



BY-LAW NO. 428-2024

**A BY-LAW TO ESTABLISH POLICY
FOR THE USE OF POLICE SERVICE BOARD
RESOURCES DURING AN ELECTION PERIOD**

1. PREAMBLE

- 1.1 WHEREAS subsection 37 (1) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1. Sched. 1*, (the "CSPA") as amended, provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the Act;
- 1.2 AND WHEREAS Section 46 of the CSPA provides that a Police Service Board shall establish its own rules and procedures in performing its duties under the CSPA and the regulations;
- 1.3 AND WHEREAS Section 88.18 of the *Municipal Elections Act, 1996* requires municipalities and local boards to establish rules and procedures with respect to the use of municipal or board resources, as the case may be, during an election campaign period;
- 1.4 AND WHEREAS the Board deems it expedient to enact this by-law for the use of Niagara Police Service Board ("Board") and Niagara Regional Police Service ("Service") resources and infrastructure during an election period, in order to preserve the public trust and integrity in the elections process and to comply with the *Municipal Elections Act, 1996* (the "Act").

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD ENACTS AS FOLLOWS:

2. DEFINITIONS

- 2.1 "Act" means the *Municipal Elections Act, 1996*, as amended, and includes any regulation made thereunder;
- 2.2 "Board" means the Regional Municipality of Niagara Police Service Board;
- 2.3 "Campaigning" means a municipal election-related activity for the purpose of supporting or opposing the election of a Candidate or a question on the ballot;

- 2.4 *"Campaign-related materials"* means those materials that promote or oppose the candidacy of a person for elected office;
- 2.5 *"Candidate"* means any person who is running for office in a municipal election, nominated under Section 33 or the Act;
- 2.6 *"CSPA"* means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, and amendments thereto;
- 2.7 *"Employees"* include full-time, part-time, and contract employees, paid by the Regional Municipality of Niagara, including members of the Police Service Board and the Niagara Regional Police Service;
- 2.8 *"Registered Third Party"* means an individual, corporation or trade union that is registered with a local municipality under s. 88.6 of the Act;
- 2.9 *"Service"* or *"Police Service"* means the Niagara Regional Police Service.

3. BOARD POLICY

In compliance with the *Municipal Elections Act, 1996*, public funds are not to be used for election campaigns, including the promotion of or opposition to the candidacy of a person for an elected office, or in support of or opposition to a question on a ballot.

Board resources including facilities, infrastructure, equipment, supplies, services, staff or any resource that belongs to or is funded by the Board may not be used for the purposes of an election campaign or for any campaign-related activities.

3.1 Use of Board/Police Facilities

No person (including staff, candidate or registered third-party) may use any facility that is owned, leased or occupied by either the Niagara Regional Police Service or the Board for election campaigning purposes or for any campaign-related activities. Campaign signs and materials may not be displayed in/at any Board facilities. Election campaign material means those materials that promote or oppose the candidacy of a person for elected office, or that support or oppose a question on a ballot.

3.2 Board/Police Events

No person (including staff, candidate or registered third-party) may campaign or distribute election campaign materials at any event/function being hosted by the Niagara Police Service Board or the Niagara Regional Police Service.

3.3 Board/Police Infrastructure, Equipment and Supplies

No person (including staff, candidate or registered third-party) may use any Board/Police infrastructure, equipment or supplies for election campaign purposes or for any campaign-related activities. This includes any physical or technology systems that support the operation of the Board/Police programs and services including but not limited to computer and telephone networks and applications, photocopiers, fax machines, email system, voicemail, wireless equipment, internet, smart phones, tablets, and Board/Police provided electronic devices.

3.4 **Board/Police Staff**
A candidate or registered third-party may not use the services of staff during those hours in which staff receive any compensation from the Board or Service.

3.5 **Printing and Distribution**
No person (including staff, candidate or registered third-party) may print or distribute election campaign materials using Board/Police funds.

3.6 **Websites/Social Media**
Websites, domain names and social media sites that are funded, owned or operated by the Board or Police Service shall not include any election-related campaign material, make reference to and/or identify any individual as a candidate or profile any slogan or symbol associated with a candidate.

3.7 **Communications Materials**
The Board and Police Service communications materials, whether for internal or public distribution, shall not:

3.7.1 Profile (name or photograph), make reference to and/or identify any individual as a candidate.

3.7.2 Advocate for or against a particular candidate.

(Communication materials include but are not limited to: news releases, advisories, invitations for special events, flyers, posters, banners, brochures, newsletters, e-newsletters and social media accounts).

3.8 **Photographs and Videos**
Photographs and videos produced for and owned by Board and the Police Service cannot be used for election campaign purposes.

3.9 **Corporate Identifiers/Logos**
The corporate identifiers of the Board or the Police Service (i.e. crests, logo) may not be printed or distributed in election campaign material or included on an election campaign website. Links to the Board's or Police Services' websites are permitted from a candidate's or third-party's election website for the purpose of obtaining information about the municipal election or sharing Board/Police program/service information.

3.10 **Contact Information**
The Board or the Police Service email addresses, telephone numbers and facility addresses are not to be used by a candidate or registered third-party as his/her their election campaign contact information.

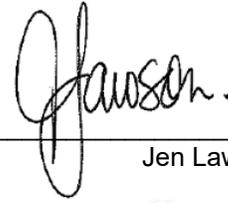
4. IMPLEMENTATION

7.1 By-law No. 379-2018, and all other By-laws, sections of By-laws, and policies of the Board inconsistent with the provisions of this By-law are hereby repealed effective March 31, 2024.

7.2 This By-law shall come into force on April 1, 2024.

ENACTED AND PASSED this 28th day of February, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD

A handwritten signature in cursive script that reads "Lawson." The signature is written in black ink and is positioned above a horizontal line.

Jen Lawson, Chair

A handwritten signature in cursive script that reads "Reid". The signature is written in black ink and is positioned above a horizontal line.

Deb Reid, Executive Director