

BY-LAW 28-26

OF THE CORPORATION OF THE TOWN OF AYLMER

Being a By-Law to adopt the Use of Corporate Resources for Election Purposes Policy

WHEREAS Sub-section 88.18 of the Municipal Elections Act, 1996, as amended, (the Act) states that, 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;

AND WHEREAS Sub-section 88.15 (1) of the Act states that money, goods and services given to and accepted by a person for his or her election campaign, or given to and accepted by another person who is acting under the person's direction, are contributions;

AND WHEREAS Section 88.8 (4) 5 of the Act states that a municipality or local board shall not make a contribution to the election campaign of a candidate;

AND WHEREAS Council had previously adopted the "Use of Corporate Resources for Election Purposes Policy";

AND WHEREAS the Council of the Town of Aylmer, arising out of Report CLRK XX-26 deems it necessary to update the "Use of Corporate Resources for Election Purposes Policy".

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF AYLMER HEREBY ENACTS AS FOLLOWS:

1. That the attached Policy Statement in respect of the Use of Corporate Resources for Election Purposes be adopted to replace the Policy Statement forming part of By-Law 28-26.
2. That Policy 01-26 shall be attached hereto as Schedule "A" and forms a part of this By-law.
3. That the previous policy be repealed.
4. That this by-law shall come into force and effect on the date of passing.

READ A First, Second, and Third time this 1st day of April, 2026.

Signed by:



DocuSigned by:

Jack Couckuyt

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MAYOR, Jack Couckuyt

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By signing this by-law on this 1st day of April, 2026, Mayor Couckuyt will not exercise the power to veto this by-law and Mayor Couckuyt is providing written approval of the by-law as the head of Council to the municipality.

DocuSigned by:

Owen Jaggard

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CLERK, Owen Jaggard

Authority: Council, Resolution 62-26

Staff Report Number: CLRK 10-26

Staff Report Date: March 18, 2026

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Alternative formats and communication support available upon request. Please contact clerks@town.aylmer.on.ca or 519-773-3164 for assistance.

Subject:	Use of Corporate Resources for Election Purposes
Policy #:	01-26
Date Approved:	March 18, 2026
Date Revised:	March 18, 2026

1. Purpose

The purpose of this policy is to ensure municipal resources are not used for election-related purposes and to maintain fairness, transparency, and compliance with the *Municipal Elections Act, 1996*.

The procedure prevents municipal campaign contributions (including goods or services), ensures no candidate or third party receives an unfair advantage, balances freedom of expression with the Town's legal obligations, and allows Members of Council to continue fulfilling their duties during an election period.

2. Background

The *Municipal Elections Act, 1996* requires municipalities to establish rules governing the use of municipal resources during election periods.

Municipalities are prohibited from making campaign contributions and must ensure public funds are not used to promote or oppose candidates. Municipalities must treat all candidates and third parties equitably.

This procedure aligns with the Council Code of Conduct, Employee Code of Conduct, the *Municipal Elections Act, 1996* and other applicable provincial and federal election rules where relevant.

3. Definitions

Campaign Contribution: anything of value (money, goods, or services) given to influence an election.

Campaign Materials: materials used to solicit votes or promote/oppose candidates (print, digital, signage, clothing, social media, etc.)

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Campaign-Related Activities: any activity meant to elicit support for a candidate or ballot question during an election period.

Corporate Resources: means any Town-owned, leased, funded, controlled, or administered asset, service, staff time, information, record, system, communication channel, facility, infrastructure, or other resource, and any authority, privilege, or status available to a person by virtue of their elected office or employment with the Town of Aylmer. Without limiting the generality of the foregoing, Corporate Resources include the use of an office title (such as Mayor, Deputy Mayor, County Councillor, Warden, or Councillor), employment title, Town employees, Town events, Town facilities, Town funds, Town information and records, Town technology and communications tools, and Town infrastructure.

Corporate Brand/Identifiers: Town logo, crest, coat of arms, slogan, chain of office, or other official identifiers.

Election Period: For municipal elections: begins when nomination papers are filed and ends December 31 (regular election) or 45 days after voting day (by-election). Provincial and federal definitions align with writ issuance to voting day.

4. Policy Statement

Corporate resources, assets, and funding shall not be used for election-related purposes except where expressly permitted. The Town will maintain neutrality, ensure equal access to information, prevent promotion or opposition of any candidate, and apply restrictions consistently to municipal, provincial, and federal elections where applicable.

5. Roles and Responsibilities

5.1. Members of Council/Candidates

- a) Understand, support, and comply with this procedure, Council Code of Conduct, and related procedures.
- b) Seek clarification of any aspect of this procedure, as required, and seek independent legal advice, where appropriate.

5.2. Town Staff

- a) Ensure relevant requirements of this procedure are fulfilled in any duties and activities undertaken in their official position as a Town employee.
- b) Understand and support this procedure and ensure accountability for their actions.
- c) Seek clarification of any aspect of this procedure, as required.

5.3. Town Clerk

- a) Ensure the administration, communication, and interpretation of this procedure.
- b) Receive and respond to any complaints, concerns, and inquiries/requests for guidance related to this procedure.
- c) Delegate in writing any designate(s) assigned to administer any or all of this procedure.

