



## ELECTION PROCEDURE

**PROCEDURE TITLE:** USE OF CORPORATE RESOURCES POLICY ENFORCEMENT PROCESS

**PROCEDURE NO.:** EPRO-008

<b>Section:</b>	Elections		
<b>Effective Date:</b>	April 1, 2022	<b>Date of Last Review:</b>	N/A
<b>Approval Authority:</b> City Clerk / Returning Officer	<b>Procedure Owner:</b> City Clerk / Returning Officer		

### PROCEDURE STATEMENT

A procedure providing for the process by which enforcement of 03.C.03 Use of Corporate Resources for Election Purposes Policy (the “Policy”) is to be initiated by the City Clerk.

### PURPOSE

The *Municipal Elections Act, 1996* (the “Act”) requires a municipality to establish rules and procedures with respect to the use of municipal or board resources during the municipal election campaign period. Section 5.1 of the Policy provides that the City Clerk is authorized and directed to take such action as necessary to give effect to this policy. These procedures codify the mechanism for enforcing the Policy.

### SCOPE

This procedure applies to all candidates who have filed their nomination with the City Clerk in the City of Vaughan.

### LEGISLATIVE AUTHORITY AND REQUIREMENTS

This procedure governs enforcement of the policy established in accordance with statutory requirements set out in the *Municipal Elections Act, 1996*, Section 88.18:

#### Use of municipal, board resources

88.18 Before May 1 in the year of a regular election, municipalities and local boards shall establish rules and procedures with respect to the use of municipal or board resources, as the case may be, during the election campaign period. 2016, c. 15, s. 56.

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**DEFINITIONS**

Candidate: A person who has been nominated under Section 33 of the Act.

**PROCEDURE**

**1. General**

- 1.1. A Candidate that has been found to have breached any provision of the Policy, as determined by the City Clerk / Returning Officer, shall be subject to the enforcement provisions as set out in this procedure.
- 1.2. The decision of the City Clerk / Returning Officer in respect to a breach and any enforcement action applied to a Candidate shall be final and is not subject to appeal.

**2. Level One Escalation**

- 2.1. An initial breach of the Policy shall result in the application of a Level One Escalation.
- 2.2. Level One Escalation shall consist of a verbal or written warning from the City Clerk / Returning Officer, delivered to the Candidate by a telephone or email notification.

**3. Level Two Escalation**

- 3.1. A second breach of the Policy shall result in the application of a Level Two Escalation.
- 3.2. Level Two Escalation shall consist of a written warning issued from the City Clerk / Returning Officer, delivered to the Candidate at an in-person appointment at the Office of the City Clerk. An educational review of the policy will be conducted to ensure that the Candidate is aware of their obligations.

**4. Level Three Escalation**

- 4.1. A third and any subsequent breaches of the Policy shall result in the application of a Level Three Escalation.
- 4.2. Level Three Escalation shall consist of a public notice issued from the City Clerk / Returning Officer, posted to the election website administered by Election Services.
  - 4.2.1. The public notice shall include the name of the Candidate, the office the candidate has been nominated for, and the section of the policy which has been breached by the Candidate.

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<b>ADMINISTRATION</b>			
<i>Administered by the Office of the City Clerk</i>			
<b>Review Schedule:</b>	3 Years	<b>Next Review Date:</b>	April 1, 2025
<b>Related Policy(ies):</b>	03.C.03 Use of Corporate Resources for Election Purposes		
<b>Related By-Law(s)</b>	None		
<b>Revision History</b>			
<b>Date:</b>	<b>Description:</b>		