Council Policy

Number:	**CP-GOV-008**
Title:	**Use of Corporate Resources for Election Campaign Purposes**
Owner:	Director, Legislative Services/City Clerk
Approved By:	Council
Approval Date:	October 23, 2017
Effective Date:	October 23, 2017
Last Revision Date:	October 15, 2025
Review Date:	In the year immediately preceding a regular election year
Status (New/Revised):	Revised (See Appendix "B")

Purpose:

- The purpose of this policy is to meet Richmond Hill's legislative requirements under Section 88.18 of the *Municipal Elections Act, 1996*, as amended, which requires Richmond Hill to establish rules and procedures with respect to the use of municipal resources during the election campaign period.
- This Policy also ensures that Richmond Hill's operations, events, and facilities are used for non-partisan purposes and are not used for election campaign related purposes/activities.
- This policy replaces the "Use of Corporate and Communication Resources during an Election Year" policy, as amended, approved by Council on March 26, 2012.

Background:

Richmond Hill is required by Section 88.18 of the *Municipal Elections Act, 1996*, as amended, to establish rules and procedures with respect to the use of municipal resources during the election campaign period. The City, in complying with the Act, also puts in place a policy to ensure that operations, events, and facilities are only used for non-partisan purposes.

Policy Statement / Principles:

The following principles apply to this Policy, and to the interpretation and understanding of the Policy:

1. Richmond Hill is committed to a fair and transparent municipal election process, and abiding by the principles of the Act, including but not limited to the principles that:
    a. elections must be fair, unbiased and accessible to all voters; and,
    b. voters and Candidates should be treated fairly and consistently;
2. A municipality is prohibited from making any contribution to any Candidate's election campaign;

3. The use of any Richmond Hill Resources for any Campaigning, or any election-related purpose, is prohibited;
4. Richmond Hill Resources, events and other activities should be non-partisan and not used for any election campaigning; and,
5. Members should not be impeded from fulfilling his/her representative duties as a Member during an Election Campaign.

Definitions:

The definitions applicable to this policy are included in Appendix “A”.

Scope:

This Policy applies to Members (including a Member not seeking re-election), Staff, Candidates and Acclaimed Candidates.

Policy:

General

1. No person shall use any Richmond Hill Resources for Campaigning or any partisan election-related activity.
2. The terms ‘Campaigning’, ‘election campaign’, ‘election-related activity’, ‘partisan’, and other terms having the same or similar meaning, shall be interpreted broadly to ensure compliance with principles of this Policy.
3. No campaign related signs, nor any other Candidates’ election-related material will be displayed in or on any Richmond Hill Facilities except as otherwise permitted by and in compliance with any Richmond Hill by-law that regulates elections signs.
4. Richmond Hill’s voice mail system shall not be used to record any partisan election-related messages and the computer network and related information technology systems (including Richmond Hill’s e-mail system) shall not be used to distribute partisan election-related correspondence or any other election campaign related material.
5. Candidates may only undertake Campaigning on Richmond Hill Facilities provided they have paid full-market rental fees and rates for use of such Richmond Hill Facilities, and have otherwise complied with any other Richmond Hill policy pertaining to the use of such Richmond Hill Facilities.
6. No campaigning or any partisan related event, or the placement of any campaign material, are permitted at the Municipal Offices (225 East Beaver Creek Rd.), including on or near any public lands (including public highways) immediately adjacent to the Municipal Offices or its parking lots

7. No Candidate, or person under the direction of a Candidate, shall use the services of Staff for any Campaigning, or any activity related to the Candidates election campaign, during hours in which those persons receive any compensation from Richmond Hill, unless such Staff are on an approved lieu time absence, float day, maternity/parental leave, or vacation leave.

8. Political involvement and activity by Staff is governed by Richmond Hill's Employee Code of Conduct and reference to this Employee Code of Conduct should be made when determining the appropriateness of any political involvement and activity by Staff.

