



TOWNSHIP OF MONTAGUE

Elections Policy - Election Campaign Material Policy

Approval Date: August 15th, 2017

Amended: February 8th, 2018

POLICY STATEMENT

This policy is intended to address candidate advertising and election materials in the Township of Montague. This policy is intended as a formalization of the municipal elections legislation, as well as the clarification of specific municipal procedures. Nothing in this policy supersedes the Municipal Elections Act, 1996, RSO, as amended.

PURPOSE

The purpose of this policy is to provide candidates, third parties, staff and the public with guidance related to campaign election materials and advertisement in municipal elections.

LEGISLATIVE AUTHORITY

Section 12 of the Municipal Elections Act, 1996 states that a Clerk who is responsible for conducting an election may provide for any matter or procedures that is not otherwise provided for in an Act or regulation, and, in the Clerk's opinion, necessary or desirable for conducting the election.

APPLICATION

This policy is applicable to all candidates during the campaign period, including members of Council, as well as acclaimed members or members not seeking re-election.

This policy is also applicable to "Third Party Advertisers" registered in the Township of Montague.

Additionally, this policy is applicable to some municipal employees.

DEFINITIONS

"Municipality" – Township of Montague

"Third party advertiser" – Shall be the same definition as in the Municipal Elections Act, 1996,

“Election Campaign Advertisement” – shall be the same definition as in the Municipal Elections Act, 1996, Section 88.3(1) as amended – “means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a candidate” this definition includes ‘campaign materials’

“Campaign materials” – shall mean any information, posters and signage relating to a candidate or political party made available to the public

GENERAL PROVISIONS

Candidate Campaign Materials – General and Locations

- a)** Campaign materials, including general campaigning, are permitted no earlier than the filing of Nomination Papers by the candidate
- b)** No campaign material shall be permitted on municipal property, whether owned or leased, with the only exception being along municipal road allowances, this includes but is not limited to the following locations:
 - 1.0** No campaign materials in/on municipal parks, community centres, vacant lands, municipal facilities or structures etc
- c)** Campaign materials shall be permitted along municipal road allowances provided the following exceptions are respected:
 - 1.0** No campaign materials allowed on the road allowances outside municipal facilities
 - 2.0** The visibility of intersections or private entrances is not obstructed and does not create a safety hazard
 - 3.0** The campaign material is of sufficient material and/or proper installation that weather conditions will not displace the material and create a safety hazard
- d)** Campaign materials that will be installed along provincial or county roads will require the permission of the respective approval authority
- e)** Campaign materials that will be installed or affixed to poles belonging to Hydro One Network, Bell Canada or other public utilities will require the permission of these respective approving authorities.

Candidate Campaign Advertising

- f)** In accordance with the Municipal Elections Act, 1996, as amended, an election campaign advertisement purchased by or under the direction of a candidate shall identify the candidate
- g)** The candidate shall ensure that all campaign material are produced in accordance with the Municipal Elections Act, 1996, as amended
- h)** Information contained on/in all campaign material is the responsibility of the Candidate, and any questions or concerns related to the same should be directed to the Candidate

Third Party Advertising

- i)** In accordance with the Municipal Elections Act, registered 'third parties' may create campaign advertising in the municipal election
- j)** Third parties shall be registered within the Township of Montague in order to advertise, distribute or display material related to the municipal elections
- k)** The third party shall ensure that all materials are produced in accordance with the Municipal Elections Act, 1996, as amended
- l)** Third parties shall provide the following in any campaign advertisement:
 - 1.0** Name of the registered party, the municipality where the third party is registered and a contact number
- m)** No third party materials shall be permitted on municipal property, whether owned or leased, with the only exception being along municipal road allowances, this includes but is not limited to the following locations:
 - 1.0** No campaign materials in/on municipal parks, community centres, vacant lands, municipal facilities or structures etc
- n)** Third party materials shall be permitted along municipal road allowances provided the following exceptions are respected:
 - 1.0** No campaign materials allowed on the road allowances outside municipal facilities

- 2.0** The visibility of intersections or private entrances is not obstructed and does not create a safety hazard
- 3.0** The campaign material is of sufficient material and/or proper installation that weather conditions will not displace the material and create a safety hazard
- o)** Campaign materials that will be installed along provincial or county roads will require the permission of the respective approval authority
- p)** Campaign materials that will be installed or affixed to poles belonging to Hydro One Network, Bell Canada or other public utilities will require the permission of these respective approving authorities.

ENFORCEMENT

The municipality, its municipal servants, employees or agents shall not be responsible for investigating or prosecuting for any acts of vandalism to the campaign materials of the candidates.

Should any campaign materials be located on municipally owned property or be located on municipally owned road allowances which do not comply to the provisions of this policy, the same shall be removed forthwith and destroyed.

Should any campaign materials be non-compliant with the Municipal Elections Act, or this policy, the same shall be removed forthwith and destroyed. Questions or concerns about campaign materials shall be forwarded to the candidate. Complaints regarding non-compliance should be forwarded to the Clerk in writing. The municipality or its agents and employees shall not be responsible for the proactive enforcement of this policy. If a breach of the policy is confirmed, the Member or Candidate will be subject to any penalty provisions under the *Act*.

REVIEW CYCLE

Once per term of Council.

Reference & Related Policies

Municipal Elections Act, 1996, as amended
Elections – Municipal Employee Involvement Policy
Elections – Use of Corporate Resources Policy