

TOWNSHIP OF WAINFLEET
2022 MUNICIPAL ELECTIONS



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Date: _____

Candidate: _____

Returning Officer: _____

NOTICE OF NOMINATION FOR OFFICE

Municipal Elections Act, 1996 (s. 33)

2022 MUNICIPAL ELECTIONS



NOTICE TO MUNICIPAL ELECTORS OF THE TOWNSHIP OF WAINFLEET

NOMINATION PERIOD: Nominations for the offices listed below may be made by filing Nomination Papers with the Clerk of the appropriate municipality. Nomination Papers must be signed by the candidate and filed in person or by an agent, during regular office hours between Monday, May 2, 2022 and Thursday, August 18, 2022, and between **9:00 a.m. and 2:00 p.m. on Friday, August 19, 2022** (Nomination Day).

NOMINATION PROCESS: The Nomination Paper must be accompanied by the following:

- A filing fee of \$200.00 for the Head of Council (Mayor) and \$100.00 for all other offices (Councillor or School Board Trustee). The filing fee is payable by cash, debit, certified cheque or money order made payable to the appropriate municipality. Check with the appropriate Clerk for additional types of payment accepted.
- **There is also a requirement that each Nomination Paper must be endorsed by 25 eligible voters supporting the nomination** (excluding School Board Trustee candidates). The individuals providing signatures must sign a declaration stating they are eligible to vote in the municipality/region on the day they signed the endorsement.

GENERAL INFORMATION: Please have regard to the following:

- A candidate **must** have registered by filing the nomination form and fee before he/she expends any funds on a campaign or accepts any contributions.
- In the event there is an insufficient number of certified candidates to fill the positions available in each municipality, nominations will be reopened by the appropriate Clerk, for the vacant positions only. Additional nomination papers would be accepted **between 9:00 a.m. and 2:00 p.m. on Wednesday, August 24, 2022**.
- All reasonable efforts will be made to ensure that candidates and electors with disabilities are able to receive information and copies of election documents in a format that takes into account their disability. The format may be agreed upon between the requestor and the Clerk.

MUNICIPAL OFFICES FOR WHICH PERSONS MAY BE NOMINATED:

Candidates will be elected for a term of office for the period commencing November 15, 2022, and ending November 14, 2026. The following offices will be subject to election:

MAYOR:

One candidate to be elected at large to serve as the Head of the Council of the Township of Wainfleet and to sit as a member on the Council of the Regional Municipality of Niagara.

COUNCILLOR:

Four (4) candidates to be elected at large by the eligible electors of the Township to sit as members of the Council of the Township of Wainfleet.

DISTRICT SCHOOL BOARD OF NIAGARA:

One (1) Trustee to represent the English-Language Public School Electors in Wainfleet and West Lincoln. Nominations shall be filed with the Clerk of the Township of West Lincoln.

NIAGARA CATHOLIC DISTRICT SCHOOL BOARD:

One (1) Trustee to represent the English-Language Separate School Electors in Wainfleet, Fort Erie and Port Colborne. Nominations shall be filed with the Clerk of the Town of Fort Erie.

CONSEIL SCOLAIRE VIAMONDE:

One (1) Trustee to represent the French-Language Public School Electors in Wainfleet, Fort Erie, Niagara Falls, Niagara-on-the-Lake, Pelham, Port Colborne, St. Catharines, Thorold and Welland. Nominations shall be filed with the Clerk of the City of Welland.

CONSEIL SCOLAIRE CATHOLIQUE MONAVENIR:

One (1) Trustee to represent the French-Language Separate School Electors in Wainfleet, Fort Erie, Pelham, Port Colborne and Welland. Nominations shall be filed with the Clerk of the City of Welland.

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.

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.

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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.

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 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 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
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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)

DECLARATION OF QUALIFICATIONS - THIRD PARTY ADVERTISER

Municipal Elections Act, 1996, as amended (Section 88.6)



I, _____, am:
(name of individual or corporation or trade union name – the Third Party Advertiser)

- An individual who is normally resident in Ontario
- A corporation that carries on business in Ontario
- A trade union that holds bargaining rights for employees in Ontario

I, _____, am:
(name of person/designated official representative of corporation/trade union or agent)

- A person or a designated official representative of the corporation or trade union
- An agent

Do Solemnly Declare That:

1. I am qualified pursuant to the *Municipal Elections Act, 1996, as amended* to file a notice of registration to be a registered third party advertiser for the election.
2. I am not:
 - A Candidate whose nomination has been filed.
 - A federal political party registered under the *Canada Elections Act* or any federal constituency association or registered candidate at a federal election endorsed by that party.
 - A provincial political party, constituency association, registered candidate or leadership contestant registered under the *Election Finances Act*.
3. I am not under the direction of a Candidate whose nomination has been filed.

AND 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 Wainfleet, Ontario

this _____ day of _____, 2022

(Signature of individual or designated official representative of the corporation or trade union or agent)

(Signature of Clerk or designate)

Note: Each individual or designated official representative of the corporation or trade union may be asked for ID and each person or agent/designated official representative filing on behalf of a corporation or trade union may be requested to provide a resolution from the corporation or trade union that authorizes the person or agent to register on their behalf.

Personal information on this form is collected under the authority of the *Municipal Elections Act, 1996, as amended* and will be used for the registration of third party advertisers for the municipal election. Questions about this collection of personal information should be directed to the Office of the Clerk.

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 candidate'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 • 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) • 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).	+	\$	
Less: Ineligible contributions returned or payable to the contributor Contributions paid or payable to the clerk, including contributions from anonymous sources exceeding \$25	–	\$	
	–	\$	
Total Amount of Contributions (record under Income in Box C)	=	\$	1A

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 (\$)
Total		

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 (\$)
Total				

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 (yyyy/mm/dd)	Amount Received (\$)	Amount Returned to Contributor or Paid to Clerk (\$)
Total				

Additional information is listed on separate supplementary attachment, if completed manually.

Table 4: Monetary contributions from corporations or trade unions

Name (legal and carrying on business as)	Full Address	President or Business Manager	Authorized Representative	Date Received (yyyy/mm/dd)	Amount Received (\$)	Amount Returned to Contributor or Paid to Clerk (\$)
Total						

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 Goods or Services	Date Received (yyyy/mm/dd)	Value (\$)	Amount Returned to Contributor or 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 (\$)
Total					

Additional information is listed on separate supplementary attachment, if completed manually.

Table 6: Monetary contributions 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	Date Received (yyyy/mm/dd)	Amount Received (\$)	Amount Returned to Contributor or Paid to Clerk (\$)
Total						

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)
Contact Information		
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.



FORM EL88.4(W-TPA)

DUTIES OF REGISTERED THIRD PARTIES

Excerpt from the *Municipal Elections Act, 1996, as amended*
(Sections 88.4 and 88.26)

Third Party Advertisements

No individual, corporation or trade union shall incur expenses for a third party advertisement that appears during the restricted period for third party advertisements unless the individual, corporation or trade union is a registered third party under section 88.6 when the expenses are incurred and when the advertisement appears.

Restricted Period for Third Party Advertisements

The restricted period for third party advertisements in relation to an election in a municipality begins on the earliest day that an individual, corporation or trade union is permitted to file a notice of registration as a registered third party in relation to the election and ends at the close of voting on voting day.

Limit on Expenses

The expenses incurred in relation to third party advertisements cannot exceed the amount calculated under section 88.21 (registered third parties' expenses) for the registered third party.

Mandatory Information in Third Party Advertisements

No registered third party shall cause a third party advertisement to appear during the restricted period unless the advertisement contains the following information:

1. The name of the registered third party.
2. The municipality where the registered third party is registered.
3. A telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement.

Mandatory Information for Broadcaster, etc.

A registered third party shall not cause a third party advertisement to appear during the restricted period unless he, she or it provides the following information to the broadcaster or publisher in writing:

1. The name of the registered third party.
2. 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.
3. The municipality where the registered third party is registered.

A Registered Third Party Shall Ensure That:

- (a) no contributions of money are accepted or expenses are incurred in relation to third party advertisements that appear during an election in a municipality unless one or more campaign accounts are first opened at a financial institution exclusively for the purposes of the election campaign;
- (b) all contributions of money are deposited into the campaign accounts;
- (c) all funds in the campaign accounts are used exclusively for the purposes of the election campaign;
- (d) all payments for expenses are made from the campaign accounts;
- (e) contributions of goods or services are valued;
- (f) receipts are issued for every contribution and obtained for every expense;

- (g) records are kept of
 - (i) the receipts issued for every contribution,
 - (ii) the value of every contribution,
 - (iii) whether a contribution is in the form of money, goods or services, and
 - (iv) the contributor's name and address;
- (h) records are kept of every expense including the receipts obtained for each expense;
- (i) records are kept of any claim for payment of an expense that the registered third party disputes or refuses to pay;
- (j) records are kept of the gross income from a fund-raising function and the gross amount of money received at a fund-raising function by donations of \$25 or less or by the sale of goods or services for \$25 or less;
- (k) records are kept of any loan and its terms under section 88.17 (Account Loans);
- (l) the records described in clauses (g), (h), (i), (j) and (k) are retained by the registered third party 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;
- (m) financial filings are made in accordance with sections 88.29 (Financial Statements, etc.) and 88.32 (Return of Surplus for Subsequent Expenses);
- (n) proper direction is given to the persons who are authorized to incur expenses and accept or solicit contributions under the direction of the registered third party;
- (o) a contribution of money made or received in contravention of this Act or a by-law passed under this Act is returned to the contributor as soon as possible after the registered third party becomes aware of the contravention;
- (p) a contribution not returned to the contributor under clause (o) is paid to the clerk of the municipality in which the registered third party is registered;
- (q) an anonymous contribution is paid to the clerk of the municipality in which the registered third party is registered; and
- (r) each contributor is informed that a contributor shall not make contributions exceeding,
 - (i) a total of \$1,200 to any one registered third party in relation to third party advertisements, and
 - (ii) a total of \$5,000 to two or more registered third parties registered in the same municipality in relation to third party advertisements.

Exclusion of Certain Expenses

Expenses described in paragraph 2 of subsection 88.19 (3) (Audit and Accounting Fees) are not expenses for the purpose of clause (a) above.

Contributions Paid to Clerk

Contributions paid to the Clerk under clause (p) or (q) above become the property of the local municipality.

Third Party Advertisers are urged to familiarize themselves with all pertinent sections of the *Municipal Elections Act, 1996*, to ensure full compliance of every aspect of their campaigns.

This document is for reference only. For legal advice, please consult legal counsel

NOTICE OF PENALTIES – THIRD PARTY ADVERTISERS

Municipal Elections Act, 1996, as amended [Section 88.29 (7)]



TO: All Third Party Advertisers

EFFECT OF DEFAULT

TAKE NOTICE that Section 88.27 of the *Municipal Elections Act, 1996*, provides that a Registered Third Part shall, subject to subsection 88.27 (6) and in addition to any other penalty that may be imposed under this Act, an individual, corporation or trade union that is registered as a registered third party in relation to an election in a municipality is not entitled to register in relation to a subsequent election in the municipality until after the next regular election has taken place,

- (a) if the registered third party fails to file a document as required under section 88.29 or 88.32 by the relevant date;
- (b) if a document filed under section 88.29 shows on its face a surplus, as described in section 88.31, and the registered third party fails to pay the amount required by subsection 88.31 (4) to the clerk by the relevant date;
- (c) if a document filed under section 88.29 shows on its face that the registered third party has incurred expenses exceeding what is permitted under section 88.21; or
- (d) if a document filed under section 88.32 shows on its face a surplus and the registered third party fails to pay the amount required by that section by the relevant date.

OFFENCES

AND FURTHER TAKE NOTICE that a Registered Third Part shall be guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this Act, is subject to the penalty described in subsection 88.27 (1),

- (a) if the registered third party incurs expenses that exceed the amount determined under section 88.21; or
- (b) if the registered third party files a document under section 88.29 or 88.32 that is incorrect or otherwise does not comply with that section.

PENALTIES

AND FURTHER TAKE NOTICE THAT an individual who is convicted of an offence under this Act is liable to the following penalties in addition to any other penalty provided for in this Act:

1. For any offence, a fine of not more than \$25,000.
2. For any offence other than a corrupt practice, the penalties described in subsection 88.23 (2) and 88.27 (1).
3. For an offence under section 90, imprisonment for a term of not more than six months.
4. For any offence that the presiding judge finds that the individual committed knowingly, imprisonment for a term of not more than six months.

Same, corporation or trade union

(2) A corporation or trade union that is convicted of an offence under this Act is liable to a fine of not more than \$50,000 in addition to any other penalty provided for in this Act.

Third Party Advertisers are urged to familiarize themselves with all pertinent sections of the *Municipal Elections Act, 1996*, to ensure full compliance of every aspect of their campaigns.

Date

Returning Officer

Form EL88.21(W1-TPA)

CERTIFICATE OF PERMITTED AMOUNT OF EXPENSES AS OF FILING OF TPA REGISTRATION

Municipal Elections Act, 1996 (s.88.21)



The Clerk shall give the individual filing a Notice of Registration - Third Party – Form 7 a Preliminary Calculation of the estimated maximum third party expenses at the time of filing, based upon the number of electors on the Voters' List as of Nomination Day for the 2014 municipal election. [Section 88.21(13)(a)]

Office	Number of Electors as at September 15, 2018	Allowance per Elector	Preliminary Expense Limits
<u>THIRD PARTY ADVERTISER</u>			
Base Amount			\$5,000.00
Population Amount	5,786	\$0.05	\$289.30
<i>Preliminary Maximum TPA Expenses</i>			<i>\$5,289.30</i>

On or before September 26, 2022; and in the case of a by-election, within 10 days after the clerk makes the corrections under subparagraph 4 iii of subsection 65 (4) or subparagraph 3 ii of subsection 65 (5), the Clerk shall give a Final Calculation of the applicable maximum third party expenses to each individual that filed a Notice of Registration for Third Party Advertising. The number of electors to be used in this final calculation is to be the greater of the following:

- the number determined from the Voters' List from the previous regular election, as it existed on Nomination Day for the 2014 election, adjusted for changes made under Sections 24 and 25 that were approved as of that day;
- the number determined from the Voters' List for the current election, as it exists on September 15 in the year of the current election, adjusted for changes made under Sections 24 and 25 that were approved as of that day [Section 88.21(11)]

* Formula for calculation provided in Ontario Regulation 101/97.

Candidates are urged to familiarize themselves with all pertinent sections of the *Municipal Elections Act, 1996*, including Election Campaign Financing information, to ensure full compliance of every aspect of their campaigns.

Date

Returning Officer

Form EL88.21(W2-TPA)

CERTIFICATE OF PERMITTED AMOUNT OF EXPENSES (APPRECIATIONS AFTER VOTING DAY) AS OF FILING OF TPA REGISTRATION

Municipal Elections Act, 1996 (s.88.21)



The Clerk shall give the individual filing a Notice of Registration - Third Party (Form 7) a Preliminary Calculation of the estimated maximum third party expenses at the time of filing in relation to the cost of holding parties and making other expressions of appreciation after the close of voting, based upon the number of electors on the Voters' List as of Nomination Day for the 2014 municipal election. [Section 88.21(13)(a)]

Office	Number of Electors as at September 15, 2018	Allowance per Elector	Preliminary Expense Limits	Estimate of Maximum Expenses for Parties and Expressions of Appreciation after Voting Day
<u>THIRD PARTY ADVERTISER</u>				
Base Amount			\$5,000.00	10% of Preliminary
Population Amount	5,786	\$0.05	\$289.30	Expense Limit
<i>Preliminary Maximum Expenses (Appreciations after Voting Day)</i>			\$5,289.30	\$528.93

On or before September 26, 2022, the Clerk will provide each candidate with a final spending limit. The final spending limit will be calculated based on the number of electors on the Voters' List for the current 2022 election. If the final limit is lower than the above-noted estimate, the higher amount becomes the candidate's official spending limit.

Third Party Advertisers are urged to familiarize themselves with all pertinent sections of the *Municipal Elections Act, 1996*, including Election Campaign Financing information, to ensure full compliance of every aspect of their campaigns.

_____ Date

_____ Returning Officer

Form EL72(W-TPA)

**THIRD PARTY ADVERTISERS ACKNOWLEDGEMENT
OF NOTICE OF PENALTIES RELATED TO
CAMPAIGN EXPENSES**



RE: _____
(Name of Third Party Advertiser)

I, _____
(Name of Individual or Designated Representative)

being a registered as a Third Party Advertiser in the 2022 Municipal Election, hereby
acknowledge receipt on _____
(Date)

of the Clerk's Notice under the Municipal Elections Act, 1996, of the penalties under
the Act regarding campaign expenses and finances.

Signature of Third Party Advertiser/Designated
Representative



FORM EL69(W2-TPA)
**THIRD PARTY ADVERTISER INFORMATION
 RELEASE & CONSENT**

In accordance with Section 88 of the Municipal Elections Act, 1996, the information contained in a Third Party Advertisers (TPA) Notice of Registration is deemed to be a public record and may be inspected by any person at the Clerk's Office at any time the office is open. To improve information available to voters and to facilitate contact with the public, it has been normal practice to obtain consent to post additional information from the Notice of Registration on the Township of Wainfleet website.

All TPAs are requested to review and complete this form regarding information to be listed on the Township's website.

