The Corporation of the Township of Brock
1 Cameron Street E., P.O. Box 10 Cannington, ON L0E 1E0

Municipal Election - 2014
Candidates’ Guide

This handbook has been prepared by the Township of Brock Clerk’s Department to assist you, as a candidate for elected office, in the upcoming Municipal Election. It includes information on legislative requirements, key dates, procedures regarding nominations for office, election expenses, and qualification requirements for candidates. Additional information, including a brief summary of the duties and responsibilities of Council has also been included.
This Candidates’ Guide has been prepared for candidates seeking office to the Council of the Township of Brock. The contents of this document are intended only as a guide to certain relevant information and it is not meant to cover all information required by a candidate in a municipal election. Candidates should refer directly to the Municipal Elections Act, 1996 for specific provisions and additional details. The Act is available from Publications Ontario (1-800-668-9938), or online at www.e-laws.gov.on.ca.

Candidates should also refer to the Ontario Municipal Elections Guide, published by the Ontario Ministry of Municipal Affairs & Housing. This guide is available on the Ministry of Municipal Affairs and Housing website at www.mah.gov.on.ca/Page7112.aspx

As the year progresses, candidates will receive additional information from the Clerk’s Office. Therefore, it is imperative that candidates notify the Clerk’s Department of any address and other contact information changes.

Clerk’s Department staff will be pleased to assist you with any questions you may have concerning the election process, forms, method of voting, voters’ list or other matters related to the municipal election. Contact details listed in the following pages.
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KEY INFORMATION

Clerk’s Department Election Resource Staff

Thomas G. Gettinby, CAO & Municipal Clerk/Returning Officer
Phone: 705-432-2355, ext. 239
Email: tgettinby@townshipofbrock.ca

Carolina Oteiza, Deputy Clerk/Election Assistant
Phone: 705-432-2355, ext. 240
Email: coteiza@townshipofbrock.ca

Anne Collins, Senior Clerk-Stenographer/Election Assistant
Phone: 705-432-2355, ext. 238
Email: acollins@townshipofbrock.ca

Becky Murray, Clerk’s Assistant/Election Assistant
Phone: 705-432-2355, ext. 237
Email: bmurray@townshipofbrock.ca

Municipal Office Business Hours – Monday through Friday, 8:30 a.m. - 4:30 p.m.

Key Dates

This is a schedule of important dates relating to the campaign. If there are any changes to the dates, you will be notified by the Clerk.

<table>
<thead>
<tr>
<th>Nomination Period</th>
<th>Nominations may be filed by candidates prior to Nomination Day at any time when the Clerk’s office is open (Monday to Friday, 8:30 a.m. to 4:30 p.m.) and on September 12 until 2:00 p.m.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thursday, January 2, 2014 to Friday, September 12, 2014</td>
<td>The campaign period begins on January 2, 2014 or whenever a candidate files a nomination paper, whichever is later, and ends on December 31, 2014 unless the candidate withdraws the nomination, the Clerk rejects the nomination, or the candidate is continuing his or her campaign to erase a deficit.</td>
</tr>
<tr>
<td>Campaign Period</td>
<td>The Clerk shall post the voters’ list for revisions.</td>
</tr>
<tr>
<td>Tuesday, September 2, 2014</td>
<td></td>
</tr>
</tbody>
</table>

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<table>
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<tr>
<th><strong>Revision – Application to Remove Another Elector’s Name</strong></th>
<th>An individual may make an application to remove an elector’s name from the voters’ list. The Clerk will determine if the name is to be removed and may hold a hearing.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tuesday, September 2, 2014 to Friday, September 12, 2014</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Revision Period</strong></td>
<td>Eligible electors whose names are not on the voters’ list or whose names were shown incorrectly on the list may be added to the voters’ list or have the information on the list amended by filing an application with the Clerk. Dates, times and locations are contained herein.</td>
</tr>
<tr>
<td><strong>Tuesday, September 2, 2014 to Monday, October 27, 2014</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Nomination Day</strong></td>
<td>Last day for filing nominations. Nominations may only be filed between the hours of 9:00 a.m. and 2:00 p.m.</td>
</tr>
<tr>
<td><strong>Friday, September 12, 2014 from 9:00 a.m. to 2:00 p.m.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Withdrawal of Nominations</strong></td>
<td>Nominations may be withdrawn in writing by 2:00 p.m.</td>
</tr>
<tr>
<td><strong>Friday, September 12, 2014</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Certification of Nomination Papers</strong></td>
<td>The Clerk will certify nomination papers by 4:00 p.m.</td>
</tr>
<tr>
<td><strong>Monday, September 15, 2014</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Acclamation</strong></td>
<td>The Clerk shall, after 4:00 p.m., declare the eligible candidate(s) to be duly elected.</td>
</tr>
<tr>
<td><strong>Monday, September 15, 2014</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Additional Nominations</strong></td>
<td>Where there is an insufficient number of candidates for a position, additional nominations will be accepted between 9:00 a.m. – 2:00 p.m.</td>
</tr>
<tr>
<td><strong>Wednesday, September 17, 2014</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Withdrawal of Nominations</strong></td>
<td>Nominations made on September 17, 2014 may be withdrawn in writing by 2:00 p.m.</td>
</tr>
<tr>
<td><strong>Wednesday, September 17, 2014</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Certification of Nomination Papers</strong></td>
<td>The Clerk will certify nomination papers received on September 17, 2014 by 4:00 p.m.</td>
</tr>
<tr>
<td><strong>Wednesday, September 17, 2014</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Additional Acclamation</strong></td>
<td>The Clerk shall, after 4:00 p.m., declare the eligible candidate(s) who filed nomination papers on September 17, 2014 to be duly elected.</td>
</tr>
<tr>
<td><strong>Thursday, September 18, 2014</strong></td>
<td></td>
</tr>
<tr>
<td>Event</td>
<td>Details</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------</td>
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| Certificate of Maximum Campaign Spending Limits                       | Monday, September 22, 2014  

