



## The Corporation of the Town of Tecumseh

### Policy Manual

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## 1. Purpose

- 1.1 The Corporation of the Town of Tecumseh and its local boards and committees are committed to ensuring accountable and transparent election practices with regards to the use of Town Resources during pre-election and election periods.
- 1.2 This Policy establishes rules and procedures for the use of Town of Tecumseh resources during Municipal, School Board, Provincial, and Federal Election Campaign Periods, including any campaigns related to a question on a ballot and any Campaign Related Activities that occur outside a Campaign Period.
- 1.3 All individuals subject to this Policy are required to comply with all relevant legislation and Town Policies. This includes, but is not limited to: the *Municipal Elections Act*, 1996; the *Election Finances Act*, 1990; the *Canada Elections Act*, 2000; the Declaration of Office for Members of Council; the Code of Conduct for Members of Council and Local Boards; the Employee Code of Conduct and Ethics (for Town employees); Social Media Policy; and any other applicable Town Policies related to workplace conduct, health, and safety.
- 1.4 This Policy is in accordance with the *Municipal Elections Act*, 1996, the *Municipal Act*, 2001, the *Election Finances Act*, 1990 and the *Canada Elections Act*, 2000 (hereinafter collectively referred to as the “**Election Legislation**”) which include similar prohibitions with respect to provincial and federal election campaigns.
- 1.5 As a contribution may take the form of money, goods or services, any use of the Corporation’s resources for campaign or campaign related activities could be viewed as a contribution by the Town in violation of Election Legislation.
- 1.6 This Policy allows the Town to satisfy its legal responsibility to ensure that no Candidate, registered Third-Party Advertiser or political party is provided with an unfair advantage.

## 2. Federal and Provincial Elections

- 2.1 The Town continues to emphasize the importance of strengthening relationships with all levels of government and actively engages in political advocacy campaigns including during Elections to promote the interest of the Town.
- 2.2 To avoid the appearance of Town support for partisan political activities, discretion will be used when considering requests for government events

leading up to and during the period when the writ of an election (dissolution of parliament [federal] or legislature [provincial]) is issued.

### 3. **Scope**

This Policy applies to all Candidates, Third-Party Advertisers, Council Members, Town Staff, and any other person acting on behalf of a Candidate, Third-Party Advertiser or a Council Member during a Pre-Election period or an election period. This Policy further applies to any actions that are further deemed to be Campaign Related Activities by the Town's Clerk.

### 4. **Definitions**

- 4.1 **"Act"** means the *Municipal Elections Act*, 1996, as amended from time to time, and includes any regulations made thereunder.
- 4.2 **"Campaign(ing)"** or **"Campaign Related Activities"** means any work, effort, activity, or thing intended to influence person(s) to vote for or against any Candidate, or on any question or by-law during an Election period or at any other time.
- 4.3 **"Campaign Period"** means any period during which a Candidate, Registered Third-Party, or any individual or group engages in activities intended to influence the outcome of an election or by-election, including but not limited to the official nomination period, the time leading up to an election, and any time before or after an election where Campaign Related Activities are conducted.
- 4.4 **"Candidate(s)"** means the following:
  - 4.4.1 A person who has filed a nomination form for election to any of the following: for an office on a municipal council, school board trustee, Member of Provincial Parliament, or a Member of Parliament (collectively an "Office") pursuant to the relevant legislation, or any other person acting on their behalf. Candidate shall also mean for the purposes of this Policy those individuals who have publicly expressed an intention to file a nomination form for election to an Office.
  - 4.4.2 Where referred to in this Policy, the term Candidate can also include a political party, constituency association, Registered Third-Party, or any other person or group seeking to influence person(s) to vote for or against any Candidate, question, or by-law during an Election Period or in respect of a subsequent Election.

- 4.5 “**Committee Member**” means any person who has been appointed as a member to a Statutory or Advisory Committee or Local Board for the Town.
- 4.6 “**Council Member**” means a Member of Council of the Town of Tecumseh.
- 4.7 “**Election**” means an election or by-election at the municipal, regional, school board, provincial or federal level of government or political party Election.
- 4.8 “**Election Period**” means the period of time where an individual can be nominated as a Candidate in an Election or by-election through to and including Voting Day.
- 4.9 “**Election Sign**” means all types of materials defined and governed in By-law No, 2018-32 as amended.
- 4.10 “**Local Board**” has the same meaning as found in Section 1 of the *Municipal Act*, 2001.
- 4.11 “**Nomination Day**” is the date designed under the Act or such other dates designated by Provincial or Federal legislation as applicable.
- 4.12 “**Policy**” means this “Prohibition on the Use of Town Resources for Elections Purposes” policy.
- 4.13 “**Registered Third-Party**” means an individual, corporation or trade union that has filed a registration as a Third-Party advertiser in the municipal Election in accordance with section 88.6 of the Act or is a Registered Third-Party pursuant to Provincial or Federal Election legislation.
- 4.14 “**Social Media**” means any online platform or application that enables users to create, share, or engage with content or communications, including but not limited to Facebook, X, Instagram, Tik Tok, YouTube, Threads, LinkedIn, and any other similar applications.
- 4.15 “**Staff**” means all full-time, part-time, temporary students, co-operative placement staff, union employees, Town volunteers, and contract persons employed by the Town.
- 4.16 “**Third-Party Advertising**” means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting, or opposing a candidate or a “yes” or “no” answer to a question referred to in the Act and or as further defined Provincial or Federal election legislation.