Third Party Advertiser direction/instruction with respect to the release of contact information:

Registered Third Party: _____ (please print)

I, _____, the TPA or the Designated Official Representative (DOR) of the TPA, have read the above explanation with respect to the release of contact information as detailed in the Notice of Registration. Having considered the information, I hereby provide the following direction to the Township of Wainfleet Clerk's Office (please mark appropriate box):

- Do not release contact information except as provided for in the Municipal Elections Act: by making it available for public viewing at the Township Clerk's Office** (only the name of the TPA and name of DOR (if applicable) will be posted on the Township's website).
- I hereby authorize the following information with respect to the TPA/DOR to be published by the Township (including on the municipality's website) and to be otherwise released by the Township to any person upon request for purposes consistent with the Municipal Elections Act, 1996, as amended:**

Address: (indicate if qualifying address, mailing address, campaign office, etc.)	<input type="checkbox"/> TPA <input type="checkbox"/> DOR
Telephone Number(s): (indicate if home, business, cell, campaign office, fax, etc.)	<input type="checkbox"/> TPA <input type="checkbox"/> DOR
E-mail Address:	<input type="checkbox"/> TPA <input type="checkbox"/> DOR
Website Address:	<input type="checkbox"/> TPA <input type="checkbox"/> DOR

A TPA/DOR may change or revoke this instruction at any time by submitting a request in writing to the Township Clerk. Public dissemination of a TPA/DOR's personal information is subject to the provisions of the Municipal Elections Act, 1996, as amended.

Date

Signature of Designated Official Representative

Completion of this form is optional. Personal information on this form is collected under the authority of the *Municipal Elections Act, 1996* and will be used for public notification purposes for offices in the 2022 Municipal Election (to supplement the public inspection requirements prescribed by the said Municipal Elections Act). Questions about this collection of personal information should be directed to the Clerk of the Township of Wainfleet.



TOWNSHIP OF WAINFLEET MUNICIPAL ELECTIONS GENERAL POLICIES AND PROCEDURES

PURPOSE:

The Clerk, who is responsible for conducting an election, may provide for any matter or procedure that is not otherwise provided for in an Act or Regulation and, in the Clerk's opinion, is necessary or desirable for conducting the election. Other than the forms prescribed by the Minister, the Clerk has the authority to establish forms, including forms of oaths and declarations and to require their use. The Clerk's authority also includes the power to require a person to provide proof that is satisfactory to the election official as to the person's identity or qualifications including citizenship.

The discretionary authority provided to the municipal Clerk in the *Municipal Elections Act, 1996*, brings with it a degree of risk and inherent liability. This liability issue is prevalent "across the board" for public sector organizations where discretion is being exercised.

The Clerk has adopted the attached policies and procedures to govern the 2022 Municipal Election. These policies and procedures are a complement to the rules and regulations found in the *Municipal Elections Act, 1996*. This procedure or administrative policy document clearly defines the nature of the discretionary power being exercised, the manner in which the power will be exercised, and the person or persons responsible for the exercise of the discretionary authority.

The Clerk may make such minor clerical, typographical or grammatical corrections, additions, deletions or other changes to any policy or procedure as may be required for the purpose of ensuring the correct and complete implementation of same for the management of an election. From time to time, the Clerk may also make such other amendments to this policy as may be required to ensure for the proper conduct of the Municipal Election in accordance with the principles of the *Municipal Elections Act, 1996*.

This guide is intended as a summary only. Every effort has been made to ensure the accuracy of the guide; however, in all cases, the actual text of the applicable legislation and/or by-laws should be referred to. It is also important to note that while this guide provides important election information, it is the responsibility of each prospective candidate to ensure compliance with all legislative and municipal requirements.

GOALS & OBJECTIVES:

- To ensure that eligible electors can exercise their right to vote and/or be a candidate;
- To raise awareness of voting;
- To encourage participation;
- To educate voters; and
- To be fair, open, consistent & transparent

Specific themes that will be stressed include identification requirements, voting procedures, revision of the list of electors/quality of the list and tabulating procedures.

Introduction

IMPORTANT DATES

May 2, 2022	Nomination Period Commences.
August 19, 2022	Nomination Day - Nominations accepted from 9:00 a.m. to 2:00 p.m. Withdrawal of Nominations before 2:00 p.m.
August 22, 2022	Nominations to be certified or rejected by the Clerk by 4:00 p.m. List of Certified Candidates to be posted.
September 1, 2022	Revision Period for Voters' List commences.
October 24, 2022	Voting Day

ELECTED OFFICES

This guide has been prepared for the purpose of supplying information which will be of assistance to persons intending to stand for elected office in the Township of Wainfleet.

The Township will be administering the conduct of elections for the Offices of Mayor and Councillor(s) of the Wainfleet.

Candidates for school board offices are encouraged to contact the office of the Director of Education of the appropriate school board to obtain information on the duties and responsibilities of a trustee.

It is most important to note that the contents of this document are intended only as a guide to certain provisions of relevant legislation and do not purport to recite all applicable statutory references. **Prospective candidates must satisfy themselves through their own determination that they have complied with the election financing regulations and that they are in fact qualified and not disqualified by law to seek elected office.**

ELECTED OFFICES

At this election, members will be elected for the period commencing November 15, 2022, and ending November 14, 2026, for the following offices:

MAYOR:

One candidate to be elected at large to serve as the Head of the Council of the Township of Wainfleet and to sit as a member on the Council of the Regional Municipality of Niagara. Nomination papers are to be filed with the Clerk of the Township of Wainfleet.

COUNCILLOR:

Four (4) candidates to be elected at large by the eligible electors of the Township. Nomination papers are to be filed with the Clerk of the Township of Wainfleet.

DISTRICT SCHOOL BOARD OF NIAGARA:

One (1) Trustee to represent the English-Language Public School Electors in Wainfleet and West Lincoln. Nominations shall be filed with the Clerk of the Township of West Lincoln.

NIAGARA CATHOLIC DISTRICT SCHOOL BOARD:

One (1) Trustee to represent the English-Language Separate School Electors in Wainfleet, Fort Erie and Port Colborne. Nominations shall be filed with the Clerk of the Town of Fort Erie.

CONSEIL SCOLAIRE VIAMONDE:

One (1) Trustee to represent the French-Language Public School Electors in Wainfleet, Fort Erie, Niagara Falls, Niagara-on-the-Lake, Pelham, Port Colborne, St. Catharines, Thorold and Welland. Nominations shall be filed with the Clerk of the City of Welland.

CONSEIL SCOLAIRE CATHOLIQUE MONAVENIR:

One (1) Trustee to represent the French-Language Separate School Electors in Wainfleet, Fort Erie, Pelham, Port Colborne and Welland. Nominations shall be filed with the Clerk of the City of Welland.

BACKGROUND:

In developing these policies and procedures, the Clerk has considered the different needs of the three primary stakeholders - eligible electors, candidates and the Corporation of the Township of Wainfleet. At times, these needs may be in conflict with each other. For example, the use of alternative voting methods makes voting more accessible to electors, but may change the manner in which candidates conduct their campaign activities and have impacts on the budget of the Corporation.

The policies and procedures were measured against the principles of democratic elections, universally accepted as;

- (1) the integrity of the election process, and voter accessibility;
- (2) the secrecy of the vote, and
- (3) the proper majority vote decides the election.

The principles that were considered by the Province of Ontario in the development of the *Municipal Elections Act, 1996* were:

- (1) the secrecy and confidentiality of individual votes as being paramount;
- (2) the election should be fair and non-biased;
- (3) the election should be accessible to the voters;
- (4) the integrity of the process should be maintained throughout the election;
- (5) there be certainty that the results of the election reflect the votes cast; and
- (6) voters and candidates should be treated fairly and consistently within a municipality.

It is the belief of the Clerk that the policies and procedures contained within this manual will provide an election structure that meets the needs of the electorate and conforms to the principles of democratic elections.

POLICIES & PROCEDURES:

A. NOMINATION PROCEDURE



TOWNSHIP OF WAINFLEET

2022 MUNICIPAL ELECTIONS

NOMINATION PROCEDURE

Established by Returning Officer/Township Clerk for

2022 Municipal Election

1. RECEIVING NOMINATIONS

- a. Nominations for the 2022 Municipal Election may be filed from May 1, 2022 to August 18, 2022, at a time when the Clerk's Office is normally open and also on Nomination Day, Friday August 19, 2022, from 9:00 a.m. to 2:00 p.m. If the number of nominations filed for an office and certified by the Clerk is less than the number of persons to be elected to the office, additional nominations may be filed between 9:00 a.m. and 2:00 p.m. on Wednesday, August 24, 2022.
- b. Nominations for municipal offices and school offices shall be filed in the Clerk's Office using Form 1 (copy attached) as prescribed by the *Municipal Elections Act, 1996*. Nominations for school offices shall be filed with the designated Municipal Clerk for the applicable school board.
- c. The Clerk may in writing designate the persons authorized to receive nominations on his behalf.
- d. All sections of Form 1 must be completed by the Candidate and, if applicable, the Candidate's Agent.
- e. The "Declaration of Qualification" part of Form 1 must be signed by the nominee and the jurat section must be completed and signed by the Commissioner taking the declaration. Original signatures are required.
- f. It is the responsibility of the person being nominated to file a complete and accurate Form 1 Nomination Paper.

2. DECLARATION OF QUALIFICATIONS, 2022 MUNICIPAL ELECTION

- a. A declaration in the attached form (EL 18A) shall also be filed with the prescribed Form 1.
- b. This declaration shall form part of the public record and shall be attached to the prescribed Form 1.
- c. Original signatures are required on Form EL 18A.

3. IDENTIFICATION REQUIREMENT

- a. A person filing a Nomination Form 1 shall provide proof of identity satisfactory to the Clerk (or designate) receiving the nomination. Accordingly, all candidates will be requested to provide suitable proof of identity and qualifying address when filing a nomination paper. Acceptable proof would be government issued documentation, or a combination of documentation, that contains the name, signature and qualifying address of the candidate. Additionally, the Clerk may request proof of Canadian citizenship in the form of a birth certificate (with supporting photo identification), passport or citizenship card.
- b. An agent filing a Nomination Form 1 will be required to provide proof of personal identity and proof of the Candidate's identity.
- c. The Clerk may photocopy documents supporting proof of identity, qualifying address and citizenship.

4. FEE

- a. A fee as required by the *Municipal Elections Act, 1996* and the regulations thereunder shall be submitted at the time of filing Nomination Form 1. For the 2022 Municipal Election the prescribed nomination filing fee for the office of Head of Council is \$200.00. The prescribed nomination fee for all other offices is \$100.00.
- b. The fee shall be paid in cash, by certified cheque or money order made payable to the Township of Wainfleet, or Interac Debit.
- c. A receipt for the nomination fee shall be properly recorded by the Township Treasurer or designate and posted to the GL Account – "Election Nomination Fees".

5. ENDORSEMENT OF NOMINATIONS

- a. Recent changes to the *Municipal Elections Act, 1996*, require that a person filing a Nomination Form 1 for municipal council in a municipality that has more than 4,000 electors must also submit 25 signatures endorsing the nomination in the prescribed Endorsement of Nomination - Form 2.
- b. 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.
- c. 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.
- d. If a candidate submits 25 endorsement signatures and finds out later that a person (or persons) was not eligible to vote on the day that they signed the endorsement, the candidate will not necessarily lose their nomination. The person who supplied false information (by declaring that they were eligible

to endorse the nomination when they were not eligible) could be subject to prosecution.

6. EXAMINATION OF NOMINATIONS & CERTIFICATION

- a. The Clerk shall proceed in accordance with the *Municipal Elections Act, 1996*, Section 35(1).
- b. All nominations filed on or before nomination day shall be examined before 4:00 p.m. on the Monday following Nomination Day. Nomination Day for the 2022 Municipal Election is Friday, August 19, 2022.
- c. Any additional nominations filed under the extended nomination provisions of subsection 33(5) shall be examined before 4:00 p.m. on the Thursday following nomination day.
- d. If satisfied that a person is qualified to be nominated and that the nomination complies with this Act, the Clerk shall certify the nomination by signing the nomination paper.
- e. If not satisfied that a person is qualified to be nominated or that the nomination complies with this Act, the Clerk shall reject the nomination.
- f. When the Clerk rejects a nomination, he or she shall, as soon as possible, give notice of the fact to the person who sought to be nominated and to all candidates for the office.

7. LIST OF NOMINATIONS RECEIVED

- a. The Clerk shall maintain for public inspection and may post on the Township's website a "List of Nominations Received for Municipal Offices". For purposes of public disclosure (including posting of the List on the municipality's website) candidates will be requested to complete and sign "Consent to Release of Personal Information (Form EL02) at the time of filing a Nomination Form 1.
- b. A "List of Certified Candidates for Municipal Offices" shall be posted up in the front lobby of the Municipal Offices and may be posted on the Township's website on the Tuesday following Nomination Day. A similar list of certified Candidates for School Board offices will be posted on receipt of the required information from the Region of Niagara and the designated Clerk for each School Board.

8. CAMPAIGN FUNDRAISING/EXPENSE

- a. In accordance with Section 88.22 of the *Municipal Elections Act, 1996*, every candidate shall ensure that:
 - (a) no contributions of money are accepted or expenses are incurred unless one or more campaign accounts are first opened at a financial institution exclusively for the purposes of the election campaign;
 - (b) contributions of money are deposited into the campaign accounts;
 - (c) all funds in the campaign accounts are used exclusively for the purposes of the election campaign;
 - (d) all payments for expenses are made from the campaign accounts;
 - (e) contributions of goods or services are valued;

- (f) receipts are issued for every contribution and obtained for every expense;
 - (g) records are kept of,
 - (i) the receipts issued for every contribution,
 - (ii) the value of every contribution,
 - (iii) whether a contribution is in the form of money, goods or services, and
 - (iv) the contributor's name and address;
 - (h) records are kept of every expense including the receipts obtained for each expense;
 - (i) records are kept of any claim for payment of an expense that the candidate disputes or refuses to pay;
 - (j) records are kept of the gross income from a fund-raising function and the gross amount of money received at a fund-raising function by donations of \$25 or less or by the sale of goods or services for \$25 or less;
 - (k) records are kept of any loan and its terms under section 88.17;
 - (l) the records described in clauses (g), (h), (i), (j) and (k) are retained by the candidate 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;
 - (m) financial filings are made in accordance with sections 88.25 and 88.32;
 - (n) proper direction is given to the persons who are authorized to incur expenses and accept or solicit contributions under the direction of the candidate;
 - (o) a contribution of money made or received in contravention of this Act or a by-law passed under this Act is returned to the contributor as soon as possible after the candidate becomes aware of the contravention;
 - (p) a contribution not returned to the contributor under clause (o) is paid to the Clerk with whom the candidate's nomination was filed;
 - (q) an anonymous contribution is paid to the clerk with whom the candidate's nomination was filed; and
 - (r) each contributor is informed that a contributor shall not make contributions exceeding,
 - (i) subject to subsection (2), a total of \$1,200 to any one candidate in an election, and
 - (ii) a total of \$5,000 to two or more candidates for offices on the same council or local board.
- b. The nomination fee is the only expense that may be paid from a source other than the campaign account. The nomination fee is considered to be a personal expense and not a campaign expense.
- c. In accordance with Section 33.0.1 of the *Municipal Elections Act, 1996*, upon the filing of a person's nomination the Clerk will provide the candidate or his/her agent a certificate of the applicable maximum amount of campaign expenses as of the filing date. The Clerk will provide a final spending limit no later than 10 days after Nomination Day based on the Voters' List from the current election. The higher amount prevails.

9. CHECKLIST

- a. The Clerk or designate receiving the Nomination Form 1 and other required documents shall complete a nomination check list in a form prescribed by the Clerk.
- b. The check list shall be signed by the Clerk or designate and the candidate or the candidate's agent.
- c. The check list is to be filed with the completed Nomination Form 1.

10. MATERIALS FOR CANDIDATES

A person filing a Nomination Form will, subject to availability at the time of filing, be provided the following information:

- a. Certificate of the applicable maximum amount of campaign expenses as of the filing date.
- b. Certificate of applicable maximum own-campaign contributions of candidate as of the filing date.
- c. Province of Ontario 2022 Municipal Elections Guide.
- d. AMCTO/Province of Ontario "Guide to Accessible Elections".
- e. On written request, a copy of the Voters' List containing the names of electors entitled to vote for the office for which the nomination is filed. The candidate will be required to sign a "Candidate's Declaration – Proper Use of Voters' List" (Form EL 14). The Voters' List will be available to candidates requesting it on or before September 1, 2022.
- f. Notice of Penalties related to Election Campaign Finances (Form EL 03).
- g. Township of Wainfleet Election Sign By-law 039-2021 (Please note: Niagara Region Sign By-law No. 122-2013 states that "No person shall place or allow an election sign to be placed on a Regional Road". The Province of Ontario has similar legislation prohibiting the placement of election signs on any Provincial Highway).

10. WITHDRAWAL OF NOMINATIONS

- a. A person may withdraw his or her nomination in accordance with the *Municipal Elections Act, 1996* before 2:00 p.m. on Friday, August 19, 2022, if the person filed the nomination on or before 2:00 p.m. on Nomination Day. A person may withdraw his or her nomination before 2:00 p.m. on Wednesday, August 24, 2022 if the person was nominated during an extended nomination period after Nomination Day.
- b. A withdrawal of nomination must be in writing, shall clearly state the candidate's name and the office for which he/she is withdrawing his/her nomination and shall be signed by the candidate who is withdrawing and by his/her agent if applicable. All signatures shall be original and the Clerk may require the person filing the withdrawal of nomination to provide proof of identity in the same manner as set out in section 3 herein.
- c. It is recommended that withdrawals be personally delivered by a candidate. If a withdrawal of nomination is submitted by someone other than the

nominee, the Clerk will follow up with the nominee to ensure that the withdrawal was authorized by the nominee.

