

2018 Municipal Election

Township of Chatsworth



Candidates' Information Package

Township of Chatsworth Website

www.chatsworth.ca

Municipal Clerk/Returning Officer's E-Mail Address

psinnamon@chatsworth.ca

Municipal Clerk/Returning Officer's Mailing Address Township of Chatsworth

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HAVE YOUR SAY.
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What's new for the 2018 municipal election

Changes to the Municipal Elections Act, 1996 were made in 2016 and 2017. Those who were familiar with the rules for the 2014 municipal council and school board elections should be aware of the following changes:

- Candidates for municipal council in municipalities with more than 4000 electors must collect 25 signatures endorsing their nominations.
- Nominations may be filed beginning May 1, 2018. Nominations may be filed until 2 p.m. on nomination day (Friday, July 27, 2018).
- Candidates must open a bank account before incurring any expenses or accepting any contributions of money (including a contribution from themselves or their spouse). A candidate who does not spend any money or accept any contributions does not have to open a campaign bank account. The campaign bank account must be used exclusively for campaign purposes, but the previous requirement that the account be opened “in the name of the campaign” has been removed.
- There is now a limit for contributions that a candidate for municipal council and their spouse can make to the candidate’s own campaign. This limit does not apply to school board trustee candidates.
- The limit for campaign contributions to one candidate is now \$1,200, increased from \$750. Corporations and trade unions are not permitted to make contributions to candidates.
- There is a separate spending limit for expenses related to parties and expressions of appreciation after the close of voting.
- Expenses related to an auditor’s report accompanying the financial statement can be incurred after the campaign period has ended on December 31. These expenses should be included in the financial statement.
- There are now rules for third party advertising. Campaigning for a “yes” or “no” answer to a question on the ballot is now considered to be third party advertising. For detailed information about third party advertising, see the [2018 Guide for Third Party Advertisers](#).
- Municipal clerks are now required to review contributions that are reported by candidates and third party advertisers to see if any contributors have given more than is permitted.
- The council and school board term of office will run from December 1, 2018 to November 14, 2022. Starting in 2022, the term of office will begin on November 15.

Who is eligible 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 page 3 of the [2018 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 wish to run for office on that municipality's council, you must take a leave of absence before you file your nomination form. If you are elected, you must resign from your job.

If you are an employee of a municipality and you wish to run for office in a different municipality, you do not have to take a leave of absence or resign. However, you may wish to 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 page 4 of the [2018 Voters' Guide](#).

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 wish to run for a trustee position on any school board in the province, you must take an unpaid leave of absence before you file your nomination form. 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 July 27, 2018). 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 signature forms \(Form 2\)](#).**

**If you are running for municipal council and your municipality has more than 4000 electors, you must submit 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 4000 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.

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.

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 hand in 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 signatures endorsing your nomination.

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 choose 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.

If you submit 25 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.

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

Deadline to file your nomination

You can file your nomination beginning on May 1, 2018. The last day to file a nomination is Friday, July 27, 2018.

Note: The deadline to file or withdraw a nomination is now in July rather than September.

The clerk has until 4 p.m. on Monday, July 30, 2018 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 Peel Region would file their nomination with the clerk of Peel Region rather than the clerk of Mississauga, Brampton or Caledon.

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.

Notice of Nomination for Office

Nomination Papers (s.33)

A person may be nominated for an office by filing a nomination in the Clerk's Office, in person or by an Agent. The nomination must be endorsed by at least twenty five (25) persons and may endorse more than one nomination. Notice is also provided on the Township's website at www.chatsworth.ca. Effective April 1, 2018, the nomination of a person for an office on Council must be endorsed by at least twenty five (25) persons, and they may endorse more than one nomination. The person endorsing a nomination must be eligible to vote in an election for an office within the municipality, if a regular election was held on the day that the person endorses the nomination ([Nomination Paper - Form 1](#)).

