



Title:	<i>Use of Corporate Resources for Election Purposes</i>		
Policy Owner:	<i>Clerks</i>	Approved By:	<i>Council</i>
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1.0 DIRECTIVE STATEMENT

This policy is to ensure that the Town of Grimsby is in compliance with the Municipal Elections Act, 1996 (The Act), as amended, which requires the Town to establish rules and procedures for Candidates running in a municipal election. Public funds and resources are not to be used for any election related purposes, including the promotion of, or opposition to, the candidacy of a person for elected office.

2.0 DIRECTIVE PURPOSE

The purpose of this policy is to provide a clear approach and direction regarding the use of municipal resources during the election Campaign Period in accordance with The Act.

This policy outlines the Town of Grimsby's expectations of all election Candidates, sitting members of Council, and municipal Employees during municipal, provincial, and federal election campaigns; including any by-elections.

- No member/Candidate shall use the facilities, equipment, supplies, services, Staff or other resources of the Municipality (including letterhead, business cards, e-mail accounts, computers, photographic or video materials created by Town resources and any Councillor budgets) for any election campaign or campaign-related activities;
- No member/Candidate shall undertake campaign-related activities on Municipal property; and
- No member/Candidate shall use the services of persons during hours that those people receive any compensation from the Municipality. No photographic or video materials may be posted of themselves with Town Employees in uniform.

3.0 DEFINITIONS

Blackout Period – means the temporary period from the day prior to Nomination Day to and including Voting Day that certain privileges are discontinued for sitting members of Municipal Council and the Mayor.



Candidate – means a person who has filed a nomination to run in a municipal, provincial or federal election and shall be deemed to include a person seeking to influence other persons to vote for or against any Candidate or any question or by-law submitted to the electors under Section 8 of The Act.

Campaign Period – means the date a Candidate files their nomination through to and including Voting Day.

Corporate Resources – means Town of Grimsby Staff, events, funds, information, and assets.

Election Period – means the official Campaign Period of a municipal, regional, provincial, or federal election, by-election, or political party contest as outlined below:

Regular Municipal Election (includes Local Councillors, Regional Councillors, Regional Chair and School Board Offices)	The Election Period commences on the first day nominations may be filed and ends on Voting Day.
Municipal By-Election (includes Local Councillors, Regional Councillors, Regional Chair and School Board offices)	The Election Period commences on the first day nominations may be filed and ends on Voting Day.
Provincial or Federal Elections	The Election Period commences the day the writ for the Election is issued and ends on Voting Day.
Provincial party leadership and nomination contests	The Election Period commences with the date of registration as a Candidate with the Chief Electoral Officer of Ontario and ends after the date fixed for the leadership vote as filed with the Chief Electoral Officer of Ontario.
Federal party leadership and nomination contests	The Election Period commences when a contestant first receives contributions, incurs expenses or borrows money or is deemed to be a contestant in accordance with sections 478.2 (2) and 476.2 of the Canada Elections Act and ends with the date of selection.



Employee or Staff – means full-time, part-time, and contract Employees, paid by the Town of Grimsby.

Municipal Facilities – means any real property owned or under the control of the Town of Grimsby.

Nomination Day – means the third Friday in August in the year of the election.

Town or Town of Grimsby – means the Corporation of the Town of Grimsby

The Act – means the Municipal Elections Act, 1996, as amended from time to time, and includes any regulation made thereunder.

Voting Day – means the day on which the final vote is to be taken in an election.

4.0 SPECIFIC POLICY REQUIREMENTS

Section 1: Statutory Provisions

This policy operates along with and as a supplement to existing legislation and Town policies governing the use of municipal resources during an election Campaign Period:

- The Municipal Elections Act, 1996, as amended
- The Finance Election Act, 1990, as amended
- The Canada Elections Act, 2000, as amended
- The Council Code of Conduct (By-law 20-74)
- The Town of Grimsby Clerks Election Procedures

Section 2: Technology-Related Provisions

Candidates and members of Council shall not use Municipal Resources, for any election-related purposes, including computers, call/smart phones, tablet, printers, scanners, or other services such as email, internet, and file storage.

Web sites or domain names that are funded by the Town of Grimsby shall not include any election-related campaign material or links to sites that feature election-related campaign material. The online list of Candidates shall be the only area of the Town of Grimsby's website where links to external election campaign websites may be posted during the Election Period.



