



2022 Municipal Election Candidate Information Package

Thank you for your interest in running the 2022 Municipal and School Board Election. Enclosed within this package you will find the following resources and forms:

Resources:

- 2022 Township of Puslinch Candidate Guide
- 2022 Voters' Guide for Ontario Municipal Council and School Board Elections
- 2022 Candidates' Guide for Ontario Municipal Council and School Board Elections
- 2022 Council & Committee Meeting Schedule
- Township of Puslinch Sign By-law
- County of Wellington Sign By-law
- Township Council Code of Conduct
- Township Use of Corporate Resources Policy
- County Ward Map
- Township of Puslinch Map
- Municipal Conflict of Interest Act
- Notice of Broadcasters and Publishers Regarding Advertising Rules during the Election

Forms:

- Form 1 - Nomination Form
- Form 2 – Endorsement of Nomination (6)
- Form 4 – Financial Statement – Auditor's Report
- Form 2022-EL1 Acknowledgment of Qualifications
- Form 2022-EL2 Municipal Campaign Account
- Form 2022-EL14 Candidate's Declaration – Proper Use of Voters' List
- Form 2022-EL37.1 Preliminary Certificate of Maximum Campaign Expense Limit
- Form 2022-EL37.2 Preliminary Certificate of Maximum Campaign Expense Limit - Own Campaign
- Form 2022 – Declaration for Use of Election Information
- Consent to provide Candidate Contact Information
- Form 2022-EL19 Withdrawal of Nomination

In addition to the resources and forms provided in the Candidate Information Package, the Township's election website www.puslinch.ca/2022election has more resources for



candidates, voters and third-party advertisers. As Voting Day approaches, more information related to the 2022 Municipal Election will be provided on the election website. Candidates are encouraged to refer often to this site.

If you have any questions please do not hesitate to contact the Clerk's Department at elections@puslinch.ca or 519-763-1226 ext. 103.

Sincerely,

Courtenay Hoytfox
Municipal Clerk
Township of Puslinch

Personal information in relation to the Municipal Election is collected under the authority of the Municipal Election Act, 1996. Questions regarding the collection of this information may be directed to the Township Clerk's office. The Township of Puslinch is committed to providing accessible formats and communication supports for people with a disability. If another format would work better for you, please contact the Township Clerk's office for assistance.



Filing of Nominations for 2022 Municipal and School Board Election Checklist

Nominations for the Municipal and School Board Election can be filed at the Township Office beginning May 2, 2022 until 2:00 p.m. on August 19, 2022 during regular office hours.

Those wishing to submit nomination papers are encouraged to book an appointment with Clerk's Department staff. Appointments can be booked by contacting:

Phone: 519.763.1226 Ext. 103

E-mail: elections@puslinch.ca

The following documents must be completed, signed with original signatures and brought with you when you arrive to file your nomination papers:

Forms Checklist:

- Form 1 - Nomination Form
 - **Note – Do not sign the Declaration of Qualification until you are with the Clerk or Designate**
- Form 2 – Endorsement of Nomination
 - **Note – 25 Endorsements with original signatures are needed in order to process the nomination papers**
- Form 2022-EL1 Acknowledgment of Qualifications
- Form 2022-EL14 Candidate's Declaration – Proper Use of Voters' List
- Form 2022-EL100 Declaration for Use of Election Information
- Consent to provide Candidate Contact Information

You will be required to show identification to prove that you are eligible to be nominated.



If you have any questions please do not hesitate to contact the Clerk's Department at elections@puslinch.ca or 519-763-1226 ext. 103.

Sincerely,

A handwritten signature in black ink that reads "CHoytfox". The signature is written in a cursive style with a large, prominent "C" and "H".

Courtenay Hoytfox
Municipal Clerk
Township of Puslinch

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2022 MUNICIPAL ELECTION CANDIDATES' GUIDE

TABLE OF CONTENTS

Section 1 – Introduction	Page
Overview	4
Clerk’s Department Resource Staff	4
Schedule of Key Dates	5

Section 2 – Council Roles	Page
Municipal Offices to be Elected	7
Council Roles	7
Municipal Responsibilities	8
Council Duties	9
Remuneration	9

Section 3 – Nomination Process	Page
Time for filing – Filing Fee – Nomination Form	10
Withdrawal of Nominations	11
Qualifications	11
Qualifications & Disqualifications for a Member of Council	12
Qualifications & Disqualifications for School Board Trustees	13
Certification of Nominations	15

