

# City of Mississauga Corporate Report



<p>Date: January 6, 2022</p> <p>To: Chair and Members of Governance Committee</p>	<p>Originator's files:</p>
<p>From: Shari Lichterman, CPA, CMA, Commissioner of Corporate Services and Chief Financial Officer</p>	<p>Meeting date: January 31, 2022</p>

## Subject

Corporate Policy and Procedure Update – Use of City Resources During an Election Campaign

## Recommendation

That the Corporate Report dated January 6, 2021 from the Director of Legislative Services and City Clerk titled *Corporate Policy and Procedure Update - Use of City Resources During an Election Campaign* be endorsed.

## Executive Summary

- In 2016 the *Municipal Elections Act, 1996* was updated to include section 88.18 which requires municipalities and local boards to establish rules and procedures with respect to the use of municipal or board resources before May 1 in the year of a regular election
- To comply with the *Municipal Elections Act, 1996*, Council approved the Use of City Resources during an Election Campaign Corporate Policy and Procedure ahead of the 2018 Municipal Election
- Ahead of the 2022 Municipal Election, the *Use of City Resources during an Election Campaign Corporate Policy and Procedure* was reviewed and minor administrative changes were made
- Typically, changes of this nature would not require Council's authorization, however, to comply with section 88.18 of the *Municipal Elections Act, 1996*, these changes are presented to Governance Committee for endorsement

## Background

Section 88.18 of the *Municipal Elections Act, 1996* (the Act) states; “Before May 1 in the year of a regular election, municipalities and local boards shall establish rules and procedures with respect to the use of municipal or board resources, as the case may be, during the election campaign period.” In preparation for the 2022 Municipal Election, the *Use of City Resources*

during an Election Campaign Corporate Policy and Procedure (the policy) first approved in 2017, was reviewed and minor administrative changes were made. The updated policy is attached as Appendix 1 and a summary of the changes is attached as Appendix 2 in the *Comparison of Current and Proposed Policy – Use of City Resources during an Election Campaign* document.

Establishing these rules and procedures before May 1, 2022 is one of many key milestones related to the administration of the 2022 Municipal Election. For reference, and to provide context, the *2022 Municipal Election Milestone Dates* document is attached as Appendix 3.

## Comments

The policy provided candidates and City staff with direction on a variety of campaign related issues including:

- The use of City facilities
- Paid campaign advertising
- Restrictions on City staff campaigning
- The appropriate use of, and restrictions on, the use of information technology and social media

Issues related to the use of City resources during a campaign period are often complex. Staff and candidates did face challenges when circumstances arose that were not specifically covered in the policy. In these instances, staff and candidates were encouraged to apply the themes and the spirit of the policy and those in the Act to address issues. The Office of the City Clerk also provided support to help identify solutions. Sitting members of Council were also able to refer to the City's integrity Commissioner for advice, and in some situations, candidates were encouraged to seek their own legal advice. Many of the changes made to the policy were intended to provide clarity. Highlighted below are examples of the updates:

<b>Original Statement</b>	"Campaign Material" means material in any media (i.e. print, radio, television, websites and Social Media) used to promote or oppose a Candidate, political party or ballot question. Campaign Material also includes but is not limited to banners, literature (pamphlets, brochures, cards), posters, placards/signs, buttons/pins, clothing and car wraps.
<b>Updated Statement</b> <i>(Changes bolded and underlined)</i>	"Campaign Material" means material in any media (i.e. print, radio, television, websites, <b><u>digital, online</u></b> and Social Media) ... Campaign Material also includes but is not limited to banners, literature (pamphlets, brochures, cards), posters, placards/signs, buttons/pins, clothing, <b><u>road signs</u></b> and car wraps.
<b>Rationale</b>	Updated with digital and online campaign material; included road signs.

<b>Original Statement</b>	“Election Sign” means a sign advertising or promoting the election of a political party or a Candidate for public office in a municipal, provincial or federal election, according to the City’s Sign By-law 54-02, as amended. Election signs do not include Campaign Ads.
<b>Updated Statement</b> <i>(Changes bolded and underlined)</i>	“Election Sign” means a sign <b><u>permitted on private property</u></b> promoting <b><u>or opposing</u></b> the election of a political party or a Candidate for public office in a municipal, provincial or federal election, as defined in the City’s Sign By-law 54-02, as amended. Election signs do not include Campaign Ads.
<b>Rationale</b>	Revised to add clarity.

<b>Original Statement</b>	Ward events are permitted during an Election Campaign period but Campaigning is not permitted. Elected Officials are responsible for ensuring that their staff, supporters and volunteers are aware of this restriction.
<b>Updated Statement</b> <i>(Changes bolded and underlined)</i>	Ward- <b><u>Specific</u></b> Events are permitted during an Election Campaign period but Campaigning is not permitted. Elected Officials are responsible for ensuring that their staff, supporters and volunteers are aware of this restriction.
<b>Rationale</b>	Minor revision to reflect definition for Ward Specific Event. No change to intent.

For a comprehensive list of the changes that were made to the policy, please see the *Comparison of Current and Proposed Policy – Use of City Resources during an Election Campaign* document attached as Appendix 2.

## Engagement and Consultation

The review of the policy was a collaborative effort between Legal Services, Corporate Policy, Communications, Information and Technology, and the City Clerk’s office.

## Financial Impact

There is no financial impact related to the changes made to the policy.

## Conclusion

Ahead of the 2022 Municipal Election the policy noted above has been updated and reviewed and is presented to Governance Committee for endorsement.

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## Attachments

Appendix 1: Use of City Resources during an Election Campaign

Appendix 2: Comparison and Rationale - Use of City Resources during an Election Campaign

Appendix 3: 2022 Municipal Election Milestone Dates



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Shari Lichterman, CPA, CMA, Commissioner of Corporate Services and Chief Financial Officer

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