The Clerk shall provide the certificate of maximum campaign spending limits to all candidates.  

| Vote by Mail Kits - Mailing                                         | September 29 – October 3, 2014  

Voter Kits to be mailed.  

| Vote by Mail Kits                                                   | Monday, October 6, 2014  

Voter Kits available from the Clerk for electors who didn’t receive a Voter Kit in the mail until Voting Day at 8:00 p.m. Dates, times, and locations are contained herein.  

| Election Day                                                        | Monday, October 27, 2014  

| Official Results                                                    | Tuesday, October 28 to Friday, October 31, 2014  

The Clerk will publicly declare to be elected the candidates having the highest number of votes for each office, as soon as possible after Election Day.  

| Inaugural Council Meeting                                           | Monday, December 1, 2014 at 11:00 a.m.  

The elected members must take their Oath of Office prior to taking their seats on Council.  

| End of Campaign Period                                              | Wednesday, December 31, 2014  

The end of the campaign period is December 31, 2014 unless a candidate withdraws the nomination, the nomination is rejected by the Clerk, or the candidate is continuing his or her campaign to erase a deficit. Candidates may not raise funds or incur expenditures beyond this date, unless they have a deficit and have notified the Clerk of the extension to the campaign period.  

| Notification to the Clerk of a Deficit and Continuation of Campaign Period | Wednesday, December 31, 2014  

If a candidate has a deficit on December 31, 2014 and wishes to continue fundraising to eliminate the deficit, the candidate must notify the Clerk on the prescribed form on or before December 31, 2014. Failure to do so will mean that the campaign period ends on Wednesday, December 31, 2014.  

| Deadline for Filing of Financial Statements                         | Friday, March 27, 2015  

This is the final date by which all candidates must file their financial statements by 2:00 p.m.  

|
Elected Offices

Persons elected to office during this election will be elected for a period commencing December 1, 2014 and ending November 30, 2018 (a four year term of office) for the following offices:

**MAYOR**

One (1) member to be elected by all electors in the Municipality.

**REGIONAL CHAIR**

One (1) member to be elected by all electors in the combined areas of the Region of Durham.

**REGIONAL COUNCILLOR**

One (1) member to be elected by all electors in the Municipality.

**WARD COUNCILLOR**

Five (5) members to be elected – one in each of the five (5) wards.

**ENGLISH LANGUAGE DURHAM DISTRICT SCHOOL BOARD**

One (1) trustee to be elected by public school electors to represent the Townships of Brock & Uxbridge.

**ENGLISH LANGUAGE DURHAM CATHOLIC DISTRICT SCHOOL BOARD**

One (1) Trustee to be elected to represent the combined area of the Townships of Brock, Uxbridge and Scugog.

**FRENCH LANGUAGE PUBLIC SCHOOL BOARD**

One (1) Trustee to be elected to represent the combined areas of the Counties of Haliburton, Northumberland, Peterborough, City of Kawartha Lakes and the Regional Municipality of Durham.
FRENCH LANGUAGE DURHAM CATHOLIC DISTRICT SCHOOL BOARD

One (1) Trustee to be elected to represent the combined areas of the Cities of Oshawa and Pickering, the Towns of Ajax and Whitby, and the Townships of Scugog, Uxbridge and Brock.

Note: Candidates for the Office of Regional Chair must contact the Regional Clerk of the Regional Municipality of Durham to obtain information on the duties and responsibilities of this office.

Note: 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.

The term of Council is from December 1, 2014 to November 30, 2018.

