

## **Amendments to Existing Policies Related to Services to Members During an Election Period**

**Date:** March 22, 2023

**To:** City Council

**From:** City Manager

**Wards:** All

### **SUMMARY**

---

The purpose of this report is to extend existing policies related to services to Members of Council after August 1 in an election year to candidates upon filing a nomination for the office of Mayor during a Mayoral by-election.

### **RECOMMENDATIONS**

---

The City Manager recommends that:

1. City Council amend the Use of Corporate Resources During an Election Period Policy and the Constituency Services and Office Budget Policy, to provide that the restrictions on services provided to Members of Council after August 1 in the year of a general election be applied to Council Members upon filing a nomination for the office of Mayor during a Mayoral by-election.

### **FINANCIAL IMPACT**

---

There are no financial implications arising from the adoption of the recommendations in this report.

### **DECISION HISTORY**

---

At its meeting on January 31 and February 1, 2018, City Council adopted a Use of Corporate Resources During an Election Period Policy, as required by the Municipal Elections Act.

<https://secure.toronto.ca/council/agenda-item.do?item=2018.EX30.16>.

City Council adopted a Constituency Services and Office Budget Policy in 2012 and has amended it several times since. A consolidation of the current policy can be found at: <https://www.toronto.ca/wp-content/uploads/2017/08/97b5-office-budget-policy.pdf>.

## **COMMENTS**

---

The Municipal Election Act, 1996 (MEA) requires municipalities to establish rules and procedures for the use of municipal resources during an election period and prohibits municipalities from making a contribution (including money, goods and services) to any candidate, registered third party advertiser or political party.

City Council has adopted policies in accordance with the MEA that include the following limitations on the services provided to Council members after August 1 in the year of a general election:

- Section 5 of the [Use of Corporate Resources During an Election Period Policy](#)
- Section 4.7 of the [Constituency Services and Office Budget Policy](#)

These policies do not anticipate a Mayoral by-election. The City Manager recommends that Council amend the policies so that the limitations apply to Members who register as candidates in a Mayoral by-election, as was the case in the 2018 and 2022 general election periods.

This will achieve greater consistency with the City's rules for regular elections and also ensure that the City does not inadvertently contribute to campaigns through the services provided to those who register as candidates.

A list of the existing service limitations after August 1 in an election year is contained in Attachment 1 to this report.

## **CONTACT**

---

Paul Johnson, City Manager

## **SIGNATURE**

---

Paul Johnson  
City Manager

## **ATTACHMENTS**

---

Attachment 1 - Election Related Service Limitations that Apply After August 1 in the Year of a General Election

## ATTACHMENT 1

---

### **Election Related Service Limitations that Apply After August 1 in the Year of a General Election**

The following are the applicable provisions of Council's **existing** policies for a general election.

If the recommendation contained in the report is adopted, these policies will be updated to provide that they apply, with necessary modification, to Members of Council who seek office in a Mayoral by-election.

#### **A. Constituency Services and Office Budget Policy**

##### **4.7b - Specific Limitations**

[...]

After August 1 of an election year and until Election Day, no Council member will be permitted to:

1. Place any advertisement in newspapers, magazines, other publications or websites that have a publication date after August 1 of an election year, even though the ad placement itself may be made prior to August 1.
2. Organize any community events in their wards, including movie nights, picnics, environment days, community celebrations, BBQs, etc.
3. Use external resources paid by City funds to:
  1. Update their existing personal Council member website.
  2. Perform website maintenance.
  3. Create and post YouTube videos.
  4. Create, monitor or manage Facebook accounts or use other social media tools.
4. Distribute electronic newsletters including mass e-mails.
5. Pay for any new domain name for websites or pay for any web design services.
6. Conduct or authorize any automated phone campaigns, such as robocall or any similar automated virtual townhalls.
7. Print and distribute any newsletter to constituents.
8. Print and distribute any flyers to constituents, except in the case of emergencies.

9. Order any new stationery, including business cards, envelopes or letterhead for their office in large quantities.
  10. Order new furniture or purchase office equipment, including computers or other computer accessories.
  11. Trade furniture with other Council members.
  12. Attend any conferences or seminars other than those held by an inter-governmental organization such as FCM as a Board or Committee member (refer to Intergovernmental-Related Business Travel in Appendix 1).
  13. Purchase any gifts or promotional items for constituents, including greeting cards.
  14. Purchase any tickets for community events or functions.
  15. Order any congratulatory scrolls from the Strategic Protocol and External Relations Unit.
- [...]

## **B. Use of Corporate Resources during and Election Period Policy**

[...]

### **5. Restrictions to Services Provided to Members of Council beginning August 1 of an Election Year**

5.1 Members of Council may also be candidates in a municipal election. Accordingly, after August 1 in the municipal election year, the City will discontinue the following activities for Members of Council, irrespective of whether they are seeking election in the new term or not:

5.1.1 All forms of advertising and communication, including in municipal publications and social media accounts, that are paid for by City funds or operated and distributed by the City will not reference the name or image of a Member of Council.

5.1.2 Signage for City events, including banners and posters, will not reference the name of a Member of Council.

5.1.3 The City's media releases or materials will not reference the name of a Member of Council. Where the City would typically name a specific Member of Council or the Mayor in its communications or media materials during an election period, it will make reference to the generic term "Councillor Ward XX" or "Mayor of Toronto" without naming the specific Member of Council. With the exception of

inter-governmental initiatives (per clause 5.3 below), this practice will be used for all City programs, events, announcements and to ensure effective communications with residents and businesses with respect to operational requirements, impacts or emergency situations.

5.1.4 Ceremonial documents such as retirement scrolls for employees, scrolls in celebration of anniversaries, Letters of Greeting and other celebratory documents normally signed and distributed by Members of Council will be signed by the Mayor as the Chief Executive Officer of the City. The City Clerk will mail documents directly to the recipient(s).

5.2 Members of Council are responsible for ensuring that the content of any communication material, including printed materials such as newsletters, advertising, etc., that the City funds for the operation of each Member's Office is not directly election-related.

5.3 After August 1 in the municipal election year, the Mayor will be subject to the same restrictions as Members of Council, but will continue to be named in media releases and City materials related to inter-governmental activities only in his or her capacity as Chief Executive Officer of the City.

[...]