B. USE OF CORPORATE RESOURCES FOR ELECTION PURPOSES

The Municipal Elections Act, 1996 prohibits a municipality from making a contribution to a candidate. The *Act* also prohibits a candidate, or someone acting on the candidate's behalf, from accepting a contribution from a person who is not entitled to make a contribution. As a contribution may take the form of money, goods or services; any use by a candidate of the Township's resources for his or her election campaign could be viewed as a contribution by the municipality which is a violation of the *Municipal Elections Act, 1996*. To this end, and in accordance with the requirements of the *Municipal Elections Act, 1996*, Council has adopted a detailed policy respecting the Use of Municipal Resources which shall be provided to all candidates.

C. INFORMATION REQUESTS

A basic principle of election procedure is that candidates should be treated fairly and consistently within a municipality. To facilitate this, all candidate information requests will be directed through the Clerk's office and should be in writing. Responses to information requests will then be made available to all candidates nominated at that time. Copies will be kept in an ongoing file to ensure that candidates who declare their intention later will be provided with a copy of all correspondence between the Clerk's office and nominated or certified candidates.

D. ADDITIONAL MATERIALS

Candidates will be supplied with basic information regarding the municipality. If candidates wish to obtain additional copies of materials, the following charges will apply:

- a) copies of the voters' list at \$125.00 for each printed copy;
- b) electronic copy of the voters' list at \$10.00
- c) copies of the Township of Wainfleet Map at \$1.00 per page
- d) copies of the Clerk's official declaration of the results at \$1.00 per page.

E. VOTERS' LIST

As referenced above, Candidates nominated for Mayor or Councillor may obtain one (1) copy of the Voters' List (when the list becomes available in September, 2022) upon written request for such. Upon receipt of the Voters' List a candidate must sign a "Candidate's Declaration - Proper Use of the Voters' List" form (EL 14).

The Voters' List is a public document. **However, it may not be posted in a public place or made available to the public in any manner not prescribed by the *Municipal Elections Act, 1996* (s.88(11)). Further, no person shall use information from the Voters' List for anything other than election purposes (s.88(10)). A person contravening these provisions is guilty of an offence under Section 94 of the *Municipal Elections Act, 1996*.**

NOTE: HOW THE VOTERS' LIST IS USED IS THE CANDIDATE'S RESPONSIBILITY, NOT THE RESPONSIBILITY OF ANYONE ON HIS/HER CAMPAIGN TEAM.

Eligible electors may view the list in the Clerk's office during the time in which the Township office is open to ensure the correctness of information contained in the list, but may only inspect their own information. The Voters' List must be supervised at all times. Additionally, the Clerk may provide opportunity for electors to electronically check their own status on the Voters' List via the Township's website.

F. VOTERS' LIST REVISIONS

a) Application to Add, Correct or Delete own information on the Voters' List:

The period for revision to the Voters' List is from September 1, 2022 to the close of voting on Election Day (October 24, 2022).

Applications for revisions shall be completed using Form EL 15 "Application to Amend Voters' List" and must be properly completed and signed by the applicant.

Applications may be filed in person or by mail by the applicant or in person by his/her agent. A candidate may act as an agent.

Revisions will take place in the Clerk's Office during normal business hours. Revision is also available on Election Day (October 24, 2022) until the close of polls (8:00 p.m.).

IDENTIFICATION IS REQUIRED FOR ADDITIONS TO THE VOTERS' LIST. Anyone being added to the Voters' List at the Clerk's Office will be required to show proof of name, principal address and qualifying address (if not the same as principal address). The voter will also be required to swear a declaration stating their qualifications, including their Canadian Citizenship, and confirming their eligibility as an elector.

The Clerk may also provide for processes to electronically confirm an elector's own inclusion on the Voters' List and provide for electronic submission of information regarding additions, corrections or deletions of an elector's own information on the Voters' List.

b) Application to Remove another person's name:

Applications to remove another person's name from the List may be made between September 1, 2022 and October 24, 2022, in accordance with the requirements of the *Municipal Elections Act, 1996*. Applications for removal of another person's name from the Voters' List must be on the Form EL16,

available in the Clerk's Office during the revision period.

All Revision forms will be forwarded to the Municipal Property Assessment Corporation (MPAC) after the election. Municipal staff cannot guarantee that changes made on the revision forms will meet with MPAC's criteria to permanently change the Voters' List.

G. CANDIDATE MEETINGS

Any information obtained by Township Staff regarding elections meetings, debates, seminars, etc., that would be of interest to the candidates will be forwarded to the candidates via the e-mail address the candidate provided. If the candidate does not have an e-mail address, the information will be sent by regular mail. Phone notification will only be used in the most time sensitive of situations, at the discretion of the Clerk.

H. SCRUTINEERS

Subsection 16 (1) of the *Municipal Elections Act, 1996* permits candidates to appoint scrutineers to represent them during the conduct of the vote. The appointment must be in writing using the form provided by the Clerk (Form EL12). Scrutineers will be required to present the appointment form (and appropriate identification) to election officials at the voting place.

The *Municipal Elections Act, 1996*, prohibits campaigning in the voting place and allows the Clerk to define the boundaries of the voting place. **A voting place shall be defined as a place where electors cast their ballots and includes the entire property at which the voting place is located, as well as any property located within 60 metres of any voting place as designated by the Clerk.** This definition is consistent with Township of Wainfleet's Election Sign Bylaw No. 039-2021. This restriction shall also apply to any vehicle containing or displaying an Election Sign. No vehicle containing an Election Sign visible to the outside or on the outside of a vehicle shall park in any voting place (or within 60 metres of a voting place) as defined above.

If using scrutineers, the following general rules will apply:

- there is a limit of one (1) scrutineer per candidate per ballot box during the voting period;
- the number of scrutineers in any one voting location for any one candidate is reduced by one if the candidate is in the voting place;
- a scrutineer (or candidate) may observe more than one ballot box
- Section 49 of the *Municipal Elections Act, 1996* requires that all persons present in a voting place must maintain the secrecy of the vote. Candidates and their scrutineers will be required to take an oath of secrecy while in a voting place;
- scrutineers may not interfere with the activity of the vote or the tabulating of the ballots (they may observe but they cannot touch the ballots); and

- acclaimed candidates are not entitled to scrutineers, nor are they entitled to be scrutineers;
- a scrutineer will not be allowed to enter a voting location after the close of voting. Further, if a scrutineer leaves a voting location after the close of poll he/she will not be allowed to return to the voting location;
- a scrutineer that leaves the Counting Centre without being escorted by an Election Worker will not be permitted to re-enter the Counting Centre;
- the use of a cell phone or any other electronic device by a scrutineer is prohibited within the voting location;
- scrutineers will be given a badge to wear upon identifying themselves to an election official within the voting place. No other identification shall be worn by the scrutineer nor shall individuals wear, or hold in their possession, anything that would visibly identify a candidate while they are in the voting place (which includes anywhere on the property of such a voting place – please see definition above).

It should be noted many municipalities, including the Township of Wainfleet, utilize automated vote counting equipment or an alternative voting process such as voting by mail, internet voting or telephone voting. The use of any of these methods alters the procedures followed in a “normal” election, which may impact the opportunity to scrutinize the election process for Candidates and Scrutineers. The Clerk will provide more detailed Voting Day Procedures and Procedures for the Use of Vote Tabulators for additional information and clarification.

Amendments to the *Municipal Elections Act, 1996*, provide that the Clerk's procedures for the use of vote counting equipment may now include the following provisions:

- at the time when and in the place where the votes are being counted, there shall be no more than one scrutineer per certified candidate for each piece of vote counting equipment, and
- the prescribed persons permitted to attend the place where votes are being counted will not be entitled to examine ballots as they are processed through the Vote Tabulators, and will not be permitted to object to or dispute the validity of any ballot or how the votes on any ballot are counted by the Vote Tabulators.

I. MANDATORY NOTICES

The Clerk is required under the *Municipal Elections Act, 1996* to give notice of nominations (offices and procedures), notice of any bylaw or question on the ballot and notice to electors about voting dates and hours, polling locations and how to vote using alternative voting methods, including Vote-by-mail voting. The manner and format of the notices is left to the discretion of the Clerk.

All notices will be posted on the Township's website. Mandatory notices will also be posted, at least once, in a local newspaper having broad distribution in the Township.

J. DISCRETIONARY NOTICES

The Clerk will use a variety of outreach methods to provide electors with information about voting procedures, requirements and opportunities. These methods will include but are not limited to the following:

- A Vote-by-mail Voter Kit will be mailed to each voter on the voters' list. The kit will serve to instruct the voter of the manner in which Vote-by-mail votes may be cast.
- Advertisements will be placed in newspapers (by the Township or jointly with other Niagara municipalities) to raise awareness of the 2022 election and to encourage eligible voters to vote. These advertisements will inform electors about how to check to see if their name is on the voters' list and the procedures for revising the list. Whereas not considered formal notice, staff will also utilize the relationship the Township has with area news reporters and prepare Press Releases and information spots for distribution through the local papers.
- The Township website and/or social media accounts may also be used to provide updated information to both electors and candidates about all aspects of the municipal event.

K. BALLOTS

The Township will use a composite ballot with each race appearing on the same ballot. Ballots will be prepared in accordance with the requirements of the *Municipal Elections Act, 1996*.

Candidates' names will be listed on a ballot in alphabetical order by last name and in accordance with Section 41 of the *Municipal Elections Act, 1996*. The last name will be displayed with all characters in upper case letters and the first name will have characters in normal upper/lower case letters. The candidate's names will be displayed on the ballot by each race (ex. Mayor, Councillor, Trustee). The elector will place his/her mark in the oval located to the right of the candidate(s) the elector wishes to vote for.

Example:

First Name	LAST NAME	<input type="radio"/>
Donald	DUCK	<input type="radio"/>
Mickey	MOUSE	<input type="radio"/>
Minnie	MOUSE	<input type="radio"/>
Lone	RANGER	<input type="radio"/>

Instructions on the ballot will inform the voter as to how many votes may be cast in each race on the composite ballot. If a voter chooses more than the maximum number of candidates in a race on the composite ballot, that single race will be considered overvoted. If a voter chooses fewer than the maximum number of candidates in a race on the composite ballot, that single race will be considered undervoted.

Tabulators will be programmed so that overvoted races will not be tabulated; all other races on the composite ballot that are not overvoted will be tabulated.

Tabulators will be programmed so that undervoted races will be tabulated.

Section 41 (2)(3) of the *Municipal Elections Act* states: ***If the candidate wishes and the clerk agrees, another name that the candidate also uses may appear on the ballot instead of or in addition to his or her legal name.*** The Clerk will only allow another name if, in the opinion of the Clerk, the candidate is commonly known by that name and the name is a derivative of or part of the name shown on the identification documentation provided by the candidate. The decision of the Clerk is final. All candidates must have a surname and given name or names on the ballot. As per the *Municipal Elections Act*, no reference to a candidate's occupation, degree, title, honour or decoration shall appear on the ballot.

L. WEBSITE

An election webpage will be hosted on the Township of Wainfleet website, www.wainfleet.ca. This is considered an effective way to provide pertinent election information to all stakeholders.

The page will provide general election information to assist electors and candidates.

The webpage will post a listing of candidates running for each office. The names of Candidates who have signed the "Consent to Release of Personal Information" (Form EL02) will appear soon after they have filed a nomination form on the "List of Candidates Nominated" the names will appear in alphabetical order by last name. Further to Nomination Day and the certification of eligible candidates a "List of Certified Candidates" will replace this list. In addition, notices may be posted to the Township's social media accounts at the discretion of the Clerk.

M. RESULTS

The results provided by the Clerk's Office on election night are unofficial results. The unofficial results will be available:

- on the Township's website, www.wainfleet.ca
- on a display screen in the Firefighters' Memorial Hall.

In accordance with Section 55 (4) of the *Municipal Elections Act, 1996*, the Clerk will declare the official results on Tuesday, October 25, 2022. These results will be available at the Clerk's office and will include the number of votes for each candidate, the number of declined and rejected ballots and the number of votes for the affirmative or negative on a by-law or question on the ballot (if applicable). The results will be posted to the Township website and at the Municipal Offices.

Please note: The *Municipal Elections Act, 1996* requires an automatic recount only if the votes are tied and the Clerk is unable to declare a winner in any races. Municipalities across Niagara Region have elected to not establish any further policies that set out other specific circumstances under which the Clerk must conduct an automatic recount.

N. ACCESSIBLE ELECTIONS

Section 45 (2) of the Act provides that in establishing voting locations, the Clerk shall ensure that each voting place is accessible to electors with disabilities. While the Act does not define “accessible” the Clerk should consider the built environment both inside and outside of voting locations. Further, the Accessibility for Ontarians with Disabilities Act also influences how the needs of electors shall be met.

The 2022 election will be conducted using a Vote-by-Mail voting method. One advantage of this method is that voters may cast their ballots without being required to attend a voting place. All other interaction between the Clerk, election officials, and voters will take place in the Municipal Office. The Township strives to offer barrier free access to the Municipal Office.

Section 12.1(2) “Within 90 days after voting day in a regular election, the Clerk shall submit a report to council about the identification, removal and prevention of barriers that affect electors and candidates with disabilities.” Staff intend to review the effectiveness of Vote-by-Mail in the context of providing access to the voting process to electors with disabilities.

O. VOTING PLACES

As the 2022 Municipal Election is being conducted as a Vote-by-Mail election, for the purposes of the *Municipal Elections Act, 1996*, the Township of Wainfleet Municipal Office (known municipally as 31940 Hwy 3) and all parts of the building, property, and other associated buildings on the municipal campus (including library, fire hall, public works, arena, etc.) and an area located within 60 metres of the said municipal campus shall be deemed the Voting Place. No campaigning may occur in this area as voters may be attending the campus to complete election-related business including the hand delivery of completed ballot kits.

P. ELECTION WORKERS

The 2022 election will use the Vote-by-mail method of voting and electronic tabulators to count ballots. This will reduce the amount of election workers required. The Township will, however, still use a number of election workers on the day of the election.

All applicants will be required to complete an application form for review by election staff. Election workers will be required to swear an oath indicating that they will perform their job in an impartial manner. Candidates, candidate’s spouses, members of a candidate’s immediate family, or persons connected to a candidate’s election campaign (to the best knowledge of Clerk’s staff), will not be retained by the Township as election workers.

It is the responsibility of the election worker to have transportation to and from the municipal office on the day of the election.

Attendance at a training session is mandatory for all election workers. To enhance the retention of information, training will occur as close to Voting Day as possible. Comprehensive training manuals will be made available for all election workers covering all job responsibilities and potential situations that may arise.

Training may consist of the showing of a video or power point presentation, a lecture, hands-on practice with certain activities and a question and answer session.

In order to ensure that Election Day runs smoothly, the Clerk has within his discretion the ability to appoint election workers as the Clerk sees fit. These workers may include current or former municipal staff.

All election workers will be required to swear an oath such as the Appointment and Oath of Election Official, Form EL11.

Election Day:

All election workers must arrive at their voting place **at the time the Clerk has scheduled their shift to begin and be available until the end of tabulation of the election results.**

Q. VOTE BY MAIL PROCEDURE

- a) The municipality, in conjunction with its suppliers, will provide Vote-by-Mail Kits to every person who qualifies to be an elector, up to the close of voting on October 24, 2022, at 8:00 p.m.
- b) The Vote-by-Mail Kit shall consist of:
 - Voting Instruction Sheet;
 - Composite Ballot;
 - Ballot Secrecy Envelope (white);
 - Voter Declaration Form;
 - Return Envelope (yellow) with prepaid postage;
 - Such other material as the Clerk determines.
- c) By early October, 2022, a Vote-by-Mail kit will be mailed to every elector who had qualified to be on the Voters' List by September 15, 2022, to the elector's address as shown on the Voters' List.
- d) The Clerk shall provide a Vote-by-Mail Kit in person at the Office of the Clerk to every person qualified to be on the Voters List who has been added after September 15, 2022, through to October 21, 2022, at 4:30 p.m., and on October 24, 2022, until 8:00 p.m.
- e) If a qualified elector does not receive his/her Vote-by-Mail Kit or if the Vote-by-Mail kit is lost or destroyed, a new Vote-by-Mail kit may be issued by attending at the Office of the Clerk, 31940 Hwy #3, Wainfleet ON, after October 7, 2022 and completing an appropriate declaration. The Clerk or Clerk's appointed designate will confirm that the elector is qualified and have a statement setting out the reason for the Vote-by-Mail kit to be issued signed by the qualified elector, and a new Vote-by-Mail kit will be issued. It shall be noted on the Voters List that the elector was issued a new Vote-by-Mail Kit.