Municipal Duties and Responsibilities

It is the role of Council:

- To represent the public and to consider the well being and interests of the municipality;
- To develop and evaluate the policies and programs of the municipality;
- To determine which services the municipality provides;
- To ensure that administrative practices and procedures are in place to implement the decisions of Council;
- To maintain the financial integrity of the municipality; and
- To carry out the duties of Council under the Municipal Act, 2001, S.O. 2001, c.25 or any other Act.

It is the role of the Head of Council to:

- Act as the Chief Executive Officer of the Municipality;
- Preside over Council Meetings;
- Provide leadership to Council;
- Represent the municipality at official functions; and
- Carry out the duties of the head of Council under the Municipal Act, 2001, S.O. 2001, c.25 or any other Act.

Members of Council fulfill a variety of responsibilities from a ward, constituent, municipal and corporate perspective. Councillors also share responsibilities for local boards and committees which generally meet in the evenings on a monthly basis.
Responding to ward constituent needs and participating in ward specific initiatives and projects will be an ongoing role of each Councillor. Members of Council are also involved in corporate initiatives and receive a variety of invitations to community meetings and events. Candidates should be aware of the significant time commitments for a member of Council.

Council meets twice per month (1\textsuperscript{st} and 3\textsuperscript{rd} Mondays) at 10:00 a.m. In addition, all members of Council sit on the following committees:

- Public Works (2\textsuperscript{nd} Monday)
- Parks & Recreation (2\textsuperscript{nd} Monday following Public Works)
- Finance (1\textsuperscript{st} & 3\textsuperscript{rd} Monday following Council)
- Planning (4\textsuperscript{th} Monday)
- Protection to Persons & Property (4\textsuperscript{th} Monday following Planning)
- Administration & Personnel (4\textsuperscript{th} Monday following Protection to Persons & Property)

In addition, by resolution of Council, certain meetings of Council are held during the evening commencing at 7:00 p.m. All public meetings related to planning matters are held during the evening hours.

**Remuneration**

The following table summarizes the 2014 remuneration paid to the Mayor, Regional Councillor, and Ward Councillors:

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<th>Position</th>
<th>Salary</th>
<th>Expenses – Vehicle</th>
<th>Retirement Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor</td>
<td>$29,270</td>
<td>$4000</td>
<td>5% of salary including tax-free component</td>
</tr>
<tr>
<td>Regional Councillor</td>
<td>$19,544</td>
<td>$2500</td>
<td>5% of salary including tax-free component</td>
</tr>
<tr>
<td>Ward Councillor</td>
<td>$18,222</td>
<td>$2500</td>
<td>5% of salary including tax-free component</td>
</tr>
</tbody>
</table>

In addition, the Township of Brock offers the following:

- An Insured Benefits Program to the members of Council upon specific request and subject to their eligibility;
- Life insurance;
- Accidental death/dismemberment insurance;
- Conflict of interest insurance (provided there has been no contravention of the *Municipal Conflict of Interest Act*); and,
• A severance package of one month for each year of service to a maximum of 24 months (not applicable for a member who has been disqualified or a member who dies prior to the age of 65).

**ELECTION PROCESS**

**Voting Technology**

In 2000, the municipality introduced Vote by Mail. The system is quite simple. Instead of using traditional polling places where voters go to cast ballots on Election Day, a ballot is mailed to each qualified elector who is on the Voters’ List. The ballot is then marked and returned, either by mail or personal delivery, to the Municipal Clerk to be counted.

The Vote by Mail kits include: a voting instruction sheet, composite ballot indicating all candidates running for office, a ballot secrecy envelope, voter declaration form, and yellow return voting envelope with prepaid postage.

Upon receipt of the Vote by Mail kit, an elector will:

1. Complete the ballot, place it in the black and white ballot secrecy envelope and SEAL the envelope;
2. Complete and sign the voter declaration form and place it in the yellow return voting envelope, together with the SEALED ballot secrecy envelope;
3. Mail or personally deliver the SEALED yellow return voting envelope to the Municipal Office, Sunderland, or Beaverton return stations (listed below).

If an elector did not receive a Vote by Mail kit, lost it, inadvertently discarded it, or erroneously marked the ballot, they may receive a replacement Vote by Mail kit at the following locations:

• Clerk’s Office, 1 Cameron Street East, Canning, between October 6, 2014 until October 24, 2014 (8:30 a.m. – 4:30 p.m.) and October 27, 2014 (8:30 a.m. – 8:00 p.m.) **for all Wards (1 – 5)**;
• Beaverton Town Hall, 397 Simcoe Street, Beaverton, between October 20, 2014 until October 24, 2014 (8:30 a.m. – 4:30 p.m.) and October 27, 2014 (8:30 a.m. – 8:00 p.m.) **for Wards 1, 2, and 4 only**;
• Sunderland Fire Hall, 217 River Street, Sunderland between October 20, 2014 until October 24, 2014 (8:30 a.m. – 4:30 p.m.) and October 27, 2014 (8:30 a.m. – 8:00 p.m.) **for Wards 4 and 5 only**.
In which case, the elector will be required to sign a declaration stating that they have not already voted in the current election.