Section 4 – Campaigning	Page
Campaign Period	16
Financial Responsibilities	16
Contributions	16
Contribution Limits – Own Campaign	18
Campaign Spending Limits	18
Expenses	19
Campaign Surplus	20
Campaign Extension	20
Use of Corporate Resources During an Election Period	20
Scrutineers	20
Media Advertising	22
Election Signs	22
Prohibition of Campaigning in Voting Places	23
Access to Rented Premises	23
Access to Condominium Premises	23

Section 5 – Voting Information	Page
---------------------------------------	-------------

Electors Qualifications	25
Prohibitions	25
Residence	25
Voter Notification	26
Voting Places	26
Voters' List	26
Electors Not On Voters' List	26
Revision of the Voters' List	26
Application for Addition of Name to Voters' List	27
Languages/Assistance to Vote	27
Proxy Voting	27
Identification at the Voting Location	28
Vote by Mail	29
Advance Voting	29
Voting Day	29

Section 6 – Further Information	Page
--	-------------

Publications	30
Contacts	30

Disclaimer

This guide is intended to give a summary of complex matters. It does not include all details and does not take into account all circumstances. For example, it includes references to specific sections in legislation, but other provisions of legislation are often relevant. The guide refers to or reflects laws and practices that are subject to change. Municipalities and councillors are responsible for making local decisions that are in compliance with the law such as applicable statutes and regulations. The guide, as well as any links or information from other sources, is not a substitute for specialized legal or professional advice. The user is solely responsible for any use or application of this guide. The information contained in this guide is subject to changes. If changes are made, an updated version will be provided on the Township's website and provided to all registered candidates via email.

Section 1 - INTRODUCTION

Overview

This Guide has been prepared by the Township of Puslinch Clerk's Department as a supplement to the [2022 Candidates' Guide for Ontario Municipal Council and School Board Elections](#) published by the Province of Ontario. The Province's Guide provides information relating to Qualifications, Financial Responsibilities, Campaign Contributions, Campaign Expenses, and Financial Reporting. This Guide provides additional information that is pertinent to candidates running for office in the Township of Puslinch.

It is important to note that the contents of this document are intended only as a guide and may not recite all applicable statutory references. It is not meant to replace provincial legislation. For further assistance on any of the information contained in this Candidates' Guide, please call the numbers listed below. Alternatively, you may go to the Puslinch Municipal Office, 7404 Wellington Road 34, Puslinch, and speak to a Clerk's Department staff person.

Prospective candidates must satisfy themselves through their own investigations that they have complied with election financing regulations and that they are not disqualified by law to seek elected office. In regard to the particular circumstance of a candidate, the candidate shall obtain independent legal, financial or other professional advice.

Clerk's Department Resource Staff

The Township of Puslinch Clerk's Department staff would be pleased to assist you with any questions you may have concerning the 2022 Municipal Election.

Phone 519.763.1226 Ext. 103

E-mail: elections@puslinch.ca

Township of Puslinch Website www.puslinch.ca/elections

Schedule of Key Dates

Key Date	Election Event
April 21, 2022	Candidate Information Session
May 1, 2022	Deadline to pass a by-law for the use of alternate voting and vote counting equipment
May 2, 2022	Nomination and registration begins: this includes providing candidates with information relating to interim maximum contribution amounts for campaigns and expenses, notice of the penalties related to campaign finances, copy of procedures relating to voting, alternative voting methods and vote counting equipment
June 1, 2022	Last day to establish procedures relating to voting and vote counting equipment including alternative voting methods
August 19, 2022	Last day to file a nomination (before 2pm); Last day to withdraw a nomination (before 2pm)
August 22, 2022	Last day to certify all nominations and declare candidate elected by acclamation by 4pm
August 22, 2022	First day for an elector to appoint a voting proxy
September 1, 2022	Clerk to produce the voters list – revision period begins
September 2, 2022	First day an elector can request vote by mail kit
September 2022 (exact date to be determined)	Mini Lakes - Are You on the Voters List & Vote by Mail Kit Request (subject to COVID protocols)
Saturday September 10, 2022	Aberfoyle Fall Fair booth – Are You on the Voters List & Vote by Mail Kit Request (subject to COVID protocols)
Saturday September 17, 2022	Aberfoyle Farmers Market – Are You on the Voters List & Vote by Mail Kit Request (subject to COVID protocols)
September 15-26, 2022	The interim list of changes to the voter's list is to be prepared and distributed
September 2022	***First day that vote by mail kits will be mailed out to electors will be dependant on when final ballots are received from the vendor. Estimated to be between September 15-26
September 26, 2022	Clerk to provide Certificate of Maximum Campaign Spending Limits to candidates and

