



OAKVILLE

## REPORT

### Council

Meeting Date: June 17, 2024

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**FROM:** Clerk's Department

**DATE:** June 4, 2024

**SUBJECT:** Corporate Policy Update

**WARD:** Town-wide

Page 1

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#### **RECOMMENDATION:**

1. That the updated Use of Corporate Resources During an Election Period Procedure be approved.
2. That the updated Notice of Close Vote Procedure be approved.
3. That the BIA Event Signs Policy be approved.

#### **KEY FACTS:**

The following are key points for consideration with respect to this report:

- At the Council meeting of May 27, 2024, staff recommended the approval of one policy and two procedures. Council referred the report back to staff to provide clarity in the Use of Corporate Resources during an Election Period Procedure surrounding use of town produced videos posted to YouTube in election campaign material.
- Staff has revised the Use of Corporate Resources during an Election Period Procedure to provide clarity on the use of such videos, as well as clarity on the compliance audit request process.
- The corporate policy and procedure review is an ongoing process facilitated by the Clerk's department to assist departments in bringing policies forward for Council review as part of Council's governance initiatives.
- All policies and procedures listed in this report have been reviewed by the Policy Review Administration Group.
- Unless otherwise noted, updated documents included in the appendices of this report have tracked changes to easily identify updates.

#### **BACKGROUND:**

As part of the ongoing corporate policy and procedure review, staff continue to present reports to introduce new policies, update and reconfirm current policies, and recommend the replacement or rescinding of former policies. Current policies and procedures are reviewed in accordance with established review periods and

updates are provided to Council, as required. All policies are submitted to Council for approval, as well as any procedures established under Council's authority. New or updated procedures under the authority of the CAO, will be presented to Council for information in a memo through the Council Information process on a quarterly basis. Reporting outside of the quarterly schedule will be determined on an as needed basis, factoring in public awareness or matters involving health and safety.

The corporate policy process aims to optimize operations and improve responsiveness to evolving requirements. It strengthens decision-making efficiency and enables Council to focus on policy-setting and strategic governance, aligning with the town's commitment to continuous improvement and organizational efficiency. This report addresses the policies and procedures which have been addressed by the Policy Review Administration Group since the last report to Council in May 2024. All departments are continuing to address policy requirements. Future policy reports will be coordinated through the Clerk's department or submitted departmentally, as required.

#### **COMMENT/OPTIONS:**

General

##### *Governance*

Use of Corporate Resources During an Election Period Procedure G-ELE-001-001 (Appendix A), previously titled *Use of Corporate Resources during a Municipal Election Period*, has been reviewed in accordance with established review protocols and is a Council authorized procedure. The proposed updates intend to improve clarity regarding the use of municipal resources during an election period, ensure compliance with legal obligations, offer a fair and consistent experience for all candidates, and uphold the integrity of the electoral process. While tracked changes have been omitted for readability, the following recommended updates have been made:

- **Expansion of Scope:**  
The *Municipal Elections Act, 1996*, as amended, requires municipalities to establish rules and procedures with respect to the use of municipal resources during an election period. The existing procedure governs municipal corporate resource usage exclusively during municipal elections. The updates proposed broaden the scope of the procedure to encompass provincial and federal elections as well.
- **Continuity of Office:**  
Members of Council hold their office until the end of the term, and even during election periods, nothing should preclude them from performing and fulfilling their duties as elected officials.

- **Clarity on Use of Corporate Resources:**  
Corporate resources are not to be used in any way for any material that is linked to an election campaign. Since the Council meeting of May 27, 2024, further clarity has been provided surrounding the use of town produced videos posted to YouTube which permits them to be used in election campaign material such as on a campaign website, as per YouTube's Terms of Service. A sentence has been added to Section 2(c) (page 3) for clarity and is highlighted for quick reference.
- **Staff:**  
Clarification that municipal staff and individuals employed by the offices of elected officials on municipal council must refrain from canvassing or actively working for any registered candidate or third party during working hours.
- **Town-based Services:**  
Expanding restrictions and providing further clarity on town-based services that are discontinued as of nomination day for Members of Council seeking re-election.
- **Social Media:**  
Regulations for social media usage during campaigning, consistent with the town's Online Communications Policy and related procedures.
- **Attendance at Town Events:**  
Defined parameters and restrictions for elected officials attending and participating in town-organized or hosted events during election periods.
- **Access to Information:**  
Guidelines on how candidates and third parties may access information during election campaigns, aligned with the town's Request for Information Procedure.
- **Enforcement Mechanisms:**  
Provisions of avenues for submitting complaints regarding election candidates, including Members of Council or Members of Council running for re-election. Identification of channels for complaints regarding campaign finances and election signs.