9. City Events shall not be used for Campaigning or any other partisan activity.

10. Richmond Hill's logo, crest, coat of arms, slogan, brand, etc. shall not be printed or distributed on any election materials or included on any election campaign related website, domain or social media site, except in the case of a link to Richmond Hill's website to obtain information about the municipal election processes.

11. Photographs produced for and owned by Richmond Hill shall not be used for Campaigning.

Members of Council

12. Members shall not:

    a) Print or distribute any material using any Richmond Hill Resources that illustrates that the Member or any other individual is a Candidate in any election or where they will be running for office;

    b) Profile (name and/or photograph), or make reference to, any Candidate in any material created using Richmond Hill Resources; and,

    c) Print or distribute any material using Richmond Hill Resources that refers to, contains the names or photographs, or identifies Candidates for municipal elections.

13. In any material printed or distributed by Richmond Hill, Members are not permitted to:

    a) Illustrate that a person is a Candidate registered in any election;

    b) Identify where a person will be running for office; or,

    c) Profile or refer to Candidates in any election.

14. Members are responsible for ensuring that the content of any communication material, printed, sponsored or distributed by Richmond Hill, or printed, sponsored or distributed using any Richmond Hill Resources, including any electronic communication material, is not Campaigning or election-related.

15. In a regular election year, during the period that begins at 4:30 p.m. on July 31st up to 8:30 a.m. on the day following Voting Day, Richmond Hill shall cease providing Members with any of the following new supplies:

    a) Technology, including but not limited to, laptops, printers, cellular phones, etc., unless it is a replacement for technology that has ceased functioning; and,

b) Office furnishings, unless it is a replacement for furnishings that have ceased functioning.

16. In a regular election year, during the period that begins at 4:30 p.m. on September 20th up to 8:30 a.m. on the day following Voting Day, Richmond Hill shall cease providing Members with the following:

    a) Stationary; and,

    b) Other supplies normally provided to Members that have not been enumerated in paragraph 14 of this Policy.

    For greater certainty, Members shall not use any Richmond Hill Resources (including Members Budgets) for the purpose of obtaining the supplies referred to in this paragraph.

17. In a regular election year, all forms of advertising by or on behalf of a Member using any Richmond Hill Resources, including advertising in any Richmond Hill publication (whether in print or digital), is prohibited during the period that begins at 4:30 pm on July 31st up to 8:30 a.m. on the day following Voting Day.

18. In a regular election year, during the period that begins at 4:30 p.m. on July 31st up to 8:30 a.m. on the day following Voting Day, Richmond Hill shall cease to provide Members with all printing, high speed photocopying and distribution services, including but not limited to the printing and general distribution of Newsletters and new resident letters, and no Richmond Hill resources shall be used by a Member for any high speed photocopying and distribution services, including but not limited to the printing and general distribution of Newsletters and new resident letters.

19. Notwithstanding any other Richmond Hill policy or procedure to the contrary, during a regular election year a Member shall be permitted to print and distribute no more than one (1) Newsletter using any Richmond Hill Resources, subject to the following:

    a) no newsletter shall be printed or distributed during the period that begins at 4:30 p.m. on July 31st up to 8:30 a.m. on the day following Voting Day;

    b) the onus is on the Member to ensure that the printing and distribution of a Newsletter does not occur during the prohibited period; and,

    c) a Member shall not distribute any newsletter, or cause any newsletter to be distributed, outside of the geographical area that the Member has been elected or appointed to represent, unless such extra-territorial distribution is the result of Canada Post's un-addressed mail processes as determined by the Clerk.

20. In a regular election year, during the period that begins at 4:30 p.m. on July 31st up to 8:30 a.m. on the day following Voting Day, Members shall cease using any Richmond Hill Resources to send electronic communications, including electronic newsletters, to a large number of electronic contacts (defined as 50 or more persons or contact addresses).

21. Members' websites, domain names or other social media sites that are, in whole or in part, financed by Richmond Hill (including any Member's approved budget), and/or maintained

(including the posting of content) by Richmond Hill Staff shall not include any partisan election-related campaign material, nor provide links to website, domains or social media sites that include partisan election-related campaign material.

