

SUBJECT: Use of Corporate Resources for Election Purposes Policy (2022)

PREPARED BY: Kimberley Kitteringham, City Clerk / Returning Officer
Martha Pettit, Deputy City Clerk / Assistant Returning Officer
Scott Chapman, Manager, Elections

RECOMMENDATION:

1. That the report titled 'Use of Corporate Resources for Election Purposes Policy (2022)' dated January 17, 2022 be received for information.

PURPOSE:

To provide Council with information on the City's *Use of Corporate Resources for Election Purposes Policy* ahead of the 2022 Ontario Provincial Election and 2022 Municipal Election.

BACKGROUND:

In 2022, two government elections are scheduled to take place in Markham. The 2022 Ontario Provincial Election is expected to occur on or before June 2, while the 2022 Municipal and School Board elections will be held concurrently on October 24. As such, the City's [*Use of Corporate Resources for Election Purposes Policy*](#) is now in effect.

The *Election Finances Act, 1990* and *Municipal Elections Act, 1996*, preclude municipalities from contributing resources to a candidate or third party advertiser's election campaign on the basis that the use of municipal corporate resources would provide an unfair advantage to those able to access them. Accordingly, Council has established a policy defining non-permitted uses of the City's corporate resources during an election period. As its governing principle, the policy dictates that corporate resources are never to be used for campaigning by (or for) any candidate running for office at any level of government.

The City's corporate resources include (but are not limited to):

- Discretionary budgets
- City facilities and equipment
- City staff and volunteers
- City-funded programs and services
- City-funded communications (i.e., material sponsored, printed, or distributed by the City)
- City logo and corporate identifiers
- City websites and domain names funded by the City
- City computer networks and related IT systems
- Personal and confidential information acquired in one's capacity as an elected official, employee, or representative of the City

OPTIONS / DISCUSSION:

In a municipal election year, Members of Council are allocated 11/12^{ths} of their annual discretionary budget. Between January 1 and April 30, Members can access up to 6/11^{ths} of

their total budget. Ward councillors can issue one newsletter before May 1, while regional councillors are allocated half of their annual newsletter budget. As of May 1, the following services will be discontinued for Members seeking office in the 2022 Municipal Election:

- Newsletters and other ward-wide communications (print or digital), except where authorized by Council resolution
- All forms of advertising
- Printing, high-speed photocopying, and distribution of any such materials
- Ordering stationary and office furnishings

Nothing in this policy is intended to prevent a Member of Council from performing their legislated duties or representing the interests of their constituents for their full term of office. Rather, the policy clarifies what constitutes acceptable use of corporate resources such that Council and staff are empowered to fulfill their public mandates while maintaining the non-partisan and transparent operation of the municipal administration in an election year.

It is important that Members of Council, City staff, candidates, registered third party advertisers, and all other election stakeholders follow the rules outlined in the [Use of Corporate Resources for Election Purposes Policy](#) to support a fair and transparent election process. Staff in the City's Election Office will continue to communicate the policy to all stakeholders throughout the election year.

Members of Council and City staff are encouraged to review this policy (attached as Appendix 'A'), and to direct any questions to vote@markham.ca.

FINANCIAL CONSIDERATIONS

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable.

BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable.

RECOMMENDED BY:

Kimberley Kitteringham
City Clerk / Returning Officer

Trinela Cane
Commissioner, Corporate Services

ATTACHMENTS:

Appendix 'A' – *Use of Corporate Resources for Election Purposes Policy*