- f) Having received the appropriate Vote-by-Mail Kit, the voter shall privately complete the ballot, place it in the inner Ballot Secrecy Envelope (white) and seal the envelope. The voter shall complete the Voter Declaration Form and place it, along with the sealed Ballot Secrecy Envelope, in the yellow postage prepaid business reply envelope and mail or deliver it in person to the Township Office during the normal office hours of 8:30 a.m. and 4:30 p.m. from Monday through Friday and on October 24, 2022, until the close of voting at 8:00 p.m. Return Voting Envelopes mailed in Canada are postage prepaid.
- g) In addition to using Canada Post Mail, a Ballot Return Station will be established where those electors wishing to deposit or have deposited their Return Voting Envelope directly with the Clerk or his designate at the Township Office, 31940 Hwy #3, Monday to Friday during normal office hours, or in the after-hours mail drop slot at the right side of the main doors, up to and including October 24, 2022 until 8:00 p.m. **The Township does not have to pay postage for Return Voting Envelopes returned by voters to the Ballot Return Station at the Township Office. Voters are encouraged to return their Return Voting Envelopes to the Township Office where possible.**
- h) **The final day to place the Return Voting Envelope BY MAIL to ensure delivery to the Clerk is October 13, 2022.** Following this date, voters are strongly encouraged to deposit their Return Voting Envelope at the designated Ballot Return Station in the Township Office up to October 24, 2022, until 8:00 pm.
- i) Return Voting Envelopes deposited in the after-hours mail drop slot at the right side of the main doors at the Municipal Offices until 8:00 p.m. October 24, 2022, will be considered as having been mailed.
- j) On Friday, October 21, 2022, the Clerk or the Clerk's designate shall contact the Canada Post locations that provide postal service to the Township of Wainfleet to make arrangements to pick up any Return Voting Envelopes at the end of the business day, on Election Day, October 24, 2022. Pick-up of any Return Voting Envelopes shall be made by two Assistant Returning Officers, who shall deliver the Return Voting Envelopes to the Counting Centre for tabulation.
- k) Any Return Voting Envelope which contains more than one Voter Declaration Form or more than one Ballot Secrecy Envelope shall be treated in the following manner:
 - i) Envelopes containing equal number of Ballot Secrecy Envelopes to Voter Declaration Forms WILL BE COUNTED.
 - ii) Envelopes containing more (or fewer) Ballot Secrecy Envelopes than Voter Declaration Forms WILL BE REJECTED.

(See Section R, CONFORMING, NON-CONFORMING AND REJECTION OF BALLOTS)
- l) Each day the Return Voting Envelopes received either by mail (including the mail drop slot at the main doors at the Municipal Office) or at the Township Office will

be securely kept as a separate bundle and dated. Commencing October 12, 2022, on a daily basis the Clerk or the Clerk's designate will remove the sealed Ballot Secrecy Envelope and Voter Declaration Form and update the Voters List by striking through the name of the voter (or similar electronic methods). **This procedure only notes that a person has voted and is the same as is done in a traditional election in advance votes.**

The sealed Ballot Secrecy Envelopes will then be placed in a Ballot Secure Collection Box and sealed by the Clerk at the end of each day. Each Ballot Secure Collection Box will be maintained in a secure location until tabulation begins.

Should a voters' kit be returned to the municipality as "undelivered", it shall be marked invalid and placed in a separate storage box for undelivered kits. If it can be determined that the elector is still eligible to vote in the election and a proper mailing address can be located, a new ballot kit will be issued. In these cases, the elector's name on Voters' List will be noted as either "undelivered" or "re-directed". It is the responsibility of the elector to ensure that the Clerk is aware of his/her proper mailing address.

- m) A Master Voters' List containing deletions, amendments and additions along with those persons who have voted to date and those persons who have been issued with Vote-by-Mail Kits by the municipality will be retained by the Clerk and may be in the custody and possession of the Clerk or the Clerk's designate(s) from time to time. This list may be maintained electronically and the Clerk may provide for regular extracts for inspection by candidates and scrutineers demonstrating electors who have been recorded as having voted. The extracts may be inspected by candidates and scrutineers at any time during regular office hours Monday through Friday and on October 24, 2022 up to 8:00 p.m.
- n) If, upon opening the Return Voting Envelope, the Ballot Secrecy Envelope has not been sealed, the Clerk or Clerk's designate and an election assistant may seal the envelope without examining the ballot.
- o) Return Envelopes received by the Clerk or designated officials after 8:00 p.m. on Voting Day (October 24, 2022) shall not be opened, nor counted, nor included in the final election results and shall be rejected, date stamped and retained for the statutory document retention period.
- p) The Clerk may provide for more detailed procedures associated with access to the list of elector who have voted as well as contingency procedures in the event of a disruption of postal services.

R. CONFORMING, NON-CONFORMING AND REJECTION OF BALLOTS

Clear directions contained in the Vote-by-Mail ballot kit outline what is to be returned to the Township by each voter and are termed a "Conforming" return ballot kit, being:

A yellow, postage paid return envelope containing two items:

- a) A sealed, white Secrecy Envelope containing a single ballot, and

- b) A single Voter Declaration Form with the voter's signature indicating they have voted.

Voters who have inserted their Voter Declaration Form in the Secrecy Envelope, or, who have combined two ballots and two Voter Declaration Forms in one return envelope, or, who have not inserted a Voter Declaration Form in the return envelope, have returned what are termed 'Non-Conforming' return ballot kits.

To maintain compliance with the principles of the *Municipal Elections Act, 1996*, the following defined procedures will apply.

Ballots that will be counted:

- a) Conforming return ballot kits, and
- b) Non-Conforming return ballot kits containing an equal number of signed Voter Declaration Forms and Secrecy Envelopes.

Where a Non-Conforming return ballot kit represents a return envelope containing only a Secrecy Envelope, or containing election material with no Secrecy Envelope, a minimum of two Election Officials shall open the Secrecy Envelope, or open the re-sealed return envelope, and determine if a signed Voter Declaration Form is enclosed together with a ballot. If a signed Form and ballot (or two Forms and two ballots) are present, the signed Form(s) will be extracted and the voter(s) processed as having voted. Every effort shall then be made to maintain the secrecy of the marked ballot which will then be sealed in a white secrecy envelope and placed in a sealed Ballot Secure Storage Box. Subsequently, all ballots of this type from Non-Conforming return ballots shall be processed together with Conforming ballots on October 24, 2022.

In addition to rejecting cast ballots for violations of the *Municipal Elections Act, 1996*, a ballot is to be considered to be rejected if it meets any of the following conditions:

- a) it is a Non-Conforming return ballot kit where there is no Voter Declaration Form inserted;
- b) it is a Non-Conforming return ballot kit where the Voter Declaration Form is not signed;
- c) it is a Non-Conforming return ballot kit where there is a different number of Ballot Secrecy Envelopes to Voter Declaration Forms;
- d) there are identifiable marks relating to an individual on the Ballot Secrecy Envelope (Secrecy Envelope will not be opened);
- e) upon opening the sealed Ballot Secrecy Envelope at the Counting Centre, the envelope contains more than one ballot for each office; and
- f) upon opening the sealed Ballot Secrecy Envelope at the Counting Centre, the envelope contains a ballot which has not been marked, it will be counted as Ballot Used but unmarked by Elector.

S. BALLOT TABULATION PROCEDURES

On October 24, 2022, at a time to be determined by the Clerk and prior to the close of the poll at 8:00 p.m., those sealed Ballot Secure Collection Boxes containing sealed Ballot Secrecy Envelopes received prior to October 22 shall be delivered to the Counting

Centre, being the Township of Wainfleet Council Chambers. The Clerk will provide all candidates with details regarding the commencement of Counting Centre operations, once finalized and in advance of Voting Day.

At the appointed time, the Clerk/Returning Officer and Assistant Returning Officer and necessary election staff shall break the seal(s) on the Ballot Secure Collection Boxes, open the Secrecy Envelopes and organize ballots for processing through the optical scan tabulation system tested in accordance with the supplier's recommended practice by factory personnel. Any damage done to a ballot during the opening procedure will be noted thereon by the Election Official causing the damage for the information of the Counting Staff.

Sealed Ballot Secrecy Envelopes received at the Township Office Ballot Return Station on October 24, 2022, prior to the close of voting will be delivered to the Counting Centre at intervals throughout the day determined by the Clerk with the remainder delivered immediately after the close of voting at 8:00 pm.

Continuing with the doors to the Counting Centre being closed, Election Staff will commence ballot processing at the time determined by the Clerk for ballots received prior to October 24, 2022, followed by ballots received on October 24, 2022. Only the Clerk, Deputy Returning Officers, appointed Election Officials, certified Candidates or their authorized scrutineers will be permitted to remain in the Counting Centre.

Candidates will be provided with advance notice of the opening of the Counting Centre and those Candidates or scrutineers attending must sign an attendance form and oath of secrecy. If a Candidate or his scrutineer **leaves at any time for any reason after 8:00 p.m., they shall not be permitted to return.**

Any part of any ballot rejected shall not invalidate the remainder of that ballot except if there are any identifying marks, in which case the entire ballot shall be rejected.

Cell phones, cameras or similar devices will not be permitted in the Counting Centre except if necessary for the use of the Election Officials. Candidates and scrutineers may observe, but shall not interfere with the ballot processing in any manner. Should they do so, they shall be required to leave the facility when so requested by an Election Official.

T. BALLOT COUNTING PROCEDURES

After the completion of ballot processing by the Counting Centre optical scan tabulators, the ballots will be automatically deposited into their final Ballot Boxes and results will be reported by each tabulator after the close of voting at 8:00 pm. A statement of results then be completed and signed by the DRO and, if desired, initialed by any Scrutineer or Candidate present for the tabulation. Each statement of results will be forwarded to the Clerk for final tabulation of unofficial results.

Tabulation of results of each elected position will be calculated and posted in the Township Firefighters' Memorial Hall after 8:00 pm.

The results displayed at the Township Firefighters' Memorial Hall shall be unofficial.

The Statement of Results will be reviewed and certified by the Clerk as soon as possible following Election Day and those results shall become the Official Results of the Election.

NOTE: Further details of Ballot Tabulation and Ballot Counting Procedures are attached to this Procedural Manual as Appendix "A", which is hereby declared to form part of this Procedural manual. In the case of any interpretation or clarification, the Clerk's decision shall be final.

U. SECURITY OF THE BALLOT PRIOR TO VOTING

Ballots will be printed under the supervision of the Township's service provider, DataFix, and the number of ballots printed will be forwarded to the Clerk.

By early October, 2022, DataFix will mail a ballot to each person that has been identified on the Voters' List prior to September 15, 2022.

In addition to the ballots mailed, the Clerk will receive a quantity of ballots and blank voter kits. The number of these ballots/kits received will be recorded.

The number of ballots distributed by the Clerk to persons qualifying to be voters after September 15, 2022 will be recorded.

If the Clerk runs out of ballots (voter kits) printed by DataFix, he or she may produce as many additional ballots (voter kits) as deemed necessary and place his initials upon the back of the additional ballots. The number of additional ballots will be recorded.

V. SECURITY OF THE BALLOTS BEFORE/ DURING / AFTER THE VOTE

At the start of each regular business day, the Clerk or designated official shall set out an empty Ballot Return Container (as verified by another staff person to be empty) at the Township Office for the purpose of receiving Ballot Return Envelopes delivered personally and by Canada Post on that day. The Ballot Return Container shall bear seals, one of which will be initialed, dated and time stamped thereon by the Clerk or designated official.

On each regular business day, the yellow return envelopes delivered personally and by Canada Post and placed in the sealed Ballot Return Container will be counted and the number entered in a daily log as having been received personally and from Canada Post. These Ballot Return Containers will then be sealed and stored in a secure place at the end of each business day.

Should a voters' kit be returned to the municipality as "undelivered", it shall be marked invalid and placed in a separate storage box for undelivered kits. If it can be determined that the elector is still eligible to vote in the election and a proper mailing address can be located, a new ballot kit will be issued. In these cases, the elector's name on Voters' List will be noted as either "undelivered" or "re-directed". It is the responsibility of the elector to ensure that the Clerk is aware of his/her proper mailing address.

The Clerk or designate will process those envelopes once per day during the period from October 12, 2022, to October 21, 2022. Each Ballot Return Envelope will be opened and

upon being verified (the Voter's Declaration Form against the Voters List); the sealed Ballot Secrecy Envelope will be placed for storage in sealed Ballot Secure Collection Boxes. The number of Ballot Secrecy Envelopes placed in a Ballot Secure Collection Box each day will be recorded and the Ballot Secure Collection Box will be sealed with seals bearing the initials of the Clerk or designated person, and will be stored in a secure location until tabulation begins on October 24, 2022.

The number of unopened Ballot Secrecy Envelopes rejected each day will be recorded, indicating the reason for rejection. These rejected, sealed Secrecy Envelopes shall be retained on file.

At a time to be determined by the Clerk on October 24, 2022, the Ballot Secure Collection Box(es) being maintained in the Township Office will be transported to the Counting Centre, the boxes opened and the ballots processed through tabulators.

When the ballot processing is, in all respects, deemed to be complete, the final Ballot Boxes will be sealed and initialed by the Clerk prior to transfer to a secure place under the control of the Clerk or designate.

W. COMPLIANCE AUDIT COMMITTEE

As a result of amendments to the *Municipal Elections Act, 1996*, all municipal councils and local boards must appoint a Compliance Audit Committee. This committee must be appointed before October 1st and is to be comprised of three to seven members. Desirable qualifications of these members include knowledge/background in legal, accounting, auditing and/or Elections Act experience. Responsibilities of this committee are as follows:

When an application for a Compliance Audit application is filed by an elector who believes, on reasonable grounds, that a candidate has contravened a provision of the Municipal Elections Act relating to election campaign finances, the committee has the authority;

- To grant or reject a compliance audit application
- To appoint an auditor to conduct the audit, and receives the results
- To commence legal proceedings against the candidate for any apparent contravention
- To make a finding whether or not there were reasonable grounds for making the application if the report concludes that there is no apparent contravention.

The Clerk's office establishes the administrative practices and procedures for this committee and carries out any other duties required to implement the committee's decisions. The term of office for the committee is the same as the term of office of the council or local board and for any by-elections that occur during that time.

As in the 2018 election, the Township of Wainfleet will partner with other local municipalities and school boards in Niagara to appoint a single committee that will conduct all Compliance Audits for the entire region.

X. EMERGENCIES

In the event of any condition of an emergency or any circumstance that, in the opinion of the Clerk, threatens the integrity of the election, the Clerk has the discretion to declare an emergency and to make any arrangements deemed necessary for the fair and proper conduct of the election.

Y. AMENDMENT TO THIS DOCUMENT

This document has been prepared by the Clerk and sets out the procedures developed by the Clerk to be employed in the conduct of the Vote by Mail alternative voting method being used by the Township of Wainfleet in the 2022 Municipal Election. The Clerk at any time has the right to amend this document to reflect a change in procedures necessary to facilitate the vote, count, tabulation of the votes and security of the election process.

The Clerk's ruling on any interpretation of this document is final as per Section 12 of the *Municipal Elections Act, 1996*.

APPENDIX A

BALLOT COUNT CENTRE – GENERAL PROCEDURES FOR VOTE-BY-MAIL

The Ballot Count Centre will be established at the Township of Wainfleet Council Chambers. Only the Clerk, designated election officials, certified candidates and appointed scrutineers will be permitted to remain in the Ballot Count Centre.

Clerk's Procedures and Rules

The Voting Place at the Municipal Office will be closed at 8:00 p.m. on October 24, 2022, and only designated election officials will be allowed to enter thereafter.

Candidates and scrutineers will be permitted in designated areas only. Cell phones and/or other electronic equipment **will not be permitted** other than for designated election officials. Candidates and scrutineers shall not interfere with the vote count in any manner. Should they do so, they shall be required to leave the facility when so requested by a designated election official.

No campaign material will be allowed within or upon the property occupied by the Municipal Office or within 60 metres of the municipal campus.

Proper handling of ballot procedures shall be enforced to ensure that each ballot is tracked, stored, and subjected to quality control to ensure that:

- each ballot is scanned/counted once;
- each counted ballot can be successfully processed for intent;
- no ballot is double scanned or counted; and,
- spoiled ballots are removed or managed or duplicated for voter intent (prior to counting).

In regard to the Ballot Count Centre, the election process shall have the following stations:

(1) Open Secrecy Envelope/Ballot Extraction Station

- a) A letter opener is used to open the Secrecy Envelopes.
- b) Election Officials manually extract the ballot from the Secrecy Envelope, unfold the ballot, and place in a pile for delivery to a Tabulator Station.
- c) Ballots that are ripped, torn, or otherwise unable to be scanned shall be delivered to a "Repair Station".

(2) Repair Station

- a) Ballots that are unable to be scanned because of a physical or technical defect are duplicated at the Repair Station. The duplicated ballot is then scanned/counted as per normal procedures.

(3) Tabulator Stations (3 stations)

- a) The ballots are scanned in batches and the image processor reads each image to determine voter intent.
- b) Batches of scanned ballots are electronically transferred to the results tally and reporting software to generate totals reports.
- c) Scanned ballots are automatically placed in batches in ballot boxes after they are processed through the ballot tabulator.
- d) As each ballot box is filled, it is sealed and will be transferred to a secure storage facility in accordance with the *Municipal Elections Act, 1996*, as amended.

OPERATIONAL PROCEDURES

At the time determined by the Clerk on Voting Day, the sealed Ballot Secure Collection Boxes will be transported by the Municipal Clerk, or designate, to the Ballot Count Centre. On Voting Day, ballot collection box(es) shall be maintained at the Voting Place from 8:30 a.m. to 8:00 p.m. At various intervals (ex. 9:00 a.m., 11:00 a.m., 2:00 p.m., 4:00 p.m., 6:00 p.m., 7:00 p.m.) or at the discretion of the Clerk or designate, and at the close of voting at 8:00 p.m., the ballot collection boxes maintained at the Voting Place shall be sealed and delivered to the Ballot Count Centre. The same process will be followed at the Voting Place on Election Day. The Municipal Clerk, or designate will remove the sealed Ballot Secrecy Envelope and Voter Declaration Form and update the Voters' List. The Ballots will be sealed in a box and transported to the Ballot Count Centre.

