

THE CORPORATION OF THE
TOWN OF PRESCOTT

BY-LAW NO. 18-2026

BY-LAW TO ESTABLISH A USE OF CORPORATE RESOURCES POLICY FOR THE
CORPORATION OF THE TOWN OF PRESCOTT.

Being a by-law to Establish a Use of Corporate Resources Policy for The
Corporation of the Town of Prescott.

WHEREAS, the *Municipal Act 2001*, S.O. 2001, c.25, as amended, states that municipalities shall adopt policies with respect to certain matters; and

WHEREAS, the *Municipal Elections Act 1996*, as amended, provides that before May 1 in the year of a regular election, municipalities shall establish rules and procedures with respect to the use of municipal resources during the election period; and

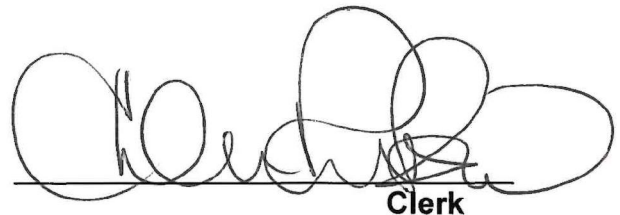
NOW THEREFORE IT BE RESOLVED THAT the Council of the Corporation of the Town of Prescott enacts as follows:

1. That Policy 800-01 Use of Corporate Resources for Election Purposes be approved and attached hereto as Schedule "A" to this By-Law.
2. This by-law and the Policy attached as Schedule "A" shall come into force and take effect on the date of passing.
3. That any other By-Laws, resolutions or actions of the Council of the Corporation of the Town of Prescott that are inconsistent with the provisions of this By-Law are hereby rescinded.

**READ AND PASSED, SIGNED AND SEALED THE 16th DAY OF
MARCH, 2026.**



Mayor



Clerk



Policy Type: Elections Policy

Approved by Council on: March 16, 2026

Use of Corporate Resources for Election Purposes

Policy Statement

The Corporation of the Town of Prescott and its local boards are committed to ensuring accountable and transparent election practices relating to the use of Corporate Resources. The *Municipal Elections Act, 1996*, establishes the election campaign finance rules for Candidates running for municipal election. Public funds 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. The *Municipal Elections Act, 1996*, prohibits a municipality from making contributions in any form, which includes its assets, resources, and employees.

Scope

This policy applies to Members of Council, the Town, Staff, Candidates (including Acclaimed Candidates), and Registered Third Parties (all as defined herein).

Purpose

The purpose of this policy is to clarify that all municipal election Candidates, Members of Council, Registered Third Parties, and Staff are required to follow the provisions of the Act about the use of Corporate Resources for election purposes.

This policy also ensures that the Town's operations, events, and facilities are used for non-partisan purposes and are not used for election campaign related purposes/activities.

Definitions

"Acclaimed" means to have been elected by acclamation pursuant to section 37 of the Act.

"Act" means the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, as amended.

"Campaigning" means engaging in municipal election-related activity for supporting or opposing the election of a Candidate or a question on the ballot, and includes, without limiting the generality of the foregoing, the distributing of materials, advertising, display of signage, etc.

"Campaign-related materials" means materials that promote or oppose the election of a Candidate or a question on the ballot.

“Candidate” means a person who has filed a nomination for an office pursuant to section 33 of the Act and includes 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.

“Clerk” means the Clerk of the Town or his/her/their designate.

“Corporate Resources” means real property, goods and/or services owned, controlled, leased, acquired, or operated by the Town including but not limited to: facilities, parks, materials, equipment, monetary funds, technology, IT systems and resources, databases, social media, intellectual property, and supplies.

“Council” means the Council of the Corporation of the Town of Prescott.

“Member” means a member of Council and includes the Mayor.

“Nomination Day” means the date by which a nomination must be filed pursuant to the Act.

“Staff” means all persons employed with the Town, including but not limited to hourly employees, contract, temporary, and students.

“Town” means the Corporation of the Town of Prescott, including its local boards.

“Registered Third Party” means an individual, corporation, or trade union that is registered with a local municipality under Section 88.6 of the Act, and **“Registered Third Parties”** means more than one Registered Third Party.

“Voting Day” means, in the case of a regular Election, the fourth Monday in October in the year of the Election, or in the case of a by-election, the 45th day after Nomination Day, as noted in the Municipal Elections Act, 1996, as amended.

Policy

General Provisions

In accordance with the Act:

- a) Corporate Resources and funding may not be used for any election-related purposes;
- b) Staff may not canvas or actively work in support of a Candidate or Registered Third Party during working hours;
- c) Corporate Resources may not be used for any election-related purposes, which includes Campaigning or the displaying of any Campaign-Related Materials on Town premises unless all Candidates are afforded the same opportunity.