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- d) Review this procedure every term of Council through the Town's established policy review process and as required by changes to legislation. The Town Clerk is authorized to make minor administrative updates as may be necessary to maintain compliance with legislation, while respecting and preserving the intent of the procedure.
- e) Provide guidance with respect to election-related matters in relation to this procedure, and to issue in writing any interpretation on the application of this procedure and any related approvals or prohibitions. Such guidance, interpretation, approvals, and prohibitions shall be based on the overarching legislative requirement for public funds and resources not to be used for any election-related purposes, including the promotion of or opposition to the candidacy of a person for elected office.

6. Procedure

Corporate resources, assets or funding may not be used for any election-related purposes, except as identified in this procedure.

6.1. Election Campaigning

- a) Election campaign activities are not permitted at Town Hall (located at 46 Talbot Street West and 25 Centre Street).
- b) Election campaign materials may not be displayed at Town of Aylmer facilities, unless otherwise outlined in this procedure.
- c) Candidates and Registered Third Parties may not rent any Town of Aylmer facilities for campaigning purposes, with the following exclusions for all facilities but Town Hall:
 - i. Use of Town facilities for all-candidates meetings or debates is permitted, provided that the rental fee is paid and all candidates for an office are invited to attend and participate.
- d) The Town reserves the right to refuse or cancel a rental contract at any time, in accordance with the terms of the contract, should it conflict with this policy, or the Town's corporate values or established policies or procedures, or presents a health and safety concern.
- e) The Town will not host, organize, or advertise all-candidates meetings or debates.
- f) Election signs are prohibited on Town property, including on a road allowance.
- g) Registered candidates and registered third parties may attend Town organized or funded events during a campaign period, but may not display or distribute any campaign materials, or engage in any election related activities.

6.2. Use of Corporate Identifiers and Resources

- a) The Town's corporate logo, corporate branding, crest, chain of office, coat of arms, slogan, or other corporate identifiers or that of its affiliates, shall not be used by registered candidates or registered third parties for any election campaign-related purposes.

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- b) Registered candidates and registered third parties may not use photographs, videos, electronic images, or graphics, produced by the Town or its affiliates for any election campaign-related purposes.
- c) Corporate resources shall not be used for the development, creation, design, printing, or distribution (electronic or print) of:
 - i. Any material that illustrates that a member of Council or any other individual is registered or intends to run for office; or
 - ii. Any campaign material that makes reference to, or contains the name or photographs, or identifies registered candidates.
 - iii. Any material that is linked in any way to an election campaign (i.e. campaign messaging, a campaign logo, or a social media handle or hashtag which links to campaign social media channels, websites and/or materials).
- d) No Town consumable materials, such as toner and paper, associated with computer systems shall be used for election campaign-related purposes.
- e) Town records, lists, and files produced using Town resources, with the exception of those specifically made for the use of candidates and registered third party advertisers for election purposes in accordance with the *Municipal Elections Act, 1996*, may not be used by any candidates or registered third party advertiser, unless the database has already been released for public use.
- f) In accordance with the Social Media Policy and Code of Conduct, the Town will not publish any material used to promote individual campaigns.

6.3. Town Staff

- a) In accordance with the Employee Code of Conduct, municipal staff and individuals employed by the offices of the elected officials, including any contractor providing services to the Town, shall not canvass or actively work for any registered candidate or registered third party during hours in which the staff/contractor is receiving compensation from the Town.

6.4. Town Services

- a) During a municipal election period, the following Town-based services shall be discontinued for Members of Council as of nomination day:
 - i. All development, creation, design, printing, or distribution of members' flyers, newsletters, advertisements, mail outs, publications, etc., whether electronic or print.
 - ii. Use of municipally owned or run assets and facilities, unless rented in accordance with municipal agreements and current rates and fees (as identified in Section 6.1.(c) of this Procedure).
 - iii. The prohibitions set out in Section 6.4.(a) of this procedure do not apply to a Member who is acclaimed, or who is retiring from office and, therefore, is not a candidate in the election.

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- b) Corporate resources (such as Town-issued laptops and email addresses) shall be provided to current Members of Council for Council related purposes and to serve their constituents and shall not be used to support an election campaign.
- c) Through the nomination period for Members of Council, and through the municipal election period for Members of Council who are registered candidates, any references made to the Member of Council in Town communication materials or at the events itself shall be to the "Mayor", "Councillor", or "Chair of the Committee," etc., rather than by name.
- d) All Town communication will be in accordance with the Town's Communication Procedure.

6.5. Technology-related Provisions

- a) Any links to external personal sites from an individual Member of Council's landing page on the aylmer.ca website will be removed as of the date nomination papers are filed during a municipal election year.
- b) Websites, domain names, emails, or other corporate systems that are funded by the Town shall not include any election-related campaign material or links to sites that feature election-related campaign material. The exception being the official Town of Aylmer election website where links to external election campaign websites will be posted during the election period.
- c) Registered candidates, registered third parties, and Members of Council may not use the Town website, domain names, and other corporate systems, for campaigning or display of any election-related materials. Links to the Town's website are permitted from a campaign election website for the purpose of obtaining information about the election or sharing program/service information.

