



Council Policy #C44

ELECTION CAMPAIGNS POLICY

Approved by Council Resolution #20/12/28

1. PURPOSE:

- 1.1 To instill public confidence in the City of Beaumont's electoral process by clearly defining parameters for the use of City resources during election campaigns. These parameters will assist to ensure that all Candidates and Incumbents have access to the same information, and that all members of the Administration remain neutral throughout an election campaign period. This policy applies within the boundaries of the City of Beaumont and only during municipal elections.

2. POLICY STATEMENT:

- 2.1 In an election year, it is important that there be a clear and concise delineation between the role of an Elected Official (Member of Council) and the role of a Candidate. This Policy sets out guidelines respecting the use of City resources for election-related purposes to promote public confidence in local government elections and to protect Incumbents from allegations of benefit or privilege or inappropriate use of City resources by other Candidates or taxpayers.
- 2.2 The City's election processes are governed by the *Local Authority Elections Act*, as well as any other related City Bylaws, policies, and guidelines. While applicable legislation may include provisions which regulate the conduct of Candidates, Incumbents, and Administration, there is opportunity for the City to ensure documentation is in place to further ensure that its election practices reflect elements of good governance, including fairness, accountability, and transparency.

3. DEFINITIONS:

"Administration" are individuals that are employed by the City of Beaumont.

"Candidate" means an individual who has been nominated to run for election in a local jurisdiction as a Councillor under the *Local Authority Elections Act*. One becomes a Candidate by filing nomination paperwork with the Returning Officer – and only once said paperwork is approved by Returning Officer.

"Campaign Period" is the period of time from January 1 to December 31 in a year in which the municipal election is held, and in the case of a by-election, the period of time set by bylaw or resolution to 60 days immediately following the by-election – as defined by the *Local Authority Elections Act*. During this Period, Candidates are nominated, can fundraise, and campaign.

“Chief Administrative Officer” is the head of Administration for the municipality and the person appointed to a position under section 205 of the *Municipal Government Act*.

“Council” is the City of Beaumont Council.

“City” is the municipal corporation of the City of Beaumont.

“City Facilities” indicates 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.

“City Resources” are resources (including human resources) paid for or acquired with City funds, and includes, but is not limited to, staff time, equipment, technology, financial assets and non-financial assets (for example, vehicles, material, paper or electronic documents, tools, electronic equipment (i.e. photocopiers, printers, computers, cell phones, telephones, and phone numbers, etc.), City funds, promotional material, internet services (including e-mail and social media), and intellectual property, such as City logos, crests, or slogans.

“Election” means municipal election, by-election, or vote on a question, held in accordance with the *Local Authorities Elections Act*.

“Election Day” is the date of voting for the City’s municipal election or by-election.

“Incumbent” is an Elected Official/Member of Council who has had their nomination papers approved by the Returning Officer and holds office while campaigning in the municipal election. In accordance with the *Local Authorities Election Act*, RSA 2000, c. L-21 and the *Municipal Government Act*, RSA 2000, c.M-26 (“MGA”), an Elected Official serves in that capacity (holds office) until such time as a newly elected Council is sworn in.

“Members of Council” or “Elected Officials” are individuals who won seats in the most recent/previous Beaumont municipal election and hold the positions of Mayor or Councillor.

“Nomination Day” is the last day for nominations and for filing nomination paperwork with the Returning Officer – the submission cut-off is noon. Nomination Day occurs four weeks before Election Day.

“Social Media” refers to freely accessible, third-party hosted, interactive Internet technologies used to produce, post, and interact through text, images, video, and audio to inform, share, promote, collaborate or network. A non-exhaustive list of examples of social media in use in December, 2020 include: Twitter, Facebook, Instagram, Snapchat, YouTube and LinkedIn. Common features of social media are: accounts can be acquired at no cost; and, content is by default public and permanent.

“Third Party” means an individual, corporation or group, but does not include a Candidate.

4. APPLICATION:

4.1 This Policy is applicable:

- a) For all municipal elections and by-elections, as well as a vote on a municipal bylaw or question. It applies during the Campaign period as defined.
- b) During the Campaign Period as defined in the *Local Authority Elections Act*.
- c) To City Administration, Members of Council, Candidates, and Incumbents.

5. ROLES AND RESPONSIBILITIES:

5.1 The City shall balance the need for freedom of expression and assembly of Candidates or Incumbents with its legal responsibility to ensure no unfair advantage exists.

5.2 The City will endeavor to ensure all Candidates receive equal treatment and access to public information from City Administration, regardless of whether the Candidate is an Incumbent.

