

## **INTRODUCTION**

This guide has been prepared for the purpose of supplying information to persons intending to stand for elected office. This guide is available electronically on Callanders' website at [www.mycallander.ca](http://www.mycallander.ca).

This guide is only intended to provide candidates with information on running for office. Candidates are responsible for ensuring that they are familiar with the requirements of the Municipal Elections Act, 1996 and should consult the Act for complete information and legislative requirements. A copy of the Municipal Election Act, 1996 is available for candidates from the Municipal Office and online at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca).

Candidates must comply with all requirements relating to election campaign financing. The Ministry of Municipal Affairs produces a guide for candidates that outline the financial reporting requirements under the Act. The guide is available online from the Ministry website.

This guide will be updated periodically. Please notify the Clerks' Department of any changes to your mailing and/or email address.

It is the responsibility of prospective candidates to ensure 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. In all cases of filing times (i.e. 2:00 p.m.), the time displayed by the Clerks Department electronic clock shall prevail.

For information related to the 2018 Municipal Election please contact:

Elaine Gunnell  
Municipal Clerk  
Phone: (705) 752-1410 ext. 222  
E mail: [egunnell@callander.ca](mailto:egunnell@callander.ca)

## **IMPORTANT DATES**

The following dates are legislative dates as set out in the *Municipal Elections Act, 1996*.

### **2018**

*Tuesday, May 1*

- First day for candidates to file a nomination paper for the office of mayor, councillor or school board trustee
- First day for an individual or entity to file a notice of registration as a third-party advertiser
- Campaign period begins once a nomination paper or notice of registration is filed
- Preliminary expense limits and other legislative documentation provided to candidates and third-party advertisers on the day they file

*Friday, July 27*

- Nominations Day – last day to file nomination papers
- 9:00 a.m. to 2:00 p.m. – nominations or withdrawals cannot be accepted beyond 2:00 p.m.

*Monday, July 30*

- Certification of nomination papers to be completed by 4:00 p.m.
- Declaration of acclamation provided after 4:00 p.m.

*Tuesday, September 4*

- Voters List available to certified candidates

*Tuesday, September 25*

- Final expense limits provided to candidates and third-party advertisers

*Friday, October 19*

- Last day for an individual or entity to file a notice of registration as a third-party advertiser

*Monday, October 22*

- Voting Day, 10:00 a.m. to 8:00 p.m.

*Monday, December 3*

- Term of Office Commences

*Monday, December 31*

- Campaign period ends and last day to file for extension of campaign period

## **2019**

*Wednesday, February 27*

- Last day for Clerk to provide notice of financial reporting requirements and penalties to candidates and registered third parties

*Thursday, March 28*

- Last day for candidate or registered third party to apply to Superior Court of Justice to extend the time to file the financial statement

*Friday, March 29*

*By 2:00 p.m.*

- Last day to file financial statement for reporting period ending December 31, 2018
- Last day for candidate or registered third party to notify Clerk of filing extension received from the Superior Court of Justice

*After 2:00 p.m.*

- 90-day compliance audit period begins
- Start of 30-day period in which a candidate or registered third party may file the primary financial statement and pay \$500 late filing fee

*Monday, April 29*

- Last day (by 2:00 p.m.) for candidate or registered third party to file a primary financial statement and pay a \$500 late filing fee
- Penalties take effect after 2:01 p.m.

*Thursday, June 27*

- End of supplementary campaign period

*Wednesday, August 28*

- Last day for Clerk to provide notice of supplementary filing requirements and penalties to candidates or registered third parties

*Thursday, September 26*

- Last day for candidate or registered third party to apply to Superior Court of Justice to extend the time to file the financial statement

*Friday, September 27*

*By 2:00 p.m.*

- Last day to file financial statement for reporting period ending July 2, 2019 – only applies to those who filed a Form 6 to extend the campaign period

*Friday, September 27 (cont'd)*

- Last day for candidate or registered third party to notify Clerk of filing extension received from the Superior Court of Justice

*After 2:00 p.m.*

- 90-day compliance audit period begins
- Start of 90-day period in which a candidate or registered third party may file the supplementary financial statement and pay a \$500 late filing fee

*Monday, October 28*

- Last day (by 2:00 p.m.) for candidate or registered third party to file a supplementary financial statement and \$500 late filing fee
- Penalties take effect after 2:01 p.m.