	third party advertisers
October 10, 2022	Last recommended day for electors to request a vote by mail kit
October 13, 2022	Last recommended day to mail-in a voter kit to the Township (kits may be dropped off at the Township office up until when polls close on election day)
October 15, 2022	Advance voting day
October 21, 2022	Deadline for third party advertisers to file notice of registration
October 24, 2022	Voting day; voting places are to be open from 10am to 8pm
November 15, 2022	New term of office commences
November 15, 2022	Inaugural meeting
January 3, 2023	Campaign period ends
January 23, 2023	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
March 31, 2023	Deadline for candidates and registered third parties to file their initial financial statements and auditor's reports
May 1, 2023	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)

NOTE: "Information Bulletins" will be issued by the Clerk's office to provide additional election information as it becomes available.

Section 2 – Council Roles

Municipal Offices to be Elected

On October 24, 2022, voters in the Township of Puslinch will elect candidates to the following offices:

- **Mayor of the Township of Puslinch**
One to be elected at large.
- **Councillor for the Township of Puslinch**
Four to be elected at large.
- **County Councillor for the County of Wellington***
One to be elected Ward 7
- **Member (Trustee) of Upper Grand District School Board (nominations filed at the City of Guelph)**
- **Member (Trustee) of Wellington Catholic District School Board (nominations filed at the Township of Guelph-Eramosa)**
- **Member (Trustee) of Conseil scolaire Viamonde (de district du Centre-Sud-Ouest) (nominations filed at the City of London)**
- **Member (Trustee) of Conseil scolaire de district catholique Centre Sud (nominations filed at the City of Brampton)**

NOTE: *One to be elected from the Township of Puslinch and part of Guelph/Eramosa

Council Roles

The *Municipal Act 2001*, Part VI – Practices and Procedures Sections 224, 225 and 226.1 states as follows:

224. 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 policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the

- municipality;
- to maintain the financial integrity of the municipality; and
- to carry out the duties of council under this or any other *Act*.

225. It is the role of the head of council:

- to act as chief executive officer of the municipality;
- to preside over council meetings so that its business can be carried out efficiently and effectively;
- to provide leadership to the council;
- without limiting the above noted clause, to provide information and recommendations to council with respect to the role of council described in section 224 d and d1 of the Municipal Act;
- to represent the municipality at official functions; and
- to carry out the duties of the head of council under this or any other *Act*.

226.1 As chief executive officer of a municipality, the head of council shall,

- uphold and promote the purposes of the municipality;
- promote public involvement in the municipality’s activities
- act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

Municipal Responsibilities

Township of Puslinch	County of Wellington
<ul style="list-style-type: none"> • Animal Licensing and Control • Building Permits • By-law Enforcement • Community Centres and Recreation Facilities • Fire Services • Municipal Elections • Property Tax Collection and Administration • Rezoning, Minor Variance, Site Plan and Other Planning and Development Applications • Township Roads, Bridges, Culverts, Streetlights and Sidewalks • Township Trails and Parks 	<ul style="list-style-type: none"> • County Roads and Bridges • County Trails and Forests • Emergency Services • Long Term Care • Museum and Archives • Parking • Public Libraries • Regional Economic Development • Severances • Social Services (Child Care/Early Learning, Housing, Ontario Works) • Taxi Licensing • Waste and Recycling

Council Duties

Members hold regular Council meetings in the Municipal Office's Council Chambers every three weeks on Wednesdays at 10:00 a.m., with the exception of July and August where there shall be one regular meeting in each month at 10:00 a.m. on a Wednesday determined by Council.

Download the PDF [calendar of the 2022 Council & Committee meetings](#). These meeting dates are subject to change.

The Mayor, on an as-needed basis, can call special meetings of Council.

A member of Council shall serve as a Council appointee to various Boards and Committees at both the local and county level. In many instances, citizens also serve on these committees. Examples of such appointments include the Heritage Committee and Planning Development and Advisory Committee. The time these meetings are held varies and the 2022 Committee schedule can be found on the Township website. These meetings average duration are two to three hours and are held during the day or evening.

