

KINGSTON POLICE SERVICES BOARD POLICY ON USE OF BOARD RESOURCES DURING AN ELECTION PERIOD

WHEREAS section 88.18 of the *Municipal Elections Act, 1996*, as amended, requires Ontario municipalities and local boards (as defined in the *Municipal Affairs Act*) to establish by the 1st of May, in the year of a regular election, rules and procedures with respect to the use of municipal or board resources, as the case may be, during the election campaign period;

AND WHEREAS the *Election Finances Act, 1990*, as amended, and the *Canada Elections Act, 2000*, as amended, establish regulations for candidates and parties running in provincial and federal elections and prohibit municipal corporations from contributing to any candidate, constituency organization, nomination contestant, leadership contestant, or political party;

NOW THEREFORE the Kingston Police Services Board enacts as follows.

1. Definitions

1.1. In this policy the following definitions apply.

- (a) “Act” refers to the Ontario *Municipal Elections Act*.
- (b) “Board” means the Kingston Police Services Board, the governing authority for the police service of the city of Kingston.
- (c) “Candidate” means any person who has filed and not withdrawn a nomination for an elected office at the municipal (including school board), provincial, or federal level in an election or by-election.
- (d) “Campaign materials” mean any materials used to solicit votes for a candidate or question on the ballot in an election period including but not limited to literature, banners, posters, pictures, buttons, clothing, or other paraphernalia. Campaign materials include but are not limited to materials in all media, such as print, displays, electronic, radio or television, and online sources, including websites or social media.
- (e) “Election” means an election or by-election at the municipal (including school board), provincial, and federal level of government or the submission of a question or by-law to the electors.
- (f) “Election period” means the official campaign period of an election. More specifically:
 - (i) for a municipal (including school board) election, the election period commences on May 1 of an election year and ends on voting day;
 - (ii) for a provincial or federal election, the election period commences the day the writ for the election is issued and ends on voting day;

- (iii) for a question on the ballot, the period commences the day City Council passes a by-law to put a question to the electorate and ends on voting day; and
- (iv) for a by-election, the period commences when the by-election is called and ends on voting day.
- (g) “Media event” means an event such as a press conference or photo opportunity to which the media are invited and the purpose of which is to promote, support, or oppose a candidate, registered third-party advertiser, a political party, or a position on a question on a ballot. Features of a media event can include but are not limited to the issuing of a media advisory stating date, time, and location of a briefing / press conference; use of backdrops, podiums, or public address systems; the distribution of media releases or media kits; or the display of signage or other materials to promote, support, or oppose a candidate, registered third-party advertiser, or a position on a question on a ballot.
- (h) “Police service” refers to the Kingston Police.
- (i) “Registered third-party advertiser” means, in relation to a municipal election, an individual, corporation, or trade union that is registered with the City Clerk, as per section 88.16 of the Act, whose purpose is to promote, support, or oppose a candidate for office or an issue on a question on a ballot and who is not under the direction of a candidate.
- (j) “Third-party advertisement” means an advertisement in any broadcast, print, electronic, or other medium that has the purpose of promoting, supporting, or opposing a candidate for office, or an issue on a question on a ballot, and is not under the direction of a candidate.

2. General

2.1. Any facility that is owned, leased, or occupied by either the police service or the Board may not be used for any election-related purpose, including a media event, by a candidate, registered third-party advertiser, or political party.

2.2. Candidates, third-party advertisers, or political parties may not distribute campaign materials on or in police service or Board facilities or at police service or Board events.

2.3. The crests or images of either the police service or the Board may not be printed, posted, or distributed on any election-related campaign materials or included on any election-related website.

2.4. Candidates may not post photographs of themselves with police service members in uniform or with Board members in campaign materials.

2.5. Photographic or video materials created by police service members or the Board may not be used for any election purpose or in campaign materials.

2.6. Websites or domain names funded by, or officially associated with, the police service or the Board may not include any campaign materials; make reference to and identify any individual as a candidate, registered third-party advertiser, or political party; or profile any slogan or symbol associated with a candidate, registered third-party advertiser, or political party.

2.7. Candidates, registered third-party advertisers, or political parties are permitted to attend police service and Board events or events held at police service and Board facilities but may not campaign while in attendance. No election signs may be posted and no campaign materials may be disseminated at police service and Board events.

2.8. Members of the police service are also bound by restrictions involving political activity as outlined in the *Police Services Act*, as amended, and its regulations.

3. Commencement

3.1. To be compliant with section 88.18 of the Act, this policy is effective as of May 1, 2018.

ADOPTED AND PASSED by the Kingston Police Services Board this 17th day of May, 2018, by Resolution No. 18-24.

Chair

Secretary