



Chapleau

# Township of Chapleau

2022 Candidate Information Package

**Township of Chapleau**  
20 Pine Street W. P.O. Box 129  
Chapleau, ON P0M 1K0

t (705) 864-1330

f (705) 864-1824  
[www.chapleau.ca](http://www.chapleau.ca)



## Table of Contents

Letter to Candidates

### **Section No. 1 – Election Guides (see [www.chapleau.ca](http://www.chapleau.ca))**

Candidates' Guide – Ministry of Municipal Affairs and Housing

Voters' Guide - Ministry of Municipal Affairs and Housing

Third Party Advertisers' Guide – Ministry of Municipal Affairs and Housing

### **Section No. 2 – Township of Chapleau Forms**

Declaration of Qualifications

Consent to Release Personal Information

Candidate's Declaration – Proper Use of Voters' List Withdrawal of  
Nomination

Appointment of Scrutineer by Candidate

Withdrawal of Nomination

### **Section No. 3 – Provincial Forms**

Nomination Paper – Form 1

Financial Statement – Auditor's Report Form 4

Financial Statement – Subsequent Expenses Form 5

Third Party Advertising Registration – Form 7

Financial Statement – Auditor's Report Third Party – Form 8

### **Section No. 4 – Other**

Township of Chapleau Use of Corporate Resources By-Law 2018-12

Township of Chapleau Election Sign By-Law 2018-13

Council Remuneration

Township of Chapleau  
20 Pine Street, Chapleau, Ontario P0M 1K0  
Phone (705) 864-1330 • Email [electionsclerk@chapleau.ca](mailto:electionsclerk@chapleau.ca)

**Township of Chapleau**  
20 Pine Street W. P.O. Box 129  
Chapleau, ON P0M 1K0

t (705) 864-1330

f (705) 864-1824

[www.chapleau.ca](http://www.chapleau.ca)



Dear Candidate:

I am pleased to present the 2022 Municipal Election Candidate Information Package which has been prepared by the Elections Clerk to provide guidance on the municipal election process.

In addition to this package, there are resources available at <http://www.chapleau.ca>. The Township's website will be updated throughout the election so please check back regularly.

Before beginning your campaign, please remember to open a separate campaign bank account, in your name. Also ensure you issue receipts for all contributions received, and obtain receipts for every expense. You cannot solicit contributions or incur expenses until you have filed your nomination papers with the Elections Clerk and paid the filing fee. As a candidate, you are solely responsible for ensuring legislative requirements are met with respect to campaign finances.

If you have specific questions with respect to meeting your campaign finance requirements, you are encouraged to contact the Ministry of Municipal Affairs and Housing or seek legal advice from your solicitor. Township of Chapleau staff will only provide candidates with notices of the general filing requirements pertaining to campaign finances.

As updates to information contained in this package occur, materials will be forwarded to all registered candidates via Canada Post or email. On behalf of the Township, I would like to thank you for your interest in serving the citizens of Chapleau.

For additional information or questions please contact one of the following staff:

Barbara Major, Elections Clerk  
(705) 864-1330  
[electionsclerk@chapleau.ca](mailto:electionsclerk@chapleau.ca)

Charley Goheen, Deputy Elections Clerk  
(705) 864-1330  
[cgoheen@chapleau.ca](mailto:cgoheen@chapleau.ca)

Barbara Major  
Elections Clerk

# **Section No. 1**

# **Election Guides**

**2022**

# Candidates' guide

for Ontario municipal council and school board elections

# 2022 Candidates' Guide - Ontario municipal council and school board elections

# 2022 Candidates' Guide – Ontario municipal council and school board elections

This guide provides information to candidates for the 2022 municipal council and school board elections. The information also applies to any by-elections that may be held during the 2022-2026 council and school board term.

This guide is not meant to replace provincial legislation. It provides general information about the rules contained in the *Municipal Elections Act, 1996* and other legislation and regulations, such as:

- *Municipal Act, 2001*
- *City of Toronto Act, 2006*
- *Education Act*

## New election rules for 2022

Nominations may be filed electronically if permitted by your municipal clerk. [Contact your municipal clerk](#) to find out if nominations can be filed electronically in your municipality, and for information about how to file your nomination.

The deadline for filing your nomination is August 19, 2022 at 2 p.m.

The council and school board term of office will run from November 15, 2022 to November 14, 2026.

## Contact us

If you have further questions or would like to give feedback on this Guide, please contact us at [mea.info@ontario.ca](mailto:mea.info@ontario.ca).

You can also contact your regional [Municipal Services Office at the Ministry of Municipal Affairs and Housing](#).

# Table of contents

|   |    |
|---|----|
| General information .....               | 1  |
| Eligibility to run for election .....   | 3  |
| Nominations .....                       | 5  |
| Campaigning.....                        | 10 |
| Third party advertising .....           | 11 |
| On voting day.....                      | 12 |
| After voting day .....                  | 14 |
| Campaign finance .....                  | 16 |
| Compliance and enforcement .....        | 27 |
| Completing the financial statement..... | 29 |
| Forms referred to in this guide .....   | 36 |



# General information

Every four years, voters across Ontario elect municipal councillors and school board trustees.

The Province of Ontario sets out common rules that all candidates and voters must follow. However, municipalities are responsible for conducting elections to their council and for conducting the election of school trustees to Ontario's school boards. This guide contains information about the rules that are the same for all municipal elections, such as who is eligible to run for office, and rules about campaign spending.

Your municipality may have specific rules on issues such as:

- where and when election signs may be displayed
- whether campaign activities may occur on municipal property
- whether those who make contributions to candidates may receive a rebate

Contact your municipal clerk if you have questions about the election in your municipality.

To learn more about the duties of municipal councillors and the role of council, please see the [Ontario Municipal Councillor's Guide](#).

## The municipal clerk

Every municipality has a municipal clerk who is in charge of running the election.

Contact the municipal clerk if you are interested in becoming a candidate. You must file any election forms, such as the nomination form and campaign financial statements, with your municipal clerk. The clerk is also responsible for providing information about spending limits and filing deadlines to candidates.

[If your municipality does not have a website](#) you could visit or contact your municipality's offices for more information.

## Public health and safety at the voting place

The municipal clerk is responsible for setting up and running the voting places used in a municipal election. The clerk must follow any provincial or local public health measures that are in effect. They may also put in place additional procedures that they consider necessary for conducting the election. If you have questions about public health and safety at the voting place, you should contact your municipal clerk.

## Emergency declaration by the clerk

If the municipal clerk believes that circumstances have arisen that prevent the election from being conducted appropriately, they may declare an emergency. This declaration is specific to the election and separate from an emergency that may be declared by the municipality or the province.

Once the clerk has declared an emergency, they can decide what arrangements to make to allow the election to proceed appropriately. The arrangements that the clerk makes will depend on the nature of the emergency.

If your municipal clerk has declared an emergency in relation to an election or by-election in your municipality, you should contact the clerk for information about the arrangements that they have put in place and how those arrangements may affect voting and campaigning.

# Eligibility to run for election

## Running for municipal council

To run for a position on council you must be eligible to vote in that municipality. On the day you file your nomination, you must be a Canadian citizen aged 18 or older, and qualify as a resident or non-resident elector. For more information about eligibility to vote, please see [the 2022 Voters' Guide](#).

You must be eligible to hold office on the day you file your nomination. For example, a person who is 17 years old but will turn 18 before nomination day must wait until they have turned 18 to file their nomination.

If your municipality has wards, you can run in any ward – you do not have to live in a particular ward in order to be its councillor. However, if you run in a ward where you do not live, you will not be able to vote for yourself. Having a campaign office or a business in a ward where you would not otherwise be eligible to vote does not make you eligible to vote in that ward.

## Municipal employees

You cannot work for a municipality and be on its council at the same time. If you are an employee of a municipality and you want to run for office on that municipality's council, you must take a leave of absence that begins the day you are nominated. If you are elected, you must resign from your job.

If you are an employee of a municipality and you want to run for office in a different municipality, you do not have to take a leave of absence or resign. However, you should check with your employer to see if there are any policies in place that could affect you.

If you are an employee of an upper-tier municipality, you can run for office in a lower-tier municipality without taking a leave of absence or resigning unless being elected to the lower tier council means that you would also be a member of the upper-tier council.

## Who is not eligible?

The following people are disqualified from being elected to municipal office:

- any person who is not eligible to vote in the municipality
- an employee of a municipality who has not taken an unpaid leave of absence and resigned (see above)
- a judge of any court
- an MP, an MPP or a senator
- an inmate serving a sentence in a penal or correctional institution

# Running for school board trustee

To run for a trustee position on a school board you must be a resident within the jurisdiction of the board and you must be eligible to vote in a school board election. On the day you file your nomination, you must be a Canadian citizen aged 18 or older and you must meet any other qualifications to vote for the school board (for example, being a Roman Catholic, or holding French language rights). For more information about eligibility to vote, please see [the 2022 Voters' Guide](#).

Additional information about [French-language rights](#) is available from the Ministry of Education.

## School board employees

You cannot work for a school board and be a trustee in Ontario at the same time.

If you are an employee of any Ontario school board and you want to run for a trustee position on any school board in the province, you must take an unpaid leave of absence that begins the day you are nominated. If you are elected, you must resign from your job.

## Municipal officials

If you are a clerk, deputy clerk, treasurer or deputy treasurer of a municipality within the jurisdiction of a school board, you are not permitted to run for office as a trustee of that board unless you take a leave of absence. If you are elected, you must resign from your job.

## Who is not eligible?

The following people are disqualified from being elected as a school trustee:

- any person who is not eligible to vote in the school board election
- an employee of a school board or a municipal official who has not taken an unpaid leave of absence and resigned (see above)
- a judge of any court
- an MP, an MPP or a senator
- an inmate serving a sentence in a penal or correctional institution

## Note for MPs, MPPs and senators

If you are an MP, MPP or senator, you may file your nomination for municipal or school board office without resigning your current seat in parliament, the legislature or the senate. However, you must resign your seat by the close of nominations (2 p.m. on Friday August 19, 2022). If you are a federal or provincial cabinet minister, you must step down from cabinet prior to filing your nomination and must resign your seat by the close of nominations.

If you have not resigned by nomination day, your nomination will be rejected and your name will not appear on the ballot.

# Nominations

## Filing your nomination

To file your nomination you must give the following to your municipal clerk:

- a completed [nomination form \(Form 1\)](#)
- the nomination fee
- completed [endorsement of nomination forms \(Form 2\)\\*\\*](#)

\*\*If you are running for municipal council and your municipality has more than 4,000 electors, you must submit original endorsement signatures from 25 people who are eligible to vote in the municipality. Candidates for school board trustee and candidates for municipal council in municipalities with 4,000 or fewer electors do not have to submit endorsement signatures.

When you fill out the nomination form, write down your name as you want it to appear on the ballot. If you normally go by a different name than your legal first name, you may use that name provided that the clerk agrees.

You do not have to provide all of your names under the box entitled “Given Name(s)” on the form. Only provide the one(s) that you want to appear on the ballot. If your legal name is a single name you do not have to provide any given names.

Clerks can decide to allow nominations to be filed electronically. If your municipality allows electronic filing, contact the clerk for more information about how to file your nomination.

If electronic filing is not allowed in your municipality, you must file the nomination form that you have signed – the form may not be a copy and may not be scanned and submitted electronically. You must file the nomination form in person or have an agent file it on your behalf.

The clerk may require you to show identification or fill in an additional form to prove that you are eligible to be nominated. If an agent is going to file the form on your behalf you should check with the clerk to see if you are required to provide identification or additional paperwork.

Your campaign period begins when the clerk has received your nomination. If you file your nomination electronically at a time when the clerk’s office is not open, you may have to wait to begin your campaign. You should contact the clerk for more information.

## The nomination fee

The fee to file a nomination is \$200 to run for head of council and \$100 for all other positions. This fee must be paid to the clerk at the time you submit your nomination form.

Your nomination fee will be refunded if you file your campaign financial statement by the deadline.

# Endorsement signatures

If you are running for municipal council in a municipality that has more than 4,000 electors, you must submit 25 original signatures endorsing your nomination.

You must use [Form 2](#) to collect the endorsement signatures.

Anyone providing an endorsement signature must also fill in their name and address, including the postal code.

Anyone providing an endorsement signature must be eligible to vote in the municipality on the day that they signed the endorsement. In addition to their endorsement, they will also be required to sign a declaration that they are eligible to vote in the municipality.

A person who is eligible to vote in the municipality may provide endorsements to as many candidates as they would like and may endorse candidates for any office on the municipal council. A person who is running for a ward councillor office may submit signatures from voters who do not live in that ward.

Collection of signatures should be undertaken safely by following guidance related to and in compliance with all applicable laws and emergency orders, as well as any [guidance and safety standards established by the province for COVID-19](#). These measures are intended to keep Ontarians safe.

If you submit 25 original endorsement signatures and find out later that a person (or persons) was not eligible to vote on the day that they signed the endorsement, you will not lose your nomination. The person who supplied false information (by declaring that they were eligible to endorse your nomination when they were not eligible) could be subject to prosecution.

If the clerk has allowed electronic filing, you must still collect the endorsement signatures in person. You can submit an electronic copy of the forms when you file your nomination. You must keep the forms with the original signatures as part of your campaign records.

School board trustee candidates are not required to submit endorsement signatures.

The [Endorsement of Nomination Form \(Form 2\)](#) is a public document. Endorsements of candidates cannot be revoked if the document has already been filed with the clerk.

## Deadline to file your nomination

The nomination period begins on May 1, 2022. As May 1 is a Sunday, you may not be able to file your nomination until May 2, 2022 when the clerk's office is open. The last day to file a nomination is Friday, August 19, 2022 by 2 p.m.

The clerk has until 4 p.m. on Monday, August 22, 2022 to certify or reject your nomination. The clerk must be satisfied that you are eligible to run in order to certify your nomination. If your nomination is not certified, your name will not appear on the ballot.

## Where to file

If you are running for council office in a single-tier or lower-tier municipality (city, town, township, village, etc.), you must file your nomination with the clerk of that municipality.

If you are running for an office in an upper-tier municipality (region or county) that does not also sit on a lower-tier council, you must file your nomination with the clerk of the upper-tier municipality. For example, a person running for chair of Durham Region would file their nomination with the clerk of Durham Region rather than the clerk of a lower-tier municipality such as Oshawa or Pickering.

If you are running for a school trustee position that represents more than one municipality, contact your municipal clerk for information about where to file your nomination.

## Changing your mind – withdrawal

If you decide to withdraw your nomination, you must notify the clerk in writing by the close of nominations (2 p.m. August 19, 2022).

If you withdraw your nomination, you are still required to file a campaign financial statement covering all the financial transactions you made in your campaign.

If your campaign did not have any financial transactions, you must file a financial statement reporting this. Your nomination fee will be refunded by the clerk if you file your financial statement by the deadline.

## Changing your mind – running for a different office

You can only run for one office at a time. If you decide to run for a different office, your first nomination is deemed to be withdrawn when you file your second nomination.

If you decide to run for a different office on the same council or school board, and both offices are elected at large (for example, an office such as the mayor, which everyone in the municipality may vote for), everything (contributions, expenses, etc.) from your first campaign is simply transferred to your second campaign.

### **Example:**

You file your nomination to run for deputy mayor on May 12, 2022. During the summer you decide to run for mayor instead, and file your second nomination form on June 29, 2022.

- Your first nomination for deputy mayor is deemed to be withdrawn.
- The nomination fee you paid on May 12 is transferred to your second nomination (in this case, you would have to pay an additional \$100 to make up the \$200 fee to run for head of council).

- You do not have to submit new endorsement signatures. Your initial 25 original endorsement signatures still qualify since you withdrew and filed a nomination for a different office on the same municipal council.
- Your campaign for mayor is deemed to have started on May 12.
- Any campaign contributions or expenses that occurred prior to June 29 are transferred to your mayoral campaign.
- You must file one campaign financial statement covering your campaign finances from May 12 until January 3, 2023.
- Your nomination fee will be refunded if you file your campaign financial statement by the filing deadline.

If you decide to run for a different office on the same council or school board, and one or both of the offices is elected by ward, then you must keep the two campaigns separate.

**Example:**

You file your nomination to run for mayor on May 12, 2022. During the summer you decide to run for councillor in ward 1 instead and file your second nomination form on June 29, 2022.

Your first nomination for mayor is deemed to be withdrawn, and your campaign for mayor ends. You may not transfer any contributions or expenses from your mayoral campaign to your ward councillor campaign.

- You must pay a separate nomination fee when you file your nomination for ward councillor.
- You do not have to submit new endorsement signatures. Your initial 25 original endorsement signatures still qualify since you withdrew and filed a nomination for a different office on the same municipal council.
- You must file a campaign financial statement covering your campaign for mayor (May 12 to June 29) – your first nomination fee will be refunded if you file this financial statement by the filing deadline.
- You must file a separate campaign financial statement covering your campaign for ward councillor (June 29 to January 3) – your second nomination fee will be refunded if you file this financial statement by the filing deadline.

If you decide to run for office on a different council or school board, then you must keep the two campaigns separate. If you decide to run for council in a municipality that has more than 4,000 electors, you will need to submit original endorsement signatures from electors eligible to vote in that municipality. If you are unsure if the municipality has more than 4,000 electors, you should contact the municipal clerk.

**Example:**

You file your nomination to run for school board trustee on May 12. During the summer you decide to run for councillor instead, and file your second nomination form on June 29, 2022.



- Your first nomination for school board trustee is deemed to be withdrawn.
- You are required to pay a nomination fee when you file your nomination for ward councillor.
- If the municipality where you are running for ward councillor has more than 4000 electors, you must submit 25 endorsement signatures.
- Your campaign for school board trustee ends. You may not transfer any contributions or expenses from your trustee campaign to your ward councillor campaign .
- You must file a campaign financial statement covering your campaign for school board trustee (May 12 to June 29) – your first nomination fee will be refunded if you file this financial statement by the filing deadline.
- You must file a separate campaign financial statement covering your campaign for ward councillor (June 29 to January 3) – your second nomination fee will be refunded if you file this financial statement by the filing deadline.

## Acclamations

If there is only one certified candidate running for an office at 4 p.m. on Monday, August 22, that candidate will be declared elected by acclamation. Similarly, in a municipality where multiple candidates are elected at large, if the number of certified candidates is the same as or less than the number of offices, those candidates will be declared elected by acclamation.

If you are elected by acclamation, you must still file a campaign financial statement.

## Additional nominations

If there are positions that no candidates have run for or positions that are still vacant after the candidates who did run have been acclaimed, the clerk will call for additional nominations.

Additional nominations for the remaining vacant seats must be filed between 9 a.m. and 2 p.m. on Wednesday, August 24, 2022. The clerk must either certify or reject each nomination by 4 p.m. on Thursday, August 25, 2022.

# Campaigning

## Signs

Your municipality may have rules about when you can put up campaign signs and how signs may be displayed on public property.

All of your campaign signs and other advertising must identify that you are responsible for the sign. This is so that people seeing the sign or advertisement can tell that it is from your campaign, rather than from a third party advertiser.

Please see [Leftover campaign inventory](#) (page 23) if you plan to reuse signs from the last election.

You are responsible for ensuring that your campaign signs are removed after voting day. Your municipality may require a sign deposit or have penalties for failing to remove your signs. Contact your local clerk for more information.

You are entitled to have your nomination fee refunded if you file your campaign financial statement by the filing deadline. The clerk cannot make removing your signs a condition for receiving your refund.

## Getting information out

It is up to you to provide voters with information about you as a candidate and about your campaign. The municipal clerk is not responsible for providing your contact information to voters.

## All candidates' debates

The *Municipal Elections Act, 1996* does not require candidate debates to be held, and the municipal clerk is not responsible for organizing meetings or debates. Debates can be organized by community groups, media outlets, candidates or any other interested persons.

## Joint campaigns / running on a slate

There is nothing in the *Municipal Elections Act, 1996* that would prevent like-minded candidates from campaigning on the same platform or identifying themselves as a group or slate. However, each candidate must keep their campaign finances separate and any joint expenses (for example, signs with two candidates' names on them) must be divided between the campaigns.

For information on campaign finance rules please see [Campaign Finance](#) (page 16).

# Third party advertising

## General information

There are rules for third party advertising in Ontario's municipal council and school board elections.

A third party advertisement is an ad that supports, promotes or opposes a candidate or a "yes" or "no" answer to a question on the ballot.

The meaning of "third party" in this context means a person or entity who is not a candidate. Eligible individuals, corporations and trade unions can register to be third party advertisers. Third party advertising is separate from any candidate's campaign and must be done independently from a candidate.

Third party advertisers who want to spend money on advertisements during the election must register with the municipal clerk and must file a financial statement.

For more information about third party advertising rules, including eligibility, spending limits and enforcement, see the [Third Party Advertisers' Guide](#).

# On voting day

## Campaigning on voting day

The *Municipal Elections Act, 1996* does not prohibit campaigning on voting day. While there are restrictions on advertising for federal and provincial elections on voting day, these “blackouts” do not exist for municipal council and school board elections.

The Act prohibits the display of campaign material inside a voting place. The “voting place” could include the entire property of a building that has a voting place inside it, including the parking lot. You are not allowed to have campaign brochures, campaign buttons, signs or any other material inside the voting place.

## Remaining in a voting place

As a candidate, you are allowed to stay in a voting place to observe but you are not allowed to interfere with voters, attempt to influence how they vote or ask a voter how they voted. Scrutineers may also stay in the voting place.

You and your scrutineers are entitled to be in the voting place 15 minutes before it opens and to inspect the ballot boxes, the ballots and any other papers or forms relating to the vote. However, you may not delay the opening of the voting place.

You and your scrutineers are entitled to place a seal on the ballot box so that ballots put in the box cannot be removed without breaking your seal.

**Note:** If you have been acclaimed, you are not allowed to be in the voting place or to appoint scrutineers.

## Scrutineers

You may appoint a scrutineer for each ballot box in a voting place. You do not have to appoint that many scrutineers, or any scrutineers at all. If you have appointed one scrutineer for each ballot box, a scrutineer must leave while you are in the voting place.

Scrutineers may observe but they are not allowed to interfere with voters, attempt to influence how they vote, or ask a voter how they voted.

You must provide each of your scrutineers with an appointment in writing. Scrutineers may be required to show their appointment document to election officials at the voting place.

Scrutineers may be required to take an oath of secrecy.

There are no general restrictions on who you can appoint as a scrutineer (for example, a scrutineer can be any age and does not have to be a citizen). However, an acclaimed candidate cannot be appointed as a scrutineer for another candidate.

# Counting votes

If your municipality is using voting machines or vote counting equipment, the clerk must have the processes and procedures for use of this equipment in place by June 1, 2022. If vote counting equipment is used, the clerk will be able to provide you with information on how the votes will be counted and how many scrutineers may be present.

The vote count begins immediately after the close of voting at on October 24, 2022 at 8 p.m.

If the votes are counted manually, you and your scrutineers are entitled to view the ballots as they are counted, but you cannot touch the ballots. You and your scrutineers may object to a ballot or how it is counted (for example, if it is unclear who the vote is for or if the ballot has extra markings on it). The deputy returning officer is responsible for deciding whether to accept the objection and must keep a list of all the objections raised.

## Results

After the votes have been counted, the deputy returning officer will prepare a statement showing the results and seal all the other election documents, including the ballots, inside the ballot box. You and your scrutineers are entitled to put your or their own seal on the ballot box at this time, and are entitled to sign the statement showing the results.

The sealed ballot box and the statement of the results will then be delivered to the municipal clerk, who will compile the results and declare who has been elected.

**Note:** results announced on voting night are unofficial. It may take the clerk a few days or more to make the official declaration.

# After voting day

## Recounts

The *Municipal Elections Act, 1996* requires an automatic recount only if the votes are tied.

Your municipal council or school board may have a policy in place that sets out other specific circumstances under which the clerk must conduct an automatic recount. For example, a council may decide that if two candidates are within 10 votes of each other, an automatic recount will be held. The policy must be adopted at least 60 days before voting day.

A municipal council or school board may also order a recount within 30 days after the clerk has officially declared the results of the election. If you feel there should be a recount, you must either persuade council (or the school board) to order one or you may apply to the Superior Court of Justice to request that a judge order a recount. This application may be made by any eligible elector, and must be made within 30 days of the clerk declaring the results of the election.

Recounts must be conducted in the same way that the votes were originally counted, unless the recount is ordered by the court. For example, if the votes were counted by a vote tabulator, they may not be counted by hand during the recount.

If the recount is ordered by the court, the judge may order that the votes be counted in a different manner if the judge believes that the way the votes were counted the first time was an issue.

## Tied votes

If two or more candidates get the same number of votes and they cannot all be elected, there is an automatic recount. The recount must be held within 15 days of the clerk declaring the results of the election. If you are one of the candidates in the tie, you are entitled to be present at the recount.

If the recount shows that there is still a tie, then the legislation states that the clerk will choose the winner by lot. This means putting the names of the tied candidates into a hat (or other suitable container) and drawing the name of the winner.

## Wrapping up your campaign

After voting day, remove any election signs that have been put up and take down your campaign website, if you have one. If you would like to keep using your website, remove any references to the campaign. Websites that say “Vote for me” which are left up for years after the election can make it look like you are attempting to campaign for the next election early.

Usually, campaigns must end on December 31. However, since December 31, 2022 is a Saturday, the deadline moves to January 3, 2023. Your campaign must end on January 3, 2023 unless you have a deficit and inform the clerk in writing that you are going to extend your

campaign. Once your campaign has ended, you should close your campaign bank account and prepare your campaign financial statement.

**Financial statements must be filed with the clerk by 2 p.m. on Friday, March 31, 2023.**

## Term of office

The council and school board term of office will run from November 15, 2022 to November 14, 2026.

# Campaign finance

## General information

### Record keeping

You are responsible for keeping records of the financial activities related to your campaign. The *Municipal Elections Act, 1996* does not require you to use any specific accounting system. You may want to consult with an auditor or an accountant early in your campaign to make sure that you are using a bookkeeping and accounting system that will suit your needs.

You should also look through the [campaign financial statement \(Form 4\)](#) that you will be required to file to make sure that you are keeping records of all the information that must be included on the statement.

You are required to keep all of your campaign financial records until November 15, 2026 when the next council or school board takes office.

You must keep the following campaign records:

- receipts issued for every contribution including when you accepted the contribution and the date you issued the receipt (remember to issue receipts to yourself for any contributions you make)
- the value of every contribution, whether it is in the form of money or goods or services, and the contributor's name and address
- all expenses, including the receipts obtained for each expense
- any claim for payment of an expense that the campaign disputes or refuses to pay
- the funds raised and expenses incurred from each separate fundraising event or activity
- the terms of any loan received from a bank or other recognized lending institution

### Campaign period

You may accept contributions or incur campaign expenses during your campaign period only.

Your campaign period begins on the day the clerk receives your nomination.

In most cases, your campaign will end on January 3, 2023. Exceptions are if you:

- withdrew your nomination, your campaign ends on the date you informed the clerk in writing that you wanted to withdraw
- were not certified as a candidate and your name did not appear on the ballot, your campaign ends on nomination day (August 19, 2022)



- know you will not have any more financial activity, you can end your campaign at any time after voting day and before January 3, 2023

If you have extended your campaign to pay down a deficit, the end date for the extended campaign period will be the earliest of:

- the day you notify the clerk in writing that you will be ending your campaign and not accepting any more contributions
- June 30, 2023

## Bank account

You must open a bank account exclusively for your campaign if you accept any contributions of money (including contributions from yourself or your spouse) or incur any expenses. You do not have to open a campaign bank account if you do not spend any money and do not receive any contributions of money. If you receive contributions of goods or services, but no contributions of money, you do not have to open a campaign bank account.

You cannot use your personal bank account for campaign finances, even if you are planning a very small campaign.

All contributions – including contributions you make to yourself – must be deposited into the campaign bank account. All expenses must be paid for from the campaign account.

The nomination fee is considered to be a personal expense, not a campaign expense. You do not need to have a campaign bank account in order to pay the nomination fee.

## Contributions and campaign income

### Contributions

Campaign contributions are any money, goods or services that are given to you for use in your campaign, including money and goods that you contribute to yourself.

If you are given a special discount on a good or service that you are purchasing for your campaign, the difference between what you were charged and what the market value would be is considered to be a contribution.

Corporations and other businesses are not permitted to make contributions to candidates. If you are being offered a discount, you should make sure that whoever is offering the discount is entitled to make a personal contribution to your campaign.

If a professional who would normally charge for a service gives you that service for free, the market value of the service is considered to be a contribution.

If you sell tickets to a fundraising event, the cost of the ticket is considered to be a contribution. If you sell goods at a fundraising event for more than their market value, the difference between what the person attending the fundraising event paid you and what they would have normally paid for the item is considered to be a contribution.

If you have inventory such as signs left over from a previous campaign and you use them again, the current market value of the signs (what it would cost you to buy those signs today) is considered to be a contribution that you make to your campaign.

If you or your spouse guarantees your campaign loan and the campaign is unable to repay the full amount, any unpaid balance is considered to be a contribution by the guarantor.

## Things that are not contributions

If you have volunteers working for your campaign, the value of their volunteer labour is not considered to be a contribution.

A cash donation of \$25 or less received at a fundraising event is not considered to be a contribution, and you may accept such donations without keeping track of who gave them to you. You will have to report the total amount of money that you received from these donations on your financial statement.

The value of free political advertising, provided that such advertising is made available to all candidates and is in accordance with the *Broadcasting Act* (Canada) is not considered to be a contribution.

If you obtain a campaign loan from a bank or a recognized lending institution, the amount of the loan is not considered to be a contribution.

## Who can make a contribution

You can accept contributions only from individuals who are residents of Ontario. Corporations and trade unions are not permitted to make contributions to candidates.

If your spouse is not a resident of Ontario, they can still make contributions to your campaign. They may not make contributions to any other candidate.

Groups such as clubs, associations or ratepayer's groups are not eligible to make contributions. The members of these groups may make individual contributions from their personal funds (as long as they are residents of Ontario).

## Who cannot make a contribution

The following individuals and organizations are not permitted to make contributions to municipal council and school board campaigns:

- a corporation
- a trade union
- an individual who is not normally a resident in Ontario
- a federal political party, constituency association, or a registered candidate in a federal election

- a provincial political party, constituency association, or a registered candidate or leadership contestant
- a federal or provincial government, a municipality or a school board

## When you can receive contributions

You can only accept contributions after the clerk has received your nomination, and you cannot accept contributions after your campaign period has finished. Any contributions received outside the campaign period must be returned to the contributor. If you cannot return the contribution to the contributor, you must turn it over to the clerk.

## Contribution limits – contributions from yourself and your spouse

If you are running for municipal council, there is a limit on the total amount that you and your spouse may collectively contribute to your own campaign. The contribution limit is calculated based on the number of electors who are eligible to vote for the office that you are running for. The formula to calculate the limit is:

- for head of council: \$7,500 plus \$0.20 per eligible elector
- for council member: \$5,000 plus \$0.20 per eligible elector

There is a cap of \$25,000. If the formula results in a number greater than \$25,000, the limit will still be \$25,000.

The clerk will tell you what your self-funding limit is.

All of the contributions that you and your spouse make to your own campaign count towards this limit, including:

- contributions of money
- the value of goods or services that you or your spouse donate to the campaign
- the value of any inventory from the previous election that you use again in this campaign

This limit does not apply to school board trustee candidates.

## Contribution limits – contributions from other people

There is a \$1,200 limit that applies to contributions from other individuals. If a person makes more than one contribution (for example, contributes money, contributes goods, and purchases a ticket to a fundraising event), the total value of all the contributions cannot exceed \$1,200.

If you are running for mayor in the City of Toronto, the limit is \$2,500.

The maximum total amount that a contributor can give to candidates in the same jurisdiction (for example, running for the same council or for the same school board) is \$5,000.

You are required to inform every contributor of the contribution limits. An easy way to make sure that this is done is to include the contribution limits on the receipt that you provide for each contribution.

Only a contribution that is \$25 or less can be made in cash. All contributions above \$25 must be made by cheque, money order or by a method that clearly shows where the funds came from (such as certain debit, credit or electronic transfer transactions).

## Contribution receipts

You must issue a receipt for every contribution you receive. The receipt should show who made the contribution, the date and the value. If the contribution was in goods or services, you must determine the value of the goods or services and issue a receipt for the full value.

If you receive a contribution from a joint account, the contribution can only come from one person. You must determine who is making the contribution and issue the receipt to that person.

You are required to list the names and addresses of every contributor who gives more than \$100 total to your campaign in your financial statement. You should keep a record of the names and addresses of every contributor, regardless of the value of their contribution, because the same contributor may make multiple contributions that end up totalling more than \$100.

**Note:** Contribution receipts are not tax receipts. Contributions to municipal council and school board campaigns cannot be credited against provincial or federal income taxes.

## Returning ineligible contributions

You are required to return any contribution that was made or accepted in contravention of the *Municipal Elections Act, 1996* as soon as you learn that it was an ineligible contribution. If you cannot return the contribution, you must turn it over to the clerk.

Contributions should be returned or paid to the clerk if the contribution is:

- made outside your campaign period
- from an anonymous source (except for donations of \$25 or less at a fundraising event)
- from an ineligible source (someone who doesn't live in Ontario, a corporation, etc.)
- greater than the individual \$1,200 limit or the \$5,000 total limit per jurisdiction
- a cash contribution greater than \$25
- from funds that do not belong to the contributor who gave them to you

## Unused contributions

If your campaign ends with a surplus, you can withdraw the value of contributions that you and your spouse made from the surplus. If you still have a surplus once you have withdrawn your contributions, the remaining surplus must be turned over to the clerk.

You are not permitted to refund eligible contributions made by anyone other than yourself or your spouse.

## Contribution rebates

Your municipality may have a contribution rebate program. Contact your clerk for more information.

Contributions to municipal council and school board campaigns are not tax deductible.

## Fundraising

Fundraising functions are events or activities held by you or on your behalf for the primary purpose of raising money for your campaign. If you hold an event to promote your campaign and you happen to receive some contributions or ask people to consider contributing to your campaign, this would not qualify as a fundraising event.

Similarly, if you have a sentence in your campaign brochure asking people to make a contribution or giving them information about how to contribute, this would not be a fundraising brochure since its primary purpose is to promote your campaign, not to raise money.

Fundraisers can only be held during your campaign period. You must record the gross income (including ticket revenue and other revenue) and the expenses related to each event and activity on your campaign financial statement.

If you sell tickets to an event, the ticket price is considered to be a contribution to your campaign and you must issue a receipt to each person who purchases tickets. If the ticket price is higher than \$25, tickets cannot be paid for in cash.

## Campaign income

If you raise funds by selling goods or services for more than fair market value, the difference between the fair market value and the amount paid is considered to be a contribution. If the good or service is sold for \$25 or less, the amount paid is considered to be campaign income that is not a contribution.

## Campaign expenses

### Expenses

Campaign expenses are the costs that you incur (or that a person such as your campaign manager incurs under your direction) during your campaign.

Reminder: the nomination fee is a personal expense rather than a campaign expense. It should not be reported on your campaign financial statement.

Expenses must be paid from your campaign bank account. If you use a credit card to pay for purchases you should make sure that you keep clear records showing that the expense on the credit card was reimbursed from the campaign account.

Any taxes such as HST paid on purchases should be included in the amount of the expense.

You can incur expenses only during your campaign period, except for expenses related to the preparation of an auditor's report. If you are required to include an auditor's report with your financial statement, you may incur these expenses after the campaign period has ended. These expenses must also be reported on your financial statement.

## Goods and services

Goods or services that are contributed to your campaign are also expenses. They should be treated as if the contributor gave you money and you went out and purchased the goods and services. You must record both the contribution and the expense.

## Spending limits

Candidates are subject to two spending limits – a general limit, and a separate limit for expenses relating to parties and expressions of appreciation after voting day.

### General spending limit

The general spending limit for your campaign is calculated based on the number of electors who are eligible to vote for the office that you are running for. The formula to calculate the limit is:

- for head of council: \$7,500 plus \$0.85 per eligible elector
- for council member or trustee: \$5,000 plus \$0.85 per eligible elector

When you file your nomination, the clerk will give you an estimate of your general spending limit. This estimate will be based on the number of electors in the previous election.

On or before September 25, 2022, the clerk must give you a final general spending limit which is based on the number of electors on the voters' list for the current election.

If the spending limit estimate that you received when you filed your nomination is higher than the final spending limit you receive in September, the estimate becomes your official spending limit.

While most of your expenses will be subject to the general spending limit, the following expenses are not:

- expenses related to holding a fundraising event or activity
- expenses relating to a recount
- expenses relating to a court action for a controverted election
- expenses relating to a compliance audit
- expenses incurred by a candidate with a disability that are directly related to the candidate's disability and would not have been incurred if not for the election
- audit and accounting fees

**Note:** Any materials, events or activities must have fundraising as the primary purpose in order to be exempt from the spending limit. An incidental mention of contributions is not enough to qualify as fundraising.

## When the general spending limit applies

Your spending limit covers expenses that you incur between the beginning of your campaign and voting day. Expenses that you incur between the day after voting day and the end of your campaign are not subject to the spending limit.

**Note:** If you incur an expense before voting day, but don't get around to paying for it until after voting day, it would still be subject to the spending limit.

## Spending limit for parties and expressions of appreciation

The spending limit for expenses related to holding parties and other expressions of appreciation after the close of voting is calculated as 10% of the amount of your general spending limit.

Expenses related to parties and expressions of appreciation are subject to the specific spending limit regardless of whether they are incurred before or after voting day.

## Leftover campaign inventory

If you ran in the last municipal council or school board election and you want to reuse leftover goods such as signs or office supplies you must establish the current market value of the goods – what it would cost you to purchase them today. You must record the current market value as an expense.

If you have inventory left at the end of your campaign it becomes your personal property. If you want to store materials such as signs for use in another election, any costs related to storage are personal costs, not campaign expenses.

**Note to accountants:** The value of all goods must be recorded as an expense regardless of whether the campaign ends with used or unused goods in inventory. Do not deduct the value of unused goods from the campaign expenses, as this will result in the campaign having a surplus on paper that the candidate does not actually have.

## Surplus and deficit

If your campaign has a surplus after you have refunded contributions made by yourself or your spouse, you must pay the surplus over to the clerk when you file your financial statement. The surplus will be held in trust, and you can use it if you incur expenses related to a compliance audit. If the surplus is not needed for these expenses it becomes the property of the municipality or the school board.

If your campaign expenses are greater than your campaign income, your campaign will be in deficit.

**Note:** Ending your campaign with a deficit may result in questions being raised about how expenses were paid for, and whether you contributed more than your self-funding limit by paying outstanding expenses with personal funds.

## Campaign financial statement

It is your responsibility as a candidate to file a **complete and accurate financial statement on time**.

The filing deadline is 2 p.m. on the last Friday in March following the election (**March 31, 2023**).

If you have a bookkeeper or accountant complete the financial statement for you, you are still responsible for ensuring that it is complete and accurate and filed on time.

Financial statements are not required to have original signatures. You should contact your clerk for information about whether you can file your financial statement electronically if you are not able to file your statement in person.

**If you filed a nomination form, you must file a financial statement.** This includes candidates who withdrew their nomination, candidates who were not certified and did not appear on the ballot, and candidates who were acclaimed.

If you did not receive any contributions (including contributions from yourself) or incur any expenses, you are only required to fill out the first page of the financial statement and sign it.

If you received contributions or incurred any expenses you must complete the relevant parts of the financial statement.

If your campaign contributions (including contributions from yourself) or campaign expenses are greater than \$10,000 you must have your financial statement audited and include the auditor's report when you submit your financial statement to the clerk.

### Filing early

You can file your campaign financial statement after you have ended your campaign. If you file your statement early and then discover that there is an error in it, you can submit a corrected statement at any time before the filing deadline on March 31, 2023. Your original statement is deemed to be withdrawn when you file the corrected statement. You cannot withdraw a financial statement without submitting a corrected one.

### Applying for an extension

If you think that you will be unable to file your financial statement by the deadline, you may apply **before March 31, 2023** to the Superior Court of Justice for an extension. If the court grants the extension, you will receive the refund of your nomination fee if you file by the deadline given to you by the court.



## Grace period for filing

If you have not filed your financial statement by the deadline, you may file your financial statement within 30 days after the deadline if you pay the municipality a \$500 late filing fee. This grace period ends at 2 p.m. on Monday, May 1, 2023. You will not receive a refund of your nomination fee if you file during the 30-day grace period.

If you have not filed your financial statement by the end of the 30-day grace period and you did not apply to the court for an extension prior to the deadline, automatic penalties apply:

- you will forfeit your elected office (if you won the election)
- you will be ineligible to run for office or be appointed to fill a vacancy until after the 2026 election

If you did not file your financial statement by the end of the grace period, you may still file it for the purposes of having your finances on the record. The clerk will accept the financial statement and make it available to the public. The penalties will still apply.

## Separate statement for each office

If you filed a nomination and then changed your mind and filed a nomination for a different office, you may be required to file a separate financial statement for each campaign.

## Extended campaigns

Your campaign period ends on January 3, 2023. However, if your campaign has a deficit, you can extend your campaign in order to do some additional fundraising. If you want to extend your campaign, you must notify the clerk on or before January 3, 2023 using the [Notice of Extension of Campaign Period form \(Form 6\)](#).

Your campaign may be extended until June 30, 2023.

If you extend your campaign you must file two financial statements:

- a financial statement reflecting your campaign until January 3, 2023 (due March 31, 2023)
- a supplementary financial statement that includes the information from your initial statement and adds financial information from your extended campaign

The supplementary financial statement must be filed with the clerk by 2 p.m. on Friday, September 29, 2023.

# Auditor's report

You must have an auditor review your financial statement and provide a report if any of the following are true:

- your campaign expenses exceed \$10,000
- the contributions you received (including contributions from yourself) exceed a total of \$10,000
- both your expenses and your contributions exceed \$10,000 each

The auditor's report must be prepared by an auditor licensed under the [Public Accounting Act, 2004](#). Before you hire someone to prepare the report, ensure that they are properly qualified.

You can incur expenses relating to the auditor's report after January 3, 2023. These expenses do not count toward your spending limit. Include these expenses on the financial statement that you are filing.

# Compliance and enforcement

Enforcement of the *Municipal Elections Act, 1996* is done through the courts. The Ministry of Municipal Affairs and Housing does not have a role in investigating elections or in determining penalties.

## Automatic penalties

There are three contraventions of the *Municipal Elections Act, 1996* where penalties apply automatically:

1. if you fail to file a financial statement by the end of the 30-day grace period or fail to apply to the court before March 31, 2023 for an extension by the filing deadline
2. if your financial statement shows that you exceeded your spending limit
3. if you fail to turn over your surplus to the clerk when you file your financial statement

The penalty is that you forfeit your office (if you won the election) and you become ineligible to run or be appointed to fill a vacancy until after the 2026 election.

## Compliance audits

Each municipality and school board must appoint a compliance audit committee.

If an eligible elector believes that you have contravened the election finance rules, they may apply for a compliance audit of your campaign finances. The application must be in writing and must set out the reasons why they believe you contravened the rules.

An application for a compliance audit must be submitted to the municipal clerk who conducted the election within 90 days of the deadline to file the campaign financial statement.

The compliance audit committee will consider the application and decide whether to grant or reject the application. You may appeal the committee's decision to the Superior Court of Justice within 15 days after the decision is made.

If the committee grants the application, it will appoint an auditor to conduct a compliance audit of your campaign finances. The auditor is entitled to have access to all of the financial records related to your campaign. The auditor will produce a report, which you are entitled to receive.

The compliance audit committee will meet to consider the auditor's report. If the report concludes that there is an apparent contravention of the *Municipal Elections Act, 1996* the committee will decide whether to commence legal action.

The compliance audit committee does not have any authority to set penalties. Only the court can decide if you contravened the Act and, if so, which penalties should apply.

A person who does not want to or who is not able to apply for a compliance audit may decide to commence legal action on their own. A prosecution related to the 2022 election must be commenced before November 15, 2026.

## Penalties

If you are convicted of an offence, you may be subject to the following penalties:

- a fine of up to \$25,000
- ineligibility to vote or run in the next general election
- up to six months in prison
- forfeiture of your elected office, if the judge finds that you committed the offence knowingly

If you are convicted of exceeding the spending limit, you may also be fined the amount by which you exceeded the limit.

# Completing the financial statement

## General information

**All candidates must file a financial statement.** This includes candidates who withdrew their nomination, candidates who were not certified and did not appear on the ballot, and candidates who were acclaimed.

Candidates must use [Form 4](#).

All candidates must complete Box A: Name of Candidate and Office and Box B: Declaration.

- **If you did not receive any contributions** (including contributions from yourself) or incur any expenses, check the box indicating this, and complete the Declaration in Box B. No further information is required.
- **If you did receive contributions** (including contributions from yourself) or incur expenses, you must fill in the information in Box C, Box D, Schedule 1 and Schedule 2, as appropriate. You may find it easier to fill out the form if you start with the more detailed sections such as the tables in Schedule 1 before filling in Box C (Statement of Campaign Income and Expenses).

If you received contributions or incurred expenses in excess of \$10,000, you must include an auditor's report with your financial statement.

Your completed financial statement must be submitted to the clerk by **2 p.m. on the last Friday in March (March 31, 2023)**.

Supplementary financial statements must be submitted to the clerk by **2 p.m. on the last Friday in September (September 29, 2023)**.

## Tips for completing Form 4

Learn more about how to correctly fill out the campaign financial statement.

### Box A: Name of Candidate and Office

Record your general spending limit and your spending limit for parties and other expressions of appreciation.

Note: automatic penalties will apply if the form reports that either of the spending limits have been exceeded.

If you are running for a council position, record your self-funding limit.

## Box B: Declaration

By signing the form, you are declaring that the information recorded in the financial statement is true and accurate. If your financial statement was prepared by someone else, you as the candidate are still responsible for its accuracy.

## Box C: Statement of Campaign Income and Expenses

### Loan

If you obtained a loan for your campaign you must record the name of the bank or recognized lending institution and the amount borrowed.

You are permitted to get a loan only from a bank or other recognized lending institution in Ontario, and it must be paid directly into your campaign bank account. You may not receive a loan from family members or from any corporate accounts that you may have access to.

The loan is not considered to be campaign income, and paying it back is not a campaign expense. However, if you or your spouse guarantee the loan and the campaign does not repay all of it, the remaining balance is considered to be a contribution (since the guarantor is basically providing the campaign the means to repay the loan). This amount counts towards your self-funding limit.

Any interest that the campaign pays on the loan is a campaign expense.

### Income

Your campaign income includes all contributions received from yourself, your spouse and other eligible contributors. This includes the value of contributions of goods and services. Income also includes any refunds of deposits, interest earned by your campaign bank account, and revenue from fundraising events or activities that is not deemed a contribution (for example, if you sold refreshments at market value).

### Example:

You have 100 t-shirts printed to sell at a fundraiser. The cost to the campaign is \$10 per shirt, and you sell them for \$25 each.

The \$25 is not a contribution. You do not have to collect names and contact information, or issue a contribution receipt to anyone who buys a shirt.

The \$1,000 that you spent on the shirts must be recorded as a campaign expense.

The \$2,500 that you raised by selling the shirts must be recorded as revenue from fundraising events not deemed a contribution.

If you sell goods (such as food and drink) at market value, the revenue is not considered to be a contribution and must be recorded as revenue from fundraising events not deemed a contribution.

## Sign deposit

If your municipality requires a deposit for election signs, this should be recorded as a campaign expense and paid for using campaign funds. If your deposit is refunded, record the amount under Income.

## Expenses

Your campaign expenses include the value of any goods or services that have been contributed to your campaign (it is as if the contributor gave money to the campaign, which the campaign then spent on acquiring the goods or services).

The general spending limit applies only to expenses incurred until the end of voting day. Expenses incurred after voting day are not subject to the spending limit.

**Note:** An expense subject to the general spending limit that was incurred prior to voting day but not paid for until after voting day is still subject to the limit.

Some types of expenses are not subject to the general spending limit even if they are incurred prior to voting day.

Expenses related to parties and expressions of appreciation after voting day are subject to that spending limit regardless of when they are incurred.

## Box D: Calculation of Surplus or Deficit

### Campaign deficit

At the top of Box D, you must subtract the total amount of your campaign expenses from the total amount of your campaign income. If your expenses are greater than your income, your campaign is in deficit.

**If you have extended your campaign in order to fundraise, you must still file a financial statement reflecting your campaign finances to January 3, 2023.**

### Campaign surplus

At the top of Box D, you must subtract the total amount of your campaign expenses from the total amount of your campaign income. If your income is greater than your expenses, your campaign has a surplus.

You are entitled to reimburse contributions made by yourself or your spouse out of the surplus. For example, if the surplus was \$500 and you contributed \$400 to your campaign, you may deduct that \$400, leaving your campaign with a surplus of \$100. If the surplus was \$500 and you contributed \$600, you may deduct \$500 of your contribution, leaving your campaign with \$0. You may not deduct more than the value of the surplus.

If, after deducting contributions made by yourself or your spouse, the campaign still has a surplus, these funds must be turned over to the clerk.

## Schedule 1: Contributions

Schedule 1 includes a summary of contributions from your campaign.

The following tables are included in Schedule 1 and need to be filled in, if applicable:

- Table 1: Contributions in goods or services from candidate or spouse
- Table 2: Inventory of campaign goods and materials from previous municipal campaign used in this campaign
- Table 3: Monetary contributions from individuals other than candidate or spouse where contributions exceed \$100 per contributor
- Table 4: Contributions in goods or services from individuals other than candidate or spouse where contributions exceed \$100 per contributor

### Contributions from yourself and/or your spouse

If you are running for municipal council, you and your spouse are subject to limits on how much you can contribute to your campaign. This limit applies to contributions of money, goods and services, as well as the value of any inventory from a previous campaign that you have used in your current campaign.

Record these amounts on the lines provided in Schedule 1. Do not include them in the tables of contributions (Table 1 or Table 2). The other reason to identify the contributions from you and your spouse is because those contributions can be reimbursed by you and your spouse if the campaign ends with a surplus.

**Note:** you must report the full amount of the contributions made by you and your spouse, including any amounts that have been reimbursed from a surplus.

### Contributions totalling \$100 or less

If the total amount contributed (including the value of goods and services) from a single contributor is \$100 or less, you do not need to provide details on the form. Simply indicate the total value of all such contributions on the line provided at the top of Schedule 1.

If an anonymous contribution is \$100 or less, include it in the total value of contributions not exceeding \$100 per contributor. Any anonymous contribution that is greater than \$25 must be turned over to the clerk.

### Goods and services from candidate or spouse

If you or your spouse contribute goods and services to your campaign, this must be recorded as a contribution. Record any contributions in Table 1 of Schedule 1.

### Inventory from previous campaign

Any inventory from a previous campaign that you are using again is a contribution in goods that you make to your campaign and counts towards your self-funding limit. You must calculate the



current market value (for example, if you have 100 signs left over from 2018 and use them again, you must calculate how much it would cost to purchase those same signs in 2022) and record it in Table 2. This inventory must also be recorded as a campaign expense.

### **Contributions totalling more than \$100**

If a contributor makes 1 or more contributions totalling more than \$100 (including the value of goods and services and the cost of tickets to fundraising events), you must record all of these contributions in the tables provided in Schedule 1 (Tables 3 and 4).

If an anonymous contribution is more than \$100, include it in the total value of contributions exceeding \$100 per contributor, and include it in Table 3 (listing "anonymous" as the name of the contributor). Any anonymous contribution that is greater than \$25 must be turned over to the clerk.

**Note:** it is the total amount contributed that matters – if an individual buys a ticket to a fundraising event for \$50, and then later in the campaign contributes \$75, each of these contributions must be recorded in Table 3 because the total exceeds \$100.

### **Goods and services from individuals other than candidate or spouse**

Eligible contributors may donate goods and services to the campaign. These must be recorded as a contribution and as an expense (as if the contributor donated money, which the campaign then spent on the goods and services).

Corporations and trade unions are not permitted to make contributions to candidates. This includes contributions of goods and services.

#### **Example:**

Your friend spends \$150 on coffee and baked goods which they donate for a campaign event. You should record a contribution of \$150 in goods or services from your friend and record an expense of \$150.

If you are given a special discount on a good or service that you are purchasing for your campaign, you should record the expense as if you were not given the discount (since the value of the discount is considered to be a contribution of the good or service to your campaign).

#### **Example:**

Your order for campaign signs would normally cost \$500, but the vendor lets you have them for \$300 because he wants to help out your campaign. You should record an expense of \$500 for the signs and record a contribution of \$200 in goods or services from the vendor. **Note:** As businesses are not permitted to make contributions, the contribution would have to be a personal contribution from the vendor.

Contributions in goods or services from individuals other than the candidate or spouse must be recorded in Table 4 of Schedule 1.

## Schedule 2: Fundraising Events and Activities

The cost of holding fundraising events or activities is not subject to the spending limit. However, in order to be considered a fundraising cost, the primary purpose for the expense must be related to fundraising rather than promoting the candidate. Incidental fundraising that happens to occur during a promotional event is not sufficient to make it a fundraising event. Similarly, a line at the bottom of a campaign brochure asking people to donate does not make the production of the brochure a fundraising expense.

If you have included costs of fundraising events/activities as an expense in Box C, you must provide details of these events and activities in Schedule 2.

Contributions received at a fundraising event may include:

- the price of the ticket
- if goods or services are offered for sale, any amount of money paid that exceeds their market value (for example, if a \$100 item is sold for \$175, the purchaser has made a \$75 contribution to the campaign)
- personal cheques collected from contributors at the event

If contributors have donated goods or services for the fundraising event, these must be recorded as contributions and as expenses.

These contributions must be recorded in Schedule 1, and where the total from a contributor exceeds \$100, be detailed in the appropriate tables. Refer to [Schedule 1: Contributions](#) (page 32) for more information.

The fundraising event may also generate revenue that is not considered to be a contribution:

- donations of \$25 or less
- if goods or services are offered for sale, the market value of those goods and services sold (for example, if a \$100 item is sold for \$175, \$100 is revenue)
- the amount paid for goods or services offered for sale for \$25 or less

### **Anonymous contributions**

You may keep anonymous contributions that do not exceed \$25 each that are received at a fundraiser (such as those collected by passing the hat or having a tip jar). Report the total amount of money received from these donations in Schedule 2 for that fundraiser.

All other anonymous contributions must be turned over to the clerk.

You will then subtract the contribution as paid or payable to the clerk to arrive at the Total for Part II Contributions in Schedule 2.

## Auditor's report

If your campaign expenses or the contributions you received total more than \$10,000 you must have an auditor review your financial statement and provide a report.

The auditor's report must be prepared by an auditor licensed under the [Public Accounting Act, 2004](#). Before you hire someone to prepare the report, you should ensure that they are properly qualified.

# Forms referred to in this guide

You can get copies of forms from your municipal clerk, or you can download them from the [Government of Ontario's Central Form Repository](#).

- [Nomination Paper \(Form 1\)](#)
- [Endorsement of Nomination \(Form 2\)](#)
- [Financial Statement – Auditor's Report – Candidate \(Form 4\)](#)
- [Financial Statement – Subsequent Expenses \(Form 5\)](#)
- [Notice of Extension of Campaign Period \(Form 6\)](#)

**2022**

# **Voters' guide**

**for Ontario municipal council and school board elections**

2022 Voters' Guide -  
Ontario municipal council  
and school board elections

# 2022 Voters' Guide - Ontario municipal council and school board elections

This guide provides information to voters for the 2022 municipal council and school board elections. The information also applies to any by-elections that may be held during the 2022-2026 council and school board term.

This guide is not meant to replace provincial legislation. It provides general information about the rules contained in the *Municipal Elections Act, 1996* and other legislation and regulations, such as:

- *Municipal Act, 2001*
- *City of Toronto Act, 2006*
- *Education Act*

## General information

Every four years, voters across Ontario elect municipal councillors and school board trustees.

The Province of Ontario sets out common rules that all voters and candidates must follow. However, municipalities are responsible for conducting elections to their council and for conducting the election of school trustees to Ontario's school boards. This guide contains information about the rules that are the same for all municipal elections, such as who is eligible to vote.

## Municipal clerk

Every municipality has a municipal clerk who is in charge of running the election. [Contact your municipal clerk or the municipality via its municipal website](#) if you have questions about the election, such as:

- how or where to vote
- how to apply for election jobs
- whether or not you are eligible to vote in the municipality

If your municipality does not have a website you could visit or contact your municipal office for more information.

## Public health and safety at the voting place

The municipal clerk is responsible for setting up and running the voting places used in a municipal election. The clerk must follow any provincial or local public health measures that are in effect. They may also put in place additional procedures that they consider necessary for

conducting the election. If you have questions about public health and safety at the polling place, you should [contact your municipal clerk](#).

## Emergency declaration by the clerk

If the municipal clerk believes that circumstances have arisen that prevent the election from being conducted appropriately, they may declare an emergency. This declaration is specific to the election and separate from an emergency that may be declared by the municipality or the province.

Once the clerk has declared an emergency, they can decide what arrangements to make to allow the election to proceed appropriately. The arrangements that the clerk makes will depend on the nature of the emergency.

If your municipal clerk has declared an emergency in relation to an election or by-election in your municipality, you should contact the clerk for information about the arrangements that they have put in place and how those arrangements may affect voting and campaigning.

## Accessibility

Municipal clerks must keep in mind the needs of all voters when they are planning and running the election. The clerk must also ensure that voting places are accessible.

The municipal clerk must prepare a plan for identifying, removing and preventing barriers that affect persons with disabilities. This plan must be available to the public before voting day.

The municipal clerk must also issue a public report on their accessibility plan within 90 days after voting day.

## Contact us

If you have additional questions or would like to give feedback on this Guide, please contact us at [mea.info@ontario.ca](mailto:mea.info@ontario.ca).

You can also contact your regional [Municipal Services Office at the Ministry of Municipal Affairs and Housing](#).



# Table of contents

|   |    |
|---|----|
| Eligibility to vote .....                                     | 1  |
| How to vote in your municipality.....                         | 5  |
| Voters' list and identification .....                         | 7  |
| Questions on the ballot .....                                 | 9  |
| Supporting a candidate's campaign .....                       | 10 |
| After the election .....                                      | 11 |
| Contributions to Candidates and Third Party Advertisers ..... | 13 |
| Enforcement and penalties .....                               | 15 |
| By-elections .....  | 17 |
| Acceptable documents for voter identification.....            | 19 |
| Forms referred to in this Guide .....                         | 21 |

# Eligibility to vote

## Municipal council election

You are eligible to vote in the election for municipal council if you meet all of the following requirements:

- you are a Canadian citizen
- you are aged 18 or older
- you qualify to vote in the municipality

There are three ways that you can qualify to vote in a municipality:

1. As a **resident elector** if you live in the municipality. You may own, rent, live in shared accommodation where you do not pay rent or live in the municipality but do not have a fixed address. Being a resident elector is the most common type of eligibility.
2. As a **non-resident elector** if you own or rent property in a municipality, but it's not the one where you live. You can be a resident elector in only one municipality. However, you can be a non-resident elector in any other municipality (or municipalities) where you own or rent property.
3. As the **spouse of a non-resident elector** if your spouse owns or rents property in the municipality or municipalities other than the one where you live.

Neither you nor your spouse qualify as a non-resident elector if you do not personally own or rent the property in the municipality. For example, if the property is owned by your business or your cottage is owned by a trust, you would not qualify as a non-resident elector.

If you are not certain whether you qualify as a non-resident elector you should check with the [municipal clerk](#). Under the [Municipal Elections Act, 1996](#), municipal clerks are responsible for conducting elections, and must be satisfied that a person is eligible to vote before adding their name to the voters' list. Municipal clerks may seek legal advice if they are not certain of a person's eligibility to vote.

## Students

There is a special rule for students who may be living away from home while they attend school. If you are a student and consider your "home" to be the place where you live when you are not attending school (that is, you plan on returning there), then you are eligible to vote in both your "home" municipality and in the municipality where you live while attending school.

## Voting in more than one municipality

If you qualify to vote in more than one municipality, you can vote in all of those municipal elections. For example, if you qualify as a resident elector in one municipality, and a non-resident elector in three other municipalities, you can vote in all four of those municipal elections.

The exception to this rule is if two or more of the municipalities are lower-tier municipalities in the same region and voters are electing candidates to the regional council. In that case, you can vote for a regional council office only once.

### Examples of voting once within the same region

In Durham Region, electors are eligible to vote only once for Durham regional chair, even if they are eligible to vote in more than one of the lower tier municipalities that make up the region. Once they have cast a vote for regional chair, electors must leave that part of the ballot blank in any of the other lower tier municipalities where they vote.

In Niagara Region, electors vote for regional councillors who do not sit on any local municipal council. An elector who qualifies to vote in two or more municipalities in Niagara Region can vote for regional councillor in only one municipality. If they vote in a second municipality, they must leave the regional councillor portion of the ballot blank.

## Wards

If your municipality has wards, you must vote in the ward where you live. If you are also the owner or tenant of a property in another ward, you are not permitted to vote in that ward instead.

If you are a non-resident elector and you own or rent properties in more than one ward in the municipality, you must choose one ward to vote in. Make sure that you are on the voters' list for that qualifying address.

## School board elections

School board elections are held at the same time as municipal elections. You are permitted to vote in the same school board election only once.

You are eligible to vote in the election for a school board if you meet all of the following requirements:

- you are a Canadian citizen
- you are aged 18 or older
- you qualify to vote for that particular school board

School boards can cover large geographic areas that may include several municipalities. School boards are responsible for establishing the geographic areas within the board that one or more trustee positions will be elected to represent.

If you are a resident elector in a municipality, you are eligible to vote for the school trustee(s) that represents the geographic area of the board where you live.

If you live in an unorganized area (instead of a municipality), you may qualify to vote for a school board that has jurisdiction over the unorganized area.

## Voting in more than one school board election

You may be eligible to vote in other school board elections in addition to the one where you live.

For example, if you (or your spouse) own or rent residential property in a municipality or an unorganized area different than where you live, you are eligible to vote for a school trustee in this municipality or unorganized area if the trustee sits on a different school board.

Your property must be residential in order for you to qualify to vote. If you (or your spouse) own or rent commercial property in a municipality or unorganized area different than where you live, you are not eligible to vote for school trustee.

## Choosing a school board

There are four different kinds of school boards in Ontario:

1. English-language public school board
2. English-language separate school board
3. French-language public school board
4. French-language separate school board

No matter which school your children go to, you are automatically eligible to vote for the English-language public school board unless you take steps to change and become a supporter of a different kind of board.

The Municipal Property Assessment Corporation (MPAC) keeps the provincial record of school support. If you want to change your school support you must [contact MPAC](#).

Information about how to change your school support can be found on [MPAC's website](#).

You can also contact the school board that you wish to vote for to get information about changing your school support.

If you want to vote for an English-language separate school board you must meet both of the following requirements:

1. you must be a Roman Catholic
2. you or your spouse must be an English-language separate school board supporter

If you want to vote for a French-language public school board you must meet both of the following requirements:

1. you must be a French-language rights holder
2. you or your spouse must be a French-language public school board supporter

If you want to vote for a French-language separate school board you must meet all of the following requirements:

1. you must be a Roman Catholic
2. you must be a French-language rights holder
3. you or your spouse must be a French-language separate school board supporter

French-language rights holder is defined in the *Education Act*, and refers to the right of citizens whose first language is French to receive educational instruction in French.

More information about [French-language education](#) is available from the Ministry of Education..

If you voted for a French-language board or an English-language separate board in the last election and you wish to change and vote for an English-language public board in the current election, you must contact MPAC **before voting day** to change your school support.

**Note:** You cannot change your school support when you go to vote on voting day.

# How to vote in your municipality

## Taking time off work to vote

You are entitled to three hours in which to vote on voting day. This does not mean you can take three hours off work. It means you're allowed to be absent to give yourself three hours of voting time.

Typically this is at the start or end of your working hours. For example, voting hours are normally from 10 a.m. to 8 p.m. If your working hours are from 10 a.m. to 6 p.m., you are entitled to leave one hour early so that you would have from 5 p.m. to 8 p.m. to vote.

Your employer may decide when it would be most convenient for you to be absent in order to vote. For example, if you work from noon to 6 p.m., your employer may decide that you should come in at 1 p.m., rather than leave work at 5 p.m.

## Voting from your home

Your municipality may provide opportunities for you to vote without having to go to a voting place:

- municipalities may offer voting options such as vote by mail or vote by internet
- municipalities are required to provide a voting place in certain retirement homes and long-term care facilities

Contact your clerk for more information about how you can vote in your municipality.

## Appointing a voting proxy

If, for any reason, you will be unable to personally cast your ballot, you may appoint someone to go to the voting place and cast a ballot on your behalf. This person is called your voting proxy.

**Note:** Voting by proxy may not be available if your municipality offers voting options such as vote by mail, telephone or internet.

To appoint a voting proxy, you must fill out two copies of the [Appointment for Voting Proxy Form \(Form 3\)](#) and give the copies to the person that you are appointing as your proxy.

You must know who you want to appoint as your proxy when you fill out and sign the form. The person you want to appoint must be eligible to vote in the election, and should be someone you trust to mark the ballot in the way you have instructed them to.

You can appoint a proxy after the nominations have been certified. In most municipalities this will be done by 4 p.m. on August 22, 2022. Contact your clerk to find out the deadline for appointing a voting proxy.

## Being a voting proxy

If someone has appointed you as their voting proxy you must take the completed forms to the municipal clerk to get them certified. Once the forms have been certified, you may cast a vote on behalf of the person who appointed you.

If you are appointed as the proxy for one family member you may also be appointed as the proxy for additional family members.

Family member refers to a spouse, sibling, parent, child, grandparent or grandchild. There is no limit to the number of times you may be appointed, but it must only be for family members. You cannot be appointed as a proxy for a non-family member and a family member at the same time.

If you are appointed as the proxy for a person who is not a family member, you can act as the proxy for this one person only. You cannot be a proxy for anyone else.

## Power of attorney or executors

The only way to vote on someone else's behalf is to be appointed as their voting proxy.

You cannot vote on someone's behalf if you have legal or medical power of attorney or are acting as a person's executor or in any other representative capacity.

# Voters' list and identification

Your name must be on the voters' list in order for you to cast a ballot.

The voters' list for each municipal election is prepared from data kept by the Municipal Property Assessment Corporation (MPAC).

## Adding your name to the voters' list

You can check to see if MPAC has your information in its database at [www.voterlookup.ca](http://www.voterlookup.ca). You can also call MPAC at [1-866-296-MPAC \(6722\)](tel:1-866-296-MPAC) or [TTY: 1-877-889-MPAC \(6722\)](tel:1-877-889-MPAC).

The voters' list becomes official on September 1.

After September 1, you must apply to your municipal clerk if you want to add your name to the list or correct your information. You have until the close of voting on October 24 to apply for any changes. If you want to change your school support, you must contact MPAC.

If you are applying to add your name to the voters' list, you will be asked to provide proof that you are eligible to vote.

Beginning January 1, 2024, the Chief Electoral Officer and Elections Ontario will be responsible for managing a single registry of electors for both provincial and municipal elections.

## Removing a name from the voters' list

The voters' list is a public document. If you do not want your name to appear on the voters' list you can apply to the clerk to have your name removed. If you remove your name from the list, you will not be able to vote.

You can also apply to the clerk to remove the name of someone who is deceased. You cannot ask for someone else's name to be removed from the list for any other reason.

## Showing identification before you vote in person

When you arrive to vote in person you must show identification to prove that you are the person whose name appears on the voters' list. The identification must show your name and address. Photo identification is not required.

Examples of identification include:

- Ontario driver's licence
- Ontario health card (if your name and address are printed on the card)
- mortgage, lease or rental agreement
- insurance policy



- credit card statement
- bill for hydro, water, gas, telephone, internet

A Canadian passport is not an acceptable identification document because you write your address inside your passport yourself.

See the [full list of acceptable documents](#).

If your name is on the voters' list and you do not have identification, you may fill out and sign a [Declaration of Identity \(Form 9\)](#) that you are the person whose name appears on the list.

# Questions on the ballot

A municipal council may pass a bylaw to put a question on the ballot.

There are conditions on the kind of questions that may be asked:

- it must be about a matter that the municipality has authority for, and that the municipality can implement
- it can't be a matter of Provincial interest
- the wording of the question must be clear, concise and neutral
- the possible answers to the question must be “yes” and “no”
- multiple choice or multi-part questions are not permitted

If council wants to put a question on the ballot for the 2022 election it must pass a bylaw by March 1, 2022.

Any person may appeal the wording of the question to the Chief Electoral Officer of Elections Ontario. This appeal must be filed with the municipal clerk within 20 days of the bylaw being passed.

Members of the public cannot make a council put a question on the ballot.

The Minister of Municipal Affairs and Housing may also place a question on the ballot. The question may be about any matter.

## The results of a question on the ballot

If more than 50% of the eligible voters in a municipality vote on the question, the result is binding on the municipal council. This means:

- if “yes” receives more than 50% of the votes, the municipality must implement the results of the question in a timely manner
- if “no” receives more than 50% of the votes, the municipality cannot implement the matter in question until four years have passed since voting day

If less than 50% of the eligible voters in the municipality vote on the question, the results are not binding. Council may consider the results, but it is not required to act or not act on whatever the question was about.

The results of a minister's question can provide advice to the minister or to the government, but the results are not binding.

# Supporting a candidate's campaign

## Nomination endorsement signatures

If your municipality has more than 4,000 electors, candidates running for municipal council must submit 25 original endorsement signatures when they file their nomination.

In order to endorse a candidate, you must be eligible to vote on the day that you sign the endorsement. For example, a person who is 17 cannot sign an endorsement even if they will be 18 by voting day and able to vote in the election.

Collection of signatures should be undertaken safely by following guidance related to and in compliance with all applicable law and emergency orders, as well as any [guidance and safety standards established by the province for COVID-19](#). These measures are intended to keep Ontarians safe.

You can endorse as many people as you like – there is no limit on the number of nominations you can endorse, and you can endorse more than one person running for the same office.

Candidates must use the [Endorsement of Nomination Form \(Form 2\)](#) to collect endorsement signatures.

When you provide your endorsement signature you must also provide your complete address including your postal code.

The Endorsement of Nomination form is a public document. You cannot revoke your endorsement of a candidate after the document has been filed with the clerk.

## Signs

The *Municipal Elections Act, 1996* does not regulate the size or placement of signs. Your municipality may have rules regarding where signs may be placed and when they may be displayed. Contact your municipal clerk for more information.

## Inside a voting place

Campaign materials, including pamphlets, signs, or buttons supporting or opposing a candidate are not permitted inside a voting place.

You are not permitted to show your marked ballot to anyone. This includes taking a picture or video of your marked ballot. The exception to this rule is if someone in the voting place is assisting you to mark your ballot.

# After the election

## Election results

Many municipalities will report unofficial voting results on the night of the election.

The results of a municipal election are not official until the clerk makes the declaration. This usually happens a few days after voting day, after the clerk has had time to check the results and make sure that all of the votes have been counted properly.

## Recounts

The *Municipal Elections Act, 1996* requires an automatic recount only if the votes are tied.

Your municipal council or school board may have a policy that sets out other reasons for an automatic recount.

If you feel there should be a recount, and the rules for an automatic recount don't apply, you can ask the municipal council or school board to order a recount. Any recounts must be ordered within 30 days after the clerk has declared the results of the election.

If you are an eligible voter, you can also apply to the Superior Court of Justice to ask a judge to order a recount.

Recounts must be done the same way that the votes were originally counted, unless the recount is ordered by the court. For example, if the votes were counted by a vote tabulator, they may not be counted by hand during the recount.

If a recount is ordered by the court, the judge may order that the votes be counted in a different manner if the judge believes that the way the votes were counted the first time was an issue.

## Compliance audits

Each municipality and school board must appoint a compliance audit committee.

Every candidate and every third party advertiser must file a financial statement which reports their contributions and expenses.

If you are an eligible voter and you believe, on reasonable grounds, that a candidate or a third party advertiser has contravened the election finance rules, you may apply for a compliance audit of the candidate's or the third party advertiser's finances.

The application must be in writing and must set out the reasons why you believe that the candidate or third party advertiser has contravened the rules.

An application for a compliance audit must be submitted to the municipal clerk within 90 days of the filing deadline. The deadline for candidates and third party advertisers to file their financial statements is the last Friday in March following the election (March 31, 2023).

The deadline for a candidate to file a supplementary financial statement is the last Friday in September (September 29, 2023). If a candidate files a supplementary financial statement, an application for a compliance audit may be submitted within 90 days of the supplementary filing deadline.

# Contributions to Candidates and Third Party Advertisers

## General information

A third party advertisement is an ad that supports, promotes or opposes a candidate, or supports, promotes or opposes a “yes” or “no” answer to a question on the ballot.

The meaning of “third party” in this context is a person or entity who is not a candidate. Eligible individuals, corporations and trade unions can register to be third party advertisers. Third party advertising is separate from any candidate’s campaign, and must be done independently from a candidate.

If you want to spend money on third party advertisements during the election you must register first with the municipal clerk, and must file a financial statement.

For more information on third party advertising, please see the [Third Party Advertisers’ Guide](#).

## Who can make contributions

Any person who is a resident of Ontario can make a contribution to a candidate’s campaign or contribute to a third party advertiser to help fund their advertisements.

Corporations carrying on business in Ontario, and trade unions that hold bargaining rights for employees in Ontario, are not permitted to make contributions to candidates in municipal elections in Ontario. However, they may contribute to third party advertisers.

Groups such as neighbourhood associations, clubs or professional associations, such as fire or police associations, are not eligible to make financial contributions to candidates or third party advertisers. Members may contribute individually.

## Contribution limit

You may contribute a maximum of \$1,200 to a single candidate (\$2,500 to a mayoral candidate in the City of Toronto). You may also contribute a maximum of \$1,200 to a third party advertiser. These amounts include the value of any goods or services donated to the campaign. You may not contribute more than \$5,000 in total to candidates running for offices on the same council or school board, or to third party advertisers who are registered in the same municipality.

If you buy a ticket to a candidate’s or third party advertiser’s fundraiser, the cost of the ticket is a contribution.

## Other rules regarding contributions

Any contribution of money must come directly from the contributor. You are not permitted to pool contributions from others and then forward that money to a candidate’s campaign or to a third

party advertiser. If a contribution is made from a joint account, it must be clear which person is making the contribution.

Contributions greater than \$25 may not be made in cash. All contributions above \$25 must be made by cheque, money order, or by a method that clearly shows where the funds came from.

If the total value of the contributions you've made to a candidate or to a third party advertiser is greater than \$100, your name and address will be recorded in the candidate's or third party advertiser's financial statement. The financial statement is a public document.

Contributions to municipal council and school board candidates, and third party advertisers are not tax deductible. Your municipality may have a contribution rebate program in place if you contribute to a candidate. However, municipal contribution rebate programs do not apply to contributions to third party advertisers. You should contact your municipal clerk for more information.

Candidates and third party advertisers are not permitted to return unused contributions to contributors. If the candidate or third party advertiser has a surplus at the end of their campaign, they must turn that money over to the municipality.

## Review of contributions

Contributions that are reported on candidates' or third party advertisers' financial statements will be reviewed by the municipal clerk to check that they comply with the rules.

If a candidate's financial statements show that a contributor gave more than \$1,200 to a candidate (\$2,500 to a mayoral candidate in Toronto), or if they show that a contributor gave more than \$5,000 total to candidates running for the same municipality or school board, the clerk will report this to the compliance audit committee.

If the financial statements show that a contributor gave more than \$1,200 to a third party advertiser, or if they show that a contributor gave more than \$5,000 total to third party advertisers registered in the same municipality, the clerk will also report this to the compliance audit committee.

The compliance audit committee will meet and determine whether the municipality (or school board) should begin court proceedings against the contributor.

If you want to contribute to a candidate or third party advertiser, you should make sure that you know what the contribution limits are and keep track of your donations to ensure that you don't end up giving more than is permitted.

# Enforcement and penalties

Enforcement of the *Municipal Elections Act, 1996* is done through the courts. The Ministry of Municipal Affairs and Housing does not have a role in investigating elections or in determining penalties.

If you are an eligible voter and you feel that the election was not valid (either the election of a specific candidate or candidates, or the entire election), you can apply to the Superior Court of Justice to determine whether the election was valid. The application must be made within 90 days after voting day.

Any person can begin court proceedings against a person, trade union or corporation who they believe committed an offence in relation to an election. Only the court can decide whether the person, trade union or corporation is guilty of committing an offence, and only the court may determine the penalty.

It is an offence to do, or attempt to do, any of the following:

- vote if you are not an eligible elector
- vote more times than you are permitted to vote
- vote in a voting place where you are not entitled to vote
- persuade a person who is not an eligible elector to vote
- cast a vote yourself after you have appointed a proxy
- vote as a proxy if the person who appointed you has cancelled the appointment, become ineligible to vote or died
- give a ballot to someone if you are not authorized to do so
- switch the ballot you were given with a different piece of paper to be placed in the ballot box
- take a ballot away from the voting place
- handle a ballot box or ballots if you are not authorized to do so
- bribe a person (using money, valuables, or offers of office or employment) to vote a certain way or to not vote at all, or give someone else money so that they can bribe the person
- accept a bribe to vote a certain way or to not vote at all
- bribe a person to become a candidate, decide to not become a candidate, or withdraw from being a candidate



It is also an offence to break the rules relating to campaign finance – for example, to make a contribution without being eligible to do so, to contribute more than the limit or to contribute money that is not yours.

## General penalties

If a person is convicted of committing an offence, they may be subject to the following penalties:

- a fine of up to \$25,000
- ineligibility to vote or run in the next regular election
- up to six months in prison

If a corporation or trade union is convicted of committing an offence, they may be subject to a fine of up to \$50,000.

These penalties would be determined by the court.

# By-elections

A by-election is an election that happens during the council or school board term. It may occur because:

- a seat becomes vacant on a council or school board (by-election for office)
- the municipality wants to put a question to voters before the next regular election (by-election for a question on the ballot)

## Vacancies

If a member of a municipal council or school board resigns, loses their eligibility (for example, by moving away) or dies during the term, their seat becomes vacant.

A vacancy on a council must be filled unless the vacancy occurs within 90 days before voting day in the next regular election. A vacancy on a school board must be filled unless the vacancy occurs within one month before voting day in the next regular election.

A vacant seat can be filled either by appointing someone who is qualified or by holding a by-election.

## Appointment

If a council or school board decides to fill a vacancy by appointment, they must appoint a person who is eligible to serve on the council or school board and who is willing to accept the appointment.

The legislation does not set out a process for making the appointment. It is up to the council or school board to determine how they will decide who to appoint. Different approaches include:

- appointing the candidate who came second in the regular election
- inviting interested persons to apply for the position
- offering the appointment to a member of the community

Sometimes councils or school boards want to put additional restrictions on appointees, such as requiring that an appointee agree not to run in the next regular election. While a council or school board may set this as a condition for appointment, there is nothing in provincial legislation that would prevent someone who was appointed from running in the next election.

## By-election for an office

Once the council or school board has decided to hold a by-election, the municipal clerk is in charge of conducting it. The council or school board does not decide when the last day to file nominations or voting day will be. These dates are determined by the clerk.

Nominations open when the council has passed the bylaw ordering the by-election, or when the school board has passed a resolution ordering the by-election and sent it to the clerk who will conduct it. Nominations close at 2 p.m. on nomination day.

The clerk must set nomination day within 60 days after the by-election was ordered by council, the board or the court.

Voting day will be 45 days after nomination day.

## By-election for a question on the ballot

If a council or board wants to put a question on the ballot, they do not have to wait until the next regular election to do so. They could hold a by-election specifically to allow electors to vote on the question.

Voting day for a by-election to put a question on the ballot must be at least 180 days after the bylaw or resolution to hold the by-election has been passed.

# Acceptable documents for voter identification

You must present one of the following documents showing your name and address:

- Ontario driver's licence
- Ontario Health Card (photo card)
- Ontario Photo Card
- Ontario motor vehicle permit (vehicle portion)
- cancelled personalized cheque
- mortgage statement, lease or rental agreement relating to property in Ontario
- insurance policy or insurance statement
- loan agreement or other financial agreement with a financial institution
- document issued or certified by a court in Ontario
- any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency or such a government
- any document from a Band Council in Ontario established under the *Indian Act* (Canada)
- income tax assessment notice
- child tax benefit statement
- statement of employment insurance benefits paid T4E
- statement of old age security T4A (OAS)
- statement of Canada Pension Plan benefits T4A (P)
- Canada Pension Plan statement of contributions
- statement of direct deposit for Ontario Works
- statement of direct deposit for Ontario Disability Support Program
- Workplace Safety and Insurance Board statement of benefits T5007
- property tax assessment
- credit card statement, bank account statement, or RRSP, RRIF, RHOSP or T5 statement

- CNIB Card or a card from another registered charitable organization that provides services to persons with disabilities
- hospital card or record
- document showing campus residence, issued by the office or officials responsible for student residence at a post-secondary institution
- document showing residence at a long-term care home under the *Long-Term Care Homes Act, 2007*, issued by the Administrator for the home
- utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utilities commission
- cheque stub, T4 statement or pay receipt issued by an employer
- transcript or report card from a post-secondary school

# Forms referred to in this Guide

You can get copies of forms from your municipal clerk, or you can download them from the [Government of Ontario's Central Form Repository](#).

- [Endorsement of Nomination \(Form 2\)](#)
- [Appointment for Voting Proxy \(Form 3\)](#)
- [Declaration of Identity \(Form 9\)](#)

**2022**

# **Guide for third party advertisers**

**Ontario municipal council and school board elections**

# 2022 Third Party Advertisers' Guide



# 2022 Third Party Advertisers' Guide

This guide provides information to those who want to register as third party advertisers for the 2022 municipal council and school board elections. The information also applies to any by-elections that may be held during the 2022-2026 council and school board term.

This guide is not meant to replace provincial legislation. It provides general information about the rules contained in the *Municipal Elections Act, 1996* and other legislation and regulations, such as:

- *Municipal Act, 2001*
- *City of Toronto Act, 2006*
- *Education Act*

## General information

*The Municipal Elections Act, 1996* sets out a framework of rules for third party advertising.

This guide provides information about who can register to be a third party advertiser, what registration allows them to do, and the rules that third party advertisers must follow.

## Contact us

If you have further questions or would like to give feedback on this Guide, please contact us at [mea.info@ontario.ca](mailto:mea.info@ontario.ca).

You can also contact your regional [Municipal Services Office at the Ministry of Municipal Affairs and Housing](#).

## The municipal clerk

Every municipality has a municipal clerk who is in charge of running the election.

The municipal clerk is the main contact for registered third party advertisers and those who are interested in becoming registered.

Third party advertisers must file any election forms, such as the registration form and campaign financial statements, with the municipal clerk.

The clerk is also responsible for providing information about spending limits and filing deadlines to third party advertisers.

*If your municipality does not have a website*, you could visit or contact your municipality's offices for more information.

A municipality may have specific rules regarding issues such as where and when election signs may be displayed and whether third party advertising activities may occur on municipal property.

Contact your municipal clerk if you have questions about the election in your municipality.

## Emergency declaration by the clerk

If the municipal clerk believes that circumstances have arisen that prevent the election from being conducted appropriately, they may declare an emergency. This declaration is specific to the election and separate from an emergency that may be declared by the municipality or the province.

Once the clerk has declared an emergency, they can decide what arrangements to make to allow the election to proceed appropriately. The arrangements that the clerk makes will depend on the nature of the emergency.

If your municipal clerk has declared an emergency in relation to an election or by-election in your municipality, you should contact the clerk for information about the arrangements that they have put in place and how those arrangements may affect voting and campaigning.

# Table of contents

|   |    |
|---|----|
| Third party advertising .....                               | 1  |
| Registration.....   | 3  |
| Responsibilities of registered third party advertisers..... | 6  |
| Finance rules .....   | 8  |
| Compliance and enforcement .....                            | 18 |
| Completing the financial statement.....                     | 20 |
| Information for broadcasters and publishers.....            | 26 |

# Third party advertising

Third party advertising refers to advertisements or other materials that support, promote or oppose a candidate, or support, promote or oppose a “yes” or “no” answer to a question on the ballot. The meaning of “third party” in this context means a person or entity who is not a candidate.

Third party advertising is separate from any candidate’s campaign, and must be done independently from a candidate. Any advertisements or materials that are made and distributed by a candidate, or under a candidate’s direction, are part of the candidate’s campaign.

Third party advertising is a way for those outside of the candidate’s campaign to express support of or opposition to candidates (or a “yes” or “no” answer to a question on the ballot) and to try to persuade voters to vote a certain way.

A third party advertisement is an advertisement in any broadcast, print, electronic or other medium that promotes, supports or opposes a candidate, or a “yes” or “no” answer to a question on the ballot. Advertisement includes traditional ads as well as materials such as brochures or signs.

## Third party advertisement

Activities that do not involve spending money, such as discussions or expressing an opinion about a candidate (or an answer to a question on the ballot) are not considered to be third party advertising. Examples include:

- speaking to friends and neighbours
- posting on social media, such as Twitter, Facebook or Instagram
- sending an email to a group or mailing list

Internal communications from an employer to their employees, a corporation to its shareholders, directors, members or employees or by a trade union to its members or employees are not considered to be third party advertising.

Advertising about an issue, rather than a candidate or a “yes” or “no” answer to a question on the ballot is not considered third party advertising. For example, signs saying “Support local businesses” or “Keep the waterfront green” would not be third party advertising, even if a candidate has made those issues part of their campaign.

## Advertising period

The *Municipal Elections Act, 1996* sets out a restricted period for third party advertising. This restricted period runs from May 1 in the year of the election to the close of voting on voting day. For the 2022 election, the restricted period is May 1, 2022 to the close of voting on October 24, 2022.

Candidates can begin filing their nominations on May 1. If any individual or group wanted to spend money before May 1 on signs or advertisements supporting someone who intended to become a candidate, or someone who they hoped would become a candidate, the third party advertising rules would not apply. However, once the restricted period begins on May 1, any signs or other advertisements would have to be taken down or discontinued.

## Who can be a third party advertiser

Only those who have registered can spend money on third party advertising. The following are eligible to register as a third party advertiser:

- any person who is a resident in Ontario
- a corporation carrying on business in Ontario
- a trade union that holds bargaining rights for employees in Ontario

If two or more corporations are owned or controlled by the same person or people, or if one corporation controls another, they are considered to be a single corporation. If the same person or people own or control multiple corporations, only one of those corporations may register to be a third party advertiser in a municipality.

There is no restriction against family members or campaign staff of candidates registering to be third party advertisers. However, third party advertising must be done independently of the candidate. If a person with close ties to a candidate wants to register they should consider how these activities may look to the public and how they would be able to demonstrate that they were not working in co-ordination with the candidate.

## Who cannot be a third party advertiser

A candidate running for any municipal council or school board office cannot register to be a third party advertiser in any municipality.

Groups, associations or businesses that are not corporations are not eligible to register and may not spend money on third party advertising in municipal elections. For example, neighbourhood associations, clubs or professional associations cannot register and cannot make contributions to third party advertisers. Members may register as individual third party advertisers and may contribute individually.

Candidates in the provincial election cannot register. They may register after the provincial election, when they are no longer candidates.

Federal and provincial political parties cannot register to be third party advertisers. Political parties are not permitted to be financially involved in municipal elections.

# Registration

An individual, corporation or trade union must register with the municipal clerk to be a third party advertiser in a municipality. Third party advertisers can register in any lower-tier or single-tier municipality (city, town, township, etc.). Third party advertisers cannot register in an upper-tier municipality (a region or county).

Being registered in a municipality allows the third party advertiser to advertise to the voters in that municipality. A third party advertiser can support or oppose any candidate or candidates who will be voted on by the people in that municipality. This includes candidates running for local council, school trustee and candidates running for offices on an upper tier council.

Third party advertisers do not need to decide before they register which candidate or candidates they want to support or oppose, and they do not have to tell the clerk what their intentions are.

A third party advertiser can only advertise to voters in the municipality where they are registered. There is no limit on the number of municipalities where a third party advertiser can register. If a third party advertiser wants to advertise to voters in more than one municipality they must register in each municipality where they want to advertise.

For example, if a third party advertiser wanted to advertise for or against a candidate running for an office that is voted on by people in more than one municipality, such as a school trustee or regional chair, they would need to register in each municipality.

## Deadline to register

An individual, corporation or trade union can register to be a third party advertiser beginning on May 1, 2022, and can file a registration until the close of business on Friday, October 21, 2022. As May 1 is a Sunday, you may not be able to file your registration until May 2, 2022 when the clerk's office is open.

## Where to register

Clerks can decide to allow registrations to be filed electronically. If your municipality allows electronic filing, contact the clerk for more information about how to register.

If electronic filing is not allowed in your municipality, an individual or a representative of a corporation or trade union must file a [Notice of Registration \(Form 7\)](#) with the municipal clerk in person or by an agent. It must have an original signature – the form may not be a copy and may not be scanned and submitted electronically. There is no registration fee.

The municipal clerk must be satisfied that that the individual, corporation or trade union is eligible in order to certify the registration and may require that identification or additional documents be provided.

A person who is filing as the representative of a corporation or a trade union should make sure that they can provide proof that they are authorized to act on the corporation or trade union's behalf.

The clerk must certify your registration in order for you to begin your campaign as a registered third party advertiser.

## Changing your mind

### Withdraw your registration

If you want to end your advertising campaign before voting day, you can withdraw your registration by notifying the clerk in writing. The deadline to withdraw your registration is:

- the Friday before voting day for a regular election
- the last day the clerk’s office is open prior to voting day for a by-election

### Become a candidate

If you are a registered third party advertiser and decide to become a candidate instead, your third party advertising campaign automatically ends when the clerk receives your nomination to become a candidate.

You must keep your advertising campaign separate from your candidate campaign. This means:

- you cannot transfer any contributions or expenses from your advertising campaign to your candidate campaign
- you must file a financial statement for your advertising campaign
- you must file a separate financial statement for your candidate campaign.

For more information about running for office, please see the [Candidates’ Guide](#).

## Registering in more than one municipality

If a third party advertiser registers in more than one municipality, each of those registrations is considered to be a separate advertising campaign. Once the third party advertiser registers, they must keep each advertising campaign separate, and ensure that they follow the rules in each municipality where they are registered:

- The identification required on signs, advertisements and other materials must indicate that the third party advertiser is registered in that municipality.
- There must be a separate bank account for each campaign.
- Contributions may not be shared between the advertising campaigns – if a contributor has given money to the advertising campaign in municipality A, that money cannot be used to fund expenses in municipality B.
- If the third party advertiser wants to use the same signs or the same advertisement in more than one municipality, the separate advertising campaigns can produce a “joint”

advertisement. The advertisement would indicate that the third party advertiser is registered in both municipality A and municipality B, and each advertising campaign would pay for its share of the expense for the advertisement.

- The third party advertiser must file a separate financial statement in each municipality where they were registered. The financial statement must reflect the financial activities relating to advertising in that municipality.



# Responsibilities of registered third party advertisers

Third party advertisers are required to follow many of the same financial and reporting rules as candidates.

Unlike candidates, third party advertisers cannot appoint scrutineers to observe the voting, or to be present when votes are counted.

## Identification on advertising

A third party advertiser must provide the following information on all of its advertisements, signs and other materials:

- the legal name of the registered third party advertiser (if the third party advertiser is a corporation or trade union, the name of the corporation or trade union must appear, not the name of the representative who filed the registration)
- the municipality where the third party advertiser is registered
- a telephone number, mailing address or email address where the third party advertiser can be contacted

A registered individual cannot act on behalf of a group or organization that is not eligible to register as a third party advertiser. For example, if Chris Smith is the president of a business improvement association (BIA), the signs and materials must identify Chris Smith as the person responsible for the advertising, not the BIA.

If ads are going to be broadcast or published (for example, on a radio station or in a newspaper), the ad must contain the information required above, and the third party advertiser must also provide the broadcaster or publisher with the following:

- the name of the registered third party advertiser
- 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 advertiser
- the municipality where the third party advertiser is registered

Any additional content of signs is not regulated under the act.

## Sign bylaws

A municipality may have rules in place about when signs can be put up, and how signs may be displayed on public property.

If you plan to reuse signs from the last election, you should be aware of rules on the use of [leftover advertising campaign inventory](#) (page 15).

The third party advertiser is responsible for removing their signs after voting day. The municipality may require a sign deposit or have penalties for failing to remove signs. Contact the municipal clerk for more information.

## Advertising on voting day

The *Municipal Elections Act, 1996* does not prohibit campaigning or advertising on voting day. While there are restrictions on advertising for federal and provincial elections on voting day, these “blackouts” do not exist for municipal council and school board elections.

The Act prohibits campaign material in a voting place. The voting place could include the entire property of a building that has a voting place inside it, including the parking lot. A third party advertiser is not allowed to have brochures, buttons, signs or any other advertising material in the voting place.

## Wrapping up the advertising campaign

After voting day, the third party advertiser must remove any signs or other advertisements that have been put up, including online ads.

Usually, advertising campaigns must end on December 31. However, since December 31, 2022 is a Saturday, the deadline moves to January 3, 2023. The advertising campaign must end on January 3, 2023, unless it has a deficit and the third party advertiser informs the clerk in writing that they are going to extend their campaign. Once the campaign has ended, the third party advertiser should close the designated bank account and prepare the financial statement.

**Financial statements must be filed with the clerk by 2 p.m. on Friday, March 31, 2023.**

# Finance rules

## Third party advertising campaign

This guide refers to activities related to third party advertising as the “advertising campaign”.

## Record keeping

Every third party advertiser is responsible for keeping financial records related to their advertising campaign. The *Municipal Elections Act, 1996* does not require that third party advertisers use any specific accounting system. A third party advertiser may want to consult with an auditor or an accountant to make sure that they are using a bookkeeping and accounting system that will suit their needs.

The third party advertiser should also look through the [financial statement \(Form 8\)](#) that they will be required to file to make sure that they are keeping records of all the information that must be included on the statement.

Every third party advertiser is required to keep all of their advertising campaign financial records until November 15, 2026 when the next council or school board takes office.

A third party advertiser must keep the following advertising campaign records:

- the receipts issued for every contribution including when the contribution was accepted and the date the receipt was issued (receipts must also be issued to the third party advertiser for any contributions made to their own advertising campaign)
- the value of every contribution, whether it is money, goods or services, and the contributor’s name and address
- all expenses, including the receipts for each expense
- any claim for payment of an expense that the third party advertiser disputes or refuses to pay
- the funds raised and expenses incurred from each separate fundraising event or activity
- the terms of any loan received from a bank or other recognized lending institution

## Advertising campaign period

A registered third party advertiser can only accept contributions or incur campaign expenses during their advertising campaign period.

The advertising campaign begins on the day the clerk certifies the registration of an individual, corporation or trade union to be a third party advertiser. Third party advertisers can register beginning on May 1, 2022 until the close of business on Friday October 21, 2022.

As the advertising is meant to influence voters, there is little point in continuing to advertise after voting day. However, the advertising campaign period runs until January 3, 2023. This extra time can be used to accept contributions if the advertising campaign has not paid for all of its expenses.

If a third party advertiser is certain that they will not have any more financial activity after voting day, they can end their advertising campaign at any time between voting day and January 3, 2023.

## Bank account

Every third party advertiser must open a bank account exclusively for the advertising campaign.

An individual cannot use an existing personal bank account for advertising campaign finances, even if they are planning a very small advertising campaign. A corporation or trade union may not use an existing account.

All contributions – including contributions that the third party advertiser makes to itself – must be deposited into the third party advertising campaign bank account. All expenses must be paid for from the campaign account.

## Contributions and advertising campaign income

### Contributions

Contributions are any money, goods or services that are given to a third party advertiser for use in the advertising campaign, including money and goods that the third party advertiser contributes to their own campaign.

If a third party advertiser sells tickets to a fundraising event, the cost of the ticket is considered a contribution.

If a third party advertiser obtains a loan from a bank or other recognized lending institution and guarantees the loan, and the advertising campaign is unable to repay the full amount, any unpaid balance is considered to be a contribution by the guarantor. If the third party advertiser is an individual, either they or their spouse may guarantee a loan.

### Things that are not contributions

The value of volunteer labour (for example, if a team of volunteers helps to put up signs) is not considered to be a contribution.

A cash donation of \$25 or less received at a fundraising event is not considered to be a contribution, and the third party advertiser may accept such donations without keeping track of who gave them. The total amount of money received from these donations must be reported on the financial statement.

If the third party advertiser obtains a campaign loan from a bank or a recognized lending institution, the amount of the loan is not considered to be a contribution.

## Who can contribute

A third party advertiser can accept contributions from:

- any person who is a resident of Ontario
- corporations carrying on business in Ontario
- trade unions that hold bargaining rights for employees in Ontario

If the registered third party advertiser is an individual, and their spouse is not normally resident in Ontario, the spouse can still make contributions to the third party's advertising campaign. They may not make contributions to any other registered third party advertiser, or to any candidates.

Groups such as clubs, associations or ratepayer's groups are not eligible to make contributions. The members of these groups may make individual contributions from their personal funds, as long as they are residents of Ontario.

## Who cannot contribute

The following are not allowed to make contributions to third party advertising campaigns:

- a federal political party, constituency association, or a registered candidate in a federal election
- a provincial political party, constituency association, or a registered candidate or leadership contestant
- a federal or provincial government, a municipality or a school board.

## When can contributions be received

A third party advertiser can only accept contributions once they have registered as a third party advertiser, and cannot accept contributions after the advertising campaign period has finished.

Any contributions received outside the advertising campaign period must be returned to the contributor. If the contribution cannot be returned to the contributor, it must be turned over to the clerk.

## Contribution limits

There is no limit on how much a registered third party advertiser (and, if the third party advertiser is an individual, their spouse) can contribute to their own advertising campaign.

There is a \$1,200 limit that applies to all other contributions. This amount includes the value of any goods or services donated to the third party advertiser. If an individual, corporation or trade union makes more than one contribution (for example, contributes money, contributes goods, and purchases a ticket to a fundraising event), the total value of all the contributions cannot exceed \$1,200.

The maximum total amount that a contributor can give to third party advertisers registered in the same municipality is \$5,000.

A contribution must come directly from the contributor – pooling contributions from others and giving them to a third party advertiser is not allowed. If a contribution is made from a joint account, it must be clear which person is making the contribution.

Only a contribution that is \$25 or less can be made in cash. All contributions above \$25 must be made by cheque, money order, or by a method that clearly shows where the funds came from (such as certain debit, credit or electronic transfer transactions).

Third party advertisers are required to inform every contributor of the contribution limits. Contributors should keep track of their donations to ensure they don't end up giving more than is permitted.

## Contribution receipts

Third party advertisers must issue a receipt for every contribution they receive. The receipt should show who made the contribution, the date, and the value. If the contribution was in goods or services, the third party advertiser must determine the value of the goods or services and issue a receipt for the full value.

If a third party advertiser receives a contribution from a joint account, the contribution can only come from one person. The third party advertiser must determine who is making the contribution and issue the receipt to that person.

Third party advertisers are required to list the names and addresses of every contributor who gives more than \$100 total to the advertising campaign in their financial statement. The financial statement is a public document.

A third party advertiser should keep a record of the names and addresses of every contributor, regardless of the value of their contribution, because the same contributor may make multiple contributions that end up totalling more than \$100.

Contribution receipts are not tax receipts. Contributions to third party advertising campaigns cannot be credited against provincial or federal income taxes.

An easy way for third party advertisers to inform contributors of the contribution limits is to include the contribution limits on the receipt that is given for each contribution.

## Review of contributions

The contributions that are reported on third party advertisers' financial statements will be reviewed by the municipal clerk to see if any contributors have given too much.

If the contributions reported on the financial statements show that a contributor gave more than \$1,200 to an individual third party advertiser, or if they show that a contributor gave more than \$5,000 to third party advertisers registered in the same municipality, the clerk will report this to the compliance audit committee. The compliance audit committee will hold a meeting and determine whether the municipality will begin court proceedings against the contributor.

## Returning ineligible contributions

Third party advertisers are required to return any contribution that was made or accepted in contravention of the *Municipal Elections Act, 1996* as soon as they learn that it was an ineligible contribution. If the contribution cannot be returned, it must be turned over to the clerk.

Contributions should be returned or paid to the clerk if the contribution is:

- made outside the campaign period
- from an anonymous source (except for donations of \$25 or less at a fundraising event)
- from an ineligible source (someone who doesn't live in Ontario, a business that is not a corporation, etc.)
- greater than the \$1,200 individual limit or the \$5,000 total limit
- a cash contribution greater than \$25
- from funds that do not belong to the contributor who gave them

## Unused contributions

If the advertising campaign ends with a surplus, the third party advertiser can withdraw the value of contributions that they made to their own campaign. If the third party advertiser is an individual, they can also withdraw the value of contributions made by their spouse. If there is still a surplus once these contributions have been withdrawn, it must be turned over to the clerk.

A third party advertiser cannot refund any other unused contributions.

## Fundraising

Fundraising functions are events or activities held for the primary purpose of raising money for a third party's advertising campaign.

If a third party advertiser has created brochures or other advertising materials that include a sentence asking people to make a contribution or providing information about how to contribute, this would not be a fundraising brochure since its primary purpose is to persuade voters to vote a certain way, not to raise money.

Fundraisers can only be held during the advertising campaign period. Third party advertisers must record the gross income, including ticket revenue and other revenue, and the expenses related to each event and activity on their campaign financial statement.

If tickets are sold to the event, the ticket price is considered to be a contribution to the advertising campaign and a receipt must be issued to each person who purchases tickets. If the ticket price is higher than \$25, tickets cannot be paid for in cash.

# Advertising campaign income

If funds are raised by selling goods or services for more than fair market value, the difference between the fair market value and the amount paid is considered to be a contribution. If the good or service is sold for \$25 or less, the amount paid is considered advertising campaign income that is not a contribution.

# Advertising campaign expenses

## Expenses

Advertising campaign expenses are the costs that are incurred during the campaign. These include costs directly related to producing, distributing or publishing advertisements, as well as indirect costs such as hiring someone to keep track of contributions and issue receipts.

Goods and services that are contributed to the advertising campaign are also expenses. They should be treated as if the contributor gave the third party advertiser money and the third party advertiser went out and purchased the goods and services at fair market value – both the contribution and the expense must be recorded.

Expenses must be paid from the advertising campaign bank account. If a credit card is used to pay for purchases, the third party advertiser should keep clear records showing that the expense on the credit card was reimbursed from the campaign account.

Any taxes such as HST paid on purchases should be included in the amount of the expense.

Third party advertisers can only incur expenses during their advertising campaign period, except for expenses related to the preparation of an auditor's report. If a third party advertiser is required to include an auditor's report with their financial statement, they may incur these expenses after the advertising campaign period has ended. These expenses must also be reported on the financial statement.

## Spending limits

The general spending limit for a third party advertiser's advertising campaign is calculated based on the number of electors who are eligible to vote in the municipality where the third party advertiser is registered. The formula to calculate the limit is \$5,000 plus \$0.05 per eligible elector, to a maximum of \$25,000.

### **Examples:**

A third party advertiser registered in a municipality with 50,000 electors would have a spending limit of \$7,500.

A third party advertiser registered in a municipality with 500,000 electors would have a spending limit of \$25,000. \$5000 plus \$0.05 per elector is \$30,000, so the maximum \$25,000 applies.



When a third party advertiser registers in a municipality, the clerk will give them an estimate of their general spending limit. This estimate will be based on the number of electors in the last election.

On or before September 25, 2022 the clerk must give a final general spending limit that is based on the number of electors on the voters' list for the current election.

If the initial spending limit estimate is different than the final spending limit received in September, the higher of the two becomes the official spending limit. The clerk will also provide the spending limit for expenses related to parties and other expressions of appreciation.

## Types of expenses

While most expenses will be subject to the general spending limit the following expenses are not:

- expenses related to holding a fundraising event or activity
- expenses related to a compliance audit
- expenses incurred by a registered third party advertiser who is an individual with a disability, and the expenses are directly related to the disability and would not have been incurred if not for the election
- audit and accounting fees

Any materials, events or activities must have fundraising as the primary purpose in order to be exempt from the spending limit. An incidental mention of contributions is not enough to qualify as fundraising.

## When the general spending limit applies

The spending limit covers expenses that are incurred between the beginning of the advertising campaign (the day the third party advertiser is registered) and voting day. Expenses incurred between the day after voting day and the end of the advertising campaign period are not subject to the spending limit.

If a third party advertiser incurs an expense before voting day, but doesn't get around to paying for it until after voting day, it would still be subject to the spending limit.

## Spending limit for parties and expressions of appreciation

There is a separate spending limit for expenses related to holding parties and other expressions of appreciation after the close of voting. This spending limit is calculated as 10% of the amount of the general spending limit.

### **Example:**

A third party advertiser's general spending limit is \$20,000. The spending limit for throwing a party on voting night and making expressions of appreciation such as giving gifts to the

members of the advertising campaign team would be \$2,000. These expenses do not count toward the \$20,000 general spending limit.

Expenses related to parties and expressions of appreciation after voting are subject to the specific spending limit regardless of whether they are incurred before or after voting day.

## Leftover advertising campaign inventory

If a third party advertiser registered as a third party advertiser in the last election and wants to reuse leftover goods such as signs or office supplies, the third party advertiser must establish the current market value of the goods — what it would cost to purchase them today. Record the current market value as an expense.

If the third party advertiser has inventory left at the end of their advertising campaign it becomes their personal property. If the third party advertiser wants to store materials such as signs for use in another election, any costs related to storage are personal costs, not advertising campaign expenses.

**Note to accountants:** The value of all goods must be recorded as an expense regardless of whether the advertising campaign ends with used or unused goods in inventory. Do not deduct the value of unused goods from the campaign expenses, as this will result in the campaign having a surplus on paper that the candidate does not actually have.

## Surplus and deficit

If the advertising campaign has a surplus after the third party advertiser has refunded contributions made by the third party advertiser (and, if the third party advertiser is an individual, their spouse), the remaining surplus must be paid over to the clerk when the financial statement is filed. The surplus will be held in trust, and the third party advertiser can use it if they incur expenses related to a compliance audit. If the surplus is not needed for these expenses, it becomes the property of the municipality.

If the advertising campaign expenses are greater than the campaign income, the campaign will be in deficit.

## Advertising campaign financial statement

Every registered third party advertiser must file a complete and accurate financial statement on time.

The filing deadline is **2 p.m. on March 31, 2023**.

Third party advertisers must use [Form 8](#) (Do not use Form 4, as that is the financial statement for candidates).

If a bookkeeper or accountant completes the financial statement, the third party advertiser is still responsible for ensuring that it is complete, accurate and filed on time.

Financial statements do not require original signatures. Contact the clerk for information about whether a financial statement can be filed electronically.

If an individual, corporation or trade union registered in more than one municipality, they must file a separate financial statement with each municipal clerk.

If a third party advertiser did not receive any contributions or incur any expenses, they are only required to fill out the first page of the financial statement and sign it.

If a third party advertiser received contributions or incurred any expenses, they must complete the relevant parts of the financial statement.

If the advertising campaign contributions or campaign expenses are greater than \$10,000, the financial statement must be audited and the auditor's report included when the financial statement is submitted to the clerk.

## Filing early

A third party advertiser can file their financial statement after they have ended their advertising campaign. If a third party advertiser files a statement early and then discovers that there is an error in it, they can submit a corrected statement at any time before the filing deadline on March 31, 2023. The original statement is deemed to be withdrawn when the corrected statement is filed. A third party advertiser cannot withdraw a financial statement without submitting a corrected one.

## Applying for an extension

If a third party advertiser will be unable to file the financial statement by the deadline, they may apply for an extension to the Superior Court of Justice before March 31, 2023.

## Grace period for filing

If a third party advertiser has not filed a financial statement by the deadline, they may file the financial statement within 30 days after the deadline if they pay the municipality a \$500 late filing fee. This 30-day grace period ends at 2 p.m. on Monday, May 1, 2023.

## Penalty for filing late

If a third party advertiser has not filed a financial statement by the end of the 30-day grace period and did not apply to the court for an extension prior to the March 31st deadline, the individual, corporation or trade union will not be eligible to register as a third party advertiser in the municipality until after the 2026 election.

If a third party advertiser did not file a financial statement by the end of the 30-day grace period, they may still file it for the purposes of having their finances on the record. The clerk will accept the financial statement and make it available to the public. The penalty will still apply.

# Extended advertising campaigns

If the advertising campaign has a deficit, the third party advertiser can extend their campaign in order to do some additional fundraising.

A third party advertiser can extend their campaign by notifying the clerk using the [Notice of Extension of Campaign Period \(Form 6\)](#) on or before January 3, 2023. The end date for the extended period will be the earliest of:

- the day the third party advertiser notifies the clerk in writing that they will be ending their advertising campaign and not accepting any more contributions
- June 30, 2023

If a third party advertiser extends their advertising campaign they must file two financial statements:

- a financial statement reflecting the advertising campaign until January 3, 2023 (due March 31, 2023)
- a supplementary financial statement that includes the information from the primary statement and adds financial information from the extended advertising campaign.

The supplementary financial statement must be filed with the clerk by 2 p.m. on Friday, September 29, 2023. There is also a 30-day grace period for this deadline in which the statement can be filed late provided the \$500 fee is paid.

## Auditor's report

A third party advertiser must have an auditor review the financial statement and provide a report if any of the following are true:

- the advertising campaign expenses exceed \$10,000
- the contributions received exceed a total of \$10,000
- both the expenses and contributions exceed \$10,000 each

The auditor's report must be prepared by an auditor licensed under the [Public Accounting Act, 2004](#). Before a third party advertiser hires someone to prepare the report, they should ensure that the person is properly qualified.

A third party advertiser can incur expenses relating to the auditor's report after January 3, 2023. These expenses do not count toward the spending limit. These expenses should be included on the financial statement that will be filed.

# Compliance and enforcement

Enforcement of the *Municipal Elections Act, 1996* is done through the courts. The Ministry of Municipal Affairs and Housing does not have a role in investigating elections or in determining penalties.

## Automatic penalties

Under the *Municipal Elections Act, 1996* a penalty applies automatically if:

- a third party advertiser fails to file a financial statement by the end of the 30-day grace period or fails to apply to the court for an extension by the filing deadline
- the financial statement shows that the third party advertiser has exceeded a spending limit
- a third party advertiser fails to turn over their surplus to the clerk when they file their financial statement

The penalty is that the individual, corporation or trade union will not be eligible to register as a third party advertiser in the municipality until after the 2026 election.

## Compliance audits

Each municipality and school board must appoint a compliance audit committee.

If an eligible elector believes that a third party advertiser has not followed the election finance rules, the elector may apply for a compliance audit of the third party's advertising campaign finances. The application must be in writing, and must set out the reasons why they believe the third party advertiser did not follow the rules.

An application for a compliance audit must be submitted to the clerk of the municipality where the third party advertiser is registered within 90 days of the deadline to file the advertising campaign financial statement.

The compliance audit committee will consider the application and decide whether to grant or reject the application. The committee's decision may be appealed to the Superior Court of Justice within 15 days after the decision is made.

If the committee grants the application, it will appoint an auditor to conduct a compliance audit of the third party's advertising campaign finances. The auditor is entitled to have access to all of the financial records related to the advertising campaign. The auditor will produce a report, which the third party advertiser is entitled to receive.

The compliance audit committee will meet to consider the auditor's report. If the report concludes that there is an apparent contravention of the *Municipal Elections Act, 1996*, the committee will decide whether to commence legal action.

The compliance audit committee does not have any authority to set penalties. Only the court can decide if a third party advertiser contravened the Act and, if so, which penalties should apply.

A person who does not want to or who is not able to apply for a compliance audit may decide to commence legal action on their own. A prosecution related to the 2022 election must be commenced before November 15, 2026.

## Penalties

If a person is convicted of committing an offence, they may be subject to the following penalties:

- a fine of up to \$25,000
- up to six months in prison
- ineligibility to register to be a third party advertiser until after the next regular election
- ineligibility to vote or run in the next regular election (in the case of conviction for bribery or other corrupt practices)

If a corporation or trade union is convicted of committing an offence, they may be subject to a fine of up to \$50,000, and ineligibility to register to be a third party advertiser until after the next regular election.

If any third party advertiser is convicted of exceeding a spending limit, they may also be fined the amount by which they exceeded the limit.

# Completing the financial statement

## General information

**All third party advertisers must file a financial statement.** This includes third party advertisers who withdrew their registration.

Third party advertisers must use [Form 8](#).

All registered third party advertisers must complete Box A: Name of Registrant and Box B: Declaration.

- If the third party advertiser did not receive any contributions or incur any expenses, check the box indicating this, and complete the Declaration in Box B. No further information is required.
- If the third party advertiser did receive contributions or incur expenses, fill in the information in Box C, Box D, Schedule 1, and Schedule 2 as appropriate. It may be easier to fill out the form by starting with the more detailed sections such as the tables in Schedule 1 before filling in the Statement of Campaign Income and Expenses.

If the third party advertiser received contributions or incurred expenses in excess of \$10,000, an auditor's report must be included with the financial statement.

The completed financial statement must be submitted to the clerk by **2 p.m. on the last Friday in March (March 31, 2023)**.

Supplementary financial statements must be submitted to the clerk by **2 p.m. on the last Friday in September (September 29, 2023)**.

## Tips for completing Form 8

Learn more about how to correctly fill out the advertising campaign financial statement.

### Box A: Name of Registrant

Record the general spending limit and the spending limit for parties and other expressions of appreciation.

Note: automatic penalties will apply if the form reports that either of the spending limits have been exceeded.

### Box B: Declaration

Signing the form declares that the information recorded in the financial statement is true and accurate. If the financial statement was prepared by someone else, the registrant (or official representative) is still responsible for its accuracy.

## Box C: Statement of Campaign Income and Expenses

### Loan

If a loan is obtained for the advertising campaign, the name of the bank or recognized lending institution and the amount borrowed must be recorded.

A loan is permitted only if it is from a bank or other recognized lending institution in Ontario, and it must be paid directly into the campaign bank account. A loan cannot be received from family members or from any corporate accounts that the third party advertiser may have access to.

The loan is not considered to be advertising campaign income, and paying it back is not a campaign expense. However, if the third party advertiser (or their spouse, if the third party advertiser is an individual) guarantees the loan and the campaign does not repay all of it, the remaining balance is considered to be a contribution (since the guarantor is basically providing the campaign the means to repay the loan).

Any interest that the advertising campaign pays on the loan is a campaign expense.

### Income

A registered third party's advertising campaign income includes all contributions received from themselves as the registrant, their spouse (if the registrant is an individual) and other eligible contributors. This includes the value of contributions of goods and services. Income also includes any refunds of deposits, interest earned by the registrant's campaign bank account, and revenue from fundraising events or activities that is not deemed a contribution (for example, if the third party advertiser sold refreshments at market value).

### Sign deposit

If the municipality requires a deposit for election signs, this should be recorded as an advertising campaign expense and paid for using campaign funds. If the registered third party advertiser's deposit is refunded, record the amount under Income.

### Expenses

Advertising campaign expenses include the value of any goods or services that have been contributed to their campaign (it is as if the contributor gave money to the campaign, which the campaign then spent on acquiring the goods or services).

The general spending limit applies only to expenses incurred until the end of voting day. Expenses incurred after voting day are not subject to the spending limit.

**Note:** An expense subject to the general spending limit that was incurred prior to voting day but not paid for until after voting day is still subject to the limit.

Some types of expenses are not subject to the general spending limit even if they are incurred prior to voting day.

Expenses related to parties and expressions of appreciation after voting day are subject to that spending limit regardless of when they are incurred.



## Box D: Calculation of Surplus or Deficit

### Campaign deficit

At the top of Box D, subtract the total amount of campaign expenses from the total amount of campaign income. If the expenses are greater than the income, the advertising campaign is in deficit.

**If the advertising campaign has been extended in order to fundraise, the registered third party advertiser must still file a financial statement reflecting their campaign finances to January 3, 2023.**

### Campaign surplus

At the top of Box D, subtract the total amount of campaign expenses from the total amount of campaign income. If the income is greater than the expenses, the advertising campaign has a surplus.

The third party advertiser is entitled to reimburse contributions made by the registrant or, if the third party advertiser is an individual, their spouse out of the surplus. For example, if the surplus was \$500 and the registrant contributed \$400 to their advertising campaign, the third party advertiser may deduct that \$400, leaving the campaign with a surplus of \$100. If the surplus was \$500 and the registrant contributed \$600, the third party advertiser may deduct \$500 of their contribution, leaving the campaign with \$0. The third party advertiser may not deduct more than the value of the surplus.

If, after deducting contributions made by the registrant or their spouse (if the third party advertiser is an individual), the advertising campaign still has a surplus, these funds must be turned over to the clerk.

## Schedule 1: Contributions

Schedule 1 includes a summary of contributions from the advertising campaign.

The following tables are included in Schedule 1 and need to be filled in, if applicable:

- Table 1: Contributions in goods or services
- Table 2: Inventory of campaign goods and materials from previous municipal campaign used in this campaign
- Table 3: Monetary contributions from individuals other than registrant or spouse where contributions exceed \$100 per contributor
- Table 4: Monetary contributions from corporations or trade unions where contributions exceed \$100 per contributor
- Table 5: Contributions in goods or services from individuals other than registrant or spouse where contributions exceed \$100 per contributor

- Table 6: Contributions in goods or services from corporations or trade unions where contributions exceed \$100 per contributor

### **Contributions from registrant and spouse**

Record these amounts on the lines provided in Schedule 1.

**Note:** report the full amount of the contributions made by the registrant and their spouse (if the third party advertiser is an individual) including any amounts that have been reimbursed from a surplus.

### **Contributions totalling \$100 or less**

Contributors that give \$100 or less in total do not have to be individually identified. The total amount contributed from these contributors will be recorded as a lump sum on the line provided at the top of Schedule 1.

If an anonymous contribution is \$100 or less, include it in the total value of contributions not exceeding \$100 per contributor. Any anonymous contribution that is greater than \$25 must be turned over to the clerk.

### **Goods and services from registrant or (if individual) spouse**

If the registrant or their spouse (if the third party advertiser is an individual) contribute goods and services to their advertising campaign, this must be recorded as a contribution. Record any contributions in Table 1 of Schedule 1.

### **Inventory of campaign goods and materials from previous municipal campaign used in this campaign**

Any inventory from a previous advertising campaign that a registered third party advertiser is using again is a contribution in goods that the third party advertiser makes to their campaign. Calculate the current market value (for example, if the third party advertiser has 100 signs left over from 2018 and uses them again, they must calculate how much it would cost to purchase those same signs in 2022) and record it in Table 2. This inventory must also be recorded as an advertising campaign expense.

### **Contributions totalling more than \$100**

If a contributor makes one or more contributions totalling more than \$100 (including the value of goods and services and the cost of tickets to fundraising events), record all of these contributions in the tables provided in Schedule 1 (Tables 3-6).

If an anonymous contribution is more than \$100, include it in the total value of contributions exceeding \$100 per contributor, and include it in the relevant table (listing "anonymous" as the name of the contributor). Any anonymous contribution that is greater than \$25 must be turned over to the clerk.

**Note:** it is the total amount contributed that matters – if an individual buys a ticket to a fundraising event for \$50, and then later in the advertising campaign contributes \$75, each of these contributions must be recorded in the appropriate tables because the total exceeds \$100.

Eligible contributors may donate goods and services to the advertising campaign. These must be recorded as a contribution and as an expense (as if the contributor donated money, which the campaign then spent on the goods and services).

Corporations and trade unions are permitted to make contributions to third party advertisers. This includes contributions of goods and services.

## Schedule 2: Fundraising Events and Activities

The cost of holding fundraising events or activities is not subject to the spending limit. However, in order to be considered a fundraising cost, the primary purpose for the expense must be related to fundraising rather than promoting the advertising campaign. Incidental fundraising that happens to occur during a promotional event is not sufficient to make it a fundraising event. Similarly, a line at the bottom of an advertising campaign brochure asking people to donate does not make the production of the brochure a fundraising expense.

If costs of fundraising events/activities are included as an expense in Box C, provide details of these events and activities in Schedule 2.

Contributions received at a fundraising event may include:

- the price of the ticket
- if goods or services are offered for sale, any amount of money paid that exceeds their market value (for example, if a \$100 item is sold for \$175, the purchaser has made a \$75 contribution to the campaign)
- personal cheques collected from contributors at the event

If contributors have donated goods or services for the fundraising event, these must be recorded as contributions and as expenses.

These contributions must be recorded in Schedule 1, and where the total from a contributor exceeds \$100, be detailed in the appropriate tables. Refer to [Schedule 1: Contributions](#) (page 22) for more information.

The fundraising event may also generate revenue that is not considered to be a contribution:

- donations of \$25 or less
- if goods or services are offered for sale, the market value of those goods and services sold (for example, if a \$100 item is sold for \$175, \$100 is revenue)
- the amount paid for goods or services offered for sale for \$25 or less

### **Anonymous contributions**

Anonymous contributions that do not exceed \$25 each that are received at a fundraiser (such as those collected by passing the hat or having a tip jar) may be kept. Report the total amount of money received from these donations in Schedule 2 for that fundraiser.

All other anonymous contributions must be turned over to the clerk.

Subtract the contribution as paid or payable to the clerk to arrive at the Total for Part II Contributions in Schedule 2.

## Auditor's report

If your advertising campaign expenses or the contributions you received total more than \$10,000 you must have an auditor review your financial statement and provide a report.

The auditor's report must be prepared by an auditor licensed under the [Public Accounting Act, 2004](#). Before you hire someone to prepare the report, you should ensure that they are properly qualified.

## Where to find forms referred to in this guide

You can get copies of forms from your municipal clerk, or you can download them from the [Government of Ontario's Central Form Repository](#).

- [Financial Statement – Subsequent Expenses \(Form 5\)](#)
- [Notice of Extension of Campaign Period \(Form 6\)](#)
- [Notice of Registration – Third Party \(Form 7\)](#)
- [Financial Statement – Auditor's Report – Third Party \(Form 8\)](#)

# Information for broadcasters and publishers

Broadcasters and publishers have responsibilities related to the campaign advertisements of candidates and third party advertisers. The campaign period begins on May 1 and ends on January 3, 2023.

## Advertisements by candidates or third party advertisers

If a candidate is advertising, you must collect in writing the:

- candidate's name
- name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the candidate (Note: this individual may be the candidate themselves)

If a registered third party is advertising, you must collect in writing the:

- name of the registered third party advertiser (note: this may be the name of an individual, a corporation, or a trade union)
- municipality where the third party advertiser is registered
- name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the registered third party advertiser

**You must not broadcast or publish** any campaign advertising without recording this information.

Broadcasters and publishers must maintain records of:

- the information collected in writing
- a copy of the advertisement (or the means of reproducing the advertisement for inspection)
- a statement of the charge made for its appearance

These records must be kept for four years after the date the advertisement appears. Broadcasters and publishers must allow the public to inspect the records.

Third party advertising is restricted from the start of the campaign period on May 1 until the close of voting on October 24, 2022. Broadcasters and publishers are not required to collect information or retain records for advertisements that appear before May 1.

**Intentionally Left  
Blank**

# **Section No. 2**

# **Township of Chapleau**

# **Forms**

**Intentionally Left  
Blank**





**Form: EL18A**

**2022 Municipal Election Declaration of Qualifications – Council**

**Municipal Elections Act, 1996**

I (name) \_\_\_\_\_, a nominated candidate for the  
office of (Mayor or Councillor) \_\_\_\_\_:

Do solemnly declare that:

1. I am qualified pursuant to the Municipal Elections Act, 1996, and the Municipal Act, 2001 to be elected to and to hold the office of Mayor / Councillor for the Township of Chapleau.
2. Without limiting the generality of the above, I am at least eighteen years of age, a Canadian citizen, a resident of the Township of Chapleau or the owner or tenant of land in the Township of Chapleau, or the spouse of such owner or tenant.
3. I am not ineligible or disqualified under the Municipal Elections Act, 1996, the Municipal Act, 2001, the Municipal Conflict of Interest Act, or any other Act to be elected or to hold the above-mentioned office.
4. Without limiting the generality of the above,
  - I am not an employee of the Township of Chapleau, or if I am an employee of the Township of Chapleau, I am on an unpaid leave of absence as provided for by Section 30 of the Municipal Elections Act, 1996.
  - I am not a judge of any court.
  - I am not a member of the Assembly as provided in the Legislative Assembly Act, or of the Senate or House of Commons of Canada or, if I am such a person, I will provide proof of my resignation in a form satisfactory to the Elections Clerk of the Township of Chapleau prior to 2:00 p.m. on Nomination Day Friday, August 19<sup>th</sup>, 2022. I understand that the Elections Clerk of the Township of Chapleau will reject my nomination for the above-mentioned office if I fail to provide proof of resignation by this deadline.
  - I am not a member of the Executive Council of Ontario or a federal Minister of the Crown.
  - I am not a Provincial Crown employee within the meaning of the Public Service of Ontario Act, 2006 or if I am a Crown employee, I have followed and will continue to follow all the relevant provisions of such Act.



- I am not a Federal employee within the meaning of the Public Service Employment Act, or if I am a Federal employee, I have followed and will continue to follow all the relevant provisions of such Act.
5. I am not prohibited from voting at the municipal election under Sub-Section 17 (3) of the Municipal Elections Act, 1996.
6. Without limiting the generality of the above,
- I am not a person who is serving a sentence of imprisonment in a penal or correctional institution.
  - I am not a person who was convicted of a corrupt practice described in Sub-Section 90 (3) of the Municipal Elections Act, 1996, from voting in a municipal election.
7. I am not a person who was convicted of a corrupt practice under the Municipal Elections Act, 1996 or of an offence under the Criminal Code (Canada), in connection with an act or omission with respect to a municipal election during the last two regular elections.
8. I am not disqualified from being elected to or holding office by reason of any violations of the election campaign financial requirements or violations for not filing the financial statement pursuant to the Municipal Elections Act, 1996.
- I was a candidate in the 2018 Municipal Election in Ontario and filed the required financial statement under Section 79 of the Municipal Elections Act, 1996.

Or

- I was not a candidate in the 2018 Municipal Election in Ontario.

I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me, at the Township of Chapleau, in the District of Sudbury, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Signature of Elections Clerk

**Township of Chapleau**  
20 Pine Street W. P.O. Box 129  
Chapleau, ON P0M 1K0

t (705) 864-1330  
f (705) 864-1824  
www.chapleau.ca



## CONSENT TO RELEASE PERSONAL INFORMATION

Municipal Freedom of Information and Protection of Privacy Act

Personal information on the Nomination Paper is collected under the authority of the Municipal Elections Act and will be used to assist the Elections Clerk in the administration of the 2022 Municipal Elections.

Questions regarding this collection should be forwarded to the Elections Clerk at [electionsclerk@chapleau.ca](mailto:electionsclerk@chapleau.ca) or by calling (705) 864-1330.

Name of Candidate: \_\_\_\_\_

Candidate for the office of:

- Mayor
- Councillor
- Trustee English Public
- Trustee English Separate
- Trustee French Public
- Trustee French Separate

I acknowledge that the Nomination Form (Form 1) filed by me contains personal information and I am aware that the Clerk will disclose all or part of it to the general public.

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Signature of Clerk or Designate

Dated at Chapleau, Ontario this \_\_\_\_\_ day of \_\_\_\_\_, 2022

**Intentionally Left  
Blank**

**CORPORATION OF THE TOWNSHIP OF CHAPLEAU**

**Declaration of Proper Use of the Voters' List**  
*Municipal Elections Act, 1996 (s. 23(3), (4) and (5))*

I, \_\_\_\_\_, being a:  
(Name)

Candidate for the office of \_\_\_\_\_

hereby request the Elections Clerk to provide me with the following information when it becomes available:

a paper copy of the Voters' List. Please note that a copy of all revisions made to the Voters' List will be provided on or before Monday, September 26, 2022.

OR

Access to the Candidate Access Portal, which will host the Voters' List, all updates and associated features. This access will be provided through the email address the candidate provides on their Nomination form (Form 1)

I, the undersigned, do hereby agree to use the Voters' List (Candidate Access portal) and printed copies for election purposes only and I understand that I am prohibited by the *Municipal Elections Act* from using the Voters' List (Candidate Access Portal) for commercial purposes.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

**Intentionally Left  
Blank**



## APPOINTMENT OF SCRUTINEER BY CANDIDATE

### Municipal Elections Act, 1996

| <b>Candidate</b>   |  |
|--|--|
| Name of Candidate (please print)   |  |
| Candidate for the Office of (check one)  |  |
| <input type="checkbox"/> Mayor   | <input type="checkbox"/> Public District School Board          |
| <input type="checkbox"/> Councillor  | <input type="checkbox"/> Catholic District School Board        |
|  | <input type="checkbox"/> French Public District School Board   |
|  | <input type="checkbox"/> French Catholic District School Board |
| <b>Scrutineer Appointment</b>  |  |
| Name of Scrutineer Appointed (please print)  |  |
| I appoint the individual noted above as a scrutineer to represent me in the Township of Chapleau 2022 Municipal Election.  |  |
| Date   | Signature of Candidate   |
| This _____ day of _____, 2022  |  |
| <b>Instructions to Scrutineer</b>  |  |
| <ul style="list-style-type: none"><li>• Scrutineers arriving at a voting place must show this form and personal identification to the election officials and take an oath of secrecy.</li><li>• Candidates arriving at a voting place must show this form and personal identification to the election officials and take an oath of secrecy. A candidate who enters a voting place is considered to be a scrutineer.</li><li>• Only one scrutineer per candidate may be at each ballot issuing station in the voting place and at the vote tabulator.</li></ul>  |  |
| <b>Rights and Prohibitions</b>   |  |
| Scrutineers and candidates can: <ul style="list-style-type: none"><li>• Enter the voting place 15 minutes before it opens and inspect the ballot boxes and the ballots and all other papers, forms and documents relating to the vote (but not so as to delay the timely opening of the voting place).</li><li>• Place his or her own seal on the ballot box, immediately before the opening of the voting place, so that ballots can be deposited in the box and cannot be withdrawn without breaking the seal.</li><li>• Examine each ballot as they are fed into the vote tabulator (but not touch the ballot).</li><li>• Object to a ballot or to the counting of votes in a ballot.</li><li>• Sign the statement of the results of the election prepared by the deputy returning officer.</li><li>• Place his or her own seal on the ballot box immediately after the close of voting on each day of an advance vote, so that ballots cannot be deposited or withdrawn without breaking the seal.</li><li>• Examine the Voters' List periodically to determine who has voted or to count how many Electors have voted but may not interfere with the conduct of the voting process.</li></ul> |  |

Scrutineers and candidates cannot:

- Be near enough to the vote tabulator to see how a voter has marked their ballot.
- Campaign at the voting place.
- Attempt, directly or indirectly, to interfere with how an elector votes
- Display a candidate's election material (including buttons, pins, etc.) in a voting place.
- Compromise the secrecy of voting.
- Obtain or attempt to obtain, in a voting place, any information about how an elector intends to vote or has voted.
- Communicate any information obtained at a voting place about how an elector intends to vote or has voted.
- Park a vehicle displaying campaign material in the parking lot of the Voting Place.

Note:

- It is no longer mandatory that scrutineers be 16 years of age or older to work at an election.
- The DRO is responsible for the conduct of the Voting Place and no candidate or scrutineer has the right to interfere with the DRO in the discharge of his or her duties.
- Anyone who is creating a disturbance at a Voting Place will be removed by the DRO.
- The seal(s) must not contain any writing that could be considered "election campaigning", therefore, the name of the candidate is not permitted on the seal;
- Scrutineers/candidates who wish to have a discussion with another candidate or scrutineer must leave the Voting Place to carry on their discussion outside of the Voting Place.
- No campaign material or literature of any nature whatsoever shall be displayed within the Voting Place. The boundaries of the Voting Place are the boundaries of the property where the Voting Place is located and includes the parking lot.
- Scrutineers/candidates wishing to observe the transmission of results must be at the Voting Place prior to the closing of the voting location at 8:00 p.m. No one will be admitted to the Voting Place after 8:00 p.m.
- Scrutineers/candidates wishing to observe the counting of advance votes must be at Civic Centre prior to 8:00p.m. on Election Day.



**Township of Chapleau**  
20 Pine Street W. P.O. Box 129  
Chapleau, ON P0M 1K0

t (705) 864-1330  
f (705) 864-1824  
www.chapleau.ca



**Form: EL19**  
**Withdrawal of Nomination Form**  
Municipal Elections Act, 1996 (s.36)

I, (name) \_\_\_\_\_, hereby withdraw my name as a candidate for the office of (Mayor or Councillor) \_\_\_\_\_.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Candidate

THIS WITHDRAWAL DELIVERED TO ME AT \_\_\_\_\_ (time)

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
Elections Clerk or designate

Section 36 of the Municipal Elections Act provides that a person who has been nominated may withdraw his or her nomination by filing a written withdrawal in the Election Clerk's office by 2 pm on Nomination Day (August 19, 2022) if the nomination was filed under subsection 33(4) or by 2 pm on August 24, 2022 if the nomination was filed under subsection 33(5). The Municipal Election Act provides that the Elections Clerk may require a candidate to appear in person, with identification in order to withdraw their nomination. If not, then anytime that a nomination withdrawal is submitted by someone other than the nominee, the Clerk should follow up to ensure that the withdrawal was submitted with the nominee's permission.

**Intentionally Left  
Blank**

# **Section No. 3**

# **Provincial Forms**

**Intentionally Left  
Blank**

**Instructions**

It is the responsibility of the person being nominated to file a complete and accurate nomination paper. Please print or type information (except signatures).

Nomination paper of a person to be a candidate at an election to be held in the following municipality

|   |               |             |                              |                    |             |
|---|---------------|-------------|------------------------------|--------------------|-------------|
| Nominated for the Office of   |               |             | Ward Name or Number (if any) |                    |             |
| Nominee's name as it is to appear on the ballot paper (subject to agreement of the municipal clerk) |               |             |                              |                    |             |
| Last Name or Single Name  |               |             | Given Name(s)                |                    |             |
| Nominee's full qualifying address within municipality   |               |             |                              |                    |             |
| Suite/Unit Number   | Street Number | Street Name |                              |                    |             |
| Municipality  |               |             | Province                     |                    | Postal Code |
| Mailing Address <input type="checkbox"/> Same as qualifying address                                 |               |             |                              |                    |             |
| Suite/Unit Number   | Street Number | Street Name |                              |                    |             |
| Municipality  |               |             | Province                     |                    | Postal Code |
| If nominated for school board, full address of residence within its jurisdiction                    |               |             |                              |                    |             |
| Suite/Unit Number   | Street Number | Street Name |                              |                    |             |
| Municipality  |               |             | Province                     |                    | Postal Code |
| Email Address   |               |             | Telephone Number             | Telephone Number 2 |             |

**Declaration of Qualification**

I, \_\_\_\_\_, declare that I am presently legally qualified (or would be presently legally qualified if I were not a member of the Legislative Assembly of Ontario or the Senate or House of Commons of Canada) to be elected and to hold the office for which I am nominated.

\_\_\_\_\_  
Signature of Nominee

\_\_\_\_\_  
Date (yyyy/mm/dd)

|                            |               |  |                                 |
|----------------------------|---------------|--|---------------------------------|
| Date Received (yyyy/mm/dd) | Time Received | Initial of Nominee or Agent (if filed in person) | Signature of Clerk or Designate |
|----------------------------|---------------|--|---------------------------------|

**Certification by Clerk or Designate**

I, the undersigned clerk of this municipality, do hereby certify that I have examined the nomination paper of the aforesaid nominee filed with me and am satisfied that the nominee is qualified to be nominated and that the nomination complies with the Act.

Signature

Date Certified (yyyy/mm/dd)

**Intentionally Left  
Blank**

**Instructions**

All candidates must complete Boxes A and B. Candidates who receive contributions or incur expenses must complete Boxes C, D, Schedule 1 and Schedule 2 as appropriate. Candidates who receive contributions or incur expenses in excess of \$10,000 must also attach an Auditor's Report.

All surplus funds (after any refund to the candidate or their spouse) shall be immediately paid to the clerk who is responsible for the conduct of the election.

**For the campaign period from (day clerk received nomination)**

|      |    |    |
|------|----|----|
| YYYY | MM | DD |
|------|----|----|

**to**

|      |    |    |
|------|----|----|
| YYYY | MM | DD |
|------|----|----|

Initial filing reflecting finances from start of campaign to December 31 (or 45 days after voting day in a by-election)

Supplementary filing reflecting finances from start of campaign to end of extended campaign period

**Box A: Name of Candidate and Office**

Candidate's name as shown on the ballot

|                          |               |
|--------------------------|---------------|
| Last Name or Single Name | Given Name(s) |
|--------------------------|---------------|

|  |                              |
|--|------------------------------|
| Office for Which the Candidate Sought Election | Ward Name or Number (if any) |
|--|------------------------------|

Municipality

|                                 |   |   |
|---------------------------------|---|---|
| Spending Limit<br>General<br>\$ | Parties and Other Expressions of Appreciation<br>\$ | Contribution Limit<br>Contributions from Candidate and Spouse<br>\$ |
|---------------------------------|---|---|

I did not accept any contributions or incur any expenses. (Complete Boxes A and B only)

**Box B: Declaration**

I, \_\_\_\_\_, declare that to the best of my knowledge and belief that these financial statements and attached supporting schedules are true and correct.

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Date (yyyy/mm/dd)

|                         |            |  |                                 |
|-------------------------|------------|--|---------------------------------|
| Date Filed (yyyy/mm/dd) | Time Filed | Initial of Candidate or Agent (if filed in person) | Signature of Clerk or Designate |
|-------------------------|------------|--|---------------------------------|

## Box C: Statement of Campaign Income and Expenses

### LOAN

Name of bank or recognized lending institution

Amount borrowed  
\$

### INCOME

Total amount of all contributions (from line 1A in Schedule 1)

+ \$

Revenue from items \$25 or less

+ \$

Sign deposit refund

+ \$

Revenue from fundraising events not deemed a contribution  
(from Part III of Schedule 2)

+ \$

Interest earned by campaign bank account

+ \$

Other (provide full details)

1. + \$

2. + \$

3. + \$

4. + \$

5. + \$

6. + \$

**Total Campaign Income (Do not include loan)**

= \$                      **C1**

**EXPENSES** (Note: Include the value of contributions of goods and services)

#### 1. Expenses subject to general spending limit

Inventory from previous campaign used in this campaign  
(list details in Table 2 of Schedule 1)

+ \$

Advertising

+ \$

Brochures/flyers

+ \$

Signs (including sign deposit)

+ \$

Meetings hosted

+ \$

Office expenses incurred until voting day

+ \$

Phone and/or internet expenses incurred until voting day

+ \$

Salaries, benefits, honoraria, professional fees incurred until voting day

+ \$

Bank charges incurred until voting day

+ \$

Interest charged on loan until voting day

+ \$

Other (provide full details)

1. + \$

2. + \$

3. + \$

4. + \$

5. + \$

6. + \$

**Total Expenses subject to general spending limit**

= \$                      **C2**

#### 2. Expenses subject to spending limit for parties and other expressions of appreciation

1. + \$



|   |       |      |           |
|---|-------|------|-----------|
| 2.  | _____ | + \$ | _____     |
| 3.  | _____ | + \$ | _____     |
| 4.  | _____ | + \$ | _____     |
| 5.  | _____ | + \$ | _____     |
| <b>Total Expenses subject to spending limit for parties and other expressions of appreciation</b> |       | = \$ | <b>C3</b> |

**3. Expenses not subject to spending limits**

|   |       |      |           |
|---|-------|------|-----------|
| Accounting and audit  | _____ | + \$ | _____     |
| Cost of fundraising events/activities (list details in Part IV of Schedule 2) | _____ | + \$ | _____     |
| Office expenses incurred after voting day                                     | _____ | + \$ | _____     |
| Phone and/or internet expenses incurred after voting day                      | _____ | + \$ | _____     |
| Salaries, benefits, honoraria, professional fees incurred after voting day    | _____ | + \$ | _____     |
| Bank charges incurred after voting day  | _____ | + \$ | _____     |
| Interest charged on loan after voting day                                     | _____ | + \$ | _____     |
| Expenses related to recount   | _____ | + \$ | _____     |
| Expenses related to controverted election                                     | _____ | + \$ | _____     |
| Expenses related to compliance audit  | _____ | + \$ | _____     |
| Expenses related to candidate's disability (provide full details)             |       |      |           |
| 1.  | _____ | + \$ | _____     |
| 2.  | _____ | + \$ | _____     |
| 3.  | _____ | + \$ | _____     |
| 4.  | _____ | + \$ | _____     |
| 5.  | _____ | + \$ | _____     |
| Other (provide full details)  |       |      |           |
| 1.  | _____ | + \$ | _____     |
| 2.  | _____ | + \$ | _____     |
| 3.  | _____ | + \$ | _____     |
| 4.  | _____ | + \$ | _____     |
| 5.  | _____ | + \$ | _____     |
| <b>Total Expenses not subject to spending limits</b>                          |       | = \$ | <b>C4</b> |

**Total Campaign Expenses (C2 + C3 + C4)** = \$ **C5**

**Box D: Calculation of Surplus or Deficit**

|   |       |      |           |
|---|-------|------|-----------|
| Excess (deficiency) of income over expenses<br>(Income minus Total Expenses) (C1 – C5)            | _____ | + \$ | <b>D1</b> |
| If there is a surplus, deduct any refund of candidate's or spouse's contributions to the campaign | _____ | - \$ |           |
| Surplus (or deficit) for the campaign   |       | = \$ | <b>D2</b> |

If line D2 shows a surplus, the amount must be paid in trust, at the time the financial statements are filed, to the municipal clerk who is responsible for the conduct of the election.

# Schedule 1 – Contributions

## Part I – Summary of Contributions

|  |          |           |           |
|--|----------|-----------|-----------|
| Contributions in money from candidate and spouse   | +        | \$        |           |
| Contributions in goods and services from candidate and spouse<br>(include value listed in Table 1 and Table 2)   | +        | \$        |           |
| Total value of contributions not exceeding \$100 per contributor<br>• Include ticket revenue, contributions in money, goods and services where the total contribution from a contributor is \$100 or less (do not include contributions from candidate or spouse).   | +        | \$        |           |
| Total value of contributions exceeding \$100 per contributor<br>(from line 1B; list details in Table 3 and Table 4)<br>• Include ticket revenue, contributions in money, goods and services where the total contribution from a contributor exceeds \$100 (do not include contributions from candidate or spouse). | +        | \$        |           |
| <b>Less:</b> Ineligible contributions paid or payable to the contributor<br>Contributions paid or payable to the clerk, including contributions from anonymous sources exceeding \$25  | –        | \$        |           |
|  | –        | \$        |           |
| <b>Total Amount of Contributions (record under Income in Box C)</b>  | <b>=</b> | <b>\$</b> | <b>1A</b> |

## Part II – Contributions from candidate or spouse

**Table 1: Contributions in goods or services**

| Description of Goods or Services | Date Received<br>(yyyy/mm/dd) | Value (\$) |
|----------------------------------|-------------------------------|------------|
|                                  |                               |            |
|                                  |                               |            |
|                                  |                               |            |
|                                  |                               |            |
|                                  |                               |            |
| <b>Total</b>                     |                               |            |

Additional information is listed on separate supplementary attachment, if completed manually.

**Table 2: Inventory of campaign goods and materials from previous municipal campaign used in this campaign  
(Note: Value must be recorded as a contribution from the candidate and as an expense.)**

| Description  | Date Acquired<br>(yyyy/mm/dd) | Supplier | Quantity | Current Market Value (\$) |
|--------------|-------------------------------|----------|----------|---------------------------|
|              |                               |          |          |                           |
|              |                               |          |          |                           |
|              |                               |          |          |                           |
|              |                               |          |          |                           |
|              |                               |          |          |                           |
| <b>Total</b> |                               |          |          |                           |

Additional information is listed on separate supplementary attachment, if completed manually.

## Part III – Contributions exceeding \$100 per contributor – individuals other than candidate or spouse

**Table 3: Monetary contributions from individuals other than candidate or spouse**

| Name         | Full Address | Date Received<br>(yyyy/mm/dd) | Amount<br>Received (\$) | Amount Returned<br>to Contributor or<br>Paid to Clerk (\$) |
|--------------|--------------|-------------------------------|-------------------------|--|
|              |              |                               |                         |  |
|              |              |                               |                         |  |
|              |              |                               |                         |  |
|              |              |                               |                         |  |
|              |              |                               |                         |  |
|              |              |                               |                         |  |
|              |              |                               |                         |  |
|              |              |                               |                         |  |
|              |              |                               |                         |  |
| <b>Total</b> |              |                               |                         |  |

Additional information is listed on separate supplementary attachment, if completed manually.

**Table 4: Contributions in goods or services from individuals other than candidate or spouse  
(Note: Must also be recorded as Expenses in Box C.)**

| Name         | Full Address | Description of Goods<br>or Services | Date Received<br>(yyyy/mm/dd) | Value (\$) |
|--------------|--------------|-------------------------------------|-------------------------------|------------|
|              |              |                                     |                               |            |
|              |              |                                     |                               |            |
|              |              |                                     |                               |            |
|              |              |                                     |                               |            |
|              |              |                                     |                               |            |
|              |              |                                     |                               |            |
|              |              |                                     |                               |            |
|              |              |                                     |                               |            |
|              |              |                                     |                               |            |
| <b>Total</b> |              |                                     |                               |            |

Additional information is listed on separate supplementary attachment, if completed manually.

**Total for Part III – Contributions exceeding \$100 per contributor  
(Add totals from Table 3 and Table 4 and record the total in Part 1 – Summary of Contributions)**      \$ \_\_\_\_\_ **1B**

## Schedule 2 – Fundraising Events and Activities

Complete a separate schedule for each event or activity held.

Additional schedule(s) attached, if completed manually.

### Fundraising Event/Activity 1

Description of fundraising event/activity \_\_\_\_\_

Date of event/activity (yyyy/mm/dd) \_\_\_\_\_

#### Part I – Ticket revenue

Admission charge (per person) \$ \_\_\_\_\_ **2A**

(If there are a range of ticket prices, attach complete breakdown of all ticket sales)

Number of tickets sold x \_\_\_\_\_ **2B**

**Total Part I (2A X 2B) (include in Part I of Schedule 1)** = \$ \_\_\_\_\_

#### Part II – Other revenue deemed a contribution

Provide details (e.g., revenue from goods sold in excess of fair market value)

|    |       |      |       |
|----|-------|------|-------|
| 1. | _____ | + \$ | _____ |
| 2. | _____ | + \$ | _____ |
| 3. | _____ | + \$ | _____ |
| 4. | _____ | + \$ | _____ |
| 5. | _____ | + \$ | _____ |

**Total Part II (include in Part I of Schedule 1)** = \$ \_\_\_\_\_

#### Part III – Other revenue not deemed a contribution

Provide details (e.g., contribution of \$25 or less; goods or services sold for \$25 or less)

|    |       |      |       |
|----|-------|------|-------|
| 1. | _____ | + \$ | _____ |
| 2. | _____ | + \$ | _____ |
| 3. | _____ | + \$ | _____ |
| 4. | _____ | + \$ | _____ |
| 5. | _____ | + \$ | _____ |

**Total Part III (include under Income in Box C)** = \$ \_\_\_\_\_

#### Part IV – Expenses related to fundraising event or activity

Provide details

|    |       |      |       |
|----|-------|------|-------|
| 1. | _____ | + \$ | _____ |
| 2. | _____ | + \$ | _____ |
| 3. | _____ | + \$ | _____ |
| 4. | _____ | + \$ | _____ |
| 5. | _____ | + \$ | _____ |

**Total Part IV Expenses (include under Expenses in Box C)** = \$ \_\_\_\_\_

## Auditor's Report – *Municipal Elections Act, 1996* (Section 88.25)

A candidate who has received contributions or incurred expenses in excess of \$10,000 must attach an auditor's report.

Professional Designation of Auditor

|                            |               |                   |
|----------------------------|---------------|-------------------|
| Municipality               |               | Date (yyyy/mm/dd) |
| <b>Contact Information</b> |               |                   |
| Last Name or Single Name   |               | Licence Number    |
| Given Name(s)              |               |                   |
| Address                    |               |                   |
| Suite/Unit Number          | Street Number | Street Name       |
| Municipality               |               | Postal Code       |
| Province                   |               |                   |
| Telephone Number           | Email Address |                   |

The report must be done in accordance with generally accepted auditing standards and must:

- set out the scope of the examination
- provide an opinion as to the completeness and accuracy of the financial statement and whether it is free of material misstatement

Report is attached

Personal information, if any, collected on this form is obtained under the authority of sections 88.25 and 95 of the *Municipal Elections Act, 1996*. Under section 88 of the *Municipal Elections Act, 1996* (and despite anything in the *Municipal Freedom of Information and Protection of Privacy Act*) documents and materials filed with or prepared by the clerk or any other election official under the *Municipal Elections Act, 1996* are public records and, until their destruction, may be inspected by any person at the clerk's office at a time when the office is open. Campaign financial statements shall also be made available by the clerk in an electronic format free of charge upon request.

**Intentionally Left  
Blank**

**Instructions**

This form must be completed by any candidate or registered third party who has:

- incurred costs related to a compliance audit, after the supplementary filing period has passed; and
- applied for the return of their surplus funds from the clerk in order to defray those costs.

Any surplus funds remaining when the costs have been defrayed shall be immediately paid to the clerk who was responsible for the conduct of the election.

A new form must be completed and filed with the clerk 90 days after the surplus was returned to the candidate or third party advertiser, and every 90 days thereafter, until:

- the costs are defrayed and any remaining surplus has been paid to the clerk, or
- there is no surplus remaining.

|                                      |      |    |    |    |      |    |    |
|--------------------------------------|------|----|----|----|------|----|----|
| <b>For the reporting period from</b> | YYYY | MM | DD | to | YYYY | MM | DD |
|--------------------------------------|------|----|----|----|------|----|----|

**Box A: Name of Candidate and Office**

|  |                              |
|--|------------------------------|
| Candidate's name as shown on ballot            |                              |
| Last Name or Single Name                       | Given Name(s)                |
| Office for Which the Candidate Sought Election | Ward Name or Number (if any) |
| Municipality                                   |                              |

**Box B: Name of Registered Third Party**

|   |               |
|---|---------------|
| Name of Registered Third Party                          | Municipality  |
| Official Representative (if trade union or corporation) |               |
| Last Name or Single Name                                | Given Name(s) |

**Box C: Summary of Expenses**

|   |      |            |
|---|------|------------|
| <b>Surplus at Start of Reporting Period</b>                 | \$   | <b>(A)</b> |
| Expenses related to compliance audit (provide full details) |      |            |
| 1. _____  | + \$ |            |
| 2. _____  | + \$ |            |
| 3. _____  | + \$ |            |
| 4. _____  | + \$ |            |
| 5. _____  | + \$ |            |
| <b>Total Expenses</b>                                       | = \$ | <b>(B)</b> |
| <b>Surplus Remaining (A) – (B)</b>                          | = \$ |            |
| <b>Amount Paid to Clerk (if applicable)</b>                 | \$   |            |

**Box D: Declaration**

I, \_\_\_\_\_, declare that to the best of my knowledge and belief that these financial statements and attached supporting schedules are true and correct.

\_\_\_\_\_  
Signature of Candidate or Registered Third Party (or Official Representative)

\_\_\_\_\_  
Date (yyyy/mm/dd)

Time Filed

Date Filed (yyyy/mm/dd)

Signature of Clerk or Designate



**Instruction**

It is the responsibility of the person incurring expenses to file a complete and accurate notice. Please print or type information (except signatures).

**Box A: Notice of Registration (Individuals, Corporations and Trade Unions)**

Registration for an Individual, Corporation or Trade Union in the Following Municipality

Name of Individual, Corporation or Trade Union (Registrant)

Mailing Address (Registrant)

|                   |               |             |
|-------------------|---------------|-------------|
| Suite/Unit Number | Street Number | Street Name |
|-------------------|---------------|-------------|

|              |          |             |
|--------------|----------|-------------|
| Municipality | Province | Postal Code |
|--------------|----------|-------------|

|               |                          |                    |
|---------------|--------------------------|--------------------|
| Email Address | Telephone Number<br>ext. | Telephone Number 2 |
|---------------|--------------------------|--------------------|

**Box B: Designation of an Official Representative (Corporations and Trade Unions)**

Name of person signing (Official Representative)

|                          |               |
|--------------------------|---------------|
| Last Name or Single Name | Given Name(s) |
|--------------------------|---------------|

Mailing Address (Official Representative)

|                   |               |             |
|-------------------|---------------|-------------|
| Suite/Unit Number | Street Number | Street Name |
|-------------------|---------------|-------------|

|              |          |             |
|--------------|----------|-------------|
| Municipality | Province | Postal Code |
|--------------|----------|-------------|

|               |                          |                    |
|---------------|--------------------------|--------------------|
| Email Address | Telephone Number<br>ext. | Telephone Number 2 |
|---------------|--------------------------|--------------------|

**Box C: Additional Information (Corporations)**

Business Name

Ontario Corporation Number

Names of Principal Officers

- |           |           |
|-----------|-----------|
| 1. _____  | 2. _____  |
| 3. _____  | 4. _____  |
| 5. _____  | 6. _____  |
| 7. _____  | 8. _____  |
| 9. _____  | 10. _____ |
| 11. _____ | 12. _____ |

**Box D: Declaration of Qualification**

I, \_\_\_\_\_, the Registrant (or Official Representative of the Registrant), referred to in this notice, do hereby declare that:

- (1) The information in this notice of registration is, to the best of knowledge and belief, true;
- (2) The Registrant is qualified to be registered as a third party advertiser; and
- (3) I am authorized to sign on behalf of the Registrant (applies only where the Registrant is a corporation or trade union).

\_\_\_\_\_  
Signature of Registrant (or Official Representative)

\_\_\_\_\_  
Date (yyyy/mm/dd)

|                            |               |   |                                 |
|----------------------------|---------------|---|---------------------------------|
| Date Received (yyyy/mm/dd) | Time Received | Initial of Registrant (or Official Representative) (if filed in person) | Signature of Clerk or Designate |
|----------------------------|---------------|---|---------------------------------|

**Certification by Clerk or Designate**

I, the undersigned clerk of this municipality, do hereby certify that I have examined the notice of registration of the aforesaid registrant filed with me and am satisfied that the registrant is qualified to incur expenses and that the notice of registration complies with the Act.

Signature of Clerk or Designate

\_\_\_\_\_  
Date Certified (yyyy/mm/dd)

**Instructions**

All registrants must complete Boxes A, B, C and D and Schedule 1. All registrants must complete Schedule 2 as appropriate. Registrants who receive contributions or incur expenses in excess of \$10,000 must also attach an Auditor’s Report.

All surplus funds (after any refund to the registrant or, if the registrant is an individual, their spouse) shall be immediately paid to the clerk who was responsible for the conduct of the election.

For the campaign period from 

|      |    |    |
|------|----|----|
| YYYY | MM | DD |
|------|----|----|

 to 

|      |    |    |
|------|----|----|
| YYYY | MM | DD |
|------|----|----|

- Initial filing reflecting finances from start of campaign to December 31 (or 45 days after voting day in a by-election)
- Supplementary filing reflecting finances from start of campaign to end of extended campaign period

**Box A: Name of Registrant**

Name of Registrant (individual, trade union or corporation)

Official Representative (name of person signing on behalf of trade union or corporation)

Last Name or Single Name

Given Name(s)

Municipality

Spending Limit – General  
\$

Spending Limit – Parties and Other Expressions of Appreciation  
\$

**Box B: Declaration**

I, \_\_\_\_\_, a registrant (or official representative), declare that to the best of my knowledge and belief that these financial statements and attached supporting schedules are true and correct.

\_\_\_\_\_  
Signature of Registrant (or Official Representative)

\_\_\_\_\_  
Date (yyyy/mm/dd)

|                         |            |  |                                 |
|-------------------------|------------|--|---------------------------------|
| Date Filed (yyyy/mm/dd) | Time Filed | Initial of Registrant, Official Representative or Agent (if filed in person) | Signature of Clerk or Designate |
|-------------------------|------------|--|---------------------------------|

## Box C: Statement of Campaign Income and Expenses

### LOAN

Name of bank or recognized lending institution

Amount borrowed  
\$

### INCOME

Total amount of all contributions (from line 1A in Schedule 1)

+ \$

Revenue from items \$25 or less

+ \$

Sign deposit refund

+ \$

Revenue from fundraising events not deemed a contribution  
(from Part III of Schedule 2)

+ \$

Interest earned by campaign bank account

+ \$

Other (provide full details)

1. + \$

2. + \$

3. + \$

4. + \$

5. + \$

6. + \$

**Total Campaign Income (Do not include loan)**

= \$                      **C1**

**EXPENSES** (Note: Include the value of contributions of goods and services)

#### 1. Expenses subject to general spending limit

Inventory from previous campaign used in this campaign  
(list details in Table 2 of Schedule 1)

+ \$

Advertising

+ \$

Brochures/flyers

+ \$

Signs (including sign deposit)

+ \$

Meetings hosted

+ \$

Office expenses incurred until voting day

+ \$

Phone and/or internet expenses incurred until voting day

+ \$

Salaries, benefits, honoraria, professional fees incurred until voting day

+ \$

Bank charges incurred until voting day

+ \$

Interest charged on loan until voting day

+ \$

Other (provide full details)

1. + \$

2. + \$

3. + \$

4. + \$

5. + \$

6. + \$

**Total Expenses subject to general spending limit**

= \$                      **C2**

#### 2. Expenses subject to spending limit for parties and other expressions of appreciation

1. + \$

|    |       |      |       |
|----|-------|------|-------|
| 2. | _____ | + \$ | _____ |
| 3. | _____ | + \$ | _____ |
| 4. | _____ | + \$ | _____ |
| 5. | _____ | + \$ | _____ |

**Total Expenses subject to spending limit for parties and other expressions of appreciation** = \$ \_\_\_\_\_ **C3**

**3. Expenses not subject to spending limits**

|   |  |      |       |
|---|--|------|-------|
| Accounting and audit  |  | + \$ | _____ |
| Cost of fundraising events/activities (list details in Part IV of Schedule 2) |  | + \$ | _____ |
| Office expenses incurred after voting day                                     |  | + \$ | _____ |
| Phone and/or internet expenses incurred after voting day                      |  | + \$ | _____ |
| Salaries, benefits, honoraria, professional fees incurred after voting day    |  | + \$ | _____ |
| Bank charges incurred after voting day  |  | + \$ | _____ |
| Interest charged on loan after voting day                                     |  | + \$ | _____ |
| Expenses related to recount   |  | + \$ | _____ |
| Expenses related to controverted election                                     |  | + \$ | _____ |
| Expenses related to compliance audit  |  | + \$ | _____ |

|  |       |      |       |
|--|-------|------|-------|
| Expenses related to registrant's disability (provide full details) |       |      |       |
| 1.   | _____ | + \$ | _____ |
| 2.   | _____ | + \$ | _____ |
| 3.   | _____ | + \$ | _____ |
| 4.   | _____ | + \$ | _____ |
| 5.   | _____ | + \$ | _____ |

|                              |       |      |       |
|------------------------------|-------|------|-------|
| Other (provide full details) |       |      |       |
| 1.                           | _____ | + \$ | _____ |
| 2.                           | _____ | + \$ | _____ |
| 3.                           | _____ | + \$ | _____ |
| 4.                           | _____ | + \$ | _____ |
| 5.                           | _____ | + \$ | _____ |

**Total Expenses not subject to spending limits** = \$ \_\_\_\_\_ **C4**

**Total Campaign Expenses (C2 + C3 + C4)** = \$ \_\_\_\_\_ **C5**

**Box D: Calculation of Surplus or Deficit**

Excess (deficiency) of income over expenses  
(Income minus Total Expenses) (C1 – C5) + \$ \_\_\_\_\_ **D1**

If there is a surplus, deduct any refund of registrant's or spouse's contributions to the campaign - \$ \_\_\_\_\_

Surplus (or deficit) for the campaign = \$ \_\_\_\_\_ **D2**

If line D2 shows a surplus, the amount must be paid in trust, at the time the financial statements are filed, to the municipal clerk who was responsible for the conduct of the election.

# Schedule 1 – Contributions

## Part I – Summary of Contributions

|   |          |           |           |
|---|----------|-----------|-----------|
| Contributions in money from registrant and (if individual) spouse   | +        | \$        |           |
| Contributions in goods and services from registrant and (if individual) spouse (include value listed in Table 1 and Table 2)  | +        | \$        |           |
| Total value of contributions not exceeding \$100 per contributor<br>• Include ticket revenue, contributions in money, goods and services where the total contribution from a contributor is \$100 or less (do not include contributions from registrant or spouse).                                     | +        | \$        |           |
| Total value of contributions exceeding \$100 per contributor (from line 1B; list details in Tables 3-6)<br>• Include ticket revenue, contributions in money, goods and services where the total contribution from a contributor exceeds \$100 (do not include contributions from registrant or spouse). | +        | \$        |           |
| <b>Less:</b> Ineligible contributions returned or payable to the contributor<br>Contributions paid or payable to the clerk, including contributions from anonymous sources exceeding \$25   | –        | \$        |           |
|   | –        | \$        |           |
| <b>Total Amount of Contributions (record under Income in Box C)</b>   | <b>=</b> | <b>\$</b> | <b>1A</b> |

## Part II – Contributions from registrant or spouse

**Table 1: Contributions in goods or services**

| Description of Goods or Services | Date Received (yyyy/mm/dd) | Value (\$) |
|----------------------------------|----------------------------|------------|
|                                  |                            |            |
|                                  |                            |            |
|                                  |                            |            |
|                                  |                            |            |
|                                  |                            |            |
| <b>Total</b>                     |                            |            |

Additional information is listed on separate supplementary attachment, if completed manually.

**Table 2: Inventory of campaign goods and materials from previous municipal campaign used in this campaign (Note: Value must be recorded as a contribution from the registrant and as an expense.)**

| Description  | Date Acquired (yyyy/mm/dd) | Supplier | Quantity | Current Market Value (\$) |
|--------------|----------------------------|----------|----------|---------------------------|
|              |                            |          |          |                           |
|              |                            |          |          |                           |
|              |                            |          |          |                           |
|              |                            |          |          |                           |
|              |                            |          |          |                           |
| <b>Total</b> |                            |          |          |                           |

Additional information is listed on separate supplementary attachment, if completed manually.

## Part III – Contributions exceeding \$100 – contributors other than registrant or spouse

**Table 3: Monetary contributions from individuals other than registrant or spouse**

| Name         | Full Address | Date Received<br>(yyyy/mm/dd) | Amount<br>Received (\$) | Amount Returned<br>to Contributor or<br>Paid to Clerk (\$) |
|--------------|--------------|-------------------------------|-------------------------|--|
|              |              |                               |                         |  |
|              |              |                               |                         |  |
|              |              |                               |                         |  |
|              |              |                               |                         |  |
|              |              |                               |                         |  |
|              |              |                               |                         |  |
|              |              |                               |                         |  |
| <b>Total</b> |              |                               |                         |  |

Additional information is listed on separate supplementary attachment, if completed manually.

**Table 4: Monetary contributions from corporations or trade unions**

| Name (legal and<br>carrying on<br>business as) | Full Address | President or<br>Business<br>Manager | Authorized<br>Representative | Date<br>Received<br>(yyyy/mm/dd) | Amount<br>Received (\$) | Amount Returned<br>to Contributor or<br>Paid to Clerk (\$) |
|--|--------------|-------------------------------------|------------------------------|----------------------------------|-------------------------|--|
|  |              |                                     |                              |                                  |                         |  |
|  |              |                                     |                              |                                  |                         |  |
|  |              |                                     |                              |                                  |                         |  |
|  |              |                                     |                              |                                  |                         |  |
|  |              |                                     |                              |                                  |                         |  |
|  |              |                                     |                              |                                  |                         |  |
|  |              |                                     |                              |                                  |                         |  |
|  |              |                                     |                              |                                  |                         |  |
|  |              |                                     |                              |                                  |                         |  |
| <b>Total</b>                                   |              |                                     |                              |                                  |                         |  |

Additional information is listed on separate supplementary attachment, if completed manually.

**Table 5: Contributions in goods or services from individuals other than registrant or spouse  
(Note: Must also be recorded as Expenses in Box C.)**

| Name | Full Address | Description of<br>Goods or Services | Date Received<br>(yyyy/mm/dd) | Value (\$) | Amount Returned<br>to Contributor or<br>Paid to Clerk (\$) |
|------|--------------|-------------------------------------|-------------------------------|------------|--|
|      |              |                                     |                               |            |  |

| Name         | Full Address | Description of Goods or Services | Date Received (yyyy/mm/dd) | Value (\$) | Amount Returned to Contributor or Paid to Clerk (\$) |
|--------------|--------------|----------------------------------|----------------------------|------------|--|
|              |              |                                  |                            |            |  |
|              |              |                                  |                            |            |  |
|              |              |                                  |                            |            |  |
|              |              |                                  |                            |            |  |
|              |              |                                  |                            |            |  |
| <b>Total</b> |              |                                  |                            |            |  |

Additional information is listed on separate supplementary attachment, if completed manually.

**Table 6: Contributions in goods or services from corporations or trade unions**  
**(Note: Must also be recorded as Expenses in Box C.)**

| Name (legal and carrying on business as) | Full Address | President or Business Manager | Authorized Representative | Description of Goods or Services | Date Received (yyyy/mm/dd) | Value (\$) | Amount Returned to Contributor or Paid to Clerk (\$) |
|--|--------------|-------------------------------|---------------------------|----------------------------------|----------------------------|------------|--|
|  |              |                               |                           |                                  |                            |            |  |
|  |              |                               |                           |                                  |                            |            |  |
|  |              |                               |                           |                                  |                            |            |  |
|  |              |                               |                           |                                  |                            |            |  |
|  |              |                               |                           |                                  |                            |            |  |
|  |              |                               |                           |                                  |                            |            |  |
| <b>Total</b>                             |              |                               |                           |                                  |                            |            |  |

Additional information is listed on separate supplementary attachment, if completed manually.

**Total for Part III (Add totals from Tables 3-6) (Record in Part 1 – Summary of Contributions)** \$ \_\_\_\_\_ **1B**



## Schedule 2 – Fundraising Events and Activities

Complete a separate schedule for each event or activity held.

Additional schedule(s) attached, if completed manually.

### Fundraising Event/Activity 1

Description of fundraising event/activity \_\_\_\_\_

Date of event/activity (yyyy/mm/dd) \_\_\_\_\_

#### Part I – Ticket revenue

Admission charge (per person) \$ \_\_\_\_\_ **2A**

(If there are a range of ticket prices, attach complete breakdown of all ticket sales)

Number of tickets sold x \_\_\_\_\_ **2B**

**Total Part I (2A X 2B) (include in Part I of Schedule 1)** = \$ \_\_\_\_\_

#### Part II – Other revenue deemed a contribution

Provide details (e.g., revenue from goods sold in excess of fair market value)

|    |       |      |       |
|----|-------|------|-------|
| 1. | _____ | + \$ | _____ |
| 2. | _____ | + \$ | _____ |
| 3. | _____ | + \$ | _____ |
| 4. | _____ | + \$ | _____ |
| 5. | _____ | + \$ | _____ |

**Total Part II (include in Part I of Schedule 1)** = \$ \_\_\_\_\_

#### Part III – Other revenue not deemed a contribution

Provide details (e.g., contribution of \$25 or less; goods or services sold)

|    |       |      |       |
|----|-------|------|-------|
| 1. | _____ | + \$ | _____ |
| 2. | _____ | + \$ | _____ |
| 3. | _____ | + \$ | _____ |
| 4. | _____ | + \$ | _____ |
| 5. | _____ | + \$ | _____ |

**Total Part III (include under Income in Box C)** = \$ \_\_\_\_\_

#### Part IV – Expenses related to fundraising event or activity

Provide details

|    |       |      |       |
|----|-------|------|-------|
| 1. | _____ | + \$ | _____ |
| 2. | _____ | + \$ | _____ |
| 3. | _____ | + \$ | _____ |
| 4. | _____ | + \$ | _____ |
| 5. | _____ | + \$ | _____ |

**Total Part IV Expenses (include under Expenses in Box C)** = \$ \_\_\_\_\_

## Auditor's Report

### *Municipal Elections Act, 1996 (Section 88.25)*

A registrant who has received contributions or incurred expenses in excess of \$10,000 must attach an auditor's report.

Professional Designation of Auditor

|                            |               |                   |                |
|----------------------------|---------------|-------------------|----------------|
| Municipality               |               | Date (yyyy/mm/dd) |                |
| <b>Contact Information</b> |               |                   |                |
| Last Name or Single Name   |               | Given Name(s)     | Licence Number |
| Address                    |               |                   |                |
| Suite/Unit Number          | Street Number | Street Name       |                |
| Municipality               |               | Province          | Postal Code    |
| Telephone Number           |               | Email Address     |                |

The report must be done in accordance with generally accepted auditing standards and must:

- set out the scope of the examination
- provide an opinion as to the completeness and accuracy of the financial statement and whether it is free of material misstatement

Report is attached

Personal information, if any, collected on this form is obtained under the authority of sections 88.29 and 95 of the *Municipal Elections Act, 1996*. Under section 88 of the *Municipal Elections Act, 1996* (and despite anything in the *Municipal Freedom of Information and Protection of Privacy Act*) documents and materials filed with or prepared by the clerk or any other election official under the *Municipal Elections Act, 1996* are public records and, until their destruction, may be inspected by any person at the clerk's office at a time when the office is open. Campaign financial statements shall also be made available by the clerk in an electronic format free of charge upon request.

# **Section No. 4**

## **Other**

**Intentionally Left  
Blank**

THE CORPORATION OF THE TOWNSHIP OF CHAPLEAU

BY-LAW NO. 2018-12

Being a By-Law of the Corporation of the Township of Chapleau to  
Adopt a Policy for Use of Corporate Resources  
For Election Purposes

WHEREAS under the Municipal Elections Act, 1996 S.O. 1996 c. 32, Section 70 (4) a municipality is prohibited from making a contribution to a candidate;

WHEREAS the Council of the Corporation of the Township of Chapleau deems it necessary to adopt a policy for the Use of Corporate Resource for Election Purposes;

NOW THEREFORE the Council of the Corporation of the Township of Chapleau ENACTS AS FOLLOWS:

1. That Schedule "A" shall be attached to and form part of this By-Law.
2. That in the event that a section or sections of this By-Law are found by a Court of competent jurisdiction to be invalid or ultra vires, such section, sections or parts thereof shall be deemed to be severable, with all other sections or parts of this By-Law remaining in full force and effect.
3. That this By-Law shall come into force and effect on the 23<sup>rd</sup> day of April 2018.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED this 23<sup>rd</sup> day of April 2018.

---

Mayor

---

CAO

## SCHEDULE A

### USE OF CORPORATE RESOURCES FOR ELECTIONS POLICY

#### 1. POLICY STATEMENT

The Corporation of the Township of Chapleau and its local boards are committed to ensuring accountable and transparent election practices, relating to the use of corporate resources.

#### 2. SCOPE OF POLICY

This policy applies to members of Council and its local boards, Township and local board employees, registered election candidates (including acclaimed candidates), registered third parties, and members of the public.

#### 3. POLICY PURPOSE

To supplement the provisions of Council's Code of Conduct and the *Municipal Elections Act, 1996*, to provide consistent information and direction to ensure that the Township of Chapleau's corporate resources and those of its local boards as defined in the *Municipal Affairs Act* are not provided or used for any election-related purpose, unless required or directed by staff in the conduct of said election. Where Township, municipal or related terms are used, it shall also be read to include its local boards as applicable.

For clarity, local boards of the Township of Chapleau include the Chapleau Public Library Board, the Committee of Adjustment and the Election Compliance Audit Committee. Should any local board of the Township of Chapleau adopt its own policy governing the use of its resources for elections, such policy shall take precedence over this policy.

#### 4. POLICY

General Provisions:

4.1.1. In accordance with the provisions of the *Municipal Elections Act, 1996*:

- a) Corporate resources and funding may not be used for any election-related purposes;
- b) Staff may not canvass or actively work in support of a municipal candidate or third party during normal working hours unless they are on a leave of absence without pay, lieu time, float day or vacation leave;
- c) Municipal facilities/property may not be used for any election related

purposes, which includes displaying of any campaign related signs or materials on such premises unless all candidates are afforded the same opportunity.

#### 4.2 Specific Regulations:

4.2.1 The following, if supplied by the Township, shall be discontinued for all members of Council throughout the period from January 1st of the municipal election year until Voting Day, inclusive or in the case of a municipal by-election, for the period 60 days prior to and inclusive of Voting Day, for any members running as candidates in the by-election:

- a) All forms of advertising, including advertising in municipal publications;
- b) All printing, high speed photocopying and distribution, including printing and general distribution and display of newsletters unless so directed and approved by Council;
- c) The ordering of any stationery or office supplies or furnishings unless approved by the Clerk;
- d) Links to Council member-related web sites or social media links;
- e) The posting of information relating to the activities of Council or any member of Council on the town's website, excluding the minutes of Council and committee meetings. Only the photos and contact phone and/or email posted for each member of Council at the commencement of each term shall remain on the corporate website.

4.2.2 To avoid any confusion with any website or social media accounts used for Council work, members of Council who choose to create or use their own websites or social media accounts shall throughout the period from January 1st of the municipal election year until Voting Day, inclusive or in the case of a municipal by-election, for the period 60 days prior to and inclusive of Voting Day, for any members running as candidates in the by-election:

- a) include a clear statement, easily found and readable, on each website or social media account's home page indicating that the account is being used either solely for Council work, for both Council work and election campaign purposes, or solely for election campaign purposes;
- b) Include the statement in clause a) for as long as the website or account is accessible by the public.

4.2.3 Members of Council shall not:

- a) Print or distribute any material paid for by municipal funds that illustrates that a member of Council or any other individual is registered in any election or where they will be running for office;
- b) Profile (name or photograph), or make reference to, in any material paid for by municipal funds, any individual who is registered as a candidate in any election;
- c) Print or distribute any material using municipal funds that makes reference to, or contains the names, photographs, or identifies of registered candidates for municipal elections;
- d) Use the corporate website, domain names, other corporate systems, the Township crest or logo for campaigning/advertising or as a substitute to distributing newsletters or flyers throughout the period from January 1st of the municipal election year until Voting Day, inclusive or in the case of a municipal by-election, for the period 60 days prior to and inclusive of Voting Day;
- e) Use the municipality's voicemail system to record election-related messages;
- f) Use the Township's computer network (including the email system) for election-related correspondence;
- g) Use any photographs produced for and owned by the Township of Chapleau or any photos taken utilizing Township equipment or sent through Township email accounts for any election-related purposes;
- h) Use municipal property or staff in any campaign photos or images unless all candidates are afforded the same opportunity. Photos/images of external Township facilities are permitted. Photos/images of internal Township facilities are not permitted;
- i) Use any corporate facility/property for any election-related purpose unless paying the appropriate fee as approved in the Schedule of User Fees and the rental of such is available to all candidates and third parties. Notwithstanding the foregoing, no facility/property shall be rented or used for any municipal election-related purpose by members of Council, candidates, third parties, or the public during any day that voting is taking place on the property, including set-up, hosting, or take-down activities;
- j) Use any Council or Councillor budgets for election-related purposes or to advertise, promote or support any candidate, third party or any position related to any questions which may be authorized to be placed on the ballot.

4.2.4 Clauses d) g) h) i) above shall also apply to registered candidates, third parties and the public.

#### 4.3 Staff Involvement

- 4.3.1 Staff are discouraged from assisting with or any involvement in municipal election campaigns, including posting election signs on their property, phone and e-mail solicitations, signing nomination papers, distribution of brochures



and wearing candidate buttons; due to a perceived conflict of interest.

4.3.2 Staff, including full time, part time and contract employees shall:

- a) Behave in a manner that is impartial, fair and unbiased toward all registered candidates and third parties;
- b) Consult with the Clerk prior to agreeing to perform any task requested by a member of Council, registered candidate, or third party that exceeds their normal duties or could be construed as contributing to an election campaign;
- c) Not rent any corporate facility/property for any municipal election-related purpose to members of Council, candidates, third parties, or the public during any day that voting is taking place anywhere on the property, including set-up, hosting, or take-down activities;
- d) Take care to separate personal activities from their official positions and shall not canvass or actively work in support of a municipal candidate or third party during normal working hours unless on a leave of absence without pay, lieu time, float day or vacation leave;
- e) Request and obtain a leave of absence without pay should they wish to run for federal, provincial or municipal office and abide by the respective legislation governing such elections.

4.3.3 Staff may be involved in provincial and federal campaigns as long as this involvement does not affect the objectivity with which they must discharge their duties as a representative of the Township.

## 5. POLICY MANAGEMENT

5.1 Staff are authorized and directed to take the necessary action to give effect to this policy.

5.2 The Integrity Commissioner may at any time be consulted by members of Council with regard to complying with any part of this policy and will be responsible for enforcement of this policy through Council's Code of Conduct.

5.3 Nothing in this policy shall preclude a member of Council from performing their duties as a Councillor, nor inhibit them from representing their constituents.

5.4 The Clerk is delegated the authority to make administrative changes to this policy that may be required from time to time due to legislative changes or if, in the opinion of the Clerk, the amendments do not change the intent of the policy.

THE CORPORATION OF THE TOWNSHIP OF CHAPLEAU

BY-LAW NO. 2018-13

Being a By-Law to Manage and Regulate  
Election Signs in the Township of Chapleau

WHEREAS subsection 5(3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS subsection 8(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that the powers of a municipality under this Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS subsection 8(3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a by-law may regulate or prohibit respecting the matter, require persons to do things respecting the matter, and provide for a system of licences respecting the matter;

AND WHEREAS subsection 10(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS the Municipal Act, 2001, as amended, section 425 establishes that any person who contravenes any by-law of The Corporation of the Township of Chapleau is guilty of an offence;

AND WHEREAS section 446 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that where a municipality has the authority to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and that the municipality may recover the costs of doing a matter or thing by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

NOW THEREFORE the Council of the Corporation of the Township of Chapleau ENACTS AS FOLLOWS:

1. DEFINITIONS

**"Billboard"** means an outdoor sign erected and maintained by a person, firm, corporation, or business engaged in the sale or rental of the space on the sign to a clientele, upon which space is displayed copy that advertises goods, products, or services not necessarily sold or offered on the property where the sign is located, and the sign is either single faced or double faced;

**"Boulevard"** means that portion of every Street which is not used as a Sidewalk, driveway

access, travelled Roadway or shoulder;

“**Campaign Office**” means a building or structure, or part of a building or structure, used by a Candidate to conduct an election campaign;

“**Candidate**” means

- (i) a Candidate within the meaning of the *Canada Elections Act*, the *Election Act* (Ontario) or the *Municipal Elections Act, 1996* as amended; and
- (ii) shall be deemed to include a person seeking to influence other persons to vote for or against any question or by-law to the electors under section 8 of the *Municipal Elections Act, 1996* as amended;

“**Clerk**” means the Clerk of the Township of Chapleau or a person delegated by them for the purpose of this By-law;

“**Crosswalk**” means

- (i) that part of a Street at an intersection that is included within the connections of the lateral lines of the Sidewalks on opposite sides of the Street measured from the curbs, or in the absence of curbs from the edges of the Roadway; or
- (ii) any portion of a Roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs, school crossing signs (as per the Ontario Traffic Manual – Book 5 Regulatory Signs) or by lines or other markings on the surface thereof; and
- (iii) shall include pedestrian crossovers;

“**Election Sign**” means any sign, including posters, promoting, opposing or taking a position with respect to:

- (i) any Candidate or political party in an election under the *Canada Elections Act*, the *Election Act* (Ontario) or the *Municipal Elections Act, 1996*;
- (ii) an issue associated with a person or political party in an election under the *Canada Elections Act*, the *Election Act* (Ontario) or the *Municipal Elections Act, 1996*; or
- (iii) a question, law or by-law submitted to the electors under the *Canada Elections Act*, the *Election Act* (Ontario) or the *Municipal Elections Act, 1996*;

**“Electoral District”** means a geographic area represented by a Member of Municipal Council, Member of School Board, Member of Provincial Parliament in the Legislative Assembly of Ontario, and Member of Federal Parliament in the House of Commons.

**“Enforcement Officer”** means a Municipal By-Law Enforcement Officer appointed by the Council of the Township of Chapleau

**“Median Strip”** means the portion of a Street so constructed as to separate traffic travelling in one direction from traffic travelling in the opposite direction by a physical barrier or a raised or depressed paved or unpaved separation area that is not intended to allow crossing vehicular movement and includes a central island in a roundabout;

**“Nomination Day”** means the deadline to file a nomination with the Clerk under the *Municipal Elections Act, 1996* as amended;

**“Owner”** means the registered Owner of the property on which an Election Sign is Placed; any person described on or whose name, image, address or telephone number appears on the Election Sign; any person who is in control of the Election Sign; any person who benefits from the message on the Election Sign; or any person who has Placed or permitted to be Placed the Election Sign; and for the purposes of this By-law there may be more than one Owner of an Election Sign;

**“Park”** means land and land covered by water and all portions thereof under the control or management or joint management of the Township, that is or hereafter may be established, dedicated, set apart, or made available for use as public open space, including a natural park area and an environmentally significant area as defined in this by-law, including any buildings, structures, facilities, erections and improvements located in or on such land;

**“Place”** means attach, install, erect, build, construct, reconstruct, move, display or affix;

**“Public Property”** means real property owned by or under the control of the Township,, including a Park, or any of its agencies, local boards, commissions or corporations but, for the purposes of this by-law, does not include a Street;

**“Roadway”** means the part of a Street that is improved, designed or ordinarily used for vehicular traffic and includes a shoulder;

**“Sidewalk”** means any municipal walkway, or that portion of a Street between the Roadway and the adjacent property line, primarily intended for the use of pedestrians;

**“Sign Area”** means the area of one side of a sign where copy can be placed;

**“Sign Height”** means the vertical height of a sign from the lowest point of finished grade to the highest part of the sign;

“**Street**” means a highway, road allowance, street, avenue, parkway, driveway, lane, square, place, bridge, viaduct, trestle or other public way under the jurisdiction of the Township of Chapleau and this term includes all road works and appurtenant to municipal land;

“**Utility**” means water, sewer, artificial or natural gas, petrochemical, electrical power or energy, steam or hot/chilled water, and telecommunication networks, and includes the works, structures, buildings and appurtenances necessarily incidental to the supplying of such services;

“**Voting Place**” means a place where electors cast their ballots and:

- (i) when a Voting Place is located on Public Property, includes any Street abutting;  
or
- (ii) when a Voting Place is located on private property, includes any Street abutting.

“**Writ of Election**” means the date as defined in the *Canada Elections Act* and the *Elections Act (Ontario)*.

## **2. GENERAL PROHIBITIONS**

2.1 No person shall place or permit to be placed an Election Sign except in accordance with this by-law.

2.2 No person shall Place or permit to be Placed an Election Sign that:

- (a) is illuminated;
- (b) has a Sign Area of more than 6 square metres;
- (c) interferes with the safe operation of vehicular traffic or the safety of pedestrians; or
- (d) impedes or obstructs the Township’s maintenance operations.

2.3 Subsections 2.2 (a) and (b) do not apply to an Election Sign promoting a Candidate on a Campaign Office or a Billboard.

2.4 No person shall place or permit to be placed an Election Sign on or in a Voting Place.

2.5 No person shall display on any Election Sign a logo, trademark or official mark, in whole or in part, owned or licensed by the Township of Chapleau.

## **3. TIMING**

- 3.1 No person shall place or permit to be placed an Election Sign for a federal or provincial election or by-election earlier than the day the Writ of Election or by-election is issued.
- 3.2 No person shall place or permit to be placed an Election Sign for a municipal election, except an Election Sign which is placed on a Campaign Office:
  - (a) earlier than Nomination Day in the year of a regular election; or
  - (b) earlier than Nomination Day for a by-election.
- 3.3 No person shall place or permit to be placed an Election Sign for a municipal election on a Campaign Office earlier than the day that Candidate has filed their nomination with the Clerk.
- 3.4 No Owner shall fail to remove their Election Sign after the expiry of 96 hours immediately following 11:59 p.m. of the day of the election.
- 4. ELECTION SIGNS ON PUBLIC PROPERTY**
- 4.1 No person shall place or permit to be placed an Election Sign on Public Property.
- 4.2 No person shall place or permit to be placed an Election Sign in a Park.
- 4.3 No person shall place or permit to be placed an Election Sign:
  - (a) in a Roadway;
  - (b) that impedes or obstructs the passage of pedestrians on a Sidewalk;
  - (c) less than 3 metres from a Crosswalk;
  - (d) on a tree, or a fence, or a wall, or a gate, or a utility pole located on Public Property or a Street;
  - (e) in a Boulevard that abuts a Park;
  - (f) within 10 metres of another Election Sign of the same Candidate.
- 4.4 No person shall Place or permit to be Placed an Election Sign that has a Sign Height:
  - (a) of more than 1.8 metres when Placed within 3 to 8 metres of the Roadway;
  - (b) of more than 4 metres when Placed beyond 8 metres of the Roadway.
- 4.5 No person shall injure or foul a Street or permit the injuring or fouling of a

Street when Placing an Election Sign.

- 4.6 No person shall injure or foul public structures or permit the injuring or fouling of public structures on a Street when Placing an Election Sign.
- 4.7 No person shall injure or foul a Utility or permit the injuring or fouling of a Utility when Placing an Election Sign.

**5. REMOVAL AND RETURN OF ELECTION SIGNS – POWERS OF THE CLERK AND/OR BY-LAW ENFORCEMENT OFFICER**

- 5.1 The Clerk and/or By-Law Enforcement Officer may remove any Election Sign erected in contravention of this by-law without notice.
- 5.2 The Clerk and/or By-Law Enforcement Officer may destroy any Election Signs which have been removed and not claimed and retrieved by the Candidate, persons, or Owner within the time period as prescribed by the Clerk.
- 5.3 The Clerk may make regulations under this by-law prescribing the rules and procedures for the retrieval and destruction of Election Signs removed under sections 5.1 and 5.2 including, without limitation, the form of and any information required to be provided to the Clerk and/or By-Law Enforcement Officer to authorize the release of an Election Sign, dates on or by which an Election Sign may be retrieved or destroyed, and the manner in which notice may be given to an Owner relating to the retrieval and destruction of an Election Sign.

**6. ADMINISTRATION**

- 6.1 The administration of this by-law is delegated to the Clerk.

**7. ENFORCEMENT**

- 7.1 This by-law may be enforced by the Clerk or the By-Law Enforcement Officer.

**8. OFFENCE AND PENALTY**

- 8.1 Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33.

**9. SHORT TITLE OF BY-LAW**

- 9.1 This by-law may be referred to as the “Election Sign By-law”.

**10. FORCE AND EFFECT**

- 10.1 That this By-Law shall come into force and effect on the 23<sup>rd</sup> day of April 2018.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED this 23<sup>rd</sup> day of April 2018.

---

Mayor

---

CAO



**Township of Chapleau**  
20 Pine Street W. P.O. Box 129  
Chapleau, ON P0M 1K0

t (705) 864-1330  
f (705) 864-1824  
www.chapleau.ca



## Township of Chapleau Council Remuneration

### Council Remuneration

The Corporation of the Township provides the following salary for the Mayor and Members of Council.

|                     |             |                  |
|---------------------|-------------|------------------|
| Mayor               | \$10,020.66 | \$835.05 monthly |
| annually Councillor | \$5,984.34  | \$498.70 monthly |
| annually            |             |                  |

Payments will be paid monthly by direct deposit on the 2<sup>nd</sup> pay period of each month. Income tax will be deducted based on the amount requested by each member of Council.