**Ballot Counting Procedures**

The Township of Brock will be hand-counting ballots received up to and including Election Day. Ballots will be counted with the assistance of Deputy Returning Officers in the Council Chambers of the Municipal Office. Candidates and/or appointed scrutineers will be able to attend and witness the ballot counting. Those parties will have the ability to “object” to any decision made by the Deputy Returning Officer. Each candidate will have the ability to appoint scrutineers to attend each counting table. It is anticipated that one table will be used to count ballots for each Ward (5) with the exception of Ward 3 where two (2) tables will be employed.

The results will be posted at the Cannington Community Centre auditorium after the close of the poll on Election Day. Results posted are considered “unofficial” until the Clerk certifies the results.

**Procedures**

The use of an alternate form of voting is authorized by section 42 of the Municipal Elections Act, 1996, as amended, and adopted by by-law. In addition, the Clerk is required to prepare detailed procedures to accommodate this method of election which are prepared and maintains the spirit of the Act. These procedures, approved by the Municipal Clerk, shall be provided to each candidate by no later than June 1, 2014. Amendments to such procedures, if required, are prepared and approved at the sole discretion of the Clerk and not subject to Council approval.

**NOMINATION**

Candidates must be qualified on the day they file their nomination papers.

**Qualification**

You can run for Council if you meet the following qualifications:

- A Canadian citizen;
- At least 18 years of age;
- A resident of the Township of Brock or the owner or lessee of property in the Township of Brock or the spouse;
- Not legally prohibited from voting; and
- Not disqualified by any legislation from holding municipal office.
Disqualification

The following are disqualified from being elected as a member of Council or holding office as a member of Council:

- Employees of the Township of Brock, except during a leave of absence (Note: Employees must be on leave of absence prior to filing their nomination papers. They must provide the Clerk with the original documentation showing that they have taken a leave of absence and the effective date);
- A judge of any court;
- A member of the Provincial Legislature, the Federal House of Commons or Senate who has not resigned from his or her office by the close of nominations (2:00 p.m., Friday, September 12, 2014). Proof of resignation must be provided by 2:00 p.m., Friday, September 12, 2014 or the Clerk will not certify the nomination;
- A candidate who failed to file the necessary financial statements in the last municipal election.

Please note that a Member of Council must maintain their qualifications throughout the entire term of office or their seat will become vacant.

Nomination Form and Fee

Nomination Day is Friday, September 12, 2014. Nominations may be filed on that day only between the hours of 9:00 a.m. to 2:00 p.m. at the Clerk’s Office, 1 Cameron Street East, Cannington. They may also be filed at any time that the Clerk’s Office is open (Monday to Friday, 8:30 a.m. to 4:30 p.m.) beginning on Thursday, January 2, 2014. A candidate must be nominated prior to raising campaign funds or incurring expenses.

Candidates must file the prescribed nomination form. At the time of filing, each candidate must pay the nomination fee of $200 for mayoralty candidates and $100 for other candidates. Payment must be made by cash, certified cheque, money order, or debit payable to the Township of Brock. A personal cheque is NOT acceptable.

The candidate or agent of the candidate must file the nomination form in person. The declaration section of the nomination form must be signed by the candidate and taken before a Commissioner of Oaths. Staff in the Clerk’s Office can administer this oath.

If an agent is filing the nomination form on behalf of a candidate, the candidate’s declaration of qualification must be commissioned prior to the agent filing the nomination papers with the Clerk’s Office. The agent must also provide a copy of the candidate’s identification, as well as providing their own identification. If either the
nomination papers, or the declaration of qualification is not commissioned prior to filing, the Clerk will not accept the documentation.

Faxed nominations cannot be accepted, as an original signature is required on all election documents filed with the Clerk.

Declaration of Qualification

Each person who files nomination papers will also be required to complete a “Declaration of Qualification”. The declaration ensures that only qualified candidates run in the municipal election. If an agent is filing on behalf of a candidate, the declaration of qualifications must be commissioned prior to the agent filing the declaration with the Clerk’s Office. If the declaration is not commissioned at the time of filing, the Clerk will not accept either the declaration of qualification or the nomination papers.

Identification

All candidates must show proof of identity and proof of qualifying address within the Township of Brock, at the time the nomination papers are filed. This is to ensure that only the names of qualified candidates appear on the ballot.

Acceptable pieces of identification are contained within O. Reg. 304/13. In the case of a person renting property (tenant), the Clerk, in his absolute discretion, may request the candidate to furnish a current lease/rental agreement for the purpose of determining eligibility to be a candidate.

Certification of Nomination Papers

The Clerk will certify nominations by 4:00 p.m. on Monday, September 15, 2014. Once a candidate is certified, his or her name will be placed on the ballot. Nomination papers are public documents and are available for inspection in the Clerk’s Office.