5.3 All Candidates and Incumbents shall ensure that the City remains as a neutral body, and has no position, in all election-related communications and campaign materials.

5.4 The Chief Administrative Officer is responsible for Administrative compliance with this Policy and Council is responsible for compliance by its Members.

5.5 In addition to this Policy, Members of Council and Incumbents must adhere to the Council Code of Conduct and the Meeting Procedures Bylaw.

5.6 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 (unless there is a resignation prior to the end of term). Therefore, this Policy shall not limit a Member of Council who is an Incumbent from performing their duties as Mayor or Councillor as prescribed by the MGA, nor impede them from representing the best interests of the community.

5.7 All Candidates must adhere to all applicable provincial legislation, City bylaws, the Election Signage Council Policy, and any City guidelines in relation to election campaigns

6. ADMINISTRATION:

6.1 The Chief Administrative Officer shall not participate in any municipal election campaigns.

6.2 Staff Members of the CAO's Office, Senior Leadership Team, and the Legislative Services Department shall not participate in election-related campaigns. These

positions are required to maintain an impartial relationship with all Candidates and Incumbents.

- 6.3 Administration shall not participate in or conduct any work in support of a Candidate or Incumbent while being compensated for work by the City. However, Administration may participate in Candidate or Incumbent campaigns on their own time.
- 6.4 Under no circumstances can Administration or a Member of Council (not running for re-election) working on a campaign or attending an election-related event, portray themselves as acting on behalf of the City.
- 6.5 A member of Administration, Member of Council (not running for re-election), or Incumbent, shall not use or attempt to use their position at the City to influence other members of Administration to affect the outcome of an election or a vote on a question to the public.
- 6.6 All members of Administration shall treat all Candidates and Incumbents in the same manner throughout the election campaign period, including providing equal access to public information. All members of Administration shall remain neutral while being compensated by the City, and ensure that the City conducts its election without influence.

7. ACCESS TO CITY FACILITIES DURING THE CAMPAIGN PERIOD:

- 7.2 City facilities can be used for election-related purposes by a Candidate, Incumbent, or a Third Party:
 - a) Access, availability, and use, will be the same as with any member of the public;
 - b) Reservations and use will be on a first-come, first reserved basis;
 - c) All uses of City facilities must be in accordance with valid permits, licenses, leases, or any other agreements, if applicable.
 - d) Any election or campaign materials posted during the use of the City facility must be removed when that use ends.
- 7.3 All-candidate meetings or forums may be held at City facilities for a nominal fee or other consideration, provided that all candidates for an office are invited to attend such meetings or forums.
- 7.4 Candidates, Incumbents, or an associated Third Party may not distribute campaign materials at City funded events, but are permitted to distribute campaign materials on public right-of-way sidewalks and thoroughfares, and during all-Candidates meetings or forums.
- 7.5 Informal media scrums are permitted in the public or common areas at City

Facilities. Informal media scrums may not include: apparatus, mechanisms or devices for the amplification of the human voice or any sounds. The activity may not disrupt regular City business. If the media scrum is disrupting City services, City Administration may ask the participants to find an alternative location.

8. ACCESS TO CITY RESOURCES DURING THE CAMPAIGN PERIOD:

- 8.1 The City's logo, Coat of Arms, slogans, etc., may not be printed, posted or distributed on any election-related campaign materials or included on any election-related website, except to link to the City's website to obtain information about the municipal election.
- 8.2 Any links provided to the City's website on campaign or election materials must not visually or verbally imply that the City, the City's Administration, or a current Member of Council, has a position regarding a Candidate or Incumbent.
- 8.3 Candidates, Incumbents, or an associated Third party may not post photographs of themselves with City employees in uniform.
- 8.4 Photographic or video materials which have been or may be created by City Administration or with City resources may not be used for any election purpose or in campaign materials.
- 8.5 Council and Committee of the Whole meeting videos and approved official minutes, which are readily available on the City's website, can be used by Incumbents and Candidates for election and campaigning purposes.
- 8.6 Websites or domain names that are funded by the City may not include any campaign materials, make reference to and identify any individual as an Incumbent, registered Third Party Advertiser, or profile any slogan or symbol associated with a candidate/campaign.
- 8.7 Domain names, websites or City email addresses that the City funds may not include any election-related campaign material and may not be re-designated for campaign purposes or provide a link to a campaign site.
- 8.8 Incumbents shall not use City devices for campaign or campaign-related purposes. Any social media accounts used for campaign purposes must be set up on personal devices.
- 8.9 Incumbents must not ask the Administration who directly supports Council (i.e. Executive Assistants) to provide access, support, or engage in any personal election campaigning or anything election-related.
- 8.10 City funds shall not be used to cover any campaign or election-related expenses.

