

# ***TOWN OF ANNAPOLIS ROYAL***

## **POLICY**

**Title:** Use of Public Property Including Communications Equipment

**Policy No.:** 2016-04

**Supersedes:** 2013-01

**Effective Date:** September 19, 2016

**Approval by Council:** September 19, 2016  
**MOTION #C2016-09-19-09**

### **1. POLICY**

1. No Council Member, Committee of Council Member or employee of the Town of Annapolis Royal shall request or permit the use of Town-owned vehicles, equipment including cell phones, tablet devices, or materials for personal convenience or profit, except where such privileges are granted to the general public. Council Members, Committee of Council Members and employees shall ensure that the business of the Town is conducted with efficiency and shall avoid waste and extravagance in the provision or use of Town resources.

2. Where deemed necessary for the effective performance of job duties, the Town of Annapolis Royal shall provide the Council Member, Committee of Council Member or employee with vehicles, equipment, materials, and property, including a cell phone AND/OR a tablet device, to use for business purposes only, in accordance with the terms and conditions set out in this policy.

3. Vehicles, equipment including cell phones or tablet devices, materials and all manner of property remain the property of the Town of Annapolis Royal and must be returned immediately upon request or upon the termination of the Council Member, Committee of Council Member or employee's employment, whichever occurs first. Council and the CAO may decide that electronic equipment (including, but not limited to, cell phones, tablet devices and computers), maybe be deemed surplus and sold to the Council members and/or employees. The price shall be set by the IT Consultant, whom shall base the price on residual value of the product at the time of sale.

4. In those jobs where it is essential for a Council Member, Committee of Council Member or employee to have a cell phone in a motor vehicle, the Town of Annapolis Royal will provide a hands-free unit.

5. Communication by means of a hand-operated electronic device (including e-mailing or text messaging) by a driver of a motor vehicle on company business shall occur only when the vehicle is off the roadway and is not in motion; or the motor vehicle is lawfully parked on the roadway. Hand-operated electronic devices must not be used by a driver while driving except for the purpose of contacting emergency services (ambulance, fire, police) only. Specifically,

A Council Member, Committee of Council Member or employee shall not operate a hand-operated cell phone, tablet device, or electronic device while driving a vehicle, unless operated in hands-free mode, or the vehicle is off the roadway and not moving or the vehicle is lawfully parked;

A Council Member, Committee of Council Member or employee shall not have a display screen of a television, computer or other device visible to the driver while the vehicle is moving, with the exception of a mounted global positioning system or a built-in vehicle systems display;

A Council Member, Committee of Council Member or employee shall not read or view printed material, text, type or write, print or sketch, or engage in other distractions while driving a motor vehicle.

## **2. PURPOSE**

The purpose of this policy is to regulate the use of public property and to ensure safe and appropriate use of telephones, cell phones or hand-operated electronic devices for business purposes.

## **3. SCOPE**

This policy applies to all Council Members, Committee of Council Members and employees who have access to and/or use of Town-owned vehicles, equipment including cell phones or hand-operated electronic devices, materials or other property in the performance of their job duties.

## **4. RESPONSIBILITY**

1. The Chief Administrative Officer and supervisors are responsible for ensuring Council Members, Committee of Council Members and employees have read and understand this policy and for dealing with disciplinary matters arising from a breach of this policy.

2. The Chief Administrative Officer and supervisors will ensure that Council Members, Committee of Council Members and employees, upon reading and understanding this policy, sign the policy acknowledging their receipt and understanding of the policy.

3. Council Members, Committee of Council Members and employees are responsible for:

i. Logging all personal long-distance calls made on a Town telephone, Town-provided cell phone or hand-operated electronic device and for reimbursing the Town of Annapolis Royal for the cost of those calls on a monthly basis where a total of calls exceed \$5.00 or if calls within one month do not exceed \$5.00 then the personal call charges will be allowed to accumulate until such time as they reach \$5.00; and

ii. The proper care and maintenance of a company-issued cell phone, tablet device, or hand-operated electronic device and includes taking reasonable care to prevent the loss, theft or damage of the equipment. All malfunctions and/or loss should be reported to the Mayor, Chair of the Committee of Council or employee's supervisor as soon as possible.

## **5. DEFINITIONS**

1. "Cell phone" means cellular telephones or other hand-operated wireless communication devices that are capable of receiving or transmitting telephone communications, electronic data, electronic mail (e-mail) or text messages, and includes hands-free devices, device chargers, and any other equipment issued by the Town of Annapolis Royal and necessary for the safe operation of the devices.

2. "Hand-operated electronic device" means

i. A cellular telephone;

ii. A two-way radio;

iii. A portable global positioning system navigation device;

iv. A portable entertainment device;

v. Any electronic device that

a. Includes a telephone function or is capable of transmitting or receiving e-mail or other text-based messages; and

b. Normally is held in the user's hand during use or requires the user to use his or her hand to operate any of its functions; or

vi. A "tablet device" means a wireless touch screen device that is capable of connecting to the Local Area network. Ex. Apple iPad.

## **6. PROCEDURE**

1. Council Members, Committee of Council Members and employees are to use Town-provided cell phones or hand-operated electronic devices for business purposes only and then only when necessary. Council Members, Committee of Council Members and employees are expected to use a less costly means of communication when it is available. Town-provided telephones, cell phones or hand-operated

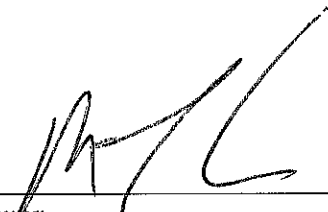
electronic devices may be used for personal calls in some exceptional circumstances, such as child care issues, notifying family of lateness, or emergencies. Air time for long distance personal calls must be paid by the Council Member, Committee of Council Member or employee on a monthly basis or when the total cost of the calls totals \$5.00.

2. Council Members, Committee of Council Members and employees using cell phones or hand-operated electronic devices are expected to conduct themselves in a professional and business-like manner at all times. Council Members, Committee of Council Members and employees must respect those around them by turning off the devices during meetings, whenever possible, and refraining from loud conversations within earshot of others.

3. Council Members, Committee of Council Members and employees are prohibited from making illegal transactions, threats, harassing telephone calls or messages while using Town office telephones or hand-operated electronic devices.

4. Most jurisdictions prohibit the use of a cell phone or a hand-operated electronic device by the driver of a moving motor vehicle. Council Members, Committee of Council Members and employees are responsible for upholding the law in all jurisdictions, regarding the use of such devices while driving. Council Member, Committee of Council Member and employees are responsible for being informed of the laws in the jurisdiction in which they are travelling.

5. Violations of this policy will be considered a serious offence and will be subject to disciplinary action up to and including termination from a Committee of Council or of employment.

  
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*Mayor*

  
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*Chief Administrative Officer*

October 11, 2016  
*Date*

October 7, 2016  
*Date*