6.6. Social Media

- a) If a Member of Council uses any social media account for campaigning, such account must not be or have been created or supported by Town resources. Social media accounts used for campaign purposes must utilize personal cell phones, tablets and/or computers.
- b) 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 (or profile) indicating that the account is being used for election campaign purposes and is not related to their duties as a Member of Council.
- c) Online communications for official Town purposes will be supported in accordance with the Town's Online Communications Policy and related procedures.

6.7. Town Organized/Hosted Events

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- a) Members of Council and other elected officials may attend Town-organized events and act as participants in their capacity as elected officials, including speaking at the event and partaking in ceremonial activities, but shall not campaign while in attendance or distribute campaign-related materials and they shall not promote or oppose the candidacy of a person for elected office or party.
- b) Where a current Member of Council or elected official is invited to an event, whether a Town event or community event, in the capacity of their elected position, they are not to speak of their candidacy, their intention to run, or any campaign-related matters.
- c) Elected officials must adhere to bi-partisan commitments by not including campaign materials (including, but not limited to, uniforms, tents, signage, images, or messaging) that is indicative of their candidacy or associated political party. Materials may make reference to the office they hold/represent (i.e. Council, MP, MPP).
- d) Candidates, registered third party advertisers, ballot question campaigns and their representatives may attend Town events in their capacity as private citizens, but shall not campaign while in attendance or distribute campaign-related materials and they shall not promote or oppose the candidacy of a person for elected office or party.
- e) Candidates, registered third party advertisers and representatives of ballot question campaigns shall not be invited to deliver formal remarks at a Town event in their capacity as a candidate, registered third party advertiser or ballot question campaign representative.

6.8. Access to Information

- a) All registered candidate and registered third party requests for information must adhere with a standard request for information procedure, as set by the Clerk.
- b) Information provided to one candidate or registered third party that is of a general nature and may provide valuable guidance to all others will be provided to all registered candidates and registered third parties through the Town's website to ensure equal access to information.

6.9. Enforcement

- a) The Town of Aylmer focuses on being an open, accessible, inclusive and accountable Town. The Town Clerk or designate shall have the delegated authority to receive and investigate any written complaint with respect to the alleged use of corporate resources in contravention of this procedure.
- b) The following options are available for complaints related to election candidates, including Members of Council or Members of Council running for re-election:
 - i. Submit a written complaint to the Town Clerk (clerks@town.aylmer.on.ca). Written complaints must set out specific example(s) and corresponding

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details of how the alleged use of a particular corporate resource may have contravened this procedure.

- ii. File an informal or formal complaint in accordance with the Town's Integrity Commissioner - Inquiries/Advice Procedure (No investigation shall be commenced or continued under the Council Code of Conduct, nor shall the Integrity Commissioner report to Council respecting an investigation, within the election period). An Integrity Commissioner cannot investigate matters regarding Municipal Elections Act related complaints (including third party advertising) or election campaign finances.
- iii. Contact the Office of the Ontario Ombudsman.
- iv. Pursue private legal remedies, including court action.
- c) Complaints or concerns related to campaign finances may be addressed through the compliance audit process outlined in Section 88.33 of the Municipal Elections Act.
- d) Complaints or concerns related to election signs may be submitted to the Town Clerk (clerks@town.aylmer.on.ca).
- e) Complaints or concerns related to graffiti involving election matters or material may be submitted to the Clerk (clerks@town.aylmer.on.ca).
- f) Complaints or concerns related to actions or behaviours of an egregious nature or any form of hate crime will be transferred to the Aylmer Police Service.

6.10. Members of Council Running in Provincial and Federal Elections

- a) Members of Council shall not use Town resources to host, promote, sponsor or otherwise organize or assist with any event that involves direct participation by candidates at other levels of government, given that there is potential for partisanship, real or perceived, to occur at, or in the organization of, any such event that directly involves candidate participation.
- b) Members of Council may communicate with constituents regarding federal/provincial matters relevant to the Town of Aylmer, as well as any issues that have a direct bearing on municipal business between the federal/provincial government and the Town, and such communication shall be non-partisan in nature.
- c) The following applies if a Member of Council becomes a candidate in a provincial or federal election/by-election:
 - i. Corporate resources shall only be used for Council related purposes and to serve their constituents and shall not be used to support an election campaign.
 - ii. A Member, who is a candidate, shall seek guidance from the Town Clerk with respect to responsibilities and obligations required to comply with this procedure. While certain restrictions may apply in order to ensure compliance with this procedure and its purpose, it is recognized that the

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Member may continue to be the elected representative and may remain active in their capacity as the elected official.

7. Documentation / References

[Council & Committee Members Code of Conduct](#)

[Human Resource Policy Manual](#)

- HR 2.13A Council & Committee Members Code of Conduct
- HR 11.6 Social Media Policy

[*Municipal Elections Act, 1996, as amended*](#)

[Town of Aylmer Election Sign By-Law](#)