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Policy Title:	The Library and Political Elections	
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OP – 16 Library and Political Elections Policy

Purpose:

The Hanover Public Library (the library) supports the community in civic engagement and participation while remaining non-partisan in our services, spaces, and communications.

The purpose of this policy is to provide a consistent approach and direction on how library resources can and cannot be used during municipal, school board, provincial and federal election campaigns, or questions on the ballot. It is also to ensure that the library is in compliance with relevant legislation.

Definitions:

Campaigning is an election-related activity for the purposes of supporting or opposing the election of a Candidate or a question on the ballot, and includes, without limiting the generality of the foregoing, the distribution of materials, advertising, display of signage, etc.

Candidate is any person who has filed and not withdrawn a nomination for an elected office at the municipal, school board, provincial or federal level in an election or by-election.

Employee is all full and part time library staff, including volunteers and members of the Hanover Public Library Board (the board).

Library Resources is real property, goods and/or services owned, controlled, leased, acquired, or operated by the library but not limited to facilities, materials, equipment, monetary funds, technology, IT systems and resources, databases, intellectual property, and supplies.

The board is the Hanover Public Library Board.

Scope and Legal Framework:

This policy applies to board members, employees and volunteers of the library in their dealings with candidates and political parties and the use of library resources during the campaign periods for municipal elections, and these rules and procedures will be used for provincial and federal elections.

The library must act and appear to act in a non-partisan way at all times, but especially during elections, while supporting the democratic process, freedom of expression and informed discussion on political issues.

It is the responsibility of the Library CEO/Chief Librarian to ensure that the library complies with legislation related to elections at all levels - municipal, provincial, and federal.

It is the responsibility of the library to ensure that no candidate, registered third-party advertiser or political party is provided with an unfair advantage in the use of library resources at any time.

For municipal elections, by May 1st in the election year, the library will establish the rules and procedures with respect to use of library resources during the period leading up to the municipal election. This requirement is found in the Municipal Elections Act 1996, Clause 88.18 Use of municipal, board resources which states:

"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."

Campaign Contributions:

The library will comply with legislation on campaign contributions at all levels.

The Board may not contribute to the campaign of any candidate or political party at municipal, provincial or federal level, including nomination or leadership contests for constituency associations or political parties, in the form of money, goods or services. This is in accordance with the following legislation:

1. Municipal Elections

Municipal Elections Act, Section 88.8 which reads:

Who cannot contribute

88.8 (4) For greater certainty, and without limiting the generality of subsection (3), the following persons and entities shall not make a contribution:

3. A corporation that carries on business in Ontario.

5. The Crown in right of Canada or Ontario, a municipality or a local board.
2016, c. 15, s. 51.

2. Provincial Elections

Ontario Elections Finances Act, Section 16(1) which reads:

"16 (1) Contributions to parties, constituency associations, nomination contestants, candidates and leadership contestants registered under this Act may be made only by persons individually. 2016, c. 22, s. 10 (1)."

3. Federal Elections

Canada Elections Act, Section 363(1) which reads:

"363 (1) No person or entity other than an individual who is a Canadian citizen or is a permanent resident as defined in subsection 2(1) of the Immigration and Refugee Protection Act shall make a contribution to a registered party, a registered association, a nomination contestant, a candidate or a leadership contestant."

Use of Library Resources and Property:

All candidates and political parties have equal access to publicly available resources and services of the library.

Candidates cannot use equipment, supplies, staff or other operational resources of the library nor may they use the library's logo in any campaign material.

'All-candidates' meetings can be held at the library, either as a library programme or sponsored by another group, provided that all candidates are invited to attend such meetings. A candidate cannot be featured or promoted in association with any other regular library programme or event.

Candidates and political parties are permitted to distribute campaign materials on public right-of-ways at the library, unless prohibited by a municipal policy or bylaw.

No campaigning is allowed in the library as a public place because it is deemed to be "incompatible with the function and purpose of the place" as defined by section 81.1(2) of the Canada Elections Act.

No election sign or poster specific to a candidate or political party can be posted on the grounds of the library or in the library building unless permitted by municipal bylaw.

Employee and Volunteer Participation in Election Campaigns:

A library employee or volunteer involved in a political campaign must be politically neutral in carrying out their library duties and must not participate in campaign activities during their working hours.

With respect to a municipal election, any library employee running **as a candidate** in the municipal election will comply with the entirety of Section 30 of the *Municipal Elections Act* which reads, in part

"30 (1) *An employee of a municipality or local board is eligible to be a candidate for and to be elected as a member of the council or local board **that is the employer** if he or she takes an unpaid leave of absence beginning as of the day the employee is nominated and ending on voting day. 1996, c. 32, Sched., s. 30 (1); 2002, c. 17, Sched. D, s. 9 (1)."*

Library Board Members as Candidates:

Board members may continue their library board responsibilities when they are running for office.

Requests for information about the library:

The CEO/Chief Librarian will coordinate requests for information about the library received from candidates or political parties.

Information that is provided by the library to one candidate or political party will be provided to all other candidates and political parties upon request during an election.

Any candidate or political party may request a meeting with the CEO/Chief Librarian or a tour of the library.

Related Documents:

Town of Hanover. *ADM-015 Use of Corporate Resources for Election Campaign Purposes.*

Canada Elections Act, S.C. 2000, c9.

Election Finances Act, R.S.O. 1990, c. E.7

Municipal Elections Act, S.O. 1996, c. 32.as amended.

Hanover Public Library Board. *GOV-11 Board Code of Conduct.*