*Friday, December 27*

- Last day to request a compliance audit on a supplementary financial statement

## **ELECTED OFFICES**

On Monday, October 22, 2018, voters in the Municipality of Callander will elect members for the following offices:

### **MAYOR**

One is elected by all electors of the municipality

### **COUNCILLORS**

4 to be elected at large by all electors in the municipality

### **DISTRICT SCHOOL BOARD (English)**

1 to be elected by public school electors of the municipality

### **DISTRICT SEPARATE SCHOOL BOARD**

1 to be elected by separate school electors of the municipality

### **FRENCH LANGUAGE DISTRICT SCHOOL BOARD**

1 to be elected by French language electors of the municipality

### **FRENCH LANGUAGE DISTRICT SEPARATE SCHOOL BOARD**

1 to be elected by French language separate school electors of the municipality

## **QUALIFICATION OF CANDIDATES**

### **Member of Council**

Qualifications for members of Council are set out in Section 256 of the Municipal Elections Act, 1996.

In order to run for office a person must be:

1. A Canadian citizen;
2. At least 18 years old;
3. A resident of Callander or the owner or tenant of land here, or the spouse of such owner or tenant; and
4. Not disqualified by any legislation from holding office.

### **Ineligibility**

The following persons are ineligible to be elected as members of Council:

1. An employee of the Municipality except during an authorized leave of absence (the leave of absence must begin upon the filing of the nomination form).
2. A person who is not an employee of the Municipality but who is the Clerk, Treasurer, Integrity Commissioner, Auditor General, Ombudsman or registrar, or who holds an administrative position of the Municipality.
3. A judge of any court.
4. A member of the Assembly as provided in the Legislative Assembly Act or of the Senate or House of Commons.

## **NOMINATION PROCEDURE**

### **Filing Nomination Papers**

Every person who proposes to be a candidate must file nomination papers prior to receiving any campaign contributions and prior to expending any funds on a campaign. A candidate may file his or her nomination papers as of May 1, 2018. Nomination papers will be available from the Municipal Office and on the municipal website.

Please note that nomination papers must be submitted in person at the municipal office located at 280 Main Street North in Callander. Candidates are required to complete a Nomination Form, which includes a declaration of qualification, taken before a Commissioner of Oaths. Commissioner of Oaths at the municipal office can administer this declaration for you. Photo identification containing the candidates signature is also required.

The final day for filing for the 2018 municipal election is Nomination Day, Friday, July 27, 2018 from 9:00 a.m. to 2:00 p.m.

The nomination papers must be accompanied by the prescribed filing fee. The prescribed fee is \$200 for the Head of Council/Mayor and \$100 for all other offices and can be paid by cash, debit or cheque payable to the Municipality of Callander.

If an agent is filing the nomination on behalf of a candidate, the candidates' Nomination Form must be commissioned before the agent files the Nomination Form with the Municipality and the agent must provide a copy of the candidates' identification as well as providing their own identification.

Candidates are responsible for ensuring that they meet all the qualifications and have followed the procedures with respect to the filing of nomination papers and required documentation.

### **Exception for Additional Nominations**

If the number of nominations filed for an office and certified is less than the number of persons to be elected to the office, additional nominations may be filed between 9 a.m. and 2 p.m. on the Wednesday (August 1, 2018) following Nomination Day.

### **Refund of Deposit**

A candidate is entitled to receive a refund of the nomination filing fee if he or she files their financial statements with the Clerk by the filing date. For the 2018 municipal election, the filing date is before 2:00 p.m. on March 29, 2019.

**Certification of Nomination by Clerk**

The Clerk shall examine each nomination that has been filed before 4 p.m. on the Monday following Nomination Day – July 30, 2018. Any additional nominations filed under the Municipal Elections Act, 1996 section 33. (5) shall be examined before 4 p.m. on the Thursday following Nomination Day – August 2, 2018.

If the Clerk rejects a nomination, he or she will provide notice as soon as possible to the individual seeking nomination and to all candidates. The Clerks' decision to certify or reject a nomination is final.

**Withdrawal of Nominations**

A person may withdraw his or her nomination by filing a written withdrawal at/with the Clerks' Department before 2:00 p.m. on July 27, 2018.

**Acclamations**

If, at 4:00 p.m. on July 30, 2018 the number of certified candidates for an office is the same as or less than the number to be elected, the Clerk shall immediately declare the candidate or candidates elected by acclamation.



## **CAMPAIGN INFORMATION**

Candidates are advised to review the Province of Ontario's 2016-2018 Candidates Guide for information on Campaign Contributions and Fund Raising and on Campaign Expenses. The provincial guide is available online and from the Municipal Office.

### **Election Contributions and Expenses**

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.