The following steps are repeated until all ballots cast have been processed.

- a) At the Ballot Count Centre, Election Officials shall open the sealed Ballot Secure Collection Boxes and the secrecy envelopes shall be opened through the use of a letter opener.
- b) The Election Official will manually extract the ballot from the secrecy envelope, unfold and flatten the ballot, and place the ballot in a pile for pick-up by a Runner. The envelope is set aside in a separate pile.
- c) In the event a ballot is accidentally slit by the envelope opener or in the event that a ballot extracted from an envelope is damaged in such a manner that it obviously cannot be scanned or counted (eg. torn, ripped, crumpled) the Election Official shall re-insert the ballot back into the envelope and set it aside for the Runner to deliver to the Repair Station.
- d) The Runner shall regularly attend each Election Official at the Ballot Extraction Station to collect the flattened ballots and deliver them to the Tabulator Stations, and shall collect any damaged ballots and deliver them to the Repair Station.

Scanning

- a) Upon receiving a batch of ballots to be scanned, the designate at the Tabulator Station shall insert the ballot into the Vote Tabulator one ballot at a time ensuring that each ballot is counted and drops into the sealed Ballot Box.

- b) In the case of a physically or technically damaged or defective ballot, the voting machine will report a misread, cease scanning, and return the damaged ballot. The damaged/defective ballot shall be isolated for action by the Municipal Clerk or designate (either a second attempt at scanning or delivered to the Repair Station by the Runner).

Ballot Repair/Replacement

- a) Upon receipt of the physically or technically defective ballot, the designate shall, using a new unused ballot, prepare a replacement ballot by marking the new ballot with the same marks contained in the designated voting spaces on the technically defective ballot, and the replacement ballot shall be clearly labeled "replacement" and given a serial number which shall also be recorded on the defective ballot (i.e. Duplicate #1011, Original #1011, Duplicate #1012, Original #1012, etc.). The annotations on the Replacement ballot must be recorded only on the bottom edge of the ballot outside of the vote area.
- b) The replacement ballot shall be delivered by the Runner to the Ballot Extraction Station to be inserted into the voting machine and ballot box.
- c) The original defective ballot is placed in a "Defective Ballots" envelope.
- d) If a ballot is rejected by the vote tabulator because it is not a proper Township of Wainfleet election ballot, the ballot shall not be tabulated and shall be placed in the envelope marked "Rejected ballots".

TABULATION PROCEDURES

As soon as possible after 8:00 pm on October 24, 2022, after each of the Vote-By-Mail ballots have been scanned/counted in the Vote Tabulator the Municipal Clerk or designate will insert the voting machine closing key and close the Vote Tabulator poll. The Vote Tabulator will then print out the results for every ballot processed by the Vote Tabulator. These results will be organized on the report tape into winners for each office/race within the election.

Once the results have been certified by the Municipal Clerk, or designate, they will become the official results.



TOWNSHIP OF WAINFLEET POLICY

Policy Title:	Use of Municipal Resources for Election
Policy Number:	
Legislative Authority:	<i>Municipal Elections Act, 1996, as amended</i>
Date of Council Approval:	April 1, 2018
Date of Revision(s):	

1. DEFINITIONS

- 1.1. “The Act” means the *Municipal Elections Act, 1996*, as amended from time-to-time, and includes any regulation made thereunder;
- 1.2. “Campaign” means any work, effort, activity or thing intending to influence persons to vote for or against any Candidate or any question or by-law submitted to the electors in an election;
- 1.3. “Campaign Period” begins on the date a Candidate files their nomination and continues through to and including Voting Day.
- 1.4. “Candidate” means a person who has filed a nomination to run in a municipal, provincial or federal election, including acclaimed candidates, and shall be deemed to include third party advertisers and any person seeking to influence other persons to vote for or against any candidate or any question or by-law submitted to the electors;
- 1.5. “Election Period” means the period commencing on May 1 in the year of a municipal election and continues through to and including Voting Day;
- 1.6. “Municipal Facilities” means any real property owned or under the control of the Township of Wainfleet.
- 1.7. “Municipal Resources” includes but is not limited to Township of Wainfleet Staff, events, funds, information, resources and assets;
- 1.8. “Staff” includes full-time, part-time, and contract employees of the Township of Wainfleet and other persons that may be employed or engaged, in either a paid or non-paid capacity, by the municipality;
- 1.9. “Township of Wainfleet” means the Corporation of the Township of Wainfleet;
- 1.10. “Voting Day” is the day on which the final vote is to be taken in an election.



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2. PURPOSE

- 2.1. The purpose of this policy is to ensure that all registered Candidates, Members of Council and Staff adhere to the provisions of the *Municipal Elections Act, 1996, as amended* (the *Act*), in regard to the use of municipal resources during an election campaign period.

3. POLICY STATEMENT

- 3.1. Pursuant to Section 88.18 of the *Act* and in order to ensure the proper conduct of an election, it is appropriate to establish guidelines regarding the use of municipal resources during a municipal election campaign period to ensure transparency, equity and fairness and to protect the interests of both Candidates and the municipal corporation.

The *Municipal Elections Act, 1996, as amended*, prohibits a municipality from making a contribution to a Candidate. The *Act* also prohibits a Candidate, or someone acting on the Candidate's behalf, from accepting a contribution from a corporation or a person who is not entitled to make a contribution.

As a contribution may take the form of money, goods or services, any use of the municipal corporation's resources by a Candidate (including a Council Member) for his/her election campaign could be viewed as contribution by the Township to the Candidate, which is a violation of the *Act*.

The purpose of this policy is to notify all registered Candidates, including Members of Council, of the requirement to comply with the provisions of the *Act*:

- No Candidate shall use the facilities, equipment, supplies, services, staff or other resources of the municipality (including municipal letterhead, municipal business cards, municipal email accounts, municipal computers, municipal budgets and any other municipal resource) for any election campaign or campaign-related activities;
- No Candidate shall undertake campaign-related activities on any municipal property; and



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- No Candidate shall use the services of persons during hours in which those persons receive any compensation from the municipality.

4. SCOPE

- 4.1. This policy is applicable to all registered Candidates, including sitting Members of Council, and Staff and is applicable to municipal elections, including by-elections, and applies, with necessary modifications, to provincial and federal elections.

5. PROCEDURES/GUIDELINES

- 5.1. In accordance with the provisions of the Act:
- a) Municipal Resources shall not be used for Campaign-related purposes;
 - b) Candidates shall not use any Municipal Facilities for any Campaign related purposes;
 - c) Campaign-related signs or any other Campaign-related material, including vehicles which may identify a Candidate, shall not be displayed at any Municipal Facilities;
 - d) Candidates shall not campaign and/or distribute Campaign literature during any function being hosted by the municipality whether the function is being undertaken on municipal property or not;
 - e) Candidates shall not use municipal funds to print or distribute any material that reference, contain the names or photographs of, or identify registered Candidates;
 - f) Candidates are responsible to ensure that the content of any communications material, including printed material such as newsletters, advertising, etc. that may be funded by the municipality is not directly Campaign-related.



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- g) Websites, domain names, and social media handles that are funded by the municipality may not include any Campaign-related material subject to:
- i. Candidates are permitted to link to any Township document available to the public or on a public Township webpage from their own Campaign website;
 - ii. Candidates are not permitted to incorporate any video or other material (e.g. photos) for which the Township has proprietary rights on their own web page or social media account;
 - iii. Candidates are not permitted to use social media handles (e.g. @TownshipofWainfleet) or “tag” Township of Wainfleet in Campaign-related social media posts;
 - iv. Candidates shall not use the Township’s I.T. resources, including the Township’s email system or any individual websites linked through the Township’s website and social-media accounts used for Township communication, for any Campaign and/or Campaign-related activities;
 - v. If a Candidate uses any website or social media account for campaigning, such websites or accounts must not be created or supported by Municipal Resources (e.g. Candidates must utilize personal cell phones, tablets and/or computers to support such accounts);
 - vi. Sitting members of Council who choose to create or use social media accounts for campaigning must include, for the duration of the Election Period, a clear statement on each Campaign website or social media account’s home page indicating that the account is being used for Campaign purposes and is not related to their duties as a Member of Council; and
 - vii. The online List of Candidates shall be the only area of the Township of Wainfleet’s website where links to external Campaign websites will be permitted during the Election Period.



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- h) Candidates may not under any circumstance use a Township logo or any variation of it on any Campaign material, election signs, social media or Campaign websites.
- i) Candidates may not use the municipality’s voicemail system and/or cell phones to record or broadcast Campaign-related messages.
- j) Staff engaged in political activities must take care to separate those personal activities from their official positions. Staff may participate in political activity at the federal, provincial and municipal levels providing that such activity does not take place during work hours of use corporate assets, resources, or property.
 - i. Staff shall not produce, display or distribute notices, posters or similar material in support of a Candidate at any Municipal Facilities or using any corporate resources;
 - ii. Staff shall not canvass or actively work in support of a municipal, provincial or federal Candidate or party during normal working hours unless they are on a leave of absence without pay, lieu time, float day, or vacation leave;
 - iii. Staff shall not canvass or actively work in support of a municipal Candidate or political party while wearing a uniform, badge, logo or any other item identifying them as an employee of The Corporation, or using a vehicle owned or leased by the municipality.

5.2. The Clerk is authorized and directed to take the necessary action to give effect to this policy.

5.3. 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 in the opinion of the Clerk, the amendments are minor in nature and do not change the intent of the policy.

Limitations



TOWNSHIP OF WAINFLEET POLICY

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- 5.4. Nothing in this policy shall serve to restrict the Clerk from utilizing municipal resources for the proper conduct of an election in accordance with the requirements of the *Act*.
- 5.5. Nothing in this policy shall serve to preclude a Member of Council from performing their duties as a Member of Council, nor inhibit them from representing the interests of constituents who elected them.

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET

BYLAW NO. 039-2021

Being a bylaw to regulate the erection of signs for Federal, Provincial, Regional and Municipal Elections.

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 11(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 subsection 11(2) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws respecting: 5. Economic, social and environmental well-being of the municipality; 6. Health, safety and well-being of persons; 7. Services and things that the municipality is authorized to provide under subsection (1); 8. Protection of persons and property, including consumer protection; and

WHEREAS subsection 11(3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws respecting: 7. Structures, including fences and signs; and

WHEREAS section 63 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended provides that a by-law may prohibit or regulate the placing or standing of an object on or near a highway, and may provide for the removal and impounding or restraining and immobilizing of any object placed or standing on or near a highway; and

AND WHEREAS section 425 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, establishes that any person who contravenes any by-law of the Corporation of the Township of Wainfleet is guilty of an offence; and

WHEREAS section 445 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may make an order requiring a person who has contravened a by-law or who caused or permitted the contravention, or the owner or occupier of land on which the contravention occurred to do work to correct the contravention; 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; and

NOW THEREFORE the Municipal Council of the Corporation of the Township of Wainfleet enacts as follows:

1. **DEFINITIONS**

1.1 In this By-law:

“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.

“Boulevard” means that portion of every Road which is not used as a Sidewalk, driveway access, Roadway or roadside drainage ditch.

“Campaign Office” means a building or structure, or part of a building or structure, used by a Candidate to conduct an election campaign and for greater certainty shall include the entire property on which the Campaign Office is located.

“Candidate” means:

- (a) a candidate within the meaning of the Canada Elections Act, the Election Act (Ontario) or the Municipal Elections Act, 1996 as amended; and
- (b) shall be deemed to include a person seeking to influence other persons to vote for or against any candidate, question or by-law to the electors under section 8 of the Municipal Elections Act, 1996 as amended.

“Cemetery” means a cemetery owned, operated or maintained by the Township.

“Clerk” means the Clerk or Deputy Clerk of the Township or a person delegated by them for the purpose of this By-law.

“Crosswalk” means:

- (a) that part of a Road at an intersection that is included within the connections of the lateral lines of the Sidewalks on opposite sides of the Road measured from the curbs, or in the absence of curbs from the edges of the Roadway; or
- (b) 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.

“Election Sign” means any sign or advertising device promoting, opposing or taking a position with respect to:

- (a) any Candidate or political party in an election or by-election under the Canada Elections Act, the Election Act (Ontario) or the Municipal Elections Act, 1996;
- (b) an issue associated with a person or political party in an election or by-election under the Canada Elections Act, the Election Act (Ontario) or the Municipal Elections Act, 1996; or
- (c) 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 a School Board, Member of Provincial Parliament in the Legislative Assembly of Ontario or Member of Federal Parliament in the House of Commons or where a question, law or by-law is being submitted to the electors.

“Enforcement Officer” means a Municipal Law Enforcement Officer appointed by the Municipal Council of the Township.

“Nomination Day” means the deadline to file a nomination with the Clerk under the Municipal Elections Act, 1996 as amended.

“Owner” means:

- (a) the registered owner of the property on which an Election Sign is Placed,
- (b) any person described on or whose name, image, address or telephone number appears on an Election Sign,
- (c) any person who is in control of an Election Sign;
- (d) any person who benefits from the message on an Election Sign; or
- (e) any person who has Placed or permitted to be Placed an Election Sign;

and for the purposes of this By-law, there may be more than one Owner of an Election Sign.

“Park” means any land, including land covered by water, under the ownership, jurisdiction, 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 area or an environmentally significant area, including any buildings, structures, facilities, erections and improvements located in or on such land.

“Place” means affix, attach, build, construct, display, erect, install, move, put or reconstruct; and “Placed” and “Placing” shall have a corresponding meaning.

“Public Property” means real property owned by or under the jurisdiction or control of the Township or any of its agencies, local boards, commissions or corporations but, for the purposes of this by-law, does not include a Road.

“Road” means a highway, road allowance, street, avenue, parkway, driveway, lane, square, place, bridge, viaduct, trestle or other public way under the ownership, jurisdiction or control of the Township.

“Roadway” means the part of a Road that is designed, improved, maintained or ordinarily used for vehicular traffic and includes a shoulder, a traffic median and a traffic island.

“Sidewalk” means any municipal walkway, or any portion of a Road between the Roadway and the adjacent property line that is improved, maintained and primarily intended for the use of pedestrians.

“Sign Area” means the area of one side of a sign or advertising device where copy can be placed.

“Sign Height” means the vertical height of a sign or advertising device from the lowest point of finished grade to the highest part of the sign or advertising device.

“Township” means the Corporation of the Township of Wainfleet.

“Voting Place” means a place where electors cast their ballots and includes the entire property at which the Voting Place is located.

“Writ of Election” means the date as defined in the Canada Elections Act and the Election 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 In addition to compliance with this By-law, every person shall also comply with the by-laws, laws and regulations of the Regional Municipality of Niagara, the Province of Ontario (including the Ministry of Transportation) and the Government of Canada.
- 2.3 No person shall Place or permit to be Placed an Election Sign that:
 - (a) has a Sign Area of more than 4.5 square metres;
 - (b) is illuminated;
 - (c) has flashing lights or rotating parts;
 - (d) simulates any traffic control device;
 - (e) interferes with the safe operation of vehicular traffic or the safety of pedestrians;
 - or
 - (f) impedes or obstructs the maintenance operations of the Township.
- 2.4 Subsections 2.3 (a) and (b) do not apply to an Election Sign on a Campaign Office or a Billboard.
- 2.5 No person shall Place or permit to be Placed an Election Sign that has a Sign Height:
 - (a) of more than 1.5 metres when Placed within 8 metres of a Roadway;
 - (b) of more than 4 metres when Placed beyond 8 metres of a Roadway.
- 2.6 No person shall Place or permit to be Placed an Election Sign outside of the Electoral District where the Candidate is running for office; or in the case of an Election Sign relating to a question, law or by-law that is being submitted to the electors, the Electoral District where the question, law or by-law is being submitted to the electors.

- 2.7 No person shall Place or permit to be Placed an Election Sign:
- (a) on private property without the consent of the owner of the private property;
 - (b) within 8 metres of another Election Sign of the same Candidate on the same property;
 - (c) in a Voting Place or on any property located within 60 metres of a Voting Place.
- 2.8 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.

3. ELECTION SIGNS ON PUBLIC PROPERTY

- 3.1 No person shall Place or permit to be Placed an Election Sign on Public Property.
- 3.2 No person shall Place or permit to be Placed an Election Sign in a Cemetery or in a Park.
- 3.3 No person shall Place or permit to be Placed an Election Sign:
- (a) in a Roadway;
 - (b) between a Roadway and a roadside drainage ditch,
 - (c) between a Roadway and a Sidewalk;
 - (d) less than 3 metres from a Crosswalk;
 - (e) in a Boulevard that abuts Public Property, a Cemetery or Park;
 - (f) in a Boulevard that abuts private property without the prior consent of the owner of the abutting private property;
 - (g) in a Boulevard within 8 metres of another Election Sign of the same Candidate;
 - (h) on a fence, gate, sign, tree, post, pole, utility pole, wall or other structure or thing located on any Public Property or Road;
 - (i) that impedes visibility at or near any Roadway intersection;
 - (j) that creates a visual distraction or obscures road safety signage used to warn or direct motorists;
 - (k) that hinders, impedes or obstructs the passage of vehicles or pedestrians.
- 3.4 No person shall injure or foul a Road or permit the injuring or fouling of a Road when Placing an Election Sign.

