

RURAL MUNICIPALITY OF LAC DU BONNET
ELECTORAL CANDIDATE USE OF MUNICIPAL RESOURCES
BY-LAW No. 02-22

BEING a by-law of the Rural Municipality of Lac du Bonnet to establish rules and procedures for the use of municipal resources during the 42-day period before a general election or a by-election.

NOW THEREFORE the Council of the Rural Municipality of Lac du Bonnet enacts as a by-law the following:

1. TITLE

This by-law may be known as the "Electoral Candidate Use of Municipal Resources By-Law"

2. DEFINITIONS:

- a) "Candidate" means an individual who has been registered under section 93.3 of the Municipal Act.
- b) "Restricted Period" means the period beginning 42 days before a municipal general election or by-election and ending after polls close on the municipal general election or by-election date.
- c) "Election Communication" means communication that is a campaign expense incurred by a registered candidate.
- d) "Municipal Resources" means:
 - i) Any resource owned or controlled by the municipality, including but not limited to:
 - 1. Property, facilities, infrastructure, and equipment,
 - 2. Websites, social media accounts, and other communication tools or media.
 - ii) Employees or volunteers in the course of their employment or volunteer service, including any full-time, part-time, casual or contract employees, and volunteers, whether the volunteer receives reasonable compensation or expense money from the municipality for their voluntary service,
 - iii) Events or functions organized by the municipality,
 - iv) The municipal logo, seal, or other identifying marks associated with the municipality,
 - v) Any information collected or controlled by the municipality that is not available to the public.
- e) "Municipality" means the Rural Municipality of Lac du Bonnet.

3. RESTRICTIONS ON CANDIDATES' USE OF MUNICIPAL RESOURCES

- 3.1 A registered candidate who is a member of council must not use their incumbent position as their title in an election communication.
- 3.2 During the Restricted Period, a Candidate or a person acting on their behalf **may only** use a municipal resource for an election-related purpose if:
 - a) The municipal resource is usually made available to the general public without the general public needing to seek permission or authorization for its use; and
 - b) The candidates' use of the municipal resource does not unreasonably interfere with the use of the municipal resource by other members of the public.
- 3.3 During the Restricted Period, the municipality or any person acting on its behalf **is restricted from using:**
 - a) Municipal resources in communicating information about the municipality's programs or services, if the communication may reasonably be seen as providing an electoral advantage to a candidate; and
 - b) The name, voice or image of a member of council in municipal communications.

4. EXCEPTIONS

Restrictions to sections 2 and 3 do not apply:

- a) To any use of municipal resources that may be necessary in respect of an emergency or dangers to property or health;
- b) To any event where all candidates are invited and provided equivalent opportunities with respect to any election-related purpose;
- c) To any use of municipal resources by the municipality to educate and inform the public about the election process if no candidate is promoted, supported or opposed;
- d) To the preparation of any document, notice or communication that is required by legislation and any subsequent distribution that is normally made by the municipality, such as posting council meeting minutes online;
- e) To the preparation of any documents or communications of a strictly administrative nature required for the usual functioning of the municipality, such as members of council signing payments;
- f) To any method of providing public access to council meetings;
- g) To any candidates declared elected by acclamation during the restricted period after such declaration is made.

5. INSPECTION AND ENFORCEMENT

- a) Any person appointed or designated to enforce the municipalities by-laws may determine compliance with and enforce this by-law. In the course of this activity, they may request access to records and make any inspection they deem necessary.
- b) A person who contravenes any matter in this by-law is guilty of an offence and is liable on conviction to a fine of not more than \$5,000.

DONE AND PASSED as a By-Law of the Rural Municipality of Lac du Bonnet by the Council, assembled in the Council Chambers this 22nd day of March , 2022.



Reeve, Loren Schinkel



Deputy Chief Administrative Officer, Sandra Broek

READ A FIRST TIME:	MARCH 8, 2022	RESOLUTION:	2022 0151
READ A SECOND TIME:	MARCH 8, 2022	RESOLUTION:	2022 0152
READ A THIRD TIME:	MARCH 22, 2022	RESOLUTION:	2022 0176