### **Campaign Expense Limits**

There are limits on the amount that a registered candidate may spend on a campaign. The campaign period begins the day the candidate files a Nomination Form and ends on December 31, 2018. The limit of campaign expenses is based on a formula related to the number of electors entitled to vote for the office.

Once an individual file their Nomination Form, they will be given a Preliminary Certificate of Maximum Campaign Expenses based on the voters list from the 2014 Election. Each candidate will be provided with a final certificate on or before September 25, 2018 which is calculated using the greater number of electors on the Voters' List as of the 2014 Municipal Election or September 15, 2018, whichever provides the highest maximum limit.

The following is the formula used calculate the limits:

Head of Council	\$7,500 plus 85 cents for each elector eligible to vote for the office
Councillor	\$5,000 plus 85 cents for each elector eligible to vote for the office

The Municipal Act, 1996 also establishes limits for the contribution a candidate can make to their own campaign.

Once an individual files their Nomination Form, they will be given a Preliminary Certificate of Maximum Campaign Contributions based on the voters list from the 2014 Election. Each candidate will be provided with a final certificate on or before September 25, 2018 which is calculated using the greater number of electors on the Voters' List as of the 2014 Municipal Election or September 15, 2018, whichever provides the highest maximum limit.

The following is the formula used calculate the limits:

Head of Council	\$7,500 plus 20 cents for each elector eligible to vote for the office
Councillor	\$5,000 plus 20 cents for each elector eligible to vote for the office

## **FILING FINANCIAL STATEMENTS**

All nominated candidates, including those not elected, those who withdrew their nomination and whose nomination was rejected by the Clerk, must disclose and report on or before March 29, 2019 at 2:00 p.m. their contributions and expenses as of December 31, 2018 in accordance with the following:

- All candidates are required to file a detailed financial statement on the prescribed form – Form 4.
- Candidates must have their financial statement audited and submit the auditor's report to the Clerk along with their financial statement if expenses are over \$10,000.

A candidate must file a separate financial statement for each office he or she was nominated for during the election period unless all offices are all on the same Council and are elected by a general vote of all electors of a municipality.

The financial statement must be filed by March 29, 2019. Candidates' financial statements are filed with the Clerk and are public documents which are to be available at no charge for viewing by the public on Callanders' website. The Clerk will advise at least 30 days prior to the March 29, 2019 filing deadline of all the filing requirements of the Act. The Clerk is not required to give additional notice for each supplementary filing date.

It is the responsibility of the candidate to file a complete and accurate financial statement by the filing deadline.

Please refer to the Provincial Municipal Elections guide or the Municipal Elections Act, 1996 for detailed information with respect to:

- Extending a campaign in order to eliminate a deficit;
- Supplementary financial statement information;
- Surplus and deficit information; and
- Enforcement and penalties.

## **CANDIDATES' AGENTS (SCRUTINEERS)**

Each candidate may appoint any number of persons as are necessary to act as a scrutineer and to represent them at the voting place and to be present during the counting of the votes.

Scrutineers must be appointed in writing and upon request shall show proof of his or her appointment to an election official.

Only one Scrutineer may be in the voting place for each candidate for each ballot box. If a candidate enters the voting place they are considered to be a scrutineer.

### **Candidates and scrutineers have the following rights:**

- To be present when ballot boxes and materials related to the advance voting and the ballot boxes and statement of the results are being delivered to the Clerk.
- To enter the voting place 15 minutes before it opens and to inspect the ballot boxes and the ballots, and all other election documents but not so as to delay the opening of the voting place.
- To place their own seal on the ballot box before the opening of the voting place.
- To place his or her own seal on the ballot box after the close of voting on an advance vote so ballots cannot be withdrawn or deposited without breaking the seal.
- To sign the statement of the results of an election.
- To place his or her own seal on the ballot box after the counting of the votes so that ballots cannot be taken out or deposited.

### **If you are appointing scrutineers, please note the following:**

- The appointment must be made in writing.
- Limit of one (1) scrutineer per ballot box.
- Scrutineers must take an oath of secrecy.
- Scrutineers may not interfere with the activity of the vote or the counting of the ballots (may look but cannot touch).
- Candidates are entitled to be represented at the voting places either personally or by scrutineer. It should be noted that acclaimed candidates are not entitled to be at a voting place unless appointed as a scrutineer by another candidate.
- Campaigning is not permitted within the voting location.

### **Scrutineers and candidates are prohibited from the following:**

- Engaging electors in conversation while in a voting place.
- Attempting directly, or indirectly, to interfere with how an elector votes.
- Attempting to campaign or persuade an elector to vote for a particular candidate.