4. TIMING

- 4.1 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.
- 4.2 No person shall Place or permit to be Placed an Election Sign for a municipal election or by-election, except an Election Sign which is Placed on a Campaign Office:
- (a) earlier than the close of nominations on Nomination Day in the year of a regular election; or
 - (b) earlier than the close of nominations on Nomination Day for a by-election.
- 4.3 Despite sections 4.1 and 4.2, a person may Place or permit to be Placed Election Signs on their Campaign Office in the Township once the Candidate has formally filed their

nomination papers. For the purpose of this section, a Candidate may designate only one building or part thereof in the municipality as their office at any one time and must advise the Clerk, in writing, of the address of their office prior to erecting the Election Signs authorized by this section.

- 4.4 No Owner shall permit an Election Sign to remain Placed after the expiry of forty-eight (48) hours immediately following 11:59 p.m. of the day of the election or by-election, as the case may be.

5. REMOVAL AND RETURN OF ELECTION SIGNS – POWERS OF THE CLERK AND/OR ENFORCEMENT OFFICER

- 5.1 The Clerk or an Enforcement Officer may remove or cause to be removed any Election Sign Placed in contravention of this By-law without notice.

- 5.2 The cost of the removal of an Elections Sign under section 5.1 shall be charged back to an Owner of the Election Sign at a rate of \$50.00 per sign.

- 5.3 The Clerk or an Enforcement Officer may destroy or dispose of, or cause to be destroyed or disposed of, any Election Sign which has been removed and not claimed and retrieved by the Owner of the Election Sign within ten (10) business days after it has been removed by the Township.

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 an 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, as amended.

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 By-law No. 001-2010 being a by-law to regulate the erection of signs for Federal, Provincial, Regional and Municipal Elections and all amendments to such by-law are hereby repealed.

- 10.2 This by-law shall come into force and effect on the day it is passed.

BY-LAW READ AND PASSED THIS 26TH DAY OF OCTOBER, 2021

K. Gibson, MAYOR

M. Ciuffetelli, DEPUTY CLERK

ACCESSIBLE ELECTION POLICIES AND PROCEDURES

Municipal Elections Act, 1996



INTRODUCTION

The Clerk is responsible for the proper legislative and administrative conduct of municipal elections in the Township of Wainfleet. In accordance with the *Municipal Elections Act, 1996*, the *Ontarians with Disabilities Act, 2001 (ODA)* and the *Accessibility for Ontarians and Disabilities Act, 2005 (AODA)*, the Clerk is authorized to establish procedures and provide appropriate measures to ensure that persons with disabilities have the opportunity to fully participate in the 2022 Municipal Elections. Accordingly, the 2022 Municipal Elections will be conducted in such a manner to ensure that:

1. Candidates and electors with disabilities have full and equal access to all election information and services.
2. Persons with disabilities have access to Voting Places.
3. Persons with disabilities are able to independently and privately mark their ballot and have access to alternative methods of voting assistance.

Following the election, the Clerk will submit a report to Council concerning the identification, removal and prevention of barriers that affect electors and candidates with disabilities.

PROVISION OF ELECTION INFORMATION

Upon request, candidates and electors with disabilities will be able to receive information and copies of election documents in alternate formats that takes into account their disability. Such formats may be agreed upon between the requestor and the Clerk.

Notification that documents are available in alternate formats will also be made available to the public by posting on the Township of Wainfleet's website and posting at various customer service office locations as deemed appropriate.

Notice of Temporary Service Disruptions

The Deputy Returning Officer shall provide notice for each planned or unplanned disruption that could affect the public, such as the unavailability of an assistive device, service or feature that is regularly available to enable or enhance access to services.

The notice of service disruption will include the following information:

1. Description of the service disruption
2. Reason for the disruption
3. Anticipated duration of the disruption
4. Alternate routes, facilities or services, if any, that are available
5. Contact information

Notice will be given by posting the information in a visible place on the premises (on doors, at service counters, on bulletin boards, etc.), by posting on the Township of Wainfleet's website, and by such other method as may be reasonable under the circumstances.

STAFF TRAINING AND ELECTION ASSISTANCE

Staff Training

All staff carrying out election duties will be trained to recognize and ensure that persons with disabilities are served in a way that accommodates their needs. Training will include:

1. How to interact and communicate with persons with various types of disability.
2. How to interact with persons with disabilities who use assistive devices or require the assistance of a service animal or support person.
3. How to use voting equipment and assistive devices to deliver election services.
4. How to provide accessible customer services and what to do if a person is having difficulty accessing election information or services.

Staff Assistance

Designated Clerk's Department staff may be able to assist with any issues that may arise with respect to providing an accessible election.

- Telephone (905) 899-3463
- In Person 31940 Highway 3, Wainfleet, ON
- Fax (905) 899-2340
- Mail 31940 Highway 3, P.O. Box 40, Wainfleet, ON, L0S 1V0
- Website www.wainfleet.ca

ASSISTANCE TO CANDIDATES

Service Animals

Candidates and scrutineers are permitted to be accompanied by a service animal at all Voting Places and other designated election locations.

Campaign Expenses

Expenses that are incurred by a candidate with a disability that are directly related to the disability, and would not have been incurred but for the election to which the expenses relate are excluded from the maximum spending limit for the candidate in accordance with Section 88.19 of the *Municipal Elections Act, 1996*.

ASSISTANCE TO ELECTORS

Parking

Designated parking for persons with disabilities will be available close to the entrance of election places where possible.

Service Animals

Electors requiring service animals are permitted to be accompanied by a service animal at all election places.

Entrance to the Election Places

Where the main entrance to an election place is inaccessible, another entry point that is accessible will be identified. Where possible the accessible entrance is to be used as the main entrance for everyone.

The entrance for persons with disabilities will be clearly sign-posted. Every effort shall be made to ensure that the door into the election place is wide enough for a wheelchair or mobility scooter to pass through easily. If the doors are heavy, awkward to open or have handles that are out of reach, where possible an attendant will be present.

Interior Election Places

Access to the interior election places will be level and easily travelled. Seating will be made available in all election places.

Voting Assistance

Persons with disabilities may be accompanied by a support person within election places. In addition, upon request, the Deputy Returning Officer in each election place can assist the voter. A support person, other than a Deputy Returning Officer, that accompanies a voter to assist the voter in may also be required to subscribe to an oath of secrecy.

Vote-by-Mail

As the Township is using Vote-by-Mail, each elector will have several weeks in which to cast their ballot. A family member and/or trusted friend can assist electors in completing their ballots, if required. Clerks Department staff may also be able to assist, if possible. The Township will also endeavour to ensure that ballot drop off centres (including Township Hall) are wheelchair accessible and will have staff available to provide assistance to voters who require it.

FEEDBACK PROCESS

Feedback about the manner in which election services are provided to persons with disabilities may be submitted to the Clerk/Returning Officer through a variety of methods including:

- Telephone (905) 899-3463
- In Person 31940 Highway 3, Wainfleet, ON
- Fax (905) 899-2340
- Mail 31940 Highway 3, P.O. Box 40, Wainfleet, ON, L0S 1V0
- Website www.wainfleet.ca

Feedback may be provided in the manner deemed most convenient to the candidate or elector. All feedback will be treated as confidential and will be used to improve customer

service. Feedback will be reviewed by the Clerk and a timely response will be provided, where requested, directly to the candidate or elector in accordance with the Accessible Customer Service Policies.

Information about the feedback process will be made available to the public by posting on Wainfleet's website www.wainfleet.ca in the Clerk's Department, and in other locations as deemed appropriate.

The feedback process provides election staff with an opportunity to take corrective measures to prevent similar recurrences, address training needs, enhance service delivery and provide alternative methods of providing election services.

ADDITIONAL INFORMATION

Township of Wainfleet - Clerk's Department

The Clerk's Department is located at the Township of Wainfleet Municipal Offices, 31940 Highway 3, Wainfleet. Designated Clerk's Department staff can answer any questions you may have about running for office, the election in general or specific provisions for persons with disabilities.

Township of Wainfleet – Election Website

The Township of Wainfleet website is continuously updated to reflect the most recent developments and information. Visit the site for an up-to-date list of candidates and other importance messages or events throughout the election year at www.wainfleet.ca or <https://www.wainfleet.ca/en/town-hall/municipal-elections.aspx>

Ministry of Municipal Affairs and Housing – Election Website

This website contains information about municipal elections, the Province of Ontario 2022 Municipal Elections Candidates' Guide, 2022 Municipal Elections Voters' Guide and the Ministry's commitment to promote greater accessibility for voters and candidates with disabilities: <http://www.mah.gov.on.ca/Page219.aspx>

Ministry of Community and Social Services

The Ministry of Community and Social Services has developed the AccessON website (<https://www.ontario.ca/page/accessibility-laws>) to help understand disabilities, prevent barriers and understand accessibility laws. For more information candidates can also download a quick reference guide for accessible campaigns: <https://www.mcscs.gov.on.ca/documents/en/mcscs/publications/accessibility/QuickReferenceGuideToAccessibleCampaignInformation.pdf>

Service Ontario – e-Laws

This website contains all current statutes including the Municipal Elections Act, 1996, the Ontarians with Disabilities Act, 2001 (ODA) and the Accessibility for Ontarians with Disabilities Act, 2005 (AODA). www.e-laws.gov.on.ca/index.html

Candidate's Guide to Accessible Elections

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This guide was developed in partnership with the Accessibility Directorate of Ontario



Preamble

This guide is intended to draw your attention to the measures candidates should include: literature through print media, audio and video messages, and access to your campaign office (if you are intending to campaign from an office that is separate from your home).

Be sure that all of your campaign activities are accessible to everyone!

Campaign Literature

1. Print Media

Printed campaign materials are one of the most common methods of communicating with your candidates during your campaign. Consider the following when preparing your campaign literature:

- What is the font size on your material? It should be between 12 and 18 points, except when producing brochures where space can be an issue. Having a message at bottom of brochure saying “Alternative Formats Available Upon Request” allows an individual to request it in a format that works for them.
- Use a sans serif fonts (sans means “without” and serif are the small projecting features at the end of strokes; arms and legs). The extra serifs make text difficult to read. Choose a font without serifs like Arial or Verdana.)
- Use upper and lower case, avoid italics and avoid underlining (underlining is perceived to mean a website or email link.)
- If you are using a filled box, “bold” the font.
- Use good colour contrast – black and white is easiest to see and read.
- Avoid using watermarks and text as not very readable.
- Will you have separate large print copies available?
- Do you have magnifying sheets available to help a person with low vision to read your materials? Could the material be offered in an alternate format, if requested?

- Can you have key pieces of your literature in alternative formats (e.g. Braille, large print, e-text versions)?
- All printed material should have a statement “alternative formats available upon request.”
- Ensure that your print materials provide details on whether your campaign office (if you have a campaign office) is accessible.
- If sending printed material electronically, ensure that it has been designed to be accessible. If for instance you have created a document in word, then you would need to use headings and styles to enable an assistive device to read the material easily. Pictures and links need to be tagged appropriately so that the images are picked up and described.
- Consider accessibility provisions for your website. Do you have scalable print? Is the font size large enough? Is there sufficient contrast between the colour of the background and any text? Has alternative text been provided to describe any images, link and tables, used on your website?
- If you elect to provide a TTY number in your campaign office/home, be sure to include TTY number in all advertising and promotional materials.
- Consider the services offered through VoicePrint, a division of The National Broadcast Reading Service, which broadcasts readings of full-text articles from more than 600 Canadian newspapers and magazines. They also provide advertising opportunities through a fee-for-service program.

2. Audio/Video Media

Radio and Video campaign messages also often form part of a candidate’s campaign portfolio. Consider the following when preparing your campaign literature:

- Recorded messages provide consistent information and access for individuals after-hours.
- Will you offer these messages in alternative formats? Advertise that these formats are available and how they can be accessed.
- You may wish to consider providing subtitles for video communications.
- Consider captioning for live video presentation of electoral debates.

3. One-on-One Communication

Will you consider offering Sign Language Interpreting?

Sign Language Interpreters are knowledgeable in the language and culture of both hearing impaired and hearing people. They provide communication in both sign language and a spoken language and are bound by a professional Code of Ethics.

A Sign Language Interpreter may need to be booked two to three weeks in advance. If a meeting or event is longer than two hours then two Sign Language Interpreters will be required. One person will sign for 15 to 20 minutes and then they will switch. If the information they are interpreting is difficult then they may ask for materials in advance to be better prepared.

The websites below provides a directory of interpreters, as well as tips on finding an interpreter, negotiating terms for agreements, etc. Link to the Ontario Association of Sign Language Interpreters' (OASLI) website: <http://www.oasli.on.ca>. As well as a link to their online directory:

[Association of Visual Language Interpreters of Canada's online directory:](http://www.oasli.on.ca/contact/directory-of-oasli-interpreters)
(<http://www.oasli.on.ca/contact/directory-of-oasli-interpreters>)

At candidate meetings, you may wish to consider providing a recording secretary and have a screen available to broadcast information for the hearing impaired.

Campaign Office

4. Choosing a Location

Many candidates campaign from their homes, however, if you are thinking of establishing a campaign office separate from your home, your campaign office may be your primary venue for meeting one-on-one with the electorate. You will want to be sure that the location is suitable to accept any elector who wishes to attend your office. The following is a recommended checklist to consider:

Accessible Campaign Office Checklist

- Is the office located on a route that is served by accessible public transportation?
- Is the name and address of the building clearly visible from the street and sidewalk?
- If needed, is there a pedestrian crosswalk close by? Crosswalks served by an audible and visual traffic-crossing signal are preferred. Where there is a change in level, for example where the sidewalk meets the street, curb cuts are necessary.
- Is accessible parking available for electors? At least one accessible parking space should be provided on the shortest, safest accessible route to the accessible building entrance.
- Is the accessible parking space clearly marked with the international symbol of accessibility?



- Is the parking space firm and level?
- Are curb cuts provided? All sidewalks should have curb cuts at locations near parking and along the route to the primary entrance.
- Is the space large enough to meet the needs of an elector who uses a van equipped with a wheelchair lift?
- Are the parking spaces and route of travel properly maintained? Snow and ice should be removed and uneven surfaces repaired as soon as possible.
- Is the route to the entrance accessible? Accessible routes should be unobstructed and have continuous, smooth, hard surfaces with no abrupt changes in level and should not require the use of stairs. Plan to have routine checks made throughout the day.

- Is the route wide enough so someone using a wheelchair, scooter, or service animal can travel safely?
- Is the campaign office easily identified by signage? Is the sign easy to read and understand?
- Is the entrance accessible? If there are steps, there needs to be a ramp so people using mobility aids or who have mobility impairments can get in. Steps, even a small single step, can make the campaign office inaccessible to many people with disabilities and seniors.
- Is the ramp well designed and safe? Does it have handrails on both sides? Does it have a suitable slope? If the ramp is temporary, is it securely attached to the steps so it cannot slip or wobble?
- Is the door hardware accessible? Are there lever or pull handles? Be sure the door hardware passes the “fist test”. This means it can be operated by a person using a closed fist.
- Is the doorway wide enough for a person using a wheelchair or scooter to pass through?
- Is the door easy to open? If the doors are heavy, awkward to open or have handles that may be out of reach, can you prop them open in a safe manner? If you do prop them open, make sure you don’t obstruct the entrance and nearby floor space.
- Is the entrance easy to see?
- Is the entrance well lit?

5. Inside the Office

- Is there level access from the entrance to the office area? Internal stairs are just as much of a problem as external ones. It may be necessary to install ramps.
- Are doormats level with the floor to prevent potential tripping hazards? If not, you may consider removing them, provided of course this does not create further hazards. Beveled edges on doormats helpful.
- Is the voting location on a ground floor unless elevator available?

- Is the flooring non-slip, even and level? Highly polished surfaces can be slippery for some users, while thick carpeting and loose rugs or mats can cause people to trip or get stuck. Glare from polished surfaces can be a problem for people with visual impairments.
- Is the office area well lit?
- Are there seats available for people to rest if needed?
- Are corridors inside the office facility spacious enough for a wheelchair or scooter to pass through comfortably? Obstructions such as stacked furniture or piles of boxes can cause problems for visually impaired people, as well as people with limited mobility.
- Is there enough space inside the office area for a wheelchair or scooter to move about easily?

6. Make Provisions for Service Animals

It is prohibited to deny a person access to a place or service because a guide dog accompanies them. Be sure that the facility use agreement does not prohibit service animals. Service animals must be allowed to remain with the person with a disability. Service animals are allowed to go anywhere the public is allowed.

7. Telephone Access

Consider providing a TTY number.

8. Accessible Washrooms

- Does your office have washrooms that are large enough to accommodate scooter and power wheelchair users and are equipped with at least one accessible stall? A unisex washroom is preferred.
- Are the accessible washrooms located on the same floor and in close proximity to the office?
- Do the doors to the washroom have a raised (tactile) male or female sign or Braille lettering?
- Are there L shaped grab bars or a rear bar?
- Are taps operable with a closed fist?

- Are hot water pipes under the sink recessed or covered to prevent burning one's knees if in a wheelchair?

9. Training

Are your staff/volunteers trained as it relates to Customer Service Standard and the Integrated Accessibility Standards Regulation so that you are providing appropriate services for persons with disabilities?

10. Other

Are you providing refreshments to visitors? If so, provide bendable straws and lightweight cups and an option for sugar free beverages.