9. ACCESS TO CITY INFORMATION DURING THE CAMPAIGN PERIOD:

- 9.1 Once nomination papers are filed with and approved by the Returning Officer, responses to Candidate and Incumbent campaign requests or for general information shall be distributed to all Candidates and Incumbents via email communication. This is to ensure that all Candidates have access to and are provided with the same information at the same time.
- 9.2 Information provided to one Candidate, Incumbent, or an associated Third Party that is of a general nature and may provide valuable guidance to all others will be provided to all Candidates. The City will post the information on the internet or through other mechanisms to ensure equal access to information.
- 9.3 Requests by a Candidate or Incumbent for personal meetings with the Chief Administrative Officer, Deputy Chief Administrative Officer, Chief Financial Officer, or other City employees, as well as requests for tours of City facilities, may not always be accommodated due to resource and time constraints. If a meeting or a tour is organized, there must be a commitment to organizing a similar meeting or tour for all other Candidates and Incumbents.
- 9.4 City databases, with the exception of those specifically made for the use of Candidates, may not be used by any Candidate, Incumbent, or an associated Third Party, unless the database has already been released for public use.

10. ATTENDING CITY EVENTS DURING THE CAMPAIGN PERIOD:

- 10.1 Incumbents and all Candidates are permitted to attend City events, or events held at City facilities, in either their capacity as Members of Council or as private citizens, but may not campaign while in attendance.
- 10.2 No election signs may be posted and no campaign materials may be disseminated at City events.
- 10.3 Incumbents are permitted to attend City-organized events or events held on City facilities and act as ceremonial participants in their capacity as Members of Council/Elected Officials, including speaking at the event and partaking in ceremonial activities.

11. SOCIAL MEDIA REQUIREMENTS FOR INCUMBENTS:

- 11.1 Use of a Member of Council's title in a social media profile confers legitimacy – from the perspective of social media providers and the public – and authority and influence similar to use of letterhead or other incidents of office. A Member of Council's title can only be used for City purposes and not for campaign or election-related purposes.
- 11.2 During municipal elections, Incumbents must take affirmative steps to clearly distinguish between use of social media for personal or election purposes on the one hand, and use of social media in their capacity as an Elected Official on the other.

To take such affirmative steps, Members of Council must adopt one of the following two approaches:

- a) Maintaining Separate Election Accounts. Establish separate and distinct social media accounts for re-election purposes that are clearly labelled as election-related/campaign accounts and that are not identified as a Member of Council's Social Media Account or one that uses City resources within the meaning of this policy.
- b) Maintaining a Single Account Subject to Restricted Use. Members who choose not to maintain separate and distinct election-related/campaign accounts and who intend to use a social media account that has ever been identified as a Member of Council's Social Media Account for conducting Elected Official business, or uses City resources within the meaning of this Policy for any purpose relating to their re-election, must for the duration of the campaign:
 - i. Visually, and verbally, make clear that the account is being used for re-election campaigning purposes and not for conducting regular Member of Council and City business. This includes removing City logos or images proprietary to the City of Beaumont, and reference to the Member of Council's title from the account handle name, the user name, or the profile description;
 - ii. Ensure that the account's registration information does not include any Beaumont.ab.ca email addresses or City of Beaumont phone numbers;
 - iii. Remove all reference to the account from the Member's website (if they have one) or the City of Beaumont website;
 - iv. Formally inform Administration who might have previously had a role with respect to managing a social media account that no City resources whatsoever, including computers, devices and staff, may be used to maintain the account; and
 - v. Expressly notify followers or friends on the social media platform that the account will be used for purposes related to re-election, provide an alternative source of information for followers interested in City services, and label the account appropriately.

11.3 If a Member is defeated in an election or resigns during their term they must delete their Member of Council Account or any social media that uses City resources within two (2) business days.

12. AUTHORITY/RESPONSIBILITY TO IMPLEMENT

12.1 The management authority for this Policy falls under the Returning Officer and Chief Administrative Officer.

Policy Record

Adopted by Council: December 17, 2020

Council Resolution: #20/12/28

Cross Reference:

- Bylaw 920-18 Council code of Conduct,
- Alberta *Freedom of Information and Privacy Protection Act*,
- *Our Beaumont*: Municipal Strategic Plan 2017 – 2021, and
- *Local Authorities Election Act*, RSA 2000, c.L-21
- Council Policy 43 – Election Signage

Administrative Responsibility: Chief Administrative Officer and City Clerk, Legislative Services

Next Review Date: April 2025