

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE**


BY-LAW NO. 2026-012

**A BY-LAW TO ENACT A CORPORATE POLICY – USE OF
CORPORATE RESOURCES DURING AN ELECTION
CAMPAIGN POLICY - FOR THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE TO REPEAL BY-LAW
NO. 5050-18**

BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE as follows:

1. THAT By-law No. 5050-18 authorizing Policy P-CS-18-006 is hereby repealed; and
2. THAT the Use of Corporate Resources During an Election Campaign Policy for The Corporation of the Town of Niagara-on-the-Lake, attached as Policy P-CS-26-02, be and the same is hereby approved; and
3. THAT the Lord Mayor and Town Clerk be authorized to affix their hands and the Corporate Seal; and
4. THAT this by-law shall come into force and take effect immediately upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME THIS 24TH DAY OF MARCH
2026**



LORD MAYOR GARY ZALEPA



TOWN CLERK GRANT BIVOL



Use of Corporate Resources During
an Election Campaign Policy
Policy Number P-CS-26-02

1. Policy

Policy Number:	P-CS-26-02
Policy Name:	Use of Corporate Resources During an Election Campaign Policy
Effective Date:	03/24/2026
Last Revised:	03/25/2018
Last Reviewed:	03/1054/2026
Supersedes	P-CS-18-006

2. Policy Statement

This policy is to ensure that the Town of Niagara-on-the-Lake is in compliance with section 88.18 of the Municipal Elections Act, 1996, 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.

3. Definitions

TERM	DEFINITION
Act	means the Municipal Elections Act, 1996, as amended from time to time, and includes any regulation made thereunder.
Blackout Period	is a term that refers to 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 Lord Mayor.
Campaign	means any activity undertaken with the intention of influencing electors to vote for or against a Candidate or question on a ballot.
Campaign Period	begins on the first day of the nomination period and ends on Voting Day, or as otherwise defined by applicable legislation.
Candidate	means a person who has filed a Nomination Form as a Candidate in the Town's municipal or local board election or by-election, or a person who is a Candidate or who is seeking a nomination in a provincial or federal election or by-election, including acclaimed Candidates.
Corporate Resources	includes, but is not limited to: <ul style="list-style-type: none"> • Town facilities and property; • Staff time and services; • Town funds and budgets, including Council office budgets; • Equipment, technology and information technology systems;



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	<ul style="list-style-type: none"> • Town-owned photographs, videos, branding and graphic materials; • Town logo, crest, coat of arms, slogans and identifiers; • Mailing lists, databases and records; • Communications platforms and social media accounts; • Vehicles, office supplies and printing services • Town Events
Elected Official	means a person elected to an office of municipal, provincial, or federal government, or a local board.
Election Period	means the official campaign period for a Municipal, Regional, Provincial or Federal election or by-election.
Member of Council	means a person elected to an office of the Council of The Corporation of the Town of Niagara-on-the-Lake.
Municipal Publications	means any Town publication.
Nomination Day	for a regular municipal election is the third Friday in August in the year of the election.
Nomination Form	means the prescribed form and declaration of qualification, executed and filed by the Candidate.
Registered Third Party	means an individual, corporation or trade union that has filed a Notice of Registration as a third party advertiser in the federal, provincial, or municipal election.
Social Media	means online technologies and practices used to share opinions, insights, experiences, and perspectives through words, pictures, music, videos and audio. Social media can take many different forms, including but not limited to internet forums, web logs (blogs), social blogs, messaging, wikis, podcasts, pictures, video, music sharing, rating and bookmarking. A non-exhaustive list of examples of social media include Facebook, X, Instagram, Snapchat, YouTube, TikTok, Threads and LinkedIn.
Staff or Employee	means all full-time, part-time, volunteer, and contract employees of the Town, including members of Council
Town Clerk	means the Clerk of The Corporation of the Town of Niagara-on-the-Lake, an election official in accordance with the Municipal Elections Act, 1996, and the position responsible for conducting municipal elections within the municipality.
Town or Town of Niagara-on-the-Lake	means The Corporation of the Town of Niagara-on-the-Lake.
Town Property or Municipal Facilities	means all Town-owned, leased, operated and/or controlled properties and facilities, including but not limited to indoor and outdoor recreation fields; parks and parkland; gardens; open space and boulevards; buildings and rooms; furniture;