Budgeting

Costs associated with ensuring your campaign is accessible to your electors must be reported as per the legislated requirements. Make sure you budget for possible accessibility requests like Sign Language Interpreters, Braille copies, other alternative formats and website accessibility.

11. Sign Language Interpreting

For sign language interpreting, the cost will be based on how long the service is needed and whether one or more interpreters will be required. Currently, the base rate for interpreting service is \$110 per interpreter for up to two hours of service. After that, \$55 is charged for every hour or part thereof.

Understanding Disability: Know Your Electors' Needs And Communicate Your Solutions

12. Examples of Barriers to People with Disabilities:

Barrier Type	Example
Physical	A doorknob that cannot be operated by an elderly person with limited upper-body mobility and strength.
Architectural	A hallway or door that is too narrow for a wheelchair or scooter.
Informational	Typefaces which are too small to be read by a person with low-vision.
Communicational	A speaker at a meeting who talks loudly when addressing a deaf participant.
Attitudinal	A campaign event that discourages persons with developmental disabilities from participating.
Technological	Information on a web site, which cannot be accessed by a person who is blind or visually impaired and who has reading software on a computer.
Policy/Practice	A practice of announcing important messages over an intercom that people with hearing impairments cannot hear clearly.

Disabilities can take many forms and can range from temporary to permanent. Often disabilities are non-visible and no one should ever make assumptions. A disability may have been present from birth, caused by an accident, or developed over time. There are physical, mental and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, drug and alcohol dependencies, environmental sensitivities, and other conditions –

13. Types of Disabilities

Listed below is a brief description of types of disabilities. Understanding people's needs and challenges may help you better communicate with them. Always remember if you are not sure what to do, ask the person, "May I help you?" This gives a person with disabilities an opportunity to let you know how you can assist them if they wish you too.

Physical Disabilities:

There are many types and degrees of physical disabilities, and while people who use mobility aids like wheelchairs, scooters, crutches or canes are most recognizable, it is important to consider that not all people with physical disabilities require a mobility device. People who have arthritis, heart or lung conditions or amputations may also have difficulty with stamina, moving, standing, sitting or the ability to reach or grasp. It may be difficult to identify a person with a physical disability. If you're not sure what to do, ask the person, "May I help you?" People with disabilities know if they need help and how you can provide it.

Vision Loss:

There are varying degrees of vision loss and a distinction between blindness and low vision. In some cases, it may be difficult to tell if a person has a vision loss. The majority of people living with a vision disability have some vision, only some are totally blind. Vision disabilities can reduce one's ability to see clearly or can affect the range of visual field. Some people can distinguish between light and dark, or between contrasting colours, or read large print, but have difficulty with small print or low-light situations. Others may have a loss of peripheral or side vision, or a lack of central vision, which impacts a person's ability to distinguish details, like recognizing faces or reading. Vision disabilities can restrict a person's ability to read print and signs, locate landmarks or see hazards. They may use a white cane or service animal to help with orientation and movement in an environment. There are specific things you can do to communicate with a voter with vision loss – for e.g. identify yourself when you approach the person and speak directly to him or her, even if he/she is accompanied by a companion.

Deaf, Deafened or Hard of Hearing:

Hearing loss ranges from mild to profound. **Hard of hearing** people generally have a hearing loss ranging from mild to severe, although it is sometimes profound, and use their voice and residual hearing for communication. Hearing aids and cochlear implants are often used, augmented by assistive listening devices, other technology, and speech reading.

Late deafened persons, sometimes referred to as deafened or oral deaf, have lost all hearing at some point after learning to speak, usually as adults. Growing up either hearing or hard of hearing, late deafened people continue to use voice

to communicate and rely strongly on visual forms of communication such as speech reading, text, and occasionally sign language.

Many **Deaf** or profoundly hard of hearing people identify with the society and language of Deaf Culture and use sign language as their basis of communication.

Deaf, deafened, and hard of hearing individuals may use hearing aids, pen and paper, personal amplification devices, hearing aid dog or other assistive-listening and communication methods. Attract the person's attention before speaking. Generally, the best way is by a gentle touch on the shoulder or with a gentle wave of your hand. Look at and speak directly to the person. Address them, not the interpreter or support person.

Deaf-Blindness:

A person who is Deaf-Blind has some degree of both vision and hearing loss. This results in greater difficulties in accessing information and managing daily activities. Most people who are deaf-blind will be accompanied by an Intervenor, a professional who helps with communicating. An Intervenor is trained in many adaptive communication methods, depending upon the preferences of the person who is deaf-blind. The Intervenor may guide and interpret for their client. Identify yourself to the Intervenor when you approach a person who is Deaf-Blind, but then speak directly to the person as you normally would, not to the Intervenor.

Speech Impairments:

People with speech disabilities may have difficulty communicating. For many reasons, people may have difficulty speaking clearly – for example, as a result of a stroke or cerebral palsy – which may result in difficulties with verbal communication. Some people may use communication boards or other assistive devices to help communicate. A speech disability often has no impact on a person's ability to understand. Ask them to repeat the information if you don't understand. Ask questions that can be answered "yes" or "no" if possible.

Cognitive Disabilities:

Cognitive disabilities may affect understanding, communication, or behavior and can be attributed to brain injuries, developmental or learning disabilities. It is not always easy to identify someone who has a cognitive disability. Some conditions, such as Down's syndrome exhibit physical characteristics, but there are others that are not apparent. People with a cognitive disability may have difficulties recognizing, understanding and remembering information. Don't assume what a person can or cannot do. And always speak directly to the person, not to their companion or support person.

Mental Illness:

Mental illness is a disturbance in thoughts and emotions that may decrease a person's capacity to cope with the challenges of everyday life. Mental illness can take many forms, just as physical illness does. Mental illnesses include schizophrenia, mood disorders (such as depression and bipolar disorder), anxiety disorders, personality disorders, and eating disorders. Treat a person with a mental health disability with the same respect and consideration you have for everyone else. Be patient, confident and reassuring. Listen carefully and work with them to try to meet their needs. If someone appears to be in a crisis, ask him or her to tell you the best way to help.

During your campaign planning process, consider contacting your local organizations, such as the CNIB, Canadian Hearing Society, etc and discuss with them your campaign plans. This will assist you to better understand the needs of people in your electorate with disabilities. They are a valuable resource in providing input and feedback.

Township of West Lincoln

Town of Pelham








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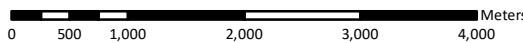
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City of Port Colborne

LAKE ERIE



- Legend**
-  Hamlet Boundaries
 -  Active Rail Line
 -  Provincial Highway
 -  Regional Arterial Road
 -  Regional Collector Road
 -  Local Road
 -  Private Road



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.

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

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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. 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 \(Form 9\)](#)



2021-2023 Municipal Elections Calendar

This calendar represents the group's best efforts to capture key requirements and considerations for the upcoming planning for municipal election administrators. The calendar does not claim to be perfect and all items should be verified independently by the legislation/regulations or among your peers.

The AMCTO Ontario Municipal Directory

The Easiest Way to Find Key
Contacts in all Ontario Municipalities



The AMCTO Ontario Municipal Directory is the most comprehensive listing of key contacts and decision-makers in Ontario's local government sector.

The directory includes names, titles and contact information for the heads of council and department heads of each of Ontario's 444 municipalities. Also included is a listing of the population size and household statistics for each municipality, and key municipal associations and service boards. This valuable information is compiled and verified every year by AMCTO in collaboration with staff from each Ontario municipality.

If you do business with or within the municipal sector, the AMCTO Ontario Municipal Directory is an essential investment for your organization.

ONLINE EDITION (by subscription)

The most up-to-date municipal data available anywhere!

- Search online for key contacts
- Look up names, phone numbers, emails and job titles
- Includes advanced search features like search by name, population size and region
- Create mailing lists, export data
- Updated throughout the year
- One low annual subscription fee
- One licence provides access for your entire organization

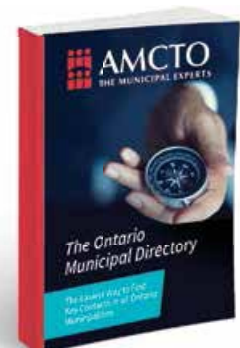


PRINT EDITION (by mail)

A convenient resource to quickly look up municipal information.

Within the print version of the directory, you'll find:

- Names, job titles, phone numbers and emails for key contacts in municipalities
- Easily accessible listings and contacts for Ontario's municipal associations
- Province-wide Local Board contact information organized by subject for quick searches



2021

Fall of 2021

s.10 – “a time limited by this Act that would otherwise expire on a Saturday or holiday shall be deemed to expire on the next day that is neither a Saturday nor a holiday”

Please note: There are a number of dates throughout this document that have been moved to the following Monday, as they fall on a weekend or holiday.

Revisit the merits of the following by-laws and report to Council for decision if necessary:

- Language of Notices and Forms s.9
- Policy regarding circumstances in which a municipality requires a recount
- Contribution rebates, s.88.11
- Sign By-Law updates

Clerk to decide:

- E-filing of financial statements s. 88.25(11) / s. 88.29(9)
- Hours of voting at institutions
- Any voting places opening before 10:00 a.m.

Commence preparations for the conduct of an efficient election, eg. traditional paper ballot, use of voting technology, secure accessible voting places, estimate sufficient number of single or composite ballots, order and/or prepare all counting and reporting documents, plan for training election day staff, establish procedures, Compliance Audit Committee etc.



2022



**February 19
Saturday**

Last day to provide notice to the public and the Minister of the intention to pass a by-law to submit a question to the electors. s.8.1(3)

Note: At least one public meeting must be held, to consider the matter, prior to passing a by-law to submit a question to the electors. s. 8.1(3)

**March 1
Tuesday**

Last day to pass a by-law to submit a question to the electors. s.8.1(1)

- At least 10 days notice must be provided to the public and the Minister, and one public meeting must be held before passing a by-law to submit a question to the electors. s.8.1(3)
- Within 15 days after passing the by-law, the clerk shall give notice to the public and the Minister of the passing of a by-law to submit a question to the electors. s.8.1(4)
- Within 20 days after the clerk gives notice of the passing of the by-law, the Minister or any other person or entity may file a notice of appeal to the Chief Electoral Officer. s.8.1(6)
- Within 15 days after the last day for filing a notice of appeal, the clerk shall forward any notices of appeal received to the Chief Electoral Officer. s.8.1(7)
- Within 60 days of receiving any notices of appeal, the Chief Electoral Officer shall hold a hearing regarding the appeal of the by-law. s.8.1(9)

**March 31
Thursday**

No by-election shall be held after this date. s.65(2)

Deadline for dividing the local municipality into voting subdivisions and informing Municipal Property Assessment Corporation (MPAC) of the boundaries. s.18(1), (2)

**April 3
Sunday**

Last day for school boards to provide a copy of the report on determination and distribution of Trustees. Education Act, Reg 412/00, ss. 9

**April 30
Saturday**

Last day for municipalities and local boards to establish rules and procedures regarding the use of municipal and/or board resources during the election campaign period. s.88.18

**May 1
Sunday**

Last day for the Minister, an upper-tier municipality, or local board to submit a by-law or question to the electors. s.8(5.1)

Last day to pass a by-law authorizing the use of voting and vote-counting equipment and/or authorizing electors to use an alternative voting method. s.42(2)

Last day to pass a by-law with respect to the circumstances in which the clerk shall hold a recount. s.56(5)

2022



**May 2
Monday**

Nomination and registration periods begin. s.33(4), s.88.6(7)

Upon filing, provide candidates with:

- A certificate of the applicable interim maximum amount of expenses. s.33.0.1
- A certificate of the applicable interim maximum amount of contributions to a candidate's own election campaign. s.33.0.2
- A certificate of the applicable interim maximum amount for parties, etc. after voting day. s.88.20(9) (**Note:** not legislated but can be provided as a helpful reminder)
- A notice of the penalties related to campaign finances and the refund of the nomination filing fee. s.33.1
- A copy of the procedures and forms established for any voting and vote-counting equipment, or alternative voting method. s.42(3)

Upon filing, provide registered third parties with:

- A certificate of the applicable interim maximum amount of expenses. s.88.21(15)
- A certificate of the applicable interim maximum amount for parties, etc. after voting day. s.88.21(15)

**June 1
Wednesday**

Last day to establish procedures and forms for the use of any voting and vote-counting equipment, or alternative voting method. s.42(4)

**July 31
Sunday**

Last day for MPAC to deliver the preliminary list for each local municipality, unless another date earlier than September 1 has been agreed upon or prescribed by the Minister. s.19(1.1)

**August 19
Friday**

Nomination Day. s.31

- On Nomination Day, nominations may only be filed between 9 a.m. and 2 p.m. s.33(4)
- If a person is present at the clerk's office on Nomination Day at 2 p.m. and has not yet filed a nomination, they may file the nomination as soon as possible after 2 p.m. s.33(4.1)

A candidate who wishes to withdraw their nomination must notify the clerk in writing before 2 p.m. s.36

Last day to revoke a by-law to submit a question to the electors. s.8.1(1)

August 22 Monday

All nominations to be examined and certified by 4 p.m. s.35(1)

Declare the candidate(s) elected by acclamation. s.37(1)

Note: Nominations filed with an upper-tier municipality, for an office where the member of the council is to be elected by the electors of all or part of one or more lower-tier municipalities within the upper-tier municipality, must be forwarded to the clerk of each lower-tier municipality in which the election is to be held within 48 hours after the close of nominations. s.11.1(4)

First possible day for an elector to appoint a voting proxy (unless additional nominations are required). s. 44(4)

- Proxy applications may be filed during regular business hours at the clerk's office or other designated location on or before voting day. However, on advance vote days, the *Municipal Elections Act (MEA)* requires that the clerk's office and/or other designated location be open between noon and 5:00 p.m. for the purpose of considering and certifying proxy applications. s.44(6)

Note: Several municipalities hold off on considering and certifying proxy applications until September 1, when the voters' list becomes public.

August 24 Wednesday

Additional nominations may be filed between 9 a.m. and 2 p.m., if the number of nominations filed for an office and certified is less than the number of persons to be elected to the office. s. 33(5)

A candidate who wishes to withdraw their additional nomination must notify the clerk in writing before 2 p.m. s.36

August 25 Thursday

Any additional nominations to be examined and certified by 4 p.m. s.35(1)

Declare the candidate(s) elected by acclamation. s.37(2)

Note: Nominations filed with an upper-tier municipality, for an office where the member of the council is to be elected by the electors of all or part of one or more lower-tier municipalities within the upper-tier municipality, must be forwarded to the clerk of each lower-tier municipality in which the election is to be held within 48 hours after the close of nominations. s.1.1(4)



2022



September 1 Thursday

Last day for reproducing the voters' list and determining the revision procedures. s.23(2)

- **On written request**, provide copies of the voters' list to those referred under subsection 23(3) of the MEA. s. 23(3)
- **On written request**, provide candidates with a copy of the part of the voters' list that contains the names of the electors who are entitled to vote for that office. s.23(4)

Revision period begins. s.24, s.25

- From September 1 until the close of voting on voting day (October 24), a person may submit an application to have their name added to or removed from the voters' list, or to have their information on the voters' list amended. s.24(1)
- From September 1 until the close of voting on voting day (October 24), a person may submit an application requesting that a deceased person's name be removed from the voters' list. s. 25(3)

Determine if voting places are to be provided at institutions and retirement homes, on voting day, based on the number of beds occupied **as of this day**. s.45(7)

- Voting places to be established at institutions with 20 or more beds occupied and retirement homes with 50 or more beds occupied. s.45(7)

September 15 Thursday to September 26 Monday

Prepare and distribute an interim list of the changes to voters' list that were approved on or before September 15. s.27(1)

Note: MPAC has traditionally provided an Exceptions List – Update to PLE (Preliminary List of Electors) / VNF (Voter Notification File) on three dates in mid-September.

September 23 Friday

Last day to revoke a by-law to submit a question to the electors, if the election does not include an election for an office. s.8.1(1)

September 24 Saturday

First possible day to hold an advance vote. s.43(3)

September 26 Monday

Last day to provide a copy of the interim list to each person who previously received a copy of the voters' list. s.27(1)

Last day to provide the final certificates of the applicable maximum amounts for each office. s. 88.9.1(4), s. 88.20(13), s.88.21(14)

Provide candidates with:

- A certificate of the applicable maximum amount of expenses. s.88.20(6)
- A certificate of the applicable maximum amount of contributions to a candidate's own election campaign. s.88.9.1(4)
- A certificate of the applicable maximum amount for parties, etc. after voting day. s.88.20(9)

Provide registered third parties with:

- A certificate of the applicable maximum amount of expenses. s.88.21(14)
- A certificate of the applicable maximum amount for parties, etc. after voting day. s.88.21(14)

2022

October 1 Saturday

Last day for councils and the school boards to establish a compliance audit committee (CAC) for the 2022-2026 term of office. s.88.37(1)

Note: It is recommended the clerk remind the secretary of the school board(s) they run elections for the requirement to establish a compliance audit committee and administrative procedures. In addition, several municipalities, particularly smaller ones, consider joint CACs.

October 10 Monday

Last day to request a voting place, free of any charge, in a building specified under section 45(6). s.45(4)

October 21 Friday

Last day for third party advertisers to file their notice of registration. s.88.6(7)

October 23 Sunday

Last day to provide candidates with a notice of penalties related to campaign finances and the refund of the nomination filing fee. s.33.1

Note: Recommend providing this notice to candidates when they file their nomination.