Withdrawal of Candidacy

A candidate who wishes to withdraw his or her nomination must notify the Clerk in writing by 2:00 p.m., Friday, September 12, 2014. Either the candidate or an agent of the candidate must file the withdrawal form in person. The withdrawal form may not be faxed, as original signatures are required on all election documents filed with the Clerk. Upon receiving the withdrawal form, the nomination filing fee refund will be
processed. The candidate will still have to submit a financial statement covering all financial transactions up to the time of the withdrawal.

The candidate or agent must provide identification at the time of filing the withdrawal form. In addition, if an agent is filing the withdrawal form on behalf of a candidate, the candidate must provide the agent with a signed letter to give to the Clerk authorizing the agent to file the withdrawal form.

**Death/Ineligibility of a Certified Candidate**

In the event of the death of a certified candidate or if the candidate becomes ineligible to hold the office, the following provisions apply:

- If there continues to be a contest between two (or more) candidates, the election will proceed as if the candidate who dies or becomes ineligible had not been nominated. In the event ballots have been printed, the Clerk will advertise the removal of the candidate.
- **If there is only one candidate who would be elected by acclamation, the election for that office is void and a by-election is required to fill the office.**

**CAMPAIGN FINANCES**

The Municipal Elections Act, 1996 imposes limitations on the expenses for candidates in municipal elections and also imposes requirements on the candidate to report the contributions received and the funds expended. The candidate should become familiar with these provisions.

**Record keeping**

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

You should also look through the Campaign Financial Statement (appended) that you will be required to file to make sure that you are keeping records of all the information that must be included on the Statement.

You are required to keep all of your campaign financial records until December, 2018 when the next council or school board takes office.
You must keep the following records:

- the receipts issued for every contribution including when you accepted the contribution and the date you issued the receipt (Remember to issue receipts to yourself for any contributions you make)
- the value of every contribution, whether it is in the form of money, goods or services, and the contributor’s name and address
- all expenses, including the receipts obtained for each expense
- any claim for payment of an expense that the campaign disputes or refuses to pay
- the funds raised and expenses incurred from each separate fundraising event or activity
- the monies received at a fundraising event or activity by donations of $10 or less
- the terms of any loan received from a bank or other recognized lending institution

**Campaign period**

You are only allowed to accept contributions or incur campaign expenses during your campaign period.

Your campaign begins on the day you file your nomination.

In most cases, your campaign will end on December 31, 2014. Exceptions are:

- If you withdrew your nomination, your campaign ends on the date you informed the clerk in writing that you wanted to withdraw
- If you were not certified as a candidate and your name did not appear on the ballot, your campaign ends on nomination day (September 12, 2014)

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

- the day you notify the clerk in writing that you will be ending your campaign and not accepting any more contributions
- June 30, 2015

**Bank account**

Once you have filed your nomination form, you are required to open a separate bank account for your campaign. Even if you are planning a very small campaign, you are not permitted to use your personal bank account for campaign finances.
All contributions – including contributions you make yourself – must be deposited into the campaign bank account. All expenses must be paid for from the campaign account (with the exception of the nomination fee, because you can’t open the campaign account until you have filed your nomination).

**Contributions**

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

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

**Example:**

Your order for campaign signs would normally cost $500, but the vendor agrees to sell them to you for $300. You must record a contribution of $200 in goods or services from the vendor. If a professional who would normally charge for a service gives you that service for free, the value of the service (i.e. what an average person would pay for it) is considered to be a contribution.

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

If you sell tickets to a fundraising event, the cost of the ticket is considered to be a contribution.

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

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

**Things that are deemed not to be contributions**

If you have volunteers working for your campaign, the value of their volunteer labour is not considered to be a contribution.
A cash donation of $10 or less received at a fundraising event is not considered to be a contribution, and you may accept such donations without keeping track of who gave them to you.

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

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

**When you can receive contributions**

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

**Who can make a contribution**

You can accept contributions from:

- individuals who normally reside in Ontario
- corporations that carry on business in Ontario
- trade unions that hold bargaining rights for employees in Ontario
- yourself and your spouse

If you are going to accept a contribution from a business, you must ensure that the business is a corporation. Other kinds of businesses such as sole proprietorships or LLPs are not eligible to make contributions. If the owner of a sole proprietorship wishes to support your campaign, they may make an individual contribution from their personal funds (as long as they are a resident of Ontario).

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).

**Ineligible contributors**

The following individuals and organizations are not allowed to make contributions to municipal and school board 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

Contribution limits

There is a $750 limit that applies to each person, corporation and union who contributes to your campaign. If a person, corporation or union makes more than one contribution (e.g. contributes money, contributes goods, and purchases a ticket to a fundraising event), the total value of all the contributions cannot exceed $750.

