may not be used by any Candidates or registered third party advertiser, unless the database has already been released for public use.

5.8 The Township shall not publish any material used to promote individual political opinions or campaigns.

6.0 Township Staff

6.1 Municipal staff and individuals employed by the offices of the elected officials, including any contractor providing services to the Township, shall not canvass or

actively work for any Candidate or registered third party during hours in which the staff/contractor is receiving compensation from the Township, except during scheduled time off or outside of regular work hours.

6.2 Township staff shall not:

- a) Post or distribute campaign materials on behalf of a Candidate or Registered Third Party at Township facilities or on Township property including Township parks.
- b) Engage in any campaign related activity while wearing a Township uniform or identifier (e.g. name badge, hat, lanyard) with the exception of publicly available Township-branded clothing.
- c) Engage in any campaign related activity while wearing clothing or buttons that advertise any Candidate, Registered Third Party or political party while wearing a Township uniform or identifier
- d) Use their title or position within the Township in a way that may lead a member of the public to infer that the Township is endorsing a Candidate, Registered Third Party or political party.

6.3 The Township Clerk and Township Election Office staff, or any staff that supports the Township Clerk in the administration of a municipal election shall not engage in campaign related activity in a municipal election.

7.0 Technology and Social Media

- 7.1 Corporate resources (such as Township issued phones and email addresses) shall be provided to current Members of Council for council related purposes and to serve their constituents and shall not be used for campaign related activities or to otherwise support an election campaign.
- 7.2 Any links to external personal sites from an individual Member of Council's landing page on the Township's website will be removed as of the date nomination papers are filed during a municipal election year.
- 7.3 Websites, domain names, emails, or other corporate systems that are funded by the Township shall not include any campaign materials or links to sites that feature campaign materials. Notwithstanding the above, links to external election campaign websites may be posted by the Township during the election period on the official Township's election website.
- 7.4 Candidates, registered third parties, and Members of Council may not use the Township website, domain names, and other corporate systems, for campaigning or display of any election-related materials. Links to the Township's website are permitted from a campaign election website for the purpose of obtaining information about the election or sharing program/service information.
- 7.5 If a Member of Council uses any social media account for campaign related activities, such account must not be created or supported by Township resources. Social media accounts used for campaign purposes must utilize personal cell phones, tablets and/or computers.
- 7.6 Members of Council who choose to create or use social media accounts for campaign related activities must include, for the duration of the election period, a clear statement on each campaign website or social media account's home page (or profile) indicating that the account is being used for election campaign purposes and is not related to their duties as a Member of Council.

8.0 Township Hosted Events

- 8.1 Members of Council and other elected officials may attend Township-organized events and act as participants in their capacity as elected officials, including speaking at the event and partaking in ceremonial activities, but shall not engage in campaign related activities while in attendance or distribute campaign materials.
- 8.2 Where a current Member of Council or elected official is invited to an event, whether a Township event or community event, in the capacity of their elected position, they are not to speak of their candidacy, their intention to run, distribute campaign materials, or otherwise engage in campaign related activities. Materials distributed at such an event may make reference to a political office that the Member or candidate holds.
- 8.3 Candidates, registered third party advertisers, and representatives of ballot question campaigns may attend Township events in their capacity as private citizens, but shall not engage in campaign related activities while in attendance or distribute campaign materials.
- 8.4 Candidates, registered third party advertisers and representatives of ballot question campaigns shall not be invited to deliver formal remarks at a Township event in their capacity as a candidate, registered third party advertiser or ballot question campaign representative.

9. Advisory Committee/Committee of Adjustment/Local Board Members Conduct

- 9.1 No council-appointed member of an Advisory Committee, community committee, the Committee of Adjustment and/or Local Board shall engage in political campaigning of any sort (municipally, provincially or federally) on behalf of the Advisory Committee, Committee of Adjustment Local Board or as a member of same.

10.0 Access to Information

- 10.1 All Candidate and registered third party requests for information shall be made in accordance with Township's *Municipal Freedom of Information and Protection of Privacy Act* procedure, when applicable.
- 10.2 The Township shall make reasonable efforts to ensure that information provided to one Candidate or registered third party, that is of a general nature and may provide valuable guidance to all others, is provided to all Candidates and registered third parties through the Township's website to ensure equal access to information.

11.0 Enforcement

- 11.1 The Township Clerk or designate shall receive and investigate any written complaint with respect to the alleged use of corporate resources in contravention of this By-law. Complaints related to Township staff shall be referred to Manager of Human Resources.
- 11.2 The following options are available for complaints related to Candidates, including Members of Council or Members of Council running for re-election:
- a) submit a written complaint to the Township Clerk. Written complaints must set out specific example(s) and corresponding details of how the alleged use of a particular corporate resource may have contravened this By-law.
 - b) File an informal or formal complaint in accordance with the Township's Integrity Commissioner - Inquiries/Advice Procedure. No investigation shall be commenced or continued under the Council Code of Conduct, nor shall the Integrity Commissioner report to Council respecting an investigation, within the election period. An Integrity Commissioner cannot investigate matters regarding Municipal Elections Act related complaints (including third party advertising) or election campaign finances.

- c) Contact the Office of the Ontario Ombudsman.
- d) Pursue private legal remedies, including court action.

11.3 Complaints or concerns related to campaign finances may be addressed through the compliance audit process outlined in Section 88.33 of the Municipal Elections Act.

12.0 Members of Council running in Provincial and Federal Elections

12.1 Members of Council shall not use Township resources to host, promote, sponsor or otherwise organize or assist with any event that involves direct participation by Candidates at other levels of government.

12.2 The following applies if a Member of Council becomes a Candidate in a provincial or federal election/by-election:

- a) Corporate resources shall only be used for council-related purposes and to serve their municipal constituents and shall not be used to support an election campaign.
- b) A Member, who is a Candidate, shall seek guidance from the Township Clerk with respect to responsibilities and obligations required to comply with this By-law. While certain restrictions may apply in order to ensure compliance with this By-law and its purpose, it is recognized that the Member may continue to be the elected representative and may remain active in their capacity as the elected official.

13.0 Responsibilities

13.1 Members of Council are responsible for:

- a) Understanding, supporting, and complying with this By-law and all other related policies and procedures.
- b) Seeking clarification of any aspect of this By-law, as required, and seek independent legal advice where appropriate.

13.2 Township Clerk is responsible for:

- a) Ensuring the administration, communication, and interpretation of this By-law.
- b) Reviewing this By-law every term of and as required by changes to legislation. The Township Clerk is authorized to make minor administrative updates as may be necessary to maintain compliance and consistency with legislation, while respecting and preserving the intent of the By-law.

13.3 Township staff are responsible for:

- a) Ensuring relevant requirements of this By-law are fulfilled in any duties and activities undertaken in their official position as a Township employee.
- b) Understanding and supporting this By-law.
- c) Seeking clarification of any aspect of this By-law, as required.

Given First and Second Readings: Tuesday, February 10, 2026

Given Third Reading and Passed: Tuesday, February 10, 2026

James Thompson, Clerk

Ron Vandewal, Mayor