Specific Regulations:

The following, if supplied by the Town, shall be discontinued for all Members throughout the period from May 1st of the election year until Voting Day, inclusive, or, in the case of a municipal by-election, for the period of 60 days prior to and inclusive of Voting Day,:

- a) All forms of advertising, including advertising in Town publications;
- b) All printing, photocopying and distribution, including printing and general distribution and display of newsletters;
- c) The ordering of any stationery or office supplies or furnishings;
- d) Links to Member-related web sites or social media links;
- e) The porting of information relating the activities of Council or any Member on the Town website, excluding the minutes of Council and committee meetings (only the photos and contact phone and/or email posted for each Member at the commencement of each term shall remain on the corporate website).

To avoid any confusion with any website or social media accounts used for Council work, Members who choose to create or use their own websites or social media accounts shall throughout the period from May 1st of the election year until Voting Day, inclusive, or, in the case of a municipal by-election, for the period of 60 days prior to and inclusive of Voting Day,:

- a) Include a clear statement, easily found and readable, on each website or social media account's home page indicating the account is being used either solely for Council work, for both Council work and election campaign purposes, or solely for election campaign purposes;
- b) Include a statement described in clause a) for as long as the website or account is accessible to the public.

Members, Candidates, and members of the public shall not:

- Create, print or distribute any material paid for by Town funds that illustrate that a Member or Council or any other individual is registered in any municipal election or where they will be running for office;
- Profile (name or photograph), or refer to, in any material paid for by Town funds, any individual who is a Candidate in any municipal election;
- Create, print or distribute any Campaign-Related Materials using Town funds, including any materials that refer to, or contains the names, photographs, or identifies registered Candidates for municipal elections;
- Use the Town website, logo, domain names and/or other social media sites that are funded, owned or operated by the Town for campaigning/advertising or as a substitute to distributing newsletters or flyers from Nomination Day up to and including Voting Day;
- Use the Town's voicemail system to record municipal election-related messages;
- Use the Town's computer network (including the email system) for municipal election-related correspondence;

- Use Town-issued devices, such as cell phones, for municipal election-related purposes unless it is impractical to do so, in which case the Member shall report election-related usage to the Clerk and reimburse the Town for such use.
- Use any photographs produced for and owned by the Town or any photos taken utilizing Town equipment for any election-related purposes;
- Use Corporate Resources or Staff in any campaign photos or images unless all Candidates are afforded the same opportunity (for clarity: photos/images of outdoor publicly accessible spaces and facilities are permitted; photos/images of interior spaces and spaces not accessible to the public are not permitted);
- Use any Town facility/property/venue for any election related purpose unless the applicable rental fee, as established by the Town, is paid and the opportunity to rent such facility/property/venue is available to all Candidates and Registered Third Parties (Note: no facility/property/venue shall be rented or used for any municipal election-related purpose by Members, Candidates, Registered Third Parties, or the public during any day that voting is taking place at the facility/property/venue, including set-up, hosting, or take-down activities); or
- Benefit from the use of any Town pricing established under the Town's purchasing policy.

Staff Involvement:

Due to the potential for perceived conflict of interest, Staff should consider the impact of being involved in Campaigning, including displaying election signs on their property, participating in phone and/or e-mail solicitations, signing nomination papers, distributing brochures or Campaign-Related Materials, and/or wearing Candidate buttons.

Staff, shall:

- a) Behave in a manner that is impartial, fair and unbiased toward all Candidates and Registered Third Parties;
- b) Consult with their direct Supervisor prior to agreeing to perform any task requested by a Member, Candidate, or Registered Third Party that exceeds their normal duties or could be construed as contributing to an election campaign as Staff or otherwise on behalf of the Town;
- c) Not rent any Town facility/property/venue for any municipal election-related purpose to Members, Candidates, Registered Third Parties or the public during any day that voting is taking place anywhere on the property at which the facility/venue is located, including set-up, hosting, or take-down activities;
- d) Ensure separation between their personal activities and their official positions;
- e) Not participate in Campaigning or canvas or actively work in support of a Candidate or Registered Third Party during working hours (Note: this does not apply to personal time, such as during an approved leave of absence without pay, lieu time, float day, or vacation leave);

- f) Request and obtain a leave of absence without pay should they wish to run for federal, provincial, or municipal office and abide by the applicable legislation governing such elections; and
- g) be permitted to be involved in provincial and/or federal campaigns provided that such involvement does not affect the objectivity with which they must discharge their duties as a representative of the Town.

Policy Management:

Staff are authorized and directed to take the necessary action to give effect to this policy.

Nothing in this policy shall preclude a Member from performing their duties as a Councilor, nor inhibit them from representing their constituents

The Clerk is delegated the authority to make administrative changes to this policy that may be required from time to time due to legislative changes or if, in the opinion of the Clerk, the amendments do not change the intent of the policy during an election period.