If you accept contributions from corporations, you must determine whether the corporations are associated. Generally, corporations are associated if they are owned or controlled by the same person or persons. For specific details, please see section 256 of the Income Tax Act (Canada). The contribution limits apply to associated corporations as if they were all a single corporation.

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

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.

Contributions from yourself and your spouse

There are no limits on how much you and your spouse can contribute to your campaign. Contributions that you and your spouse make to your campaign do not count toward the $5,000 limit.

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

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

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

If you receive a cheque from a joint personal account, the receipt must be issued only to the person who signed the cheque. The contribution can only come from one person.

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

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

**Returning ineligible contributions**

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

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

- made outside your campaign period
- from an anonymous source (except for donations of $10 or less at a fundraising event)
- from an ineligible source (e.g. someone who doesn’t live in Ontario, a business that is not a corporation, etc.)
- greater than the $750 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 to you

**Fundraising**

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

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

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

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

If your ticket price is more than $100, you must include these contributions in Table 1 on your campaign financial statement. If your ticket price is less than $100 and a person who buys a ticket makes other contributions totalling more than $100 (including the cost of the ticket), you must record these contributions – including the cost of the ticket.

If you raise funds by selling goods or services for more than fair market value, the difference between the fair market value and the amount paid is considered to be a contribution.

If you sell goods (such as food and drink) at market value, the revenue is not considered to be a contribution, but must still be recorded on your campaign financial statement as “revenue not deemed a contribution”.

Expenses

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

The first expense that you will incur is your nomination fee. It is the only expense that does not have to be paid from your campaign bank account (since you cannot open your campaign bank account until after you have paid the fee). The nomination fee must be reported on your campaign financial statement.

You can only incur expenses during your campaign period.

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

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

Example:

Your order for campaign signs would normally cost $500, but the vendor lets you have them for $300 because he wants to help out your campaign. You should record an expense of $500 for the signs, and record a contribution of $200 in goods or services from the vendor. (Note: if the business is not a corporation, the contribution would have to be a personal contribution from the vendor.)

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

Spending Limit

There are limits on the amount a candidate may spend on expenses during the period commencing on the date the candidate is nominated under Section 33 of the Act and ending on voting day. The limits on campaign expenses are based on a formula that corresponds to the number of electors entitled to vote for the office for which the candidate is nominated on Nomination Day and is the greater of the number of eligible electors for Nomination Day in 2010 and 2014. There are different expense limits for heads of municipal council and for members of municipal councils.

The following chart illustrates the maximum limit based on the number of eligible electors on Nomination Day for the 2010 election. The formal certificate of maximum campaign spending limits will be provided to all candidates by September 22, 2014.

<table>
<thead>
<tr>
<th>Position</th>
<th>Maximum</th>
<th>Formula</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor</td>
<td>$16,348.50</td>
<td>$7500 + $.85 per elector</td>
</tr>
<tr>
<td>Regional Councillor</td>
<td>$13,848.50</td>
<td>$5000 + $.85 per elector</td>
</tr>
<tr>
<td>Ward 1 Councillor</td>
<td>$6732.30</td>
<td>$5000 + $.85 per elector</td>
</tr>
<tr>
<td>Ward 2 Councillor</td>
<td>$6677.05</td>
<td>$5000 + $.85 per elector</td>
</tr>
<tr>
<td>Ward 3 Councillor</td>
<td>$6960.95</td>
<td>$5000 + $.85 per elector</td>
</tr>
<tr>
<td>Ward 4 Councillor</td>
<td>$6797.75</td>
<td>$5000 + $.85 per elector</td>
</tr>
<tr>
<td>Ward 5 Councillor</td>
<td>$6680.45</td>
<td>$5000 + $.85 per elector</td>
</tr>
</tbody>
</table>

Types of Expenses

Most of your expenses will be subject to the spending limit. The following expenses are not subject to the spending limit:
• expenses related to holding a fundraising event or activity
• expenses related to parties and other expressions of appreciation after the close of voting
• expenses relating to a recount
• expenses relating to a court action for a controverted election
• expenses relating to a compliance audit
• expenses incurred by a candidate with a disability that are directly related to the candidate’s disability and would not have been incurred if not for the election
• audit and accounting fees

Note: Remember that 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 spending limit applies**

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

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

**Campaign inventory**

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

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

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

**Campaign Financial Statement**

It is your responsibility as a candidate to file a **complete** and **accurate** financial statement **on time**.
The filing deadline is 2 p.m. on the last Friday in March following the election (March 27, 2015).

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

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

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

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

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

If you think that you will be unable to file your financial statement by the deadline, you may apply to the Ontario Court of Justice for an extension before **March 27, 2015**.

If, at 2 p.m. on March 27, 2015, you have not given the clerk your financial statement or written notice that you have applied to the court for an extension, you will forfeit your elected office (if you won the election) and you will be ineligible to run for office or be appointed to fill a vacancy until after the 2018 election.