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	equipment and fixtures; vehicles and fleet vehicles; parking lots and parking spaces; and the Lord Mayor's office.
Town-organized Event(s)	means events organized or funded solely or jointly by the Town.
Voting Day	means the day on which the final vote is taken in an election.

3. Policy Purpose

The purpose of this Policy is to establish clear, comprehensive and enforceable rules governing the use of Corporate Resources during an Election Period. The provisions contained herein provide a consistent approach to the use of Town Corporate Resources during a Campaign Period and expressly prohibit contributions and the use of Corporate resources for campaign purposes.

This Policy affirms that:

- The Town shall not make a contribution, directly or indirectly, to any Candidate or Registered Third Party.
- Corporate Resources shall not be used for any Campaign or campaign-related purpose.
- All Candidates shall be treated fairly and consistently.
- Municipal facilities shall remain free from campaign activity at all times.
- Public confidence in the neutrality and integrity of municipal government shall be maintained throughout all election periods.

This Policy shall be interpreted as a general prohibition against the use of Corporate Resources for campaign-related purposes.

This Policy is intended to:

- Ensure compliance with the Municipal Elections Act, 1996, in regards to the prohibitions against the Town contributing to a municipal, trustee, or a registered third party election campaign.
- Ensure Candidates and Registered Third Parties are treated fairly and consistently within the municipality.
- Ensure that the integrity of the election process is maintained at all times.
- Establish the appropriate use of Corporate Resources during an election period, in order to:
 - protect the interests of Elected Officials, Candidates, Registered Third Parties, Staff and the Corporation, and
 - ensure accountable and transparent election practices.
- Maintain non-partisanship and demonstrate impartiality towards provincial and federal partisan political activities during the Campaign Period.



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Limitations

This policy does not preclude a member of Council or Regional Council from performing their duties as a Councillor, Lord 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.

4. Scope

This Policy applies to:

- All Members of Council, including the Lord Mayor, whether or not they are seeking re-election;
- All Candidates in municipal elections and by-elections;
- All Registered Third Parties;
- Members of local boards
- Candidates in provincial and federal elections where Town resources may otherwise be associated;
- All Staff of the Town of Niagara-on-the-Lake, including full-time, part-time, temporary, contract and volunteer personnel.

Exceptions:

- Municipal information prepared, posted, and maintained by the Town, names and photographs of Elected Officials, their contact information, and a list of current representation on committees that are prepared, posted and maintained by the Town.
- Media releases and Town materials that describe inter-governmental activities of the Lord Mayor in the capacity as Head of Council
- A provincial or federal announcement in which one government is in a writ period may be permitted if directly related to government business.
- Municipal election-related education meetings that are organized by Town Staff may be held at any Town Property.

This Policy applies during:

- Municipal election periods and by-elections;
- Provincial election periods (commencing upon issuance of the writ);



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- Federal election periods (commencing upon issuance of the writ).

Federal and Provincial Elections

The Town continues to emphasize the importance of strengthening relationships with all levels of government and actively engages in political advocacy campaigns, including during federal and provincial elections, to promote the interests of the Town.

To avoid the appearance of Town support for partisan political activities, discretion will be used in considering requests for government events leading up to and during the period when the writ of election (dissolution of parliament [federal] or legislature [provincial]) is issued.

