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2018 OPERATING BUDGET BRIEFING NOTE

Staff Resources Required for the Enforcement of Illegal Third Party Election Advertising

Issue/Background:

- City Council (at its meeting of October 2-4, 2017), requested the Executive Director, Municipal Licensing and Standards (ML&S) to report through the 2018 Budget Process on "the staff resources needed for enforcement pertaining to illegal third party election advertising commencing May 1, 2018".

Key Points:

- In June 2016, the Provincial government passed Bill 181, *the Municipal Elections Modernization Act, 2016*, which amended the *Municipal Elections Act, 1996 (MEA)*. Among the amendments to the MEA, new rules were introduced to regulate third party advertising. These rules will come into effect on April 1, 2018, in place for the 2018 Municipal Election.
- Various amendments to the City's Election Signs Bylaw (Chapter 693, Signs, Article II, Election Signs) were also made— some to align with the changes to the MEA and others to address identified issues with the current Bylaw. These changes were adopted by July 4-7, 2017 City Council.
- Under the MEA, third party advertisers are permitted to advertise during the campaign period once they have registered with the City Clerk in the municipality where they will advertise. For municipal elections, the campaign period begins on May 1st and lasts 120 days.
- However, under the City's Election Signs Bylaw, election signs displayed by registered third party advertisers are subject to the same conditions and limits as election signs displayed by candidates, so that all election signs are permitted to be displayed only 25 days prior to election day and must be removed 72 hours after the completion of voting on election day.
- This effectively means that for the period between May 1st to the 25 days prior to voting day, third party election advertising is limited to broadcast advertising (i.e., radio, television and internet), which is not regulated or enforced by Municipal Licensing & Standards (ML&S).
- During the Election Sign Period (i.e., 25 days prior to voting day until 72 hours after the completion of voting on election day), both candidates and registered third party advertisers may display election signs, and non-compliant election signs will be enforced by ML&S.

- For the 2018 Municipal Election, ML&S will fully dedicate four (4) to six (6) Municipal Standards Officers from its existing complement to enforce the City's Election Signs Bylaw during the Election Sign Period (September 27, 2018 to October 25, 2018). Therefore, no additional resources will be required.
- Following the 2018 Municipal Election, ML&S will be able to assess any impacts of the new election sign regulations, including third party election signs, and will be better suited to provide recommendations on staff deployment and/or resources to address future election sign enforcement.

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