**Separate statement for each office**

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

**Extended campaigns**

Your campaign period ends on Wednesday, December 31, 2014. However, if your campaign has a deficit, you can extend your campaign in order to do some additional fundraising. If you want to extend your campaign, you must notify the Clerk using the Notice of Extension of Campaign form on or before Wednesday, December 31, 2014. Your campaign may be extended until June 30, 2015.
If you extend your campaign you must file two financial statements:

- a financial statement reflecting your campaign until December 31 (due March 27, 2015)
- a supplementary financial statement which includes the information from your primary statement and adds financial information from your extended campaign

The supplementary financial statement must be filed with the clerk by 2 p.m. on Friday, September 25, 2015.

**Surplus and Deficit**

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

If your campaign expenses are greater than your campaign income, your campaign will be in deficit. You are allowed to carry forward this deficit to your next campaign if you run again for an office on the same council or school board. The campaign deficit exists on paper. You are still obligated to pay any vendors that you owe money to.

**Auditor’s Report**

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

The auditor’s report must be prepared by an auditor licensed under the *Public Accounting Act, 2004*. Before you hire someone to prepare the report, you should ensure that they are properly qualified.

**COMPLIANCE & ENFORCEMENT**

**Automatic penalties**

There are three contraventions of the Act where penalties apply automatically:

1. if you fail to file a financial statement or apply to the court for an extension by the filing deadline
2. if your financial statement shows that you exceeded your spending limit
3. if you fail to turn over your surplus to the clerk when you file your financial statement

The penalty is that you forfeit your office (if you won the election) and you become ineligible to run or be appointed to fill a vacancy until after the 2018 election.

Compliance audits

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

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

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

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

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

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

The compliance audit committee does not have any authority to set penalties. Only the court can decide if you actually 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 2014 election must be commenced before December 1, 2018.

Penalties

If you are convicted of an offence, you may be subject to the following penalties:
• a fine of up to $25,000
• ineligibility to vote or run in the next general election
• up to six months in prison
• forfeiture of your elected office, if the judge finds that you committed the offence knowingly

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

SUPPLEMENTARY INFORMATION

Definition of Residence

In determining the eligibility of electors, one must examine the meaning of residence.

Section 2 of the Municipal Elections Act, 1996 reads as follows:

Residence

2(1) - For the purposes of this Act, a person’s residence is the permanent lodging place to which, whenever absent, he or she intends to return. 1996, c. 32, Sched., s. 2 (1).

Rules

2(2) - The following rules apply in determining a person’s residence:

1. A person may only have one residence at a time.
2. The place where a person’s family resides is also his or her residence, unless he or she moves elsewhere with the intention of changing his or her permanent lodging place.
3. If a person has no other permanent lodging place, the place where he or she occupies a room or part of a room as a regular lodger or to which he or she habitually returns is his or her residence. 1996, c. 32, Sched., s. 2 (2).

2(2.1) - Despite paragraph 1 of subsection (2), a person may have residences in two local municipalities at the same time if,

a) The person lives in one of the local municipalities in order to attend an educational institution, but not with the intention of changing his or permanent lodging place; and
b) The person’s permanent lodging place is in the other local municipality. 2009, c. 33, Sched. 21, s. 8 (3).
Rules if no permanent lodging place

2(3) - If a person has no permanent lodging place as described in subsections (1) and (2), the following rules apply in determining his or her residence:

1. The place to which the person most frequently returned to sleep or eat during the five weeks preceding the determination is his or her residence.

2. If the person returns with equal frequency to one place to sleep and to another to eat, the place to which he or she returns to sleep is his or her residence.

3. Multiple returns to the same place during a single day, whether to eat or to sleep, shall be considered one return.

4. A person’s affidavit regarding the places to which he or she returned to eat or sleep during a given time period is conclusive, in the absence of evidence to the contrary. 1996, c. 32, Sched., s. 2 (3).

Enumeration

The 2014 Preliminary List of Electors for the Township of Brock will be prepared by the Municipal Property Assessment Corporation (MPAC). The list contains the names, addresses and school support of each person who meets the qualifications of an elector. The enumeration process, conducted by MPAC, is anticipated to commence in April. The Voters’ List will be available to candidates no later than September 2, 2014.