6 Policy Provisions

6.1 Statutory

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 Election Finances Act, 1990, as amended
- the Canada Elections Act, 2000, as amended
- the Council Code of Conduct (By-law 5061-18)

6.2 Activities

The following activities are not permitted during an election period:

- Use of Town Property, whether directly or indirectly booked, for any election purpose(s)
- Campaigning or solicitation (including display or distribution of Campaign material, wearing Campaign buttons or clothing) within any Town Property.
- Campaigning or solicitation (including display or distribution of Campaign material, wearing Campaign buttons or clothing, etc.) at a Town-organized Event (e.g. flag raisings, etc.).
- Use of equipment, supplies, services, Staff or other resources of the municipality for any Campaign or Campaign-related activities.
- Use of Town funds to acquire or produce any resources for any Campaign or Campaign-related activities, including ordering of stationary, print and office supplies.



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Note: Campaigning on Town Property, whether it is during or outside of an election period, is not permitted at any time.

6.3 Campaign Material

The following restrictions apply to campaign related material:

- Use of Council office budgets to sponsor or produce any campaign material
- Use of Town funds or resources to print or distribute any material that makes reference to, or contains the names or photographs of, or identifies Candidates or Registered Third Parties.
- Use of lists, data and files produced using Town resources, with the exception of lists to which a particular Candidate is entitled, pursuant to the Municipal Elections Act, for the current election (e.g. permitted use of Voters' List for election purposes only).
- Display of Campaign material, including clothing, in or on any Town Property.
- Display of Campaign material at any voting location, including the voting location's parking lot.
- Display of Campaign material, including clothing, by any Town Staff, during working hours.

6.4 Information Technology Resources and Social Media

The following restrictions apply to the use of information technology resources and social media during a Campaign Period:

- Make reference to and/or identify any individual as a Candidate, political party, Registered Third Party or a supporter or opposer of a question on a ballot during an election, on any social media sites, blogs, and other new media created and/or managed by the Town and/or Town staff.
- Use Town owned or managed Technology (IT) assets, infrastructure, or data (e.g. computers, wireless devices, portals, corporate email, voicemail, web pages, blogs, telephone) to communicate election-related messages.

Note: Once a member of Council registers to become a candidate, any links to social media accounts and personal links will be removed from the Town of Niagara-on-the-Lake's website and any social media platforms. However, during an election period, Lord Mayor and Council biographies will remain static, and no changes to these pages will be allowed.

Candidates are permitted to link to any Town document available to the public or on a public Town webpage from their campaign website.



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6.5 Member of Council Use of Social Media

- The following restrictions apply to Member of Council use of social media during a campaign period: All links to social media accounts and personal external websites shall be removed from Town websites and domains during an election period.
- Members are not permitted to use electronic materials paid for by the Town for municipal election campaign purposes.
- Councillors and candidates may not include election related material on websites or domain names paid for or maintained by the Town.

Note: Members of Council must ensure that their use of social media is consistent with the Council Code of Conduct and Town policies. 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.

Social media use is not completely "cost-free." Town images and logos, staff, and volunteers working in council offices and using Town computers, smart phones, services and email accounts are Town resources and shall not be used for campaign purposes.

6.6 Election Signs

Election signs, including "wrapped" cars cannot be posted or displayed on Town property or at voting locations. Placement of election signs for municipal, provincial and federal elections must be in accordance with the current Town Sign By-law and any related election sign by-law.

6.7 Photography at Voting Locations

Election procedures prohibit the use of cameras inside a voting location. Candidates or Registered Third Parties are permitted to be photographed outside a voting location, provided there are no Town identifiers in the photograph.

6.8 Use of Town Logo and Identifiers

The Town's brand, logos and identifiers are registered trademarks and owned by the Town of Niagara-on-the-Lake. Use of a video, photo, logo, crest, coat of arms, slogan, or identifier for which the Town has proprietary rights, including municipal election logos (e.g. NOTL Votes logo), in any capacity, is strictly prohibited.



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6.9 Member of Council Advertising and Publications

The following services will be discontinued for Members of Council who are a Candidate as of the end of Nomination Day:

- All forms of advertising and communication, including Municipal Publications (e.g. paper or web-based).
- All printing services, including distribution, photocopying and printing of publications, such as newsletters, business cards, swag, and reports, with the exception of communications specifically related to an authorized or scheduled Town-organized Event (e.g. Public Meeting).
- Links to Member of Council related websites or social media platforms, unless those platforms are clearly marked as an official Member of Council site and are not used for election Campaign purposes.

