THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 2026-006

A By-law to establish the rules and procedures with respect to the use of municipal resources during the election campaign period and provide the rules and procedures therein.

WHEREAS *Municipal Act, 2001,* section 5(1)(3) prescribes the powers of a municipality shall be exercised by its council, and a municipal power, including a municipality's capacity, rights, powers and privileges shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS *Municipal Elections Act, 1996, S.O. 1996, c. 32, sched., as amended.* section 88.8(4) paragraph 5 provides a municipality shall not make a contribution to a campaign;

AND WHEREAS *Municipal Elections Act, 1996, S.O. 1996, c. 32, sched., as amended.* section 88.8(9)(10) provides that if a municipality makes information available to the public on a website or in another electronic format, including the phone number and email address provided by the candidate in the nomination filed or a hyperlink to the candidate's website, the provision of the information does not constitute a contribution to a candidate;

AND WHEREAS *Municipal Elections Act, 1996, S.O. 1996, c. 32, sched., as amended.,* section 88.22(1)(o)(p) provides that a candidate shall ensure that a contribution of money made or received in contravention of a by-law passed under this Act is returned to the contributor as soon as possible after the candidate becomes aware of the contravention, and a contribution not returned to the contributor is paid to the clerk with whom the candidate's nomination was filed;

AND WHEREAS *Municipal Elections Act, 1996, S.O. 1996, c. 32, sched., as amended* section 94 provides a person who contravenes any provision of a by-law passed by a municipality under this Act is guilty of an offence;

AND WHEREAS *Municipal Elections Act, 1996, S.O. 1996, c. 32, sched., as amended* section 88.18 provides before May 1 in the year of a regular election, municipalities shall establish rules and procedures with respect to the use of municipal resources, during the election campaign period;

AND WHEREAS this By-law is a Corporation of the Town of Caledon by-law under the *Municipal Elections Act, 1996, S.O. 1996, c. 32, sched., as amended;*

AND WHEREAS the Council of The Corporation of the Town of Caledon deems it expedient, accountable and transparent to establish rules and procedures, as required, with respect to the use of municipal resources, during the election campaign period which is consistent with established *Municipal Elections Act, 1996, S.O. 1996, c. 32, sched., as amended* principles as provided in Staff Report 2026-0002 at its earliest possible convenience in the year of a regular election;

NOW THEREFORE the Council of The Corporation of the Town of Caledon ENACTS AS FOLLOWS:

That the rules and procedures with respect to the use of municipal resources during the 2026 regular election campaign period are hereby established as provided within this By-law, which shall be named the Use of Municipal Resources during the 2026 Regular Election Campaign Period By-law, containing the following parts:

PART 1 - DEFINITIONS

1.1 In this By-law:

"Campaign period" means the first day a person is eligible to be nominated on May 1, 2026, until the campaign period ends on December 31, 2026, inclusive of extended campaign period only for affected candidates, if applicable.

"Campaign related activity" or **"campaign materials"** means any activity or produced material by or on behalf of a candidate or registered third party meant to elicit support or opposition during the campaign period.

"**Candidate**" means a person who has been nominated, as defined in section 33 of the Municipal Elections Act for an office of the municipal council.

"**Communication**" means information or content publicly communicated in any form.

"**Clerk**" means the statutorily appointed Clerk for The Corporation of the Town of Caledon.

"**Council**" means the Council of the Corporation of the Town of Caledon.

"**Formal access to information request**" means an access to information request made under the *Municipal Freedom of Information and Protection of Privacy Act, R,S.O. 1990, Chapter M.56.*

"**Member**" means a member of the Council of the Corporation of the Town of Caledon.

"**Municipal council**" means the municipal council for the Corporation of the Town of Caledon; and

(a) "**Office of the municipal council**" means the offices of local councillor, regional council, or mayor.

"**Municipal Elections Act**" means the *Municipal Elections Act, 1996, S.O. 1996, c. 32, sched., as amended*.

"**Municipal resources**" means facilities, infrastructure, assets, equipment, supplies, services, staff or any resource that belongs to or is funded by the Town of Caledon.

"**Online accounts**" means any form of an account requiring a registered user-based login to access and operate through a network connection, including but not limited to social media accounts or any externally hosted website platforms.

"**Registered third party**" means, an individual, corporation or trade union that has filed a notice of registration with the Clerk in accordance with section 88.6 of the Municipal Elections Act.

PART 2 – PRINCIPLES

2.1 The rules and procedures in this By-law are consistent with the principles of the Municipal Elections Act.

2.2 Municipal resources used to promote or oppose the candidacy of a person for office of the municipal council, or that promote or oppose any campaign are prohibited.

2.3 Publicly available municipal resources remain equally accessible to candidates, third party advertisers and the public during the campaign period.

2.4 Where reasonably possible as provided in this By-law, campaign materials are prohibited from including content developed using municipal resources.