Revisions to Voters’ List

Applications for amendments to the Voters’ List will be at the following locations and times:

- Clerk’s Office, 1 Cameron Street East, Cannington, between September 2, 2014 until October 24, 2014 (8:30 a.m. - 4:30 p.m.) and October 27, 2014 (8:30 a.m. - 8:00 p.m.) for all Wards (1 – 5);
- Beaverton Town Hall, 397 Simcoe Street, Beaverton, between October 20, 2014 until October 24, 2014 (8:30 a.m. - 4:30 p.m.) and October 27, 2014 (8:30 a.m. - 8:00 p.m.) for Wards 1, 2, and 4 only;
- Sunderland Fire Hall, 217 River Street, Sunderland between October 20, 2014 until October 24, 2014 (8:30 a.m. - 4:30 p.m.) and October 27, 2014 (8:30 a.m. - 8:00 p.m.) for Wards 4 and 5 only;

Copies of the Voters’ List may be viewed at the Clerk’s Office, 1 Cameron Street East, Cannington during regular business hours, beginning September 2, 2014.
Voters’ List

In accordance with Section 23(4) of the Municipal Elections Act, 1996, a candidate will receive one free copy of the part of the Voters’ List that contains the names of the electors who are entitled to vote for the office for which the candidate is nominated. The Candidate shall submit a completed Voters’ List Request Form and the Clerk’s office shall provide the requested list.

Additional paper copies of the list shall be available to candidates at a cost of $25.00.

Scrutineers

A candidate may appoint, in writing, any necessary number of persons to act as scrutineer and to represent him or her during the mail-in voting process and during the counting of the votes. Rules of Conduct for Scrutineers and Candidates:

(1) Election Stations: Ballot Return Station and the Ballot Counting Centre

(2) The Municipal Clerk, or designated Election Official, is responsible for the conduct of the Ballot Return Station and the Ballot Counting Centre, and no Candidate or Scrutineer has any right to interfere with the Municipal Clerk, or designate, in the discharge of his/her duties.

(3) Prior to entering any of the Election Stations, as listed in (1) above, every person appointed as a Scrutineer shall produce and show his/her Appointment of Scrutineer form to the Municipal Clerk or designate, and take the Oral Oath of Secrecy.

(4) Upon being approved to enter any of the Election Stations, as listed in (1) above, every Candidate and Scrutineer shall, at all times while in any of the Election Stations, wear the assigned Identification Card in such a manner that it can be easily seen by the Election Officials.

(5) Only one Scrutineer for each certified Candidate may be present at the Ballot Return Station and at each table employed for the counting of the ballots at any time. If the Candidate or another of his/her Scrutineers enters the Ballot Return Station or attends the table where ballots are being counted, the other Scrutineer is required to leave.

(6) Scrutineers are reminded to provide a clipboard for their own use.

(7) Scrutineers must not attempt to directly or indirectly influence how an elector votes.

(8) Scrutineers shall not display any campaign material or literature anywhere.
(9) Scrutineers and/or Candidates shall not, at any time, apply their signature or seal to any boxes used for the secure storage of sealed Ballot Secrecy Envelopes, completed Voter Declaration Forms, and Rejected Voter Kits.

(10) Scrutineers and/or Candidates shall NOT touch any election equipment, materials and or documents, including but not limited to: computers, envelope openers, ballots, Ballot Secrecy Envelopes, Voter Declaration Forms, and Voting Return Envelopes. They are simply there to observe.

(11) The total of votes cast for each candidate, as counted by the Deputy Returning Officer, is final and the ballots will not be recounted. The Municipal Clerk or designate, shall provide to a Candidate or his/her Scrutineer, if requested, a report of the unofficial election results.

(12) Cell phones and/or other electronic communication or recording devices are NOT permitted in any Election Stations, as listed in (1) above.

**Election Signs**

The placement of election signs is governed by By-law Number 2044-2007-PP.

- Election signs shall not be erected until one (1) week prior to the Clerk certifying a candidate’s nomination papers (*September 8, 2014*);
- Prior to the placement of election signs a candidate must lodge a $200.00 deposit with the Clerk’s department, which is refundable less a $10.00 fee per sign that is removed;
- Upon direction from the Clerk’s Office, Township staff is authorized to remove any sign that does not comply with the provisions of the by-law. The Clerk’s decision in this regard is final;
- Signs must be removed within 3 days of Voting Day (*October 30, 2014*);
- Signs cannot be animated, illuminated, attached to trees, or simulate a traffic control device;
- Mobile signs are prohibited;
- The municipality’s logo, crest, or seal cannot be used in whole or in part;
- No signs are permitted in, on, or within 5 metres of any voting place, inclusive of the Municipal Administration Office – a voting place includes the boundary of the property;
- Signs that are within a vehicle and visible to the outside or are on a vehicle itself are prohibited in a voting place; and,
- Election signs are prohibited within public parks and the road allowance fronting the park, daylighting triangles, bridges, overpasses, medians, sidewalks.
In addition, the placement of elections signs on property owned by the Regional Municipality of Durham or the Ministry of Transportation, Ontario is governed by rules and regulations separate from the Township of Brock.

Region of Durham By-law Number 79-95, as amended, addresses the placement of signs on roadways and intersections. Please note that the placement of signs on Regional Roads is **NOT** permitted until **Monday, September 15, 2014**. Please also note that the Township of Brock will **NOT** enforce alleged infractions related to signage placed on property owned by the Region of Durham.