- Displaying a candidate's election campaign material in a voting place.
- Compromising the secrecy of the voting.
- Interfering or attempting to interfere with an elector who is marking a ballot.
- Obtaining, or attempting to obtain, in a voting place, any information about how an elector intends to vote or has voted.
- Communicating any information obtained at a voting place about how an elector intends to vote or voted.

## **ELECTIONS SIGNS**

The Municipality regulates the placement of election signs through the Municipal Sign By-law (By-law No. 2000-760). A copy of the By-law can be obtained from the Clerks Department.

“Election Sign” means a sign indicating support of a candidate or a recognized political party in a municipal, regional, provincial or federal election. The following stipulations apply with respect to the placement of election signs:

- No election sign shall be erected prior to six weeks before election day.
- No election sign shall be placed upon any tree, post, pole or fence on any municipal property or any property under the jurisdiction of the municipality.
- election signs must be removed within 48 hours after the day of the election.
- No sign shall be placed upon property which a voting place is situated, during the hours of the poll.

All Election Signs placed within the Municipality must be removed by the candidate within forty-eight (48) hours after election day. Failure to comply with the above noted requirements may result in fine and charges in accordance with the Provincial Offences Act.

## **USE OF CORPORATE RESOURCES DURING CAMPAIGN PERIOD**

The following applies to candidates (including current Members of Council seeking re-election) with respect to the use of municipal resources during the campaign period:

- Candidates are required to comply with the Municipal Elections Act, 1996, as amended and as it exists from time to time.
- No candidate shall use the facilities, equipment, supplies, services or other resources of the Municipality of Callander for any election campaign or campaign-related activities, except on the same basis (including paying a fee if any) as such resources are normally made available to Members of the public.
- No candidate shall use their newsletter, or their website linked through the Callander's Website for any election campaign or campaign-related activities.
- No candidate shall use the services of Callander employees for any election campaign or campaign-related activities during hours in which those Callander employees receive any compensation from the Municipality of Callander.

## **CANVASSING FOR VOTES**

### **Prohibition of Canvassing in Voting Places**

The Clerk, as Returning Officer, is the lessee of the premises used as voting places. As the lessee of such premises, the Clerk does not permit campaigning of any nature in or on the premises used as a voting place on Voting Day or at Advance Voting. The premise is deemed to include the entire building and the property on which it is located.

Section 48 of the Act provides as follows:

“While an elector is in a voting place, no person shall attempt, directly or indirectly, to influence how the voter votes. No person shall display a candidates’ election campaign material or literature in a voting place. For the purpose of this section, “Voting Place” includes any place in the immediate vicinity of the voting place designated by the Clerk.”

Election Officials are instructed to remove forthwith from any voting place any material or literature of any nature, which may be deposited therein. Candidates or their agents and scrutineers must not engage electors in conversations at voting places and they may not wear campaign buttons or distribute material or any kind in and around a voting place.

### **We ask for your cooperation in this regard.**

In view of the substantial number of school buildings used for voting purposes the attention of candidates is also drawn to the policies of the school boards and provisions of the *Education Act* which provide as follows:

- i) No agent or representative may canvass in the schools, nor exhibit advertising material in the schools or on the school property, without the approval in writing of the Director of Education.
- ii) All visitors to schools must report to the office.
- iii) It is the duty of a principal of a school, in addition to his duties as a teacher, to maintain a visitors' book in the school when so determined by the Board.

Thus, it should be noted from the foregoing that in connection with municipal elections, only persons attending a school building for the purpose of casting their ballot, duly qualified election officials, candidates or their authorized agents in, or going to or from the voting place, may be present on school premises.



**Access to Apartment Buildings, Condominiums, etc. by Candidates (or their authorized representatives)**

Campaign provisions have been clarified through recent amendments to the Act to allow candidates to campaign in apartment buildings, condominiums, non-profit housing co-ops or gated communities from 9:00 a.m. until 9:00 p.m. Landlords and condominium corporations may not prohibit tenants or owners from displaying campaign signs in their windows.

When the building is being used as a voting location, canvassing in the building during voting hours is not permitted.

## **GENERAL VOTER INFORMATION**

### **Voter Information**

A person is qualified to be a voter in Callander if on Voting Day, he or she:

- a) Resides in Callander or is the owner or tenant of land in Callander, or the spouse of such owner or tenant;
- b) Is a Canadian citizen;
- c) Is at least 18 years old; and
- d) Is not prohibited from voting as outlined in the Municipal Elections Act, 1996 or any other law.