"Nomination Papers" [Form 1](#) will be available at the Clerk's Office from Tuesday May 1, 2018 to Thursday, July 26, 2018 during regular office hours (8:30 am to 4:00 pm), and between 9:00 am and 2:00 pm on Friday, July 27, 2018 (Nomination Day) and on www.chatsworth.ca for the following offices:

(1) Mayor

(1) Deputy Mayor

(3) Councillors

Nomination papers for school boards must be obtained and filed at the appropriate Municipal Office for the following offices:

(1) School Board Trustee – English Public

(1) School Board Trustee – French Public

(1) School Board Trustee – French Separate

(1) School Board Trustee – English Separate

Nominations must be filed with the Clerk in the following manner:

- in person or through an agent, using the [Nomination Paper - Form 1](#);
- during regular office hours (8:00 am to 4:00 pm) at the Municipal Office from Tuesday May 1, 2018 to Thursday July 26, 2018 and between 9:00 am and **2:00 pm on Friday July 27, 2018** (Nomination Day);
- with the prescribed statement of qualifications, signed by the person being nominated;
- with the prescribed nomination filing fee of \$200.00 for Head of Council and \$100 for all other offices – the filing fee shall be paid by cash, debit card, certified cheque or money order payable to the municipality;
- with proof of identity and residence as prescribed in O. Reg. 304/13;
- no faxed or other electronically transmitted nomination paper will be accepted.

The Clerk will administer the necessary oaths.

Please Note: Anyone interested in being nominated for School Board Trustee for any of the school boards listed above must present themselves to the Office of the Clerk in the municipality that is responsible for that election to file their nomination papers. School Board trustee candidates are not required to submit endorsement signatures.

Nominations for School Board Trustees are to be filed at:

English Public (Bluewater District School Board
Clerk, Township of Georgian Bluffs

English Catholic (Bruce-Grey Catholic District School Board
Clerk Township of Saugeen Shares

French Public (Conseil Scolaire Viamond
Clerk, City of Barrie

French Catholic (Conseil Scholaire Catholique)
Clerk, City of Woodstock

Consent by Candidate

Access to Candidate Contact Information Background:

After a candidate files a nomination paper, the media and the public frequently wish to make contact with him/her. The information contained in a nomination paper is deemed to be a public record by s. 88 of the Municipal Elections Act, as amended and may be inspected by any person at the Office of the Clerk at a time when the office is open. However, the media and the public generally do not wish to take the time to go to the office to view the information. They would prefer instead to be able to obtain contact information by telephone or on the internet.

A candidate wishing to establish a campaign profile may find such contact to be of assistance. Therefore, in order to make this initial contact easier, a candidate may wish to authorize the Clerk/Returning Officer to release a contact telephone number. Please note that there is no obligation on the part of a candidate to authorize the release of this contact information.

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. July 27, 2018).

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 (i.e. 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 7, 2018. During the summer you decide to run for mayor instead, and file your second nomination form on June 29, 2018.

- Your first nomination for deputy mayor is deemed to be withdrawn.
- The nomination fee you paid on May 7 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).
- Your campaign for mayor is deemed to have started on May 7.
- 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 7 until December 31, 2018.
- 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 7, 2018. During the summer you decide to run for councillor in ward 1 instead and file your second nomination form on June 29, 2018.

- 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 must file a campaign financial statement covering your campaign for mayor (May 7 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 finance statement covering your campaign for ward councillor (June 29 to December 31) – 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.

Example:

You file your nomination to run for councillor on May 7. During the summer you decide to run for school trustee instead, and file your second nomination form on June 29, 2018.

- Your first nomination for ward councillor is deemed to be withdrawn.
- You are required to pay a nomination fee when you file your nomination for school trustee.
- Your campaign for ward councillor ends. You may not transfer any contributions or expenses from your ward councillor campaign to your trustee campaign.
- You must file a campaign financial statement covering your campaign for ward councillor (May 7 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 finance statement covering your campaign for school trustee (June 29 to December 31) – 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, July 30, 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 1, 2018. The clerk must either certify or reject each nomination by 4 p.m. on Thursday, August 2, 2018.

Frequently Asked Questions

Q: Who can be a Candidate?

A: A person who is qualified to be a Voter in Township of Chatsworth 2018 Municipal Election is also eligible to be a Candidate for office – which means the day you submit your Nomination Form, you must be qualified to hold that office.