Remuneration

The 2022 remuneration rates:

Mayor	\$28,478.23
Councillor	\$19,188.11
County Councillor	Please contact the County Clerk's Department 519.837.2600
School Board Trustees	Please contact the appropriate school board for current information.

Effective January 1, 2019, the one-third tax free exemption provided to members of Council will be eliminated.

Section 3 - Nomination Process

Time for filing – Nominations for the Puslinch 2022 Municipal Election may be filed in the Township of Puslinch Clerk's Department, 7404 Wellington Road 34, Puslinch, on or after May 2, 2022 during normal office hours (9:00 a.m. to 4:30 p.m.) and in July and August (8:30 a.m. to 4:00 p.m.). The last day nominations will be accepted is Nomination Day, August 19, 2022 at 2:00 p.m.. Nominations may be filed on Nomination Day, between the hours of 9 a.m. and 2 p.m. **An individual must be qualified as a candidate at the time of filing the nomination.**

Those wishing to submit nomination papers are encouraged to book an appointment with Clerk's Department staff. Appointments can be booked by contacting:

Phone: 519.763.1226 Ext. 103

E-mail: elections@puslinch.ca

Filing Fee - Each Nomination Form filed must be accompanied by the prescribed filing fee, in the form of cash, interac, certified cheque, or money order payable to the Township of Puslinch, in the amount of \$200.00 for the office of Mayor, or in the amount of \$100.00 for all other offices. This fee is returned to the candidate if the documents required under subsection 88.25 (1) are filed on or before 2:00 p.m. on the filing date in accordance with that subsection.

Nomination Form - The candidate's name should be typed or printed as it is to appear on the ballot, given (first) names preceding surname. **No** reference to a candidate's occupation, degree, title, honour, or decoration shall appear on the ballot, but a name commonly called a nickname or any other name by which the candidate is commonly known may be used. **Candidates will be required to show proof of identity, in the form of an Ontario driver's licence or other identification as outlined in Ontario Regulation 304/13.**

The candidate's full qualifying address within the Township must also be shown.

The nomination of a person for an office on a council must be endorsed by at least 25 persons and be accompanied by a prescribed declaration by each of the persons endorsing the nomination, and they may endorse more than one nomination.

Persons endorsing a nomination must be eligible to vote in an election for an office within the Township, if a regular election was held on the day that the person endorses the nomination.

The prescribed Nomination Form (Form 1) and Endorsement of Nomination (Form 2) are available from the Township of Puslinch Clerk's Department, or on the Township of Puslinch website at www.puslinch.ca/2022election.

Please note: If the candidate has filed an earlier nomination for an office on the same council in the same election, the first nomination shall be deemed to have been withdrawn at the time the second nomination is filed.

If the person is nominated for more than one office (anywhere in Ontario) and the person's name appears on more than one ballot, and the candidate is elected to any one or more of the offices, the candidate's election is void. (see *Municipal Act, 2001 Section 261*)

Photocopies, faxes, or e-mailed versions of a signature are not acceptable for this purpose or for any other document submission requirements.

Withdrawal of Nominations

A person nominated for any office may withdraw his or her nomination by submitting a written withdrawal to the Municipal Clerk before 2:00 p.m. on Friday, August 19, 2022. If an agent files a written withdrawal on behalf of a candidate, the candidate must provide the agent with an original signed letter authorizing them to file the withdrawal.

Qualifications

Qualifications for election as a Member of Council are governed by provisions of the *Municipal Act*, and the *Municipal Elections Act*.

Qualified at Time of Nomination

A person must be qualified at the time of filing the nomination as provided in Section 29(1) of the *Municipal Elections Act, 1996*. A person may be nominated for an office only if, as of the day the person is nominated,

- (a) he or she is qualified to hold that office under the *Act* that creates it; and
- (b) he or she is not ineligible under the *Municipal Elections Act, 1996* or otherwise prohibited by law to be nominated for or to hold the office.

Notwithstanding the above provision, some persons otherwise disqualified at the time of filing the nomination are entitled to file in accordance with Sections 29(1.1) and (1.2) and 30(1) of the *Municipal Elections Act, 1996*:

29(1.1) Despite subsection (1) and despite section 258 of the *Municipal Act, 2001*, section 9 of the *Legislative Assembly Act* and section 219 of the *Education Act*, a member of the Legislative Assembly of Ontario or the Senate or House of Commons of Canada is not ineligible to be nominated for an office in an election by virtue of being a member of any of those bodies but, if the person is a member of any of those bodies as of the close of nominations on Nomination Day of the election, the nomination shall be rejected by the Clerk under section 35.

