

**SUBJECT: ELECTION –
CAMPAIGN ADVERTISING AND
THIRD PARTY ADVERTISING POLICY**

1.0 PURPOSE

1.1 The purpose of this policy is to provide information to Candidates regarding Campaign Advertising and information to Registered Third Parties regarding Third Party Advertising.

2.0 LEGISLATIVE AUTHORITY

2.1 Section 12 of the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, as amended, provides that a Clerk who is responsible for conducting an election may provide for any matter or procedure that is not otherwise provided for in an Act or regulation and in the Clerk’s opinion, is necessary or desirable for conducting the election.

3.0 SCOPE

3.1 This policy applies to all election campaign advertising and third party advertising within the Municipality, informs candidates of when and where they can post campaign advertising, informs third party advertisers of when and where they can post third party advertising, and to ensure public safety on municipal roads and highways during an election period.

4.0 DEFINITIONS

“Campaign Advertising” – shall mean an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a Candidate. (Examples include lawn signs, brochures, posters, print, radio and electronic ads, etc.)

“Municipality” – shall mean the Corporation of Tay Valley Township.



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“Third Party Advertising” – shall mean an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing a candidate, or a “yes” or “no” answer to a question on the ballot, but does not include an advertisement by or under the direction of a candidate, or an advertisement that incurs no expenses in relation to the advertisement, or an advertisement that is transmitted to employees, shareholders, or directors of the registered third party.

5.0 CANDIDATES

- 5.1** Campaigning, including campaign advertising are permitted no earlier than the filing of Nomination Papers by the Candidate.
- 5.2** All candidate campaign advertising shall identify the Candidate by name, as it appears on the Nomination Form.
- 5.3** All Candidates shall provide the following information to a broadcaster or publisher in writing:
- the name of the Candidate;
 - the name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the Candidate.
- 5.4** Information contained in/on all campaign advertising is the responsibility of the Candidate and any questions or concerns should be directed to the Candidate.

6.0 THIRD PARTY ADVERTISER

- 6.1** Third party advertising begins on the earliest day that an individual, corporation or trade union is permitted to file a notice of registration as a registered third party (first business day in May) and ends at the close of voting on Voting Day.
- 6.2** All third party advertising shall contain the name of the registered third party, the municipality where the registered third party is registered and a telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement.

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6.3 All Registered Third Parties shall provide the following information to a broadcaster or publisher in writing:

- the name of the registered third party;
- the name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the registered third party;
- the municipality where the registered third party is registered.

6.4 Information contained in/on all third party advertising is the responsibility of the Third Party Advertiser and any questions or concerns should be directed to the Third Party Advertiser.

7.0 ADVERTISEMENTS ON MUNICIPAL PROPERTY

7.1 No campaign advertising or third party advertising shall be permitted on any municipal property, whether owned or leased, with the only exception being along municipal road allowances. This includes the following, which is not meant to be a complete and exhaustive list:

7.1.1 no campaign advertising or third party advertising will be permitted in municipal parks, community centres, waste sites, vacant lands, municipal buildings or structures, etc. or on the Municipal website or social media sites.

7.2 Campaign advertising or third party advertising shall be permitted along municipal road allowances providing the following conditions are respected:

7.2.1 that the visibility of intersections or private entrances is not obstructed and does not create a safety condition;

7.2.2 that the campaign advertising or third party advertising is of sufficient texture and or proper installation that weather conditions will not displace this advertising and create a safety hazard on municipal roads.

7.3 Campaign advertising or third party advertising that will be installed on provincial or county roads will require the permission of these respective approving authorities.

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- 7.4 Campaign advertising or third party advertising that will be installed or affixed to poles belonging to Hydro One Network, Bell Canada or other public utilities will require the permission of these respective approving authorities.
- 7.5 The municipality, its municipal servants, employees or agents shall not be responsible for investigating or prosecuting for any acts of vandalism to the campaign advertising or third party advertising.
- 7.6 All Candidates shall be required to remove all campaign advertising along municipally owned road allowances within seven (7) days following an election. Should such advertising continue to be located, the same shall be removed and destroyed.
- 7.7 All Third Party Advertisers shall be required to remove all third party advertising along municipally owned road allowances by the close of voting on Voting Day. Should such advertising continue to be located, the same shall be removed and destroyed.

8.0 MUNICIPAL AUTHORITY TO REMOVE ADVERTISEMENTS

- 8.1 Should any campaign advertising or third party advertising be located on municipally owned property or be located on municipally owned road allowances which do not comply to the provisions of this policy, the same shall be removed forthwith and destroyed.
- 8.2 If the Municipality is satisfied that there has been a contravention of the *Municipal Elections Act, 1996*, of sections 88.3 (candidates' election campaign advertisements), 88.4 (third party advertisements) or 88.5 (mandatory information in third party advertisements), the Municipality may require a person who the Municipality reasonably believes contravened the section or caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to remove the advertisement or discontinue the advertising.



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9.0 ACCOUNTABILITY FRAMEWORK

9.1 The Clerk and/or the Returning Officer is responsible for ensuring compliance with this policy.

10.0 POLICY REVIEW

10.1 This Policy shall be reviewed at least once per term of Council.

Other Resources

Municipal Elections Act, 1996, as amended

ISSUED BY:	DATE ISSUED:	SUPERSEDES:	PAGE:
Clerk's Office	February 13 th , 2018	October 8 th , 2013	5 of 5