- 4.17 **“Town”** means The Corporation of the Town of Tecumseh.
- 4.18 **“Town Facilities”** means any real or intangible property owned, operated, leased, or otherwise under the use and/or control of the Town. Including Town buildings, infrastructure, parks, sidewalks, and shall be deemed for the purposes of this policy to include any Town hosted or sponsored events regardless if such events are being hosted or held on Town property.
- 4.19 **“Town Resources”** means any and all real property, goods and/or services owned, controlled, leased, acquired, or operated by the Town including but not limited to: Town Facilities, parks, materials, equipment, monetary funds, technology, the Town’s information technology (IT) network and resources, databases, social media, intellectual property, supplies or any other asset, fund, or resource of any kind that belongs to, is used by, is leased or otherwise under the care and control of or is funded or otherwise associated with the Corporation of the Town of Tecumseh.
- 4.20 **“Voting (Election) Day”** is the date designated for voting under the Act or such other applicable dates designated by Provincial or Federal legislation as applicable.

## 5. **Policy**

### 5.1 **General Use of Resources**

- 5.1.1 Candidates, Council Members, Registered Third-Parties, Committee Members, Staff, acclaimed Member(s) and any other persons may not use any Town resources during a Campaign Period and/or Election Period or at any time before or after an election where Campaign Related Activities are being conducted which may include but are not limited to the following:
- (a) Order any stationery for any Campaign Related Activities or purposes;
  - (b) Engage in any Campaign Related Activity while wearing a Town uniform or identifier (i.e., name badge, hat, lanyard);
  - (c) Engage in any Campaign Related Activity while wearing clothing, buttons, or similar item(s), that advertise any Candidate, Registered Third-Party or political party while wearing a Town uniform or identifier;

- (d) Print or distribute any material that illustrates or implies that a Council Member or any other individual is or will be a Candidate in an Election;
- (e) Profile (including name or photograph) or make reference to, in any materials created or paid for with Town funds, any individual who is registered as a Candidate, Registered Third-Party, or Third-Party Advertiser in any Election who is engaging in Campaign Related Activities, at any time;
- (f) Print or distribute any material using Town Resources that references, identifies, or includes the name or photograph of a Candidate or Registered Third-Party, or that relates in any way to Campaign Related Activities;
- (g) Use of the Town logo, Town slogan, Town website(s), domain names, Town intellectual property, or other Town proprietary information;
- (h) Use of the Town's voice mail system to record election-related messages;
- (i) Use of the Town's distribution lists (including e-mail distribution lists) that have been prepared using Town Resources;
- (j) Use of the Town's computer network (including the Town's e-mail system) for Election-Related correspondence;
- (k) Use of a Town issued computer/tablet or cell phone for any Campaign related activities;
- (l) Use any photographs or videos that are produced for and/or owned by the Town, captured using Town equipment, or sent through Town e-mail accounts, for any Campaign Related activities;
- (m) Use their title or position within the Town in a way that may lead a member of the public to infer that the Town is endorsing or supporting a Candidate, Registered Third-Party or political party or any other Campaign related Activities;
- (n) Benefit from the use of any corporate pricing established under the Town's Purchasing Policy;
- (o) Use any Council Member(s) budget(s) for Campaign Activities or any use of correspondence or to advertise,

promote or support Campaign Related Activities including any candidate, third party or any question or by-law during an Election Period or in respect of a subsequent Election.