22. Notwithstanding any other Richmond Hill policy, procedure, practice or guideline to the contrary during a regular election year, Members shall be permitted to hold no more than one Member of Council Event, and no Member of Council Event shall be held during the period that begins at 4:30 p.m. on July 31st up to 8:30 a.m. on the day following Voting Day.

23. Members may host Residents' Meetings during a regular election year subject to the following:

    a) Campaigning of any kind is not permitted at any Residents' Meeting;

    b) Members may not profile, name or make reference to any Candidate or potential Candidate, including the Member hosting the Residents' Meeting; and,

    c) No Residents' Meeting may be held during the period that begins at 4:30 p.m. on July 31st up to 8:30 a.m. on the day following Voting Day, unless it pertains to a matter that will be considered by Council prior to Voting Day.

24. Where a Member is a Candidate in a By-election for another office on Council, during the period that begins on the date on which the Member files his or her nomination paper under section 33 of the Act up to 8:30 a.m. on the day following Voting day:

    a) All forms of advertising by or on behalf of that Member using any Richmond Hill Resources shall cease;

    b) Richmond Hill shall cease to provide that Member with all printing, high speed photocopying and distribution services, including but not limited to the printing and general distribution of Newsletters and new resident letters, and no Richmond Hill resources shall be used by a Member for any high speed photocopying and distribution services, including but not limited to the printing and general distribution of Newsletters and new resident letters.

    c) The Member shall only hold a Residents' Meeting for a matter that will be considered by Council prior to Voting Day, but shall not at any such Residents Meeting discuss in any way whatsoever his or her candidacy or the by-election;

    d) The Member shall not hold a Member of Council Event;

    e) The Member shall not print and distribute any Newsletter using any Richmond Hill Resources, and the rules in paragraph 19(b) and 19(c) shall apply with any necessary modifications or changes understood;

    f) The Member shall cease using any Richmond Hill Resources to send electronic communications, including electronic newsletters, to a large number of electronic contacts (defined as 50 or more persons or contact addresses).

25. To ensure compliance with the Act and the principles of this Policy, the provisions of this Policy, as they pertain to any Member, shall supersede the provisions of any other Richmond Hill policy, procedure, practice or guideline applying to that Member.

Limitations

26. Nothing in this Policy shall prohibit a Member from performing his/her job as a Member, nor impede them from representing the interests of his/her Constituents.
27. Nothing in this Policy shall preclude Staff from exercising his/her civic right and duty to participate in an election process, including a municipal election process, as a private citizen, except as provided for in the Employee Code of Conduct.
28. Nothing in the Policy shall prevent the Clerk or Staff from conducting an election in accordance with the Act, or providing, using Richmond Hill Resources, non-partisan election information material on behalf of the Clerk or Richmond Hill so as to inform the public about a municipal election and municipal election process.

Roles and Responsibilities:

Members of Council

- A Member is responsible for complying with this Policy and the Act.
- A Member is responsible for ensuring that any Staff who supports the Member in the performance of his/her duties, or any such Staff whose work is the directed by that Member, are complying with this Policy.
- A Member should be aware that non-compliance with this Policy:
    - may be contrary to the Act and subject to review by the compliance audit committee appointed pursuant to Section 88.37 of the Act; and/or
    - may be considered a breach of the Council Code of Conduct and subject to review by the Integrity Commissioner.

Staff

- Staff are responsible for complying with this Policy and the Act, and reporting potential breaches of the Policy to the Clerk, his/her supervisor, manager, Director or Commissioner.

Clerk

- The Clerk is responsible for interpreting and administering this Policy.

