



Legal and Legislative Services

Prepared for: Council-in-Committee

Report: LLS-03-2026

Meeting Date: April 13, 2026

1. Title

Use of Corporate Resources for Election Purposes Policy Review

2. Recommendations

That: Council receives Report LLS-03-2026 Use of Corporate Resources for Election Purposes Policy Review; and

That: The updated policy attached as Attachment A - Use of Corporate Resources for Election Purposes, be approved; and

That: Council directs staff to prepare the necessary By-law to repeal By-law 62-2018.

3. Relation to Council's Corporate Strategic Plan

Not applicable.

4. List of Stakeholders

Members of Fort Erie Council, Committees, Boards, and School Boards;
Town of Fort Erie Employees and Volunteers;
Registered Candidates and Registered Third Party Advertisers;
Candidates; and
Local Area Municipalities

5. Purpose of Report

The purpose of this Report is to seek Council's approval of an updated Use of Corporate Resources Policy for Election Purposes.

6. Analysis

Legislative Authority

Section 88.18 of the Municipal Elections Act, 1996 (the "MEA") requires municipalities to establish rules and procedures governing the use of municipal resources during an election campaign.

Subsection 88.8(3) of the MEA outlines who may make contributions to candidates, including individuals who are normally residents of Ontario, as well as the candidate and their spouse. Candidates are not permitted to accept contributions from a municipality.

A contribution may include money, goods, or services. Accordingly, any use of Town resources for election-related purposes—whether by Town staff, a member of Council who is a candidate, any other candidate, or a registered third party—may constitute an in-kind contribution under the MEA.

The purpose of the Use of Corporate Resources for Election Purposes Policy is to ensure compliance with legislative requirements; protect the interests of the Corporation, members of Council, candidates, registered third-party advertisers, and staff; and promote fair, accountable, and transparent municipal election practices.

Background

The Town has maintained a policy governing the use of corporate resources for election purposes since the 2010 municipal election (By-law No. 80-10).

The Use of Corporate Resources for Election Purposes Policy was updated in 2018 to reflect the introduction of Third Party Advertisers under the Municipal Elections Act, 1996, as well as to incorporate minor administrative revisions, without altering the overall intent of the policy.

The Policy regulates the use of corporate resources such as facilities, equipment, supplies, services and the use of employees for campaigning and campaign-related activities and expressly prohibits the use of Town resources for election campaign purposes.

Staff undertook a review of the Policy in preparation for the 2026 municipal election, with the objective of identifying any concerns, gaps or ambiguities. This review included jurisdictional scans, as well as internal analysis and discussion.

While the core substance of the Policy was found to be generally sound, the review identified opportunities to improve definitions, organization, and overall clarity.

Overview of Changes

The following chart provides an overview of the substantive changes to the policy:

Shortened Purpose	Removed unnecessary information that is otherwise still found in the document to reduce duplication and/or confusion, as the previous purpose was acting as an executive summary.
Added Definition Section	Added definition section to ensure clarity, consistency and legal compliance at the beginning of the document for ease of reference.
Expanded Application Section	This update addresses ambiguities through an expanded application section, featuring a more defined and targeted scope. Included exception clause for greater clarity.

Introduced Sectioned Provisions	To improve organization and clarity, information was categorized into sections. These sections consist of “Technology Related Provisions”, “Facility Related Provisions”, “Communications Related Provisions”, and “Employee Provisions”. These sections provide easy and clear reference to the required clauses.
Technology Related Provisions	The added section strengthens and clarifies rules around election-related activities to ensure fairness, transparency, and appropriate use of municipal resources. They clearly define and restrict the use of corporate technology and communication systems for campaign purposes, while setting consistent expectations for sitting council members during an election year. Overall, the changes aim to reduce ambiguity, prevent misuse of municipal platforms, and create a more level playing field for all candidates.
Facility Related Provisions	<p>Reorganized the structure of existing information to enhance clarity.</p> <p>Removed the clause that allowed candidates/third party advertisers to rent out municipal facilities for campaign related purposes. However, allows for them to attend a non-campaigning all-candidate night or debate hosted by a non-partisan host, given that all registered candidates had an equal opportunity to attend.</p> <p>Added that candidates may not campaign at town-hosted events, whether on municipal property or not. These change align with best practices aimed at maintaining municipal neutrality and avoiding the perception of endorsement.</p>
Communication Related Provisions	The updates streamline and reorganize the existing rules to improve clarity and consistency. They better define what materials candidates and the Town may reproduce and modernize the policy by explicitly addressing websites and social media platforms. Overall, the changes make the rules easier to understand and more reflective of current communication practices.
Employee Provisions	<p>The updates provide clearer guidance on how employees may participate in elections, balancing their right to engage as private citizens with the need to protect the integrity and neutrality of the Corporation. They reinforce the separation between personal political activity and official roles, including restrictions on using Town identifiers, uniforms, or positions in ways that could imply corporate endorsement.</p> <p>Additional clarification ensures that election-related staff maintain perceived impartiality through limits on political involvement and required disclosure of any relationships that could create a conflict.</p>

7. Financial, Staffing and Accessibility (AODA) Implications

Staff will continue to monitor compliance with the Policy, as in previous election periods. Additional financing, staffing or accessibility implications are not anticipated at this time.

8. Policies Affecting Proposal

Subsection 88.18 of the Municipal Elections Act, 1996, as amended, provides that municipalities and local boards shall establish rules and procedures with respect to the use of municipal or school board resources, as the case may be, during the election campaign period, before May 1 in the year of a regular election.

The municipality has had its existing policy, by-law 62-2018 in place since 2018, where it was updated from the previous 2010 policy, to include the introduction of third party advertiser requirements. However, the update was not intended to revamp, clarify or strengthen the policy content, as only minor revisions were made to the policy of a generic nature.

A new, revamped policy would repeal the existing by-law, 62-2018.

9. Comments from Departments, Community and Corporate Partners

Not applicable.

10. Alternatives

Council may choose to not approve a revised policy and continue to operate under the existing policy.

11. Communicating Results

The proposed policy will be made available on the Town's Website and candidate portal. Staff will provide the policy to all Candidates and Third Party Advertisers upon registration.

12. Conclusion

Staff recommend that Council approve the policy with the proposed amendments to ensure compliance with relevant legislation, and to ensure transparent and accountable election practices.

The updated policy will protect the integrity of the election and interests of the Corporation, Members of Council, candidates and staff.

13. Report Approval

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Approved by:
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Chief Administrative Officer

14. Attachments

Appendix 1 – Draft Use of Corporate Resources Policy