Since the Council meeting of May 27, 2024, further clarity has been provided in this section to remove detail including the word 'elector' around the process of submitting a compliance audit request and reference has been made to the applicable section of the Municipal Elections Act (MEA). This is highlighted in the procedure for quick reference. Advocacy work to modernize the MEA and one notable area of AMCTO's submission involves asking that the province providing clarity around who may submit a compliance audit application (what the definition of an 'elector' is for this purpose).

- **Provincial and Federal Elections:**  
Establishment of parameters around Members of Council running in provincial and federal elections.
- **Responsibilities Summary:**  
Outlining and summarizing the responsibilities of Members of Council, town staff, and the Town Clerk – including the Town Clerk's authority to provide guidance

and interpretation – regarding understanding, supporting, and complying with this procedure.

- **Definition Enhancement:**

Expansion of the definition section to provide clarity, with reference to the relevant legislation where necessary.

Notice of Close Vote Procedure G-ELE-001-002 (Appendix B) defines a process to identify a close vote pertaining to municipal election results for any office on Municipal Council to enable Council to determine whether or not a recount shall be conducted. This Council authorized procedure has been reviewed in accordance with established review periods, staff do not recommend any updates.

## Municipal Services

### *Regulatory*

Business Improvement Area (BIA) Event Signs Policy MS-REG-005 (Appendix C) has been established to allow for the use of BIA event signs that have been designated for use by the BIAs within the BIAs area boundaries. BIA event signs are provided for use to promote events and initiatives that are of community interest or benefit located within the applicable BIA area. This includes events held by charitable or non-profit organizations. The town is committed to supporting the efforts of the BIAs in strengthening commercial areas and raising the profile of local destinations in town.

BIA Event Signs Procedure MS-REG-005-001 (Appendix D) has been established to implement the policy and sets out parameters, criteria for decision making, restrictions, and direction, for the use of BIA event signs. Establishment of this policy and related procedure ensures use of BIA event signs are consistent with the town's values, integrity, and existing by-laws or policies.

## **CONSIDERATIONS:**

### **(A) PUBLIC**

Corporate policies and related procedures are posted to the town website for public information. Public notification is issued prior to Council's consideration of policies and procedures having a direct impact on the public.

### **(B) FINANCIAL**

There are no financial considerations with respect to the consideration of policies and procedures. The administration of procedures which relate to financial matters, grants and financial incentives will be subject to annual budget approval.

### **(C) IMPACT ON OTHER DEPARTMENTS & USERS**

Corporate policies and procedures impact all members of Council and staff. Departments are continuing to review existing policies within their departments to ensure, where applicable, that a corporate view is presented in all new or revised policies and procedures.

**(D) COUNCIL STRATEGIC PRIORITIES**

This report addresses the corporate strategic priority of accountable government. The established corporate policy process promotes accountable governance and service excellence, by promoting consistency, minimizing inefficiencies, and ensuring proper controls and compliance.

**(E) CLIMATE CHANGE/ACTION**

This matter does not impact climate change.

**APPENDICES:**

Appendix A – Use of Corporate Resources during an Election Period Procedure

Appendix B – Notice of Close Vote Procedure

Appendix C – BIA Event Signs Policy

Appendix D – BIA Event Signs Procedure

Prepared and submitted by:

Andrea Coyne, Manager, Elections, Policy, Print Services

Approved by:

Vicki Tytaneck, Town Clerk