Related Documents and Procedures:

- *Municipal Elections Act, 1996*, as amended.
- City of Richmond Hill Council Code of Conduct

- City of Richmond Hill Employee Code of Conduct
- Member of Council Event Policy
- Member of Council Expense Policy

Appendix "A"
Definitions

In this policy:

"Acclaimed Candidate"	means a candidate elected by acclamation pursuant to section 37 of the Act.
"Act"	means the *Municipal Elections Act, 1996*, S.O. 1996, C. 32, as amended.
"By-election"	means an election held in accordance with section 65 of the Act.
"Campaigning"	means any election-related activity for the purpose of supporting or opposing the election of a Candidate or a question on the ballot, and includes, without limiting the generality of the foregoing, the distribution of materials (paper and electronic), advertising (including any form of electronic advertising), any form of promotion (including by means of social media), display of signage, etc.
"Candidate"	means: 1) a person who has filed a nomination for an office pursuant to section 33 of the Act, including a person who has filed a nomination for election to a school board pursuant to the *Education Act*, R.S.O. 1990, c. E.2., as amended; 2) any person who has filed a notice of registration to be a registered third-party pursuant to section 88.6 of the Act; and, 3) any person who is a candidate for election to either the House of Commons or Legislative Assembly of Ontario.
"City"	means the Corporation of the City of Richmond Hill
"City Events"	means an event that is planned and delivered by Staff, other than Member of Council Events, and generally have a broad community or celebratory focus. Funding for the events comes from the City's Operating Budget.
"Clerk"	means the **person appointed by Council as Clerk of Richmond Hill under Subsection 228(1) of the *Municipal Act, 2001* or their designate.**
"Council"	means the Council of Richmond Hill.
"Member"	means a person who has been elected or appointed to an Office on Council, including the Mayor, a Regional & Local Councillor, or a Local Ward Councillor.
"Member of Council Events"	means an event that is planned and delivered by a Member (or by a Member and Staff acting on behalf of a Member), the funding for which comes from community sponsorship not the City's Operating Budget.

“Newsletter”	means a printed publication produced and distributed by or on behalf of a Member, using any Richmond Hill Resources, to provide information to residents.
“Nomination Day”	means, in the case of a regular election, the day set out in section 31 of the Act - or- in the case of a by-election, the date fixed by the Clerk in accordance with section 65 of the Act.
“Office”	means the authority and duties attached to the position of being an elected member of Council.
“Policy”	means this Use of Corporate Resources for Election Campaign Purposes Policy.
“regular election”	means an election held in accordance with subsection 4(1) of the Act.
“regular election year”	means the calendar year in which a regular election is held.
“Residents’ Meeting”	means a meeting held by one or more Members to provide information and/or solicit feedback on a matter that is currently begin considered by Council, or has the reasonable prospect of being considered by Council.
“Richmond Hill”	means the Corporation of the City of Richmond Hill.
“Richmond Hill Facilities”	means all lands, buildings and other structures owned, leased, operated or otherwise controlled by Richmond Hill, and things growing upon or affixed thereto, including, but not limited to, all Richmond Hill administrative offices, operation centres, community centers, parks and sports fields, libraries and highways.
“Richmond Hill Resources”	includes any and all Richmond Hill Facilities, Staff and tangible and intangible goods and/or services owned, controlled, leased, acquired, or operated by Richmond Hill including but not limited to furnishings, materials, equipment, monetary funds (including any budget allocated to a Member by Council), technology, information technology systems and resources, databases, intellectual property, supplies and all services provided to Richmond Hill by third parties.
“Staff”	means all full-time and part-time persons hired by Richmond Hill including the CAO, Commissioners, Directors, Managers, Supervisors, Salaried Employees’ Association Staff, Members of C.U.P.E. Local 905, members of Richmond Hill Professional Fire Fighters Association, Local 1957, Administrative Staff, contract and temporary employees, students, secondments, co-op placement Staff, volunteer, and hired contractor, and, for

	greater certainty, includes any of the foregoing hired for the purpose of supporting the work of a Member;
“Voting Day”	in the case of a regular election, means the fourth Monday in October in the year of the election -or- in the case of a by-election, means the 45th day after the Nomination Day.

Appendix "B"
Revision & Review Table

Date	**Status** (new, no changes required, amended, repealed, administrative changes applied)	**Approved or Reviewed By** (Title)
October 23, 2017	New	Council
June 9, 2021	Revised	Council
October 15, 2025	Revised	Council