- 5.1.2 Placement of election signs for municipal, provincial and federal Elections must be in accordance and compliance with the Town's Elections Sign By-law 2018-32 as amended.
- 5.1.3 Candidates or Registered Third Parties are not permitted to engage in Campaign Related Activities directed at Staff while those Staff are at their workplace or while currently engaged in work for the Town.
- 5.1.4 Staff and Committee Members engaged in Campaign Related Activities must exercise care and due diligence in order to separate those personal activities from their official positions. Staff and Committee Members may participate in political activity at the federal, provincial and Town levels providing that such activity does not take place during Work hours or while serving the Town on such Committee and provided such activity does not use Town resources, or Town facilities.
- 5.1.5 Notices, posters, or similar material in support of a Candidate are not to be produced, displayed or distributed by Staff on Town Facilities or using Town Resources.
- 5.1.6 Staff may not run for an office on Town Council unless they are on leave of absence without pay, lieu time, float day, or vacation leave, beginning no later than the day the person is nominated and ending on Voting Day. If Staff wins an office on Town Council such staff are required to resign from their employment.
- 5.1.7 Staff and Committee Members will not canvass or actively work in support of a Candidate while wearing a uniform, badge, logo, or any other item identifying them as an employee of Town or using a Town vehicle.
- 5.1.8 During the Election Period Candidates must direct all requests for information or other miscellaneous inquiries and/or requests of Town Staff directly through the Town Clerk by email or such other designated method in order for the Clerk to review such requests and determine if the request can be accommodated in accordance with this Policy. For further clarity Candidates during the Election Period shall not submit any service or other requests including the submission of ideas or to report issues and concerns using the

Town's online portal CityWorks unless such submission relates to that Candidates personal or business address.

- 5.1.9 Any Staff receiving a request for information from a Candidate during the Election period shall forward and consult with the Town Clerk in order to determine if such request can be accommodated in accordance with this Policy. Any Information provided to one Candidate that is of a general nature, and which may provide valuable guidance to all others will be provided to all Candidates in a manner to be designated and as otherwise deemed appropriate by the Town Clerk.

## **5.2 Access to Town Property**

- 5.2.1 Candidates and Registered Third Parties shall not use Town facilities for any Campaign Related Activities.
- 5.2.2 Candidates and Registered Third Parties shall not display any Election Sign(s) or Campaign related material in the window or on the premises of any Town Facilities.
- 5.2.3 No Candidate or Registered Third-Party shall campaign or solicit (including display or distributing Campaign material, wear Campaign buttons, or clothing) while in or on any Town Facility.

## **5.3 Attending Town Events**

- 5.3.1 All requests made by a Candidate to attend Town Hall, requests for meetings with Town Staff, and/or requests for tours of Town Facilities must be made in writing and subsequently must be pre-approved by the Town Clerk in order to ensure that the requests are in accordance with this Policy.
- 5.3.2 No Candidate, Council Member or Registered Third-Party shall use the platform of a Town hall, ward meeting, committee meeting, or meeting of Council to make reference to their Election Campaign or for any Election-related purpose.
- 5.3.3 No Candidate or Registered Third-Party shall conduct Campaign Related Activities or solicit (including display or distribution of Campaign material, wearing Campaign buttons or clothing) during a Town Event.
- 5.3.4 Elected officials are permitted to attend Town-organized events or events held on Town Facilities and act as ceremonial participants in their capacity as elected officials, including speaking at the event



and partaking in ceremonial activities. In Provincial or Federal Elections, once the writ is issued, MPPs and MPs, with the exception of the Ministers of the Crown, are no longer elected officials and therefore should not be invited to attend Town events.

## **5.4 Use of Town Technology**

5.4.1 Websites and domains that are operated or funded by the Town shall only include those Election Related materials or information as approved by the Town's Clerk. During a municipal Election Period, the following Town-based technology and/or other services shall be discontinued:

- (a) All forms of advertising featuring the Council Members including in Town publications;
- (b) Links to Council Member-related websites, Social Media sites and Town Apps;
- (c) Unless otherwise stated in this Policy the posting, publication, or dissemination during the Municipal Election Period of any information relating to the activities (profile) of Council, or any particular Council Member on the Town's website or on the Town's Social Media, excluding Council Meeting Agendas and minutes of Council and committee meetings. Recordings of Council and Committee meetings are expressly prohibited from being used for Campaign related Purposes. Only contact phone and/or email as posted for each Council Member at the commencement of each term shall remain on the Town's website. Any references to Town events during the Municipal Election period on any Town advertising and communications including the Town's website or on the Town's Social Media shall if applicable only refer to the Council and individual Council members in a generic manner (i.e., "the Mayor", "the Ward 1 Councillor")

## **5.5 Use of Social Media**

- 5.5.1 Candidates and Registered Third Parties must use their personal website and/or Social Media account(s) that are noted in the Candidate Nomination package for the Election.
- 5.5.2 Social Media usernames and handles for campaign and elected related purposes must be pre-approved by the Town Clerk.