Last day to make the Accessibility Plan (regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities) available to the public. s.12.1(2)

Note: It is beneficial to post the plan prior to this date, especially ahead of advance voting dates.





**October 24
Monday**

Voting Day s.5

- Voting places are to open at 10:00 a.m. and close at 8:00 p.m., unless an earlier opening or reduced voting hours have been established by the clerk. s.46(1), (2), (3)

Deadline for applications to have a name added to or removed from the voters' list, or to have information on the voters' list amended. s.44(6), s.24(1)

**October 25
Tuesday**

As soon as possible declare the results and provide information to the public on a website or in another electronic format on the number of votes, declined and rejected ballots, and the number of votes for the affirmative or negative on a by-law or question s.55(4), (4.1)

- Within 15 days after the declaration of the results, the clerk shall hold a recount in the event of a tie or in accordance with any recount policy passed by the municipality or school board. s.56(2)
- Within 30 days after the declaration of the results, the council of a municipality or school board may pass a motion requiring a recount. The clerk shall conduct the recount within 15 days of the motion passing. s.57(1), (2)
- Within 30 days after the declaration of the results, the Minister may make an order requiring a recount regarding a question on the ballot. The clerk shall conduct the recount within 15 days of the order being made. s.57(1), (2)
- Within 30 days after the declaration of the results, a person who is entitled to vote in an election and has reasonable grounds for believing the election results to be in doubt, may apply to the Superior Court of Justice for an order that the clerk hold a recount. The clerk shall conduct the recount within 15 days after receiving a copy of the order. s.58(2), (3), (4)

**November 7
Monday**

First day council may consider a by-law or resolution to implement the results of a question on the ballot. s.8.3(2)

Note: May wish to consider a date after November 15th as consideration for perception of "Lame Duck" Council (refer to s. 275 of the *Municipal Act, 2001*) or of previous Council sitting close to a new term.

**November 15
Tuesday**

New term of office commences. s.6(1)

New council deemed to be organized when the declarations of office have been made by a sufficient number of members to form a quorum. *Municipal Act, 2001*, s.231

**November 23
Friday**

Last day to provide MPAC with the final list of changes to the voters' list. s.27(2)

**December 16
Friday**

Deadline for the newly formed council to host their first meeting. *Municipal Act, 2001*, s.230

Note: Special provisions apply to upper-tier municipalities.

2023



**January 3
Tuesday**

End of the election campaign period. s.88.24(1), s.88.28

Last day for candidates and registered third parties to provide written notice, in the prescribed form, of a deficit and the continuation of their campaign period. s.88.24(2), s.88.28

**January 23
Monday**

Last day to make the Accessibility Report (about the identification, removal and prevention of barriers that affect electors and candidates with disabilities) available to the public. s.12.1(3)

Last day for an elector to make an application to the Superior Court of Justice regarding a controverted election. s.83(2)

- Within 5 days after the application is made, the applicant must serve a copy of the application on the clerk or secretary of the municipality or local board to which the application relates. s.83(3.1)
- A person whose election is questioned in an application may, within seven days after being served with the application, disclaim all right to the office. s.84(3)

Last day for an elected candidate to disclaim all right to the office (if no application made to the Superior Court of Justice against the validity of the candidate's election). s.84(1)

**February 22
Wednesday**

First possible day for the destruction of election records (if the results of the election are declared on October 25 and are unchallenged). s.88(1)

- Ballots and all other documents and materials related to an election shall be retained for 120 days after declaring the results of the election. s.88(1)

Note: Certain records (such as those related to financial statements) must be retained. Consult MEA s, 88(4) for those records that must be retained, in addition to your municipality's records retention by-law.

**March 1
Wednesday**

Last day to provide candidates and registered third parties with notice of the filing requirements for their initial financial statements and auditor's reports. s.88.25(9), s.88.29(7)

- The notice to candidates should also refer to their entitlement to receive a refund of the nomination filing fee if they meet the requirements of s. 34, and the penalties set out in subsections 88.23(2) and 92(1) of the MEA. s.88.25(9)
- The notice to registered third parties should refer to the penalties set out in subsections 88.27(1) and 92(4) of the MEA. s.88.29(7)

**March 30
Thursday**

Last day for candidates and registered third parties to apply to the Superior Court of Justice to extend the time for filing their initial financial statements and auditor's reports. s.88.23(6), s.88.27(3)

- The court may grant an extension of no more than 90 days. s.88.23(6), s.88.27(3)

2023



**March 31
Friday**

Deadline for candidates and registered third parties to file their initial financial statements and auditor's reports. s.88.30(1)

- Make the documents filed under s. 88.25, 88.29 (financial statements and auditor's reports) and 88.32 (subsequent expenses) available to the public on a website or in another electronic format as soon as possible after the documents are filed. s.88(9.1)
- If an error is identified in a filed financial statement, the candidate may withdraw the statement and, at the same time, file a corrected financial statement and auditor's report on or before the 2 p.m. deadline. s.88.25(3), s.88.29(2)

Last day for candidates and registered third parties to notify the clerk, in writing, that an application has been made to Superior Court of Justice to extend the time for filing their initial financial statement and auditor's report (2 p.m. deadline). s.88.23(7), s.88.27(4)

Note: Candidates that file their financial statements and auditor's reports in accordance with subsection 88.25(1) by the 2 p.m. deadline are entitled to receive a refund of their nomination filing fee. s.34

**April 24
Monday**

Last day on which council may consider a by-law or resolution to implement the results of a question on the ballot. s.8.3(2)

**May 1
Monday**

Last day for candidates and registered third parties to file their **initial** financial statements and auditor's reports (by 2 p.m. with a \$500 late filing fee). s.88.23(9), s.88.27(6)

- Documents submitted after this deadline are to be accepted only for the purpose of making them available to the public. s.88.25(12), s.88.29(10)

If applicable, notices of default should be issued by the clerk as soon as practicable after this filing deadline. s.88.23(3), s.88.27(2)

Report identifying each contributor who appears to have contravened any of the contribution limits to be made available as soon as possible after this date. s.88.34(2), (5), s.88.36(2)

- The clerk shall prepare a separate report in respect of each contributor who appears to have contravened any of the contribution limits and forward those reports to the compliance audit committee. s.88.34(2), (3), (4), (5), (6), (7), s.88.36(3), (4)
- Within 30 days after receiving a report, the committee must consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention. s. 88.34(8), s.88.36(5)

**May 2
Tuesday**

Report setting out all candidates and registered third parties in an election along with an indication of whether each has filed a financial statement and auditor's report to be made available to the public on a website or in another electronic format as soon as possible after this date. s.88.23(5), s.88.29(11)



**June 29
Thursday**

Last day for an elector to apply for a compliance audit of a candidate or registered third party's initial financial statement. s.88.33(3), s.88.35(3)

- Within 10 days of receiving the application, the clerk must forward the application to the compliance audit committee. s.88.33(4)
- Within 30 days after the committee has received the application, the committee must consider the application and decide whether it should be granted or rejected. s.88.33(7)
- The committee's decision may be appealed to the Superior Court of Justice within 15 days after the decision is made. s.88.33(9)
- Within 10 days after receiving the report from the committee appointed auditor, the clerk must forward the audit report to the committee. s.88.33(14)
- The committee must consider the report within 30 days after receiving it and, if the report concludes that the candidate appears to have contravened a provision of the MEA relating to election campaign finances, the committee shall decide whether to commence a legal proceeding against the candidate for the apparent contravention. s.88.33(17)

**June 30
Friday**

Last day of the extended campaign period for candidates and registered third parties that extended their campaign due to a deficit, or that recommenced their campaign due to a recount, controverted election, or compliance audit. s.88.24(1)(4i), s.88.24(1)(5iv)

Note: Last day may be earlier if the deficit is eliminated.

**August 30
Wednesday**

Last day to provide candidates and registered third parties with notice of the filing requirements for their supplementary financial statements and auditor's reports. s.88.25(10), s.88.29(8)

- The notice to candidates should also refer to the penalties set out in subsections 88.23(2) and 92(1) of the MEA. s.88.25(10)
- The notice to registered third parties should refer to the penalties set out in subsections 88.27(1) and 92(4) of the MEA. s.88.29(8)

**September 28
Thursday**

Last day for candidates and registered third parties to apply to the Superior Court of Justice to extend the time for filing their supplementary financial statements and auditor's reports. s.88.23(6), s.88.27(3)

- The court may grant an extension of no more than 90 days. s.88.23(6), s.88.27(3)

2023

September 29
Friday

Deadline for candidates and registered third parties to file their supplementary financial statements and auditor's reports. s.88.30(1)

- Make the documents filed under s. 88.25, 88.29 (financial statements and auditor's reports) and s. 88.32 (subsequent expenses) available to the public on a website or in another electronic format as soon as possible after the documents are filed. s.88(9.1)
- If an error is identified in a filed financial statement, the candidate may withdraw the statement and, at the same time, file a corrected financial statement and auditor's report on or before the 2 p.m. deadline. s.88.25(3), s.88.29(2)

Last day for candidates and registered third parties to notify the clerk, in writing, that an application has been made to Superior Court of Justice to extend the time for filing their supplementary financial statement and auditor's report (2 p.m. deadline). s.88.23(7), s.88.27(4)

October 30
Monday

Last day for candidates and registered third parties to file a **supplementary** financial statement and auditor's report (by 2 p.m. with a \$500 late filing fee). s.88.23(9)

- Documents submitted after this deadline are to be accepted only for the purpose of making them available to the public. s.88.25(12), s.88.29(10)

If applicable, notices of default should be issued by the clerk as soon as practicable after this filing deadline. s.88.23(3), s.88.27(2)

Report identifying each contributor who appears to have contravened any of the contribution limits to be made available as soon as possible after this date. s.88.34(2), (5), s.88.36(2)

- The clerk shall prepare a separate report in respect of each contributor who appears to have contravened any of the contribution limits and forward those reports to the compliance audit committee. s.88.34(2), (3), (4), (5), (6), (7), s.88.36(3), (4)
- Within 30 days after receiving a report, the committee must consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention. s.88.34(8), s.88.36(5)

2023

**December 28
Thursday**

Last day for an elector to apply for a compliance audit of a candidate or registered third party's supplementary financial statement. s.88.33(3), s. 88.35(3)

- Within 10 days of receiving the application, the clerk must forward the application to the compliance audit committee. s.88.33(4)
- Within 30 days after the committee has received the application, the committee must consider the application and decide whether it should be granted or rejected. s.88.33(7)
- The committee's decision may be appealed to the Superior Court of Justice within 15 days after the decision is made. s.88.33(9)
- Within 10 days after receiving the report from the committee appointed auditor, the clerk must forward the audit report to the committee. s.88.33(14)
- The committee must consider the report within 30 days after receiving it and, if the report concludes that the candidate appears to have contravened a provision of the MEA relating to election campaign finances, the committee shall decide whether to commence a legal proceeding against the candidate for the apparent contravention. s.88.33(17)

Acknowledgements:

AMCTO would like to acknowledge staff from the City of Ottawa, City of Guelph, Town of Oakville and The Municipality of Middlesex Centre for their work on the calendar.





Invest in Yourself with an AMCTO Membership

Gain access to the professional development tools, resources and support network you need to succeed. Invest in yourself with an AMCTO membership and join in our growing community of municipal experts!

What does an AMCTO membership get you?



Opportunities

Have your voice heard as part of our advocacy efforts
Access year-round training, professional development, education and mentorship



Networking

Connect with peers from across Ontario's 444 municipalities



Accreditation

Advance your career with the sector's most-recognized and sought-after designations



Savings

Receive preferred member pricing on professional development programs, the AMCTO annual conference & special events



Knowledge

Be 'in-the-know' with AMCTO's industry publications: the *Municipal Minute* weekly e-newsletter, the *Municipal Monitor* quarterly magazine, and special reports



Members-Only Access

Gain exclusive access to special events, resources, in-demand affinity programs and partner rewards

Membership Rates

Full Member \$405 +HST*	Associate Member \$377 +HST*	New Professional \$215 +HST*	Member-In-Transition \$50 +HST*	Retired Member \$50 +HST*	Student Member FREE
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*Billed annually

So what are you waiting for?

Make this year count by investing in your own professional growth and development. Learn more and join today at www.amcto.com/become-a-member.

Form EL88.5(W-TPA)

**BROADCASTER/PUBLISHER INFORMATION SHEET -
THIRD PARTY ADVERTISER**

Municipal Elections Act, 1996, as amended (Sections 88.5)



THE CLERK RECOMMENDS PROVIDING A **COPY OF THIS INFORMATION SHEET TOGETHER WITH A COPY OF YOUR CERTIFIED REGISTRATION FORM** TO EACH BROADCASTER AND PUBLISHER

**Broadcasters and Publishers Must Comply with New Laws
on Third Party Advertising during the Municipal Election**

The municipal election in the Township of Wainfleet will take place on Monday, October 24, 2022.

This notice is intended to inform broadcasters and publishers of their new obligations under the *Municipal Elections Act, 1996* (the Act) if they broadcast or publish a third party advertisement during the upcoming municipal election.

For further information, visit the Government of Ontario's website or contact the Ministry of Municipal Affairs.

Definition of a Registered Third Party Advertiser

Under the Act, a registered third party advertiser is an individual, corporation or trade union that has registered with the City Clerk of the municipality where they want to advertise.

Third party advertisers must register with the municipality prior to incurring any expenses for the appearance of a third party advertisement, and must comply with requirements including filing a financial statement(s), spending and contribution limits. A list of registered third party advertisers will be available at Township of Wainfleet Website (www.wainfleet.ca). A candidate in the election cannot direct a third party advertiser.

Definition of a Third Party Advertisement

A third party advertisement is a message in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing a candidate in the election, or a question on the ballot.

Third party advertisements must contain the following information:

1. Name of the registered third party
2. Municipality where the registered third party is registered
3. Telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement

Restricted Campaign Period

Broadcasters and publishers may only permit third party advertisements to appear between May 2, 2022 and October 24, 2022 (Election Day).

Legal Obligations for Broadcasters and Publishers in the Municipal Election

The new requirements for broadcasters and publishers include:

1. Mandatory Information

A registered third party advertiser must provide the following information to the broadcaster or publisher in writing before the third party advertisement appears:

- Name of the registered third party
- Name of the business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the registered third party
- Municipality where the registered third party is registered

2. Maintaining Records

The broadcaster or publisher of a third party advertisement must maintain records for 4 years after the date the advertisement appears. These records must contain:

- Mandatory information described in section 1 (above), as outlined under section 88.5 (2) of the Act
- A copy of the advertisement, or the means of reproducing it for inspection
- A statement of charge made for its appearance.

The public must be permitted to inspect the records during normal business hours.

3. Charges and Contributions

The broadcaster or publisher may not charge a third party advertiser more or less than their normal advertising rate. If less is charged, the difference is deemed to be a contribution to the third party advertiser. Providing free advertising is considered a contribution towards the third party advertiser, unless all third party advertisers are offered the same service.

4. Broadcasters or Publishers as Registered Third Party Advertisers

Broadcasters or publishers, who wish to conduct third party advertising, must register as a third party advertiser and follow the Act's requirements. A Third Party Advertisers' guide, published by the Government of Ontario, will be provided upon registration.

Additional Resources

Excerpt from the *Municipal Elections Act, 1996* attached
Ministry of Municipal Affairs – Elections: <https://www.ontario.ca/document/2022-third-party-advertisers-guide>

Mandatory Information in Third Party Advertisements

88.5 (1) No registered third party shall cause a third party advertisement to appear during the restricted period unless the advertisement contains the following information:

1. The name of the registered third party.
2. The municipality where the registered third party is registered.
3. A telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement. 2016, c. 15, s. 48.

Mandatory Information for Broadcaster, etc.

(2) A registered third party shall not cause a third party advertisement to appear during the restricted period unless he, she or it provides the following information to the broadcaster or publisher in writing:

1. The name of the registered third party.
2. 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.
3. The municipality where the registered third party is registered. 2016, c. 15, s. 48.

Prohibition, Broadcaster or Publisher

(3) No broadcaster or publisher shall cause a third party advertisement to appear during the restricted period if the information set out in paragraphs 1 to 3 of subsection (2) has not been provided. 2016, c. 15, s. 48.

Records

(4) The broadcaster or publisher of a third party advertisement shall maintain records containing the following information for a period of four years after the date the advertisement appears and shall permit the public to inspect the records during normal business hours:

1. The information provided under subsection (2).
2. A copy of the advertisement, or the means of reproducing it for inspection.
3. A statement of the charge made for its appearance. 2016, c. 15, s. 48.



**2022 Municipal Elections
Township of Wainfleet
Helpful Resources for Candidates**

Township of Wainfleet Website

<http://www.wainfleet.ca>

Ministry of Municipal Affairs and Ministry of Housing – Candidates’ Guide

<https://www.ontario.ca/document/2022-candidates-guide-ontario-municipal-council-and-school-board-elections>

Municipal World - Canada’s Municipal Magazine

This website provides on-line articles featured in Municipal World Magazine along with various Publications that may be of interest to Candidates.

<https://www.municipalworld.com/>

Ministry of Municipal Affairs and Ministry of Housing

Role of Council, Councillor and Staff: <https://www.ontario.ca/document/ontario-municipal-councillors-guide/1-role-council-councillor-and-staff#section-0>

Association of Municipalities of Ontario Website

<https://www.amo.on.ca/>

Lead Where You Live: A Guide on Running for Municipal Council

<https://municipaleducation.skillbuilder.co/catalog/35/1>