Candidates for the offices of Mayor and Councillor must meet the same criteria as eligible Voters or Electors. A Candidate for School Board Trustee must reside within the Board area and be a supporter of that Board.

You must be:

- A resident of the Township of Chatsworth, or an owner or tenant of land in the Township of Chatsworth, or the spouse of such an owner or tenant;
- A Canadian citizen;
- At least 18 years old; and
- Not prohibited from voting, by law.

In order to be considered for declaration as a legally qualified Municipal Candidate, you must file a Nomination Form and a Declaration of Qualifications for the Township of Chatsworth 2018 Municipal Election. The deadline for filing Nomination Forms is **Friday, July 27th, 2018 at 2:00 p.m.**

- French Separate (1)

Q: What are the responsibilities of these offices?

A: The **Mayor** is responsible to provide leadership and act as a spokesperson for the Township of Chatsworth to the public and to work with other levels of government.

The **Council** is made up of five (5) Councillors who act as the primary decision making body for the Township. The Council relies on reports and recommendations from its administration and the help of its various Committees to make decisions. The role of Council is to develop policies and adopt By-laws or resolutions based on these recommendations.

Q: What is the time commitment if I am elected?

A: The Mayor is not only committed to their civic duties, but also committed to Council and Committees as appointed by the Township of Chatsworth. The time commitment varies from individual to individual and can depend upon the Councillor's employment circumstances. A Councillor can expect to devote time for an average of two - three (3) meetings per month along with various duties on outside Committees as appointed by Council.

This would include, but not limited to the following:

- Council Meetings (Quorum Required) (1st and 3rd Wednesday of each month, 9:30 a.m. and 6:30 p.m. respectively;
- Budget Meetings & Workshops (Quorum Required) (Meetings as required)
- Attendance at extra Committees that a Councillor can be expected to be appointed to by Council;
- Telephone calls and contact with constituents; and
- Reading agendas and research time.

Currently Members of Council are appointed to sit on various committees which meet at different times during the month.

Q: Can I use the municipal logo on my campaign material?

A: Use of any corporate logo, crest or image by Candidates on signs, brochures, websites or any other election related material is **strictly prohibited**. The reason for this prohibition is to remove any suggestion that the municipality supports or otherwise endorses any Candidate, campaign material or statements made by Candidates.

Q: How much am I allowed to spend on my campaign?

A: There are limits on the amount a Candidate may spend during the campaign period. The limit on campaign expenses is based on a formula related to the number of electors entitled to vote for the office:

Mayoral Candidates \$7,500 + 85 cents per Elector

Councillor and School Board Candidates \$5,000 + 85 cents per Elector (entitled to vote for that office)

As a reference point only – the following chart lists the campaign expense formula. Please note that these figures will change as additions and deletions are made to the Voters’ List up to Nomination Day.

Position	Base Rate	Per Elector	Registered Electors, 2014	Total
Mayor	\$7,500	\$0.85	6,101	\$12,685.85
Deputy Mayor	\$5,000	\$0.85	6,101	\$10,185.85
Councillor	\$5,000	\$0.85	6,101	\$10,185.85
English Public English Separate French Public French Separate	TBD by Georgian Bluffs TBD by Saugeen Shores TBD by City of Barrie TBD by City of Woodstock			

Q: What are my financial obligations during and after my campaign?

A: As a candidate:

- You must file a Nomination Form **before** you collect or spend any funds;
- You should open a separate bank account immediately upon filing your nomination paper. All contributions and expenses should go through this account;
- Your campaign period runs from the day you file your Nomination Form until December 31, 2018 (*some exceptions may apply*); and
- You must file a Financial Statement prior to **March 29, 2019**.

Q: When is the Council Inauguration Ceremony?

A: The Council Inauguration Ceremony is held on the first Monday in December at 7:00 p.m. at the Municipal Office. Invitations will be sent out following the election.

Q: When is the first working meeting?

A: The first working meeting is on the first Wednesday of December at 7:00 p.m. in the Council Chambers at the Municipal Office.

Q: What are the responsibilities of the Candidate with respect to campaign finances?

A: It is the responsibility of the Candidate to ensure that:

- One or more campaign accounts are opened at a financial institution exclusively for the purposes of the election and in the name of the Candidate's election campaign;
- All contributions of money are deposited into the campaign accounts;
- All payments for expenses are made from the campaign accounts (except for filing fee);
- All contributions are valued;
- Receipts are issued for every contribution and obtained for every expense;
- Financial filings are made as required by the Municipal Elections Act;
- Proper direction is given to the persons who are authorized to incur expenses and accept or solicit contributions of behalf of the Candidate;
- Any contribution of money in contravention of this Act is returned to the contributor as soon as possible after the Candidate becomes aware of the contravention;
- Any such contribution not returned is paid to the Clerk;
- Any anonymous contribution is paid to the Clerk;
- Records are kept of the following:
 - receipts issued for contributions, the value of every contribution, whether a contribution was in the form of money, goods or services, and the contributor's name and address;
 - every expense including the receipts obtained for each expense;

- any claim for payment of expenses that the Candidate disputes or refuses to pay;
- the gross income from a fund-raising function and gross amount of money received at a fund-raising function by donations of \$10 or less; and
- any loan and its terms.

The records described above must be retained for the term of office of the members of the Council or local Board and until their successors are elected and the newly elected Council or local Board is organized.

Q: Who can make contributions?

A: Contributions can only be made to Candidates who are nominated. It is illegal to make a contribution to a Candidate who is not nominated.

The following may make contributions:

- an individual who is normally a resident in Ontario;
- a corporation that carries on business in Ontario;
- a trade union that holds bargaining rights for employees in Ontario; and
- the Candidate and his or her spouse.

Q: Who cannot make contributions?

A: The following cannot contribute to a Candidate's campaign:

- A federal political party, a federal constituency association or a Candidate at a federal election endorsed by a party;
- A provincial political party, constituency association, registered Candidate or leadership contestant, registered under the Elections Finances Act; and
- The Crown in Right of Canada or Ontario, a municipality or local Board.

Q: What limits are there on contributions?

A: Contributions under \$25 may be made in cash. Any contribution over that amount must not be made in cash. No contributor may contribute in excess of \$750 to any one Candidate in an election regardless of the number of offices for which the Candidate has been nominated. In addition, a contributor shall not make contributions exceeding a total of \$5,000 to two or more candidates for office on the same council or board. There are no limits on the amount an individual or a spouse partner may contribute to their own campaign.

No person shall make contributions of money that does not belong to the contributor with the exception of loans granted by a lending institution, which are permitted under the Act.

Q: What restrictions are there on fund-raising events?

A: The legislation prohibits fund-raising functions for a person who is not a Candidate. In addition, fund-raising events can only be held during the Candidate's campaign period.

Q: Can I borrow money for my campaign?

A: The Candidate or his or her spouse may borrow money for the Candidate's campaign from any bank or other recognized lending institution in Ontario. The money must go through the Candidate's campaign account. No person, other than the Candidate or his or her spouse may guarantee the loan.

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.

Who can stay 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, one 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

The vote count begins immediately after the close of voting at on October 22, 2018 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.

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

Recount

A recount under sections 56, 57, or 58 shall be conducted in the same manner as the original count as per s.60 (1) unless ordered otherwise by a judge under s.60 (3).

A recount is required when:

1. there is a tie vote where both or all candidates cannot be declared elected (Automatic);
2. by resolution of Council (for Council offices);
3. by resolution of local board (for offices on a local board);
4. by order of the Minister (for questions submitted by the Minister); or
5. by order of the Superior Court of Justice.

Lame Duck Period – Delegated Authority

The 'Lame Duck' or "Black-out' period refers to s. 275 of the Municipal Act, which restricts Council's actions during the election period, including imposing restraints on Council's spending authority. Spending restraints may begin as early as Friday, July 27th, 2018 (Nomination Day), unless there is an acclamation of all of Council, in which case Council would continue as usual.

At least three-quarters (3/4; in Chatsworth this is 3 out of 5) of the present Council members must be nominated or re-elected to avoid restrictions. The restrictions applicability is based on the certainty that the next Council would be formed by less than 3 of the presently Elected Officials. For example, if at the close of Nomination Day, 3 or less of the present elected Council Members have deposited their nomination papers, then there is the certainty that less than 3/4 of the present Council will be re-elected. However, if at least 3 Candidates deposit their nomination papers, the restrictions would not apply at that time, because there is no way of knowing whether less than 3 will be elected.

The calculations are made again when the winning Candidates are declared, on or about October 22, 2018. If 3 or more members of the present Council are re-elected, there are no restrictions. If less than three members of the present Council are re-elected, the restrictions begin immediately, and last until the first Regular Council meeting in December 2018. Administration will continue to exercise any and all delegated authority, and Council may adopt By-laws if the matter is in the most recent budget (adopted before Nomination Day).

Restrictions:

The council of a local municipality shall not take any of the following actions, unless it is an emergency:

- (a) appoint or remove from office of any officer of the municipality;
- (b) hire or dismiss any employee of the municipality;
- (c) dispose of any municipal real or personal property having a value of more than \$50,000 at the time of disposal, unless it was included in the most recent budget adopted by the council
- (d) make any expenditures or incur any other liability of more than \$50,000 unless it was included in the most recent budget adopted by the council. S.275.(3).

The Municipal Act, 2001 provides municipalities with additional flexibility in governing its affairs, including greater authority to delegate powers and duties to individuals or bodies. In considering the appropriateness of any change to the current practice, it is necessary to assess whether it is possible to maintain comparable levels of accountability, consultation, transparency and adherence to municipal direction.

Many Ontario municipalities provide the CAO with a Delegated Authority By-law to ensure that the daily operations of recruiting for positions below management levels, supervising the implementation of programs and policies, effectively administering policies initiated and adopted by Council, entering into agreements following Council approval of Development approvals etc. Having established a CAO Delegated Authority will allow for the day to day operations not required for Council's approval during the "Lame Duck" Period.

Campaign Finances

New provisions have been introduced aimed at improving compliance with campaign finance rules. The Clerk will be required to publicly identify in a report to the public, the candidates and third parties who have failed to comply with the requirement to file a financial statement and who are prohibited from running or registering as a third party in the next election.

A candidate's nomination fee will only be refunded if a financial statement is filed on time. If a candidate doesn't file a financial statement on time and is willing to pay a \$500 late filing fee, the candidate will be provided an additional 30-day period to file the financial statement. In this instance, the candidate will not be refunded the nomination filing fee. There have been no changes to the provision that candidates who fail to file a financial statement are automatically prohibited from being elected or appointed to any office to which the MEA applies until after the next regular election.

A new provision requires the Clerk to review all financial statements received to identify whether any contributor appears to have exceeded any of the contribution limits. If any contributor has exceeded the contribution limits, the Clerk is required to report this to the Compliance Audit Committee as soon as possible after the filing deadline. Within 30 days of receiving the Clerk's report, the Compliance Audit Committee must meet and decide whether to commence legal proceedings against a contributor.

In addition, Compliance Audit Committees will now be required to provide brief written reasons for their decisions. Other changes to the campaign finance rules include the following:

- A new spending limit for parties and expressions of appreciation after Voting Day will be implemented. The spending limit will be set out in a regulation (yet to be introduced);
- Candidates who do not accept any contributions of money or incur any expenses will no longer be required to open a campaign bank account;
- After the 2018 Municipal Elections, candidates will not be permitted to carry forward campaign deficits from the previous campaign;
- Candidates will be required to inform contributors of contribution limits. Contribution limits have not changed - a contributor is limited to a total of \$750 to any one candidate in an election (except in the case of the office of Mayor of the City of Toronto) and \$5,000 to two or more candidates for office on the same council or local board;
- Anonymous and cash contributions are now capped at \$25, an increase from the former limit of \$10; and
- Candidates and third party advertisers are required to identify themselves on campaign advertising and signs so that it is clear who is

responsible for each sign and advertisement that appears or is broadcast.

Spending Limit

The 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

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

Example: Your general spending limit is \$25,000. Your spending limit for the holding of parties and other expressions of appreciation after the close of voting would be \$2,500. These expenses do not count toward your \$25,000 general spending limit.

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 regular election.

Within ten days after the voters' list has been prepared, the Clerk must give you the final general spending limit which is based on the number of electors on the voters' list for the current by-election.

If the spending limit estimate that you received when you filed your nomination is higher than the final spending limit you receive, then the estimate becomes your official general spending limit. The Clerk will also provide you with the amount of the spending limit for expenses related to the holding of parties and other expressions of appreciation after the close of voting.

Contributions from yourself and your spouse

If you are running for municipal council, there is now a limit on how much you and your spouse can contribute to your campaign.

The contribution limit applies to the total amount of contributions made by yourself and/or your spouse to your campaign. This includes any contributions of goods and

the replacement value of any inventory from a previous campaign that you are using in your current 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 candidates: \$7,500 plus 20 cents per elector to a maximum of \$25,000;
- for other council offices: \$5,000 plus 20 cents per elector to a maximum of \$25,000.

When you file your nomination the Clerk will give you an estimate of your contribution limit. This estimate will be based on the number of electors in the previous regular election.

Within ten days after the voters' list has been prepared, the Clerk must give you the final contribution limit which is based on the number of electors on the voters' list for the current by-election.

If the contribution limit estimate that you received when you filed your nomination is higher than the final contribution limit you receive, then the estimate becomes your official contribution limit. If the contribution limit that you received when you filed your nomination was the maximum (\$25,000), that is your contribution limit and the Clerk does not have to provide you with your contribution limit again.

Third Party Advertising

New rules have been added to regulate third party advertising, including contribution and spending limits. Third party advertising is a message in any medium (billboard, newspaper, radio, pamphlet etc.) that supports or opposes a candidate or series of candidates or a "yes" or "no" answer for a referendum question.

Third party advertisers will be required to register with the municipality where they want to advertise. If they want to advertise in more than one municipality they would be required to register in each of those municipalities. Registration would allow a third party advertiser to promote or oppose any candidate that the voters in a municipality can vote for both for council positions and school board positions as well as promote or oppose a "yes" or "no" answer for a referendum question. Third party advertising must be done independently of candidates, who would not be able to direct a third party advertiser on where they should focus their efforts, or what the advertisement(s) should say. Candidates would not be

able to register as third party advertisers. If a candidate wishes to promote or oppose a “yes” or “no” answer for a referendum question, it would be part of the candidate’s campaign.

Third party advertising does not include:

- An advertisement by or under the direction of a candidate;
- Where no expenses are incurred by the person / entity in relation to the advertisement; or
- Advertising or communication when given or transmitted by an individual to employees, by a corporation to its shareholders, directors, members, or employees or by a trade union to its members or employees.

The following are not permitted to register as a third party advertiser:

- Municipal election candidates;
- A federal party registered under the Canada Elections Act (Canada) or any federal constituency association or registered candidate at a federal election endorsed by that party;
- A provincial party, constituency association, registered candidate or leadership candidate under the Election Finances Act; and
- The Crown in right of Canada or Ontario, a municipality or local board.

Most campaign finance rules that apply to candidates apply to third party advertisers. Third party advertisers will have spending limits and there will be contribution limits for those wishing to contribute to a third party advertiser and a requirement to submit a financial statement.

Use of Voters' List

The Voters' List has been compiled for **election purposes only**. All electors should ensure that their names and relevant information are correct on the Voters' List.

Eligible persons who request a copy of the Voters' List must sign a declaration Form 15 as per the attached form prior to receiving a copy of all or any part of the Voters' List.

Eligible persons who obtain additional copies of the Voters' List or any part thereof shall pay to the Clerk a fee prescribed by the Clerk for photocopies which must be the lowest fee charged by the municipality for copies (s.88(8)).

Copies for local boards – municipalities – Minister

On **written request**, the Clerk shall provide a copy of the Voters' List to, (s.23(3)):

- the secretary of a local board any of whose members are required to be elected at an election conducted by the Clerk, or that has submitted a question to the electors;
- the Clerk of the local municipality responsible for conducting the elections in any combined area for school board purposes;
- the Clerk of an upper-tier municipality any of whose members are required to be elected at an election conducted by the Clerk, or that has submitted a by-law or question to the electors;
- the Minister, if he or she has submitted a question to the electors; and
- an individual, corporation or trade union that is registered under s.39.1.

Requests for Copies and Proper Use of the Voters' List

Upon written request, the Clerk shall give every candidate the part of the Voters' List that contains the names of the electors who are entitled to vote for that office. Each candidate will be required to sign the "Declaration of Proper Use of the Voters' List" Form 15.

Copies – for MPs and MPPs

On the written request of a member of the House of Commons or of the Assembly who represents any part of the Clerk's municipality, the Clerk shall provide him/her with a copy of the Voters' List.

After voting day

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.

Conduct of Scrutineers

Conduct of Scrutineers

- **Anyone** who is creating a disturbance at the Voting Station or Ballot Counting Centre will be removed as directed by the Clerk.
- Before being admitted to the Voting Station or Ballot Counting Centre, a person appointed as scrutineer shall produce and show his/her duly executed appointment Form to the Election Official and take the "Oral Oath of Secrecy" from the Election Official before being permitted to remain in the Help Centre. The Clerk shall require proof of identity and residence of the scrutineer, as prescribed in O. Reg. 304/13.
- **Cell phones shall be turned off** upon entering the Help Centre and are prohibited while in the Help Centre.
- The Clerk is responsible for the conduct of the election and no candidate or scrutineer has the right to interfere with the Clerk in the discharge of his/her duties.
- Candidates and scrutineers may observe at the Voting Station or Ballot Counting Centre, but shall not interfere with the electors or Election Officials.

Results

- Candidates or their scrutineers present for the results shall sign the report indicating the results and votes cast.
- Candidates and scrutineers will be required to provide proof of identity prior to entry and electronic devices will be remitted to ensure results are only publically available no earlier than 8:20 pm. Entry will not be permitted before 7:45 pm. **Anyone** who is creating a disturbance will be removed.
- The total of votes cast for each candidate as tabulated by the system is final. The Clerk is not required to do a recount/second count.
- In the event of a recount, s.61 of the Act prescribes the number of scrutineers entitled to be present and their rights.

Opening of System

- Candidates and scrutineers can be present to verify and ensure that all totals of votes cast are at "0" and shall be required to sign the "Activation of Dominion Voting System" that attests to this fact.

Scrutineers and Candidates are prohibited from the following:

- attempting, directly or indirectly, to interfere with how an elector votes, and from attempting to campaign or persuade an elector to vote for a candidate;
- displaying a candidate's election campaign material in the Help Centre;
- compromising the secrecy of the voting;
- interfering or attempting to interfere with an elector who is voting;
- obtaining or attempting to obtain, any information about how an elector intends to vote or has voted;
- communicating any information obtained at the Help Centre about how an elector intends to vote or has voted.

Any person failing to abide by the above rights and prohibitions shall be directed to leave the Help Centre.

Clerk/Returning Officer

Acceptable Documents for Voter Identification

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

- An Ontario driver's licence
- An Ontario Health Card (photo card)
- An Ontario Photo Card
- An Ontario motor vehicle permit (vehicle portion)
- A cancelled personalized cheque
- A mortgage statement, lease or rental agreement relating to property in Ontario
- An insurance policy or insurance statement
- A loan agreement or other financial agreement with a financial institution
- A 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)
- An income tax assessment notice
- A Child Tax Benefit Statement
- A Statement of Employment Insurance Benefits Paid T4E
- A Statement of Old Age Security T4A (OAS)
- A Statement of Canada Pension Plan Benefits T4A (P)
- A Canada Pension Plan Statement of Contributions
- A Statement of Direct Deposit for Ontario Works
- A Statement of Direct Deposit for Ontario Disability Support Program
- A Workplace Safety and Insurance Board Statement of Benefits T5007
- A property tax assessment
- A credit card statement, bank account statement, or RRSP, RRIF, RHOSP or T5 statement
- A CNIB Card or a card from another registered charitable organization that provides services to persons with disabilities
- A hospital card or record
- A document showing campus residence, issued by the office or officials responsible for student residence at a post-secondary institution
- A document showing residence at a long-term care home under the *Long-Term Care Homes Act, 2007*, issued by the Administrator for the home
- A utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utilities commission
- A cheque stub, T4 statement or pay receipt issued by an employer
- A transcript or report card from a post-secondary school