- 5.5.3 Council Members who choose to create and/or use Social Media accounts for campaigning must include, for the duration of the Election period, a clear statement on each campaign website or Social Media account's home page indicating that the account is being used for Election campaign purposes and that such account is not associated or otherwise endorsed by the Town.
- 5.5.4 Candidates and Registered Third Parties shall not take or use any photographs or videos for Social Media purposes or websites that feature Town resources or Town Facilities, or which include or reference a Town of Tecumseh event, or Town employee(s) who are wearing a Town of Tecumseh uniform or identifier (e.g. name badge, lanyard, hat, etc.).
- 5.5.5 Candidates and Registered Third Parties are not permitted to re-share, link to, or otherwise use any Town-generated Social Media post or Town communications document to their campaign Social Media account(s). Example includes re-sharing a Town of Tecumseh photo of individuals at a flag raising ceremony.
- 5.5.6 Candidates and Registered Third Parties shall not produce and post content for Social Media websites or campaigning that is on or in or otherwise displays any Town Facilities or which includes the Town logo, branding, landmarks, buildings, etc., which identifies with or which the public reasonably identifies with the Town.
- 5.5.7 If a sitting Council Member and/or Town Staff uses any Social Media account for campaigning, such accounts must not be created or supported by Town Resources. Social media accounts used for campaign purposes must utilize personal cell phones, personal tablets, and/or personal computers. In particular Town issued cell phones/tablets and computers etc. cannot be used to create any campaign related materials nor post any such materials to Social Media accounts and/or websites and this Policy reserves the right of the Town to audit and ensure compliance with this provision.

## 6. **Exceptions to Prohibited Uses**

- 6.1 Municipal information that is prepared, posted, and maintained by the Town – such as the names and photographs of Elected Officials, their contact information, and current committee assignments – may be shared provided it is part of standard Town communications and not used for Campaign-Related Activities.
- 6.2 Agendas and minutes of Council and Committee meetings.

- 6.3 Media releases and Town materials that describe inter-governmental activities of the Mayor in the capacity as Head of Council and Chief Executive Officer of the Town.
- 6.4 A provincial or federal announcement while made during a writ period may be permitted on Town platforms or at Town events only if it is directly related to government business and not associated with any Campaign Related Activity.
- 6.5 Town hall events or debates involving Candidates in an election may be held at and/or Town Facilities only if they are organized by non-partisan individuals or organizations where no specific Candidate is promoted or opposed, and the necessary rental agreements have been secured by the event organizer. For Municipal Elections or By-Elections, such events also require the prior consent of the Town Clerk. The Town will not host or organize Town hall events or debates for Municipal election Candidates. Registered Third Parties are not permitted to hold such events on Town property.
- 6.6 Municipal Election-Related education meetings that are organized by Town Staff may be held at any Town Property upon the approval of the Town Clerk. Certain provisions of this Policy may be subject to additional Town By-Laws, Policies, and procedures. Guidance should be sought from the Town Clerk, or designate, if clarification or interpretation is required.
- 6.7 Subject to such limitations as may be prescribed pursuant to this Policy a Member of Council is not precluded from otherwise performing their duties as a Member of Council, nor inhibited from representing the interests of the constituents who elected them.

## 7. **Implementation**

This Policy shall become effective immediately upon approval by Town Council.

## 8. **Complaints and Enforcement**

- 8.1 Any complaints regarding violations of this Policy should be filed pursuant to the Town's Election Complaints Policy, Policy No.140
- 8.2 If a written complaint is filed regarding the alleged use of Town Resources by an individual in contravention of this Policy, the Town Clerk shall have the delegated authority to review and resolve any complaint as deemed appropriate.

- 8.3 Notwithstanding the above, it is acknowledged and understood that the Clerk does not have the investigative authority to review and/or determine if there has been a violation of the *Municipal Elections Act*, 1996 or any other such Provincial or Federal legislation applicable in the circumstances. Therefore, any such complaints or alleged violations may be referred to the relevant authorities in the circumstances.
- 8.4 If it is found that there has been a breach of this Policy, the Candidate, Council Member, Committee Member, Registered Third-Party, or Staff member may be required to personally reimburse the Town for any and all costs associated with the breach.

## **Acknowledgement**

A Candidate who has filed a nomination for a Municipal Office subject to this Policy shall sign as part of the Nomination requirements, a copy of the Policy and its acknowledgements below:

I, \_\_\_\_\_, acknowledge that I have read and further have understand the “Prohibition on the Use of Town Resources for Election Purposes Policy.”

I further acknowledge, understand, and agree that by signing my name below I agree to abide by all of the terms and conditions of this Policy and further agree to indemnify and hold harmless the Corporation of the Town of Tecumseh for any and all costs suffered by the Town as a result of any breaches of this Policy.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature