



Staff Report

Report To: Dan Best, Chief Administrative Officer
From: **Rebekah Msuya-Collison, Clerk**
Date: April 16 2018
Report: 11-2018
Subject: Rules and Procedures Municipal Election Resources

Recommendations:

That South Huron Council receive the recommendation from R. Msuya-Collison, Clerk; and

That South Huron Council accept the Rules and Procedures regarding use of municipal resources as presented.

Purpose:

The purpose of this Rules and Procedures is to provide a consistent approach and direction regarding the use of corporate resources during an election campaign and forms an integral part of the 2018 Election Procedures Manual.

Background and Analysis:

Section 88.18 of the *Municipal Elections Act, 1996* (MEA) now requires municipalities and local boards, before May 1 of an election year, to establish rules and procedures with respect to the use of municipal or board resources during the election campaign period.

The MEA specifies that a municipality or local board cannot make a contribution to a municipal election candidate (Section 88.8 (4)) or a registered third party (Section 88.12 (4) as of April 1, 2018).

A “contribution” includes:

- a) money, goods and services given to and accepted by or on behalf of a person for his or her election campaign (Section 88.15 (1));
- b) money, goods and services given to and accepted by or on behalf of an individual, corporation or trade union in relation to third party advertisements (Section 88.15 (2) as of April 1, 2018).

Since a “contribution” may take the form of money, goods or services, any use of the Corporation’s resources for an election campaign by a Member of Council who is a candidate, or by any candidate or any registered third party, would be a contribution by the municipality.

It is recognized that Members of Council are holders of their office until the end of their term. Nothing in Rules and Procedures shall preclude a Member of Council from performing their job, nor inhibit them from representing the interests of the constituents who elected them.

These rules and procedures are intended to:

1. Ensure compliance with the *Municipal Elections Act*, 1996, in regards to the role of the municipal contributing to a municipal and trustee election campaign;
2. Ensure candidates and registered third parties are treated fairly and consistently within the municipality;
3. Ensure the integrity of the election process is maintained at all times;
4. Establish the appropriate use of resources during an election period, in order to:
 - a. protect the interests of Members of Council, candidates, registered third parties, staff and the Corporation, and
 - b. ensure accountable and transparent election practices.

Operational Considerations:

There are no operational implications for the Corporation resulting from the proposed recommendation.

South Huron’s Strategic Plan:

Section 6.2.2 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- Transparent, Accountable, and Collaborative Governance

Financial Impact:

There are no financial implications for the Corporation resulting from the proposed recommendation.

Legal Impact:

There are no further legal implications for the Corporation resulting from the proposed recommendation.

Staffing Impact:

There are no staffing implications for the Corporation resulting from the proposed recommendation.

Policies/Legislation:

Municipal Elections Act

Council Code of Conduct for Council and Committee members

South Huron Sign By-law 73-2007, as amended by 75-2010

2018 Election Procedures Manual

2018 Candidates Guide

Consultation:

Related Documents:

South Huron Rules and Procedures on the use of Municipal or Board Resources for Election Purposes.

Respectfully submitted,

R. Msuya-Collison, Clerk