

By-law 2016-17F

**A By-law of the City of Greater Sudbury to Adopt a
Policy Regarding the Use of Municipal Resources
by Candidates During an Election**

Whereas the Council of the City of Greater Sudbury deems it advisable to adopt a Policy regarding the use of Municipal Resources by Candidates during an Election;

Now therefore the Council of the City of Greater Sudbury hereby enacts as follows:


Adoption

1. The Policy Regarding the Use of Municipal Resources by Candidates During an Election, attached hereto as Schedule "A", is hereby adopted.

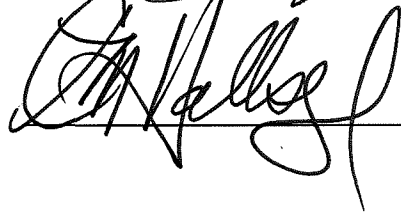
Effective Date

2. This By-law shall come into full force and effect upon passage.

Read and Passed in Open Council this 16th day of January, 2016



Mayor



Clerk

Schedule "A"
to By-law 2016-17F of the City of Greater Sudbury

**A Policy of the City of Greater Sudbury
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By Candidates During an Election**

Purpose:

1.-(1) This policy provides guidance on the use of City of Greater Sudbury (CGS) resources during municipal, school board, provincial and federal election campaigns and campaigns on a question on a ballot (referendum).

(2) The purpose of this policy is to preserve the public trust in governance and the electoral process; to comply with legislative provisions; and to ensure that all candidates are treated fairly and equitably.

Context/Legislative Authority:

2.-(1) The *Municipal Elections Act* prohibits municipalities from making a contribution to a candidate or registrant in municipal election campaigns and also prohibits a candidate from accepting a contribution from a person who is not entitled to make one. The *Election Finances Act* and the *Canada Elections Act* impose similar restrictions for provincial and federal election.

(2) As a contribution may take the form of money, goods or services and any use of the City of Greater Sudbury's resources, including but not limited to funds; facilities (excluding public right-of-ways such as sidewalks and roadways infrastructure and equipment); physical or intellectual property; IT and communications systems; supplies; and staff for an election campaign would be viewed as a contribution and is a violation of the legislation.

(3) Under the *Residential Tenancies Act*, "Candidates for election to any office at the federal, provincial or municipal level" may campaign in residential complexes owned by the City of Greater Sudbury, including Pioneer Manor, as described in that Act.

Guidelines:

3.-(1) This policy applies to all candidates and potential candidates; to members of Council, Boards, Advisory Panels, other CGS affiliated bodies and organizations; and to CGS staff.

(2) The City of Greater Sudbury cannot make a contribution to any candidate, campaign or position on a ballot question and City resources cannot be used to promote candidates, campaigns or positions related to an election.

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(3) Candidates may not use any CGS facilities or resources for campaign related activities including distribution or display of campaign materials nor may they campaign at events or functions hosted by the City.

(4) CGS corporate identity and that of its affiliated boards and agencies including logos, coats of arms, slogans and other elements may not be used on any campaign materials. Candidates may not use photographs and videos produced by the City or its affiliates. Links to the City's website from a candidate's website are permitted only for the purpose of providing information about the Election or Municipal programs and services. CGS email, website, telephone and other addresses are not to be used by candidates as their campaign contact information.

(5) Members of Council hold the office until the end of the term and continue to fulfill all their responsibilities as Councillors during the period of an election. Councillors who are also candidates should draw strong boundaries between the two roles and any potential conflicts between the roles should be resolved in favour of the public interest.

(6) Councillors are responsible for ensuring that any communications materials produced in their role as Councillor do not make any reference to an election, candidate, campaign or ballot question and that no resources are used for election or perceived election related purposes.

(7) CGS staff must adhere to the legislation and this policy and may not provide corporate resources in support of any election campaign. CGS staff may not volunteer or work on any campaign during paid work hours. Political involvement and activity is governed by the Employee Handbook and employees should reference this information in making decisions regarding their participation in any election campaign and are reminded that they are expected to promote the principles of transparency, impartiality, respect and accountability in all election related matters.