Note: As per the Town's Procedure By-law (2025-021) the agenda items "Lord Mayor's Report" and "Members Announcements" will not be permitted between the first day of the nomination period and voting day, as defined by the Municipal Elections Act, 1996.

7 Conduct

7.1 Candidate and Registered Third Party Conduct

- Candidates and Registered Third Parties who attend Town-organized Events are not permitted to campaign, including without limitation, distribute campaign material, or wear campaign buttons or clothing. The Town's Staff supervising a Town-organized Event may request that a Candidate or Registered Third Party leave the event if campaigning is reported or suspected.
- Members of Council attending Town-organized Events, or events held at a Town Property may act as a representative participant in their capacity as an elected official, including speaking and offering greetings. Elected Officials and Members of Council who are also Candidates at the time of their attendance and participation at the Town-organized Event may not campaign. No election signs or Campaign materials, including clothing, may be publicized at the event.
- Candidates or Registered Third Parties are not permitted to engage in Campaign activities directed at Town employees while those employees are at their workplace or engaged in work for the Town.

Note: The above extends to registered Candidates and Registered Third Party advertisers for a provincial or federal election or by-election.



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There should be no additions to the Council approved Town-led events listing scheduled between Nomination Day and Voting Day during the year of a municipal election, unless extenuating circumstances require an official Town event to take place.

7.2. Town Staff Conduct

In recognizing the right of employees and volunteers to participate in political activity, the provisions set out below ensure the requirement for public service to be politically impartial. Town Staff, including volunteers, shall not:

- Canvass or perform any work in support of a Candidate or Registered Third Party (e.g. campaign), during hours in which a person is working for and/or receiving any compensation from the Town, except during scheduled time off (e.g. scheduled vacation time).
- Distribute campaign material on behalf of a Candidate or Registered Third Party at Town facilities or on Town property including Town parks at any time.
- Engage in any political activity while wearing a Town uniform or identifier (e.g. name badge, hat, lanyard).
- Engage in any political activity while wearing clothing or buttons that advertise any Candidate, Registered Third Party or political party while wearing a Town uniform or identifier.
- 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 a Candidate, Registered Third Party or political party.

Note: 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 or 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 Niagara-on-the-Lake work sites.

8. Blackout Period (Municipal Election Year)

From the day prior to Nomination Day to and including Voting Day:

- No member of Council, including the Lord Mayor shall advertise, print, photocopy, or distribute any newsletters unless directed and approved by Council.
- No member of Council, including the Lord Mayor shall order office furniture or furnishings, except those of an emergency nature; or order any stationery or



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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.

9. Monitoring and Compliance

The Town Clerk's Office, Legislative Services, shall ensure this Policy is reviewed on a regular basis (not to exceed four years) and remains relevant to the needs of the Corporation, in accordance with legislative requirements and good business practices.

9.1 Non-Compliance

Should a complaint arise regarding the alleged use of Corporate resources in contravention of this Policy, the Town Clerk or their designate shall have the authority to investigate and resolve the complaint up to and including involving the Integrity Commissioner and/or Ombudsman.

9.2 Consequences of non-compliance

Town staff who observe or are made aware of an apparent contravention of this Policy shall address the individual or shall report the apparent contravention to their direct report.

10. Implementation

This policy shall become effective immediately upon approval by Council.

11. Rational 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 Niagara-on-the-Lake.

The Act prohibits a municipality from making a contribution to a candidate (Section 88.8 (4)) or a Registered Third Party (Section 88.12 (4)). 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 his or her election campaign would be



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viewed as a contribution by the Municipality to the member, which is a violation of the Act.

11. Contacts

Please direct any questions regarding this policy to:

OFFICE	PHONE	EMAIL
Clerks	905-468-3266	clerks@notl.com