

ELECTION CAMPAIGN PROVISIONS

Date Issued: May 9, 2017 – R92-17

Mandated by: City Council

Current Revision: March 23, 2021 – R81-21

Cross Reference:

- Elections Bylaw C4-21
- Code of Conduct Policy HUM-009-A
- Conflict of Interest Policy HUM-010-A

Next Review: January 1, 2026

Responsibility: City Manager

1. PURPOSE

To establish guidelines for the appropriate use of City facilities and City Resources during Election campaigns, in order to preserve the integrity of the municipal Election process. These guidelines aim to ensure that all Candidates have access to the same information, and that all City Employees remain neutral throughout an Election Campaign Period.

2. POLICY

Members of Council and City Employees shall conduct themselves in a manner that upholds the public trust in municipal Elections, and that City Resources are not used in any way to unfairly benefit any Candidate or campaign.

3. DEFINITIONS

3.1 *Campaign Period* – means the definition included in the *Local Authorities Election Act* as:

3.1.1 in the case of a general election, the period of time from January 1 to December 31 in a year in which a general election is held; and

3.1.2 in the case of a by-election, the period of time set by bylaw or resolution to 60 days immediately following the by-election.

3.2 *Candidate* – means an individual running for the position of Mayor or Councillor in a municipal election or by-election, and who has submitted valid nomination papers to the City in accordance with the *Local Authorities Election Act*.

3.3 *City* – means the municipal corporation of the City of Fort Saskatchewan.

3.4 *City Employee* – means an individual employed to do work on a permanent, temporary, or casual basis either a part-time or full-time for the City and is included on the City's biweekly payroll.

- 3.5 *City Facilities* – means any City-owned or City-leased building, office, structure or parking lot, and any property developed or used by the City as a public park, sports field, playground, or recreational area.
- 3.6 *City Manager* – means the Chief Administrative Officer of the City, or their designate.
- 3.7 *City Resources* – means all assets and property owned by, or under the direct control and of the City, including but not limited to, physical and human resources, financial assets and nonfinancial assets. Examples of such City Resources include:
- 3.7.1 Buildings, vehicles, equipment, tools, computers, photocopies, telephones;
 - 3.7.2 Physical and electronic documents, promotional materials, website content and links, intellectual property (e.g. City logos, crests, slogans); and
 - 3.7.3 City services, accounts, or credentials.
- 3.8 *Council* – means the Mayor and Councillors of the City, both together and individually.
- 3.9 *Election* – means:
- 3.9.1 a municipal election, by-election, or vote on a bylaw or question held in accordance with the LAEA;
 - 3.9.2 an election held pursuant to the *School Act* for the Province of Alberta, and
 - 3.9.3 elections as required for provincial or federal government.
- 3.10 *Election Day* – means the date of voting for the City’s Elections.
- 3.11 *LAEA* – means the *Local Authorities Elections Act*, RSA 2000, CL-21, and any regulations, as amended.
- 3.12 *Nomination Day* – means the day 4 weeks prior to Election Day.
- 3.13 *Social Media* – means freely accessible, third-party hosted, interactive technologies used to produce, post and interact through text, images, video, and audio to inform, share, promote, collaborate, or network.

4. GUIDING PRINCIPLES

- 4.1 The City shall balance the need for freedom of expression and assembly of Candidates with its legal responsibility to ensure no unfair advantage exists for any Candidate or a supporter of a question on a ballot during an Election.
- 4.2 The City’s Election processes are governed by the LAEA, as well as any other related City bylaws.
- 4.3 While applicable legislation may include provisions which regulate the conduct of Candidates and City Employees, there is opportunity for the City to ensure documentation is in place to further ensure that its Election practices reflect fairness, accountability, and transparency.

Communication:

- 4.4 Following the submission of nomination papers, responses to Candidate campaign requests or for general information shall be distributed to all Candidates. The intent of this provision is to

ensure that all Candidates have access to and are provided with the same information at the same time.

- 4.5 Following the submission of nomination papers, Candidate contact information, as provided by the Candidate, shall be made publicly available upon request as well as posted on the City's website.

Council:

- 4.6 Members of Council are elected in the capacity of Mayor or Councillor, and serve in that capacity until such time as newly elected Council members are sworn in, resign, or are disqualified.
- 4.7 No Candidate shall use, alter, or reproduce any City-owned digital or print content, graphics, logos, branding, or images for any campaign related material.
- 4.8 Members of Council shall not use City devices for campaign or campaign-related purposes. Any Social Media accounts used for campaign purposes must be operated on personal devices.
- 4.9 While holding the office of Mayor or Councillor for the City, no member of Council shall use City funds for any purpose relating to a campaign, campaign period, or campaign-related activities, including funding or resources required for any form of media advertising for the purpose of discussing or promoting the Election process.

Access to City Resources:

- 4.10 No City facilities or City Resources shall be used for any Election campaign or campaign-related activities, except on the same basis that would normally be made available to members of the public, and in accordance with a valid rental agreement, if applicable.
- 4.11 Campaigning and posting or distributing of campaign material in or on a City Resource or facility is prohibited for individual Candidates. Exception could be made for events, such as an all-candidate forum.

City Employees:

- 4.12 City Employees shall not participate in or conduct any work in support of a Candidate or a campaign while being compensated for work by the City. City Employees may participate in Candidate campaigns outside of their working hours for the City.
- 4.13 City Employees working on a campaign shall not at any time portray themselves as acting on behalf of the City.
- 4.14 Notwithstanding the foregoing, select City Employees shall not at any time participate in a campaign, as their obligations to the City require they remain impartial to each Candidate, these City Employees shall include the City Manager, General Managers, Directors, Legislative Services Department staff, and any contracted municipal Election worker.
- 4.15 No City Employee shall use or attempt to use their position at the City to influence other City Employees to affect the outcome of an Election.
- 4.16 All City Employees shall treat all Candidates in an unbiased and impartial manner throughout the Election campaign period.

5. AUTHORITY / RESPONSIBILITY TO IMPLEMENT

The City Manager is responsible for administrative compliance with this Policy, and Council is responsible for compliance by its members, City bylaws, LAEA, the *Municipal Government Act*, and other applicable legislation.