2.5 Campaign materials developed using resources other than by municipal resources are governed in accordance with the Municipal Elections Act and not subject to the rules and procedures in this By-law.

2.6 Municipal resources acquired or developed by virtue of office of the municipal council are prohibited from being repurposed as campaign material.

PART 3 – APPLICATION

3.1 Unless otherwise specified in this By-law or the Municipal Elections Act, the rules and procedures outlined in this By-law shall apply during the campaign period.

3.2 The rules and procedures outlined in this By-law apply to the regular election in the year this By-law is prescribed to be enacted and prevails over any other Council enacted rule or procedure with respect to use municipal resources during a campaign period.

3.3 A member is not precluded from performing their duties or inhibited from representing the interest of the electorate through the application of this By-law.

PART 4 – FACILITY AND EVENTS

4.1 Campaign materials are prohibited from display or distribution at any Town of Caledon event, facility, or facility property.

4.2 Town organized or funded events during a campaign period shall occur without any campaigning associated activities, including but not limited to promoting for or against candidates or registered third parties.

4.3 Facility rentals can only be held for general election-related events during the campaign period, held without eliciting support or opposition of a candidate or registered third party.

4.4 Municipal property may be used in campaign materials, provided the photo is taken without use of municipal resources from a publicly accessible area and without a municipal sign, logo, crest, coat of arms, slogan, or staff in the photo.

PART 5 – MUNICIPAL COMMUNICATIONS

5.1 Any communication materials or activities produced or funded using municipal resources comply with applicable provisions of this By-law and are unrelated to any campaign related activity.

5.2 Websites or domain names that are provided, funded or maintained by the Town shall exclude any campaign material.

5.3 The phone number and email address provided by a candidate in their filed nomination or a hyperlink to a candidate's website shall only appear on a single Town of Caledon webpage containing a list of all candidates who have filed their nomination for an office of the municipal council.

5.4 Any hyperlinks to external websites about a member on a Town of Caledon operated website are removed prior to and prohibited during the campaign period.

5.5 Municipal resources are prohibited to be used to create any advertisements, flyers, newsletters, business cards or personalized stationery which represents a member from the start of the campaign period until the beginning of the new term of Council.

PART 6 – MEMBER COMMUNICATIONS

6.1 Members are prohibited from using municipally resourced communications for any campaign related activity.

6.2 Members use of communications for campaign related activity may provide notice of communication related to their role as a member for those interested in communicating with them in their capacity as a currently elected representative.

6.3 Members use of online accounts for campaign materials shall be notably or visibly differentiated from their municipally resourced online accounts, without any publication related to their role as a member of municipal council which contains:

a. their member associated online account names, monikers or addresses,

b. any reference to the Town of Caledon, its logos, or identifiers, and reference to the member's title from the account handle name, the username, or profile description,

c. any Town of Caledon email address, phone number or other contact information.

PART 7 – TECHNOLOGY

7.1 Municipal computers, cell phones, tablets, printers, scanners, or other services such as email, internet and file storage or other technology assets provided for use to members shall not be used for any campaign related activity.

PART 8 – INFORMATION

8.1 Information not publicly available and received by virtue of a member's office is prohibited for use within any campaign material.

8.2 Distribution lists or contact lists developed using municipal resources or through contact in a member's role shall not be utilized for any campaign related activity.

8.3 Information printed, hosted or distributed by a member during the campaign period is prohibited from using the Town of Caledon logo, crest, or coat of arms.

8.4 The Town of Caledon's logo, crest, coat of arms, slogan or other form of Town of Caledon identifier shall not be printed, distributed or used on any campaign related activity, except in the case of a hyperlink to the Town of Caledon operated website to obtain information about the current regular election the candidate is seeking election into an office of the municipal council.

8.5 Photographs, videos or images produced for, created by or owned by the Town of Caledon shall not be used by candidates or registered third parties for any campaign related activity.

8.6 Where reasonably possible, information disclosed by the Town of Caledon to a candidate or registered third party, except for a formal access to information request, are made available to all other candidates and registered third parties including where such information was initially requested from within the Town of Caledon.

PART 9 – ENFORCEMENT

9.1 The Clerk shall apprise candidates, registered third parties, or members of apparent contraventions to this By-law identified through completion of their duties under the Municipal Elections Act, or as provided to them by a complainant.

9.2 Where reasonably possible, a candidate shall ensure that a contribution of goods or services made or received by provision of municipal resources in contravention of this By-law is returned to the Clerk as soon as possible after the candidate becomes aware of the contravention, or alternatively the apparent contravening use of municipal resources for campaign purposes is immediately discontinued.

9.3 This By-law expires upon enactment of establishing the rules and procedures with respect to the use of municipal resources for the next regular election campaign period after the 2026 regular election.

9.4 This By-law shall come into full force and effect on the day of its passing.

Enacted by the Town of Caledon Council this 27th day of January, 2026.

Annette Groves, Mayor

Kevin Klingenberg, Municipal Clerk