

Use of Corporate Resources for Elections Policy – Interpretive Bulletin

Use of Personally Taken Images Featuring Town Facilities or Public Spaces in Campaign Materials

Purpose

The purpose of this bulletin is to provide guidance regarding the use of Town-related images, facilities, and amenities in campaign materials and social media content during the election period.

Candidates and Registered Third Parties are responsible for ensuring their own compliance with the Municipal Elections Act, 1996 and all applicable Town policies and by-laws. Staff administer the Municipal Election and must remain neutral. Accordingly, this bulletin is provided for general administrative information purposes only and does not constitute legal advice, a formal determination of compliance, or approval of any specific campaign activity. Candidates and Registered Third Parties may seek their own external advice as they consider appropriate.

General Interpretation

The Town's Use of Corporate Resources for Elections Policy is intended to prevent the improper use of Town resources for campaign purposes and to ensure that the Town does not provide an unfair advantage or contribution to any candidate.

Questions have been raised regarding whether personally taken photographs or videos may be used in campaign materials or election-related Social Media content where Town properties, facilities, amenities, streetscapes, parks, trails, or other municipal features may appear within the image or video.

The policy contains restrictions respecting the use of Town resources, Town-produced materials, Campaigning activities, and election-related use of Town facilities and properties such as the Town's Civic Centre or a Fire Station. The appearance of a Town facility, property, or amenity within a personally created photograph or video does not, in and of itself, constitute use of a Town facility or property for election-related purposes under section 4.5.1 of the policy. However, all Campaigning and election-related activities remain subject to the requirements and restrictions set out in the policy and applicable legislation.

Candidates and Registered Third Parties are reminded of the following provisions of the policy:

- Section 4.1.2 states: “No person shall use any Town resource for campaigning or any election-related activity.”
- Section 4.3.1 states: “The Town’s logo, crest, coat of arms, slogan, brand, etc. may not be printed or distributed on any election materials or included on any election campaign related website, domain or Social Media site, except in the case of a link to the Town’s website to obtain information about the municipal election process.”
- Section 4.3.2 states: “Photographs produced for and owned by the Town shall not be used for Campaigning.”
- Section 4.5.1 states: “Town owned or leased facilities/properties shall not be used for any election related purposes unless the Candidate or Registered Third Party has paid the market value rental rate and any Campaigning is limited to the rented space.”
- Section 4.6.1 states: “No Candidate (including existing Members of Council) shall Campaign or display any Campaign Materials at any Town-organized Event.”

Candidates and Registered Third Parties remain responsible for ensuring that all campaign materials, photographs, videos, websites, domains, Social Media content, and campaign-related activities comply with the policy and all applicable legislation.

Complaints and Compliance

Complaints regarding potential non-compliance with the policy must be submitted in writing to the Municipal Clerk along with supporting information and will be reviewed in accordance with section 5 of the policy.

Complaints and matters of non-compliance will be addressed in accordance with the policy and applicable legislation.

Nothing herein is to be construed as providing legal advice to Candidates and Registered Third Parties.