The Town of Grimsby's voicemail system is not to be used to record election-related messages nor shall the computer network, including the Town of Grimsby's e-mail system, be used to distribute election campaign-related correspondence. Candidates are permitted to link to any Town document available to the public or on a public Town webpage from their campaign website.

Sitting members of Council who choose to create 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 is not related to their duties as a member of Council.

Section 3: Facility-Related Provisions

Candidates shall abide by the Municipal Election Sign By-law for the posting of signs and notices. In addition, no campaign-related signs nor any other election-related material shall be displayed on any municipally owned or leased building/property where municipal offices are located.

Candidates shall not use any municipally provided facilities for any election-related purposes.

Candidates may not campaign and/or distribute campaign literature during any function being hosted by the Town of Grimsby, whether on municipal property or not.

Section 4: Communications-Related Provisions

Members of Council are responsible for ensuring that the content of any communication material, printed, hosted or distributed by the Town of Grimsby, is not election-related. Candidates shall not print or distribute any election campaign-related material using municipal funds.

Photographs or videos produced for and owned by the Town of Grimsby shall not be used by Candidates for any election purposes.

No advertising paid for by and owned by the Town of Grimsby shall contain the name of the Councillor or the Mayor unless consistent with their duties as an elected official.

The Town of Grimsby's logo, crest or any variation of it shall not be printed, posted or distributed on any election materials or included on any election campaign-related



website, website platforms, social media pages except in the case of a link to the Town's website to obtain information about the municipal election.

Members of Council, including the Mayor, shall not deliver any unsolicited material outside of their existing ward where the printing and/or distribution costs are paid by the municipality. Care should be taken to ensure that the mailing of newsletters be restricted to the Member's ward only.

Members of Council cannot enter into joint ventures using Corporate Resources outside of their existing wards from Nomination Day to Voting Day, unless specifically approved by Council. At all other times, a signed agreement between ward Councillors is required.

Distribution lists or contact lists developed using municipal resources or through contact in a member's official duties shall not be used for election campaign related purposes.

Section 5: Employee Provisions

Staff shall not canvass or actively work in support of a municipal, provincial or federal Candidate or party during normal working hours unless they are on a leave of absence without pay, lieu time, float day or vacation leave.

Employees engaged in political activities must take care to separate those personal activities from their official positions. Employees may participate in political activity at the federal, provincial and municipal levels, providing that such activity does not take place during work hours or use corporate assets, resources, or property. Notices, posters or similar material in support of a particular Candidate or political party are not to be produced, displayed or distributed by Employees on Town of Grimsby work sites.

Section 6: Blackout Period Provisions

No member of Council, including the Mayor, shall advertise, print, photocopy, or distribute any newsletters unless directed and approved by Council.

No member of Council, including the Mayor, shall order office furniture or furnishings, except those of an emergency nature; or order any stationery or business cards, except within reason and as needed to carry out their current duties.

Members may attend Town events during the Blackout Period in their capacity as an elected official provided there is no campaigning at the event.



Members shall ensure their backgrounds and attire during any virtual events and meetings held by the Town are neutral, without reference to the election campaign.

5.0 LIMITATIONS

This policy does not preclude a member of Council or Regional Council from performing their duties as a Councillor, Mayor, Regional Councillor, or Regional Chair nor inhibit them from representing the interests of the constituents who elected them.

Nothing in this Policy shall preclude Staff from exercising their civic right and duty to participate in an election process, including a municipal election process, as a private citizen.

6.0 IMPLEMENTATION

This policy shall become effective immediately upon approval by Council.

7.0 RATIONALE AND LEGISLATIVE AUTHORITY

It is necessary to establish on the appropriate use of Corporate Resources during an Election Period to protect the interests of both members of Council and the Town of Grimsby.

The Act prohibits a municipality from making a contribution to a Candidate. The Act also prohibits a Candidate, or someone acting on the Candidate's behalf, from accepting a contribution from a person who is not entitled to make a contribution.

As a contribution may take the form of money, goods or services, any use by a Member of Council of the Corporation's resources for their election campaign would be viewed as a contribution by the Municipality to the member, which is a violation of The Act.