### **Persons Prohibited from Voting**

The following persons are prohibited from voting:

- a) A person who is serving a sentence of imprisonment in a penal or correctional institution;
- b) A corporation;
- c) A person acting as executor or trustee in any other representative capacity, except as a voting proxy;
- d) A person who was convicted of a corrupt practice as described in subsection 90(3) of the Municipal Elections Act, 1996 if Voting Day in the current election is less than five (5) years after Voting Day in the election in respect of which he or she was convicted.

### **Definition of Residence**

For the purposes of the Municipal Elections Act, 1996 a persons' residence is the permanent lodging place to which, whenever absent, he or she intends to return. These provisions exist to allow for the homeless to be enumerated and vote. The following rules apply in determining a person's residence:

1. A person may only have one (1) residence at a time;
2. The place where a persons' 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; and
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. In determining the eligibility of electors, one must examine the meaning of residence. Provisions exist to allow for the homeless to be included on the voters' list and vote.

## **Enumeration**

The Preliminary List of Electors for the Municipality of Callander is prepared by the Municipal Property Assessment Corporation and contains the names and addresses and school support of each person who is listed in the Corporation's data and who meets the qualifications of an elector.

The information contained in the Voters' List is to be used for election purposes only. The use and sale of the Voters' List for commercial purposes is prohibited.

Candidates are entitled to receive a copy of the list for their use and may request either an electronic or paper copy of the list by completing Form EL 14- Candidates Declaration – Proper Use of Voters' List. There is no charge for the paper or the electronic copy.

## **Revisions of the Voters' List**

The Voters' List will be available by Tuesday, September 4, 2018. Applications for amendments to the Voters' List will be accepted by the Clerk commencing on September 4, 2018 and ending at 8:00 p.m. on Voting Day (October 22, 2018).

Copies of the Voters' List may be viewed at the locations, dates and times listed below:

**Office of the Clerk  
280 Main Street North Callander  
Monday to Friday 8:30 a.m. to 4:30 p.m.**

## **Proxy Voting**

A person who is not able to attend the voting place to vote may appoint another person as a voting proxy to vote on their behalf. The person acting as a proxy must also be an eligible elector. No person shall appoint more than one voting proxy and no person can act as a proxy for more than one person unless the persons they are voting for are the spouse, sibling, parent, child, grandparent, or grandchild.

Proxies can only be appointed after the time for the withdrawal of nominations for all offices has expired (2 p.m., Friday, July 27, 2018 unless additional nominations are required, then 2 p.m., August 2, 2018). Persons appointed to act as proxies must attend the Office of the Clerk (or other place designated by the Clerk) and present a prescribed appointment form signed by the elector appointing the proxy. The Clerk will issue a certificate as the appointing document, and this document must be presented at the voting place.

A person acting as a proxy must attend the voting place designated for the elector for whom they are voting.

### **Advance Vote**

At least one advance vote will be held for the purpose of receiving votes of electors who expect to be unable to vote on Voting Day. Advance votes will be held at the following locations at the times indicated:

<b>October 10, 2018</b>	<b>ADVANCED VOTE</b> – Callander Community Centre 12:00 noon to 8:00 p.m.
<b>October 13, 2018</b>	<b>ADVANCE VOTE</b> – Callander Community Centre 10:00 a.m. to 5:00 p.m.

### **Voting Day**

Voting Day is Monday, October 22, 2018 with general voting places open from 10:00 a.m. to 8:00 p.m. with the counting of votes to take place after the closing of the vote. Special voting places may have different hours if Council passes By-law to this effect.

### **Voting Places**

Candidates will be provided with an up-to-date copy of a list of voting places for the area in which the candidate is standing for elective office. In the event that any voting place is subsequently changed due to circumstances beyond our control, a notice of such change will be mailed to the candidates concerned.

### **Voting Notice**

The Clerk will give notice of the dates and times on which the voting places will be open, including advance voting, and the manner in which electors may use voting proxies and instructions on how to use the alternative voting method being utilized.

### **Form of Ballot**

The Municipality uses a fully composite ballot. Each elector receives one ballot, which contains all ballots for every office for which they are entitled to vote. There will be of course different ballots for public school electors, separate school electors, French language public school electors, French language separate school electors and non-resident owners or tenants of industrial or commercial property (who are not entitled to vote for school board trustees) so that no elector will receive a ballot for offices for which they are not entitled to vote.

### **Electors' Absence from Work**

An elector is entitled to have three consecutive hours to vote on Voting Day (October 22, 2018). If an elector's normal hours of employment are such that they would not have three consecutive hours to attend the voting station, the employer must allow them to be absent and the absence shall be timed to suit the employer's convenience as much as possible. The employer shall not make a deduction from the employee's pay or impose any other penalty for the absence from work.