29(1.2) Subsection (1.1) does not apply to a member of the Executive Council of

Ontario or a federal Minister of the Crown.

- 30(1) An employee of a municipality or local board is eligible to be a candidate for and to be elected as a member of the Council or local board that is the employer if he or she takes an unpaid leave of absence beginning as of the day the employee is nominated and ending on Voting Day.

Qualifications and Disqualifications for a Member of Council

Qualifications (*Section 256 and 257 of the Municipal Act, 2001*)

256. Every person is qualified to be elected or to hold office as a member of a Council of a local municipality;
- (a) who is entitled to be an elector in the local municipality under section 17 of the *Municipal Elections Act, 1996*; (see Elector Qualification below); and
 - (b) who is not disqualified by this or any other *Act* from holding such office.
257. Every person is qualified to be elected or to hold office as a member of a Council of an upper-tier municipality,
- (a) who is entitled to be an elector in a lower-tier municipality within the upper-tier municipality under section 17 of the *Municipal Elections Act, 1996*; and
 - (b) who is not disqualified by this or any other *Act* from holding the office.

Elector Qualifications (Council)

Section 17(2) & (3) of the *Municipal Elections Act, 1996* "Qualifications of Electors".

- 17(2) A person is entitled to be an elector at an election held in a local municipality if on voting date, he or she,
- (a) resides in the local municipality, or is the owner or tenant of land there, or is 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 under subsection (3) or otherwise by law.

Persons Prohibited from Voting

- 17(3) 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 or in any other representative capacity, except as a voting proxy in accordance with section 44 (See Section on Voting Proxies); and
 - (d) A person who was convicted of the corrupt practice described in

subsection 90(3), if Voting Day in the current election is less than five years after Voting Day in the election in respect of which he or she was convicted.

Ineligible/Disqualifications (*Section 258 of the Municipal Act, 2001*)

258(1) The following are not eligible to be elected as a member of a council or to hold office as a member of a council:

1. Except in accordance with section 30 of the *Municipal Elections Act, 1996*,
 - i) an employee of the municipality,
 - ii) a person who is not an employee of the municipality but who is the Clerk, Treasurer, Integrity Commissioner, Auditor General, Ombudsman, or registrar referred to in section 223.11 or an investigator referred to in subsection 239.2(1) of the municipality, or
 - iii) a person who is not an employee of the municipality but who holds any administrative position of the municipality.
2. A judge of any court.
3. A member of the Assembly as provided in the *Legislative Assembly Act* or of the Senate or House of Commons of Canada.
4. Except in accordance with Part V of the *Public Service of Ontario Act, 2006* and any regulations made under that Part, a public servant within the meaning of that *Act*.

258 (2) A member of council of a municipality is disqualified from holding office if, at any time during the term of office of that member, he or she,

- (a) ceases to be a Canadian citizen;
- (b) is not a resident, the owner or tenant of land or the spouse of an owner or tenant of land in the municipality; in the case of a member of Council of a local municipality, or in a lower-tier municipality within the upper-tier municipality, in the case of a member of Council of an upper-tier municipality; or
- (c) would be prohibited under this or any other *Act* from voting in an election for the office of member of Council of the municipality if an election was held at that time.

❖ Please note that a candidate must maintain their qualifications throughout the election, and if elected, throughout the entire term of office otherwise his or her position will be forfeited and the seat will be deemed vacant.

Qualifications and Disqualifications for School Board Trustees

Qualifications - Section 219 (1) (2) & (3) of the Education Act

- (1) A person is qualified to be elected as a member of a district school board or school authority if the person is qualified to vote for members of that district school board or that school authority and is resident in its area of jurisdiction.

- (2) A person who is qualified under subsection (1) to be elected as a member of a district school board or school authority is qualified to be elected as a member of that district school board or school authority for any geographic area in the district school board's or school authority's area of jurisdiction, regardless of which positions on that district school board or school authority the person may be qualified to vote for.
- (3) A member of a district school board or school authority is eligible for re-election if otherwise qualified.

Disqualifications - Section 219 (4), (5), (9), (10), & (11) of the Education Act

- (4) Despite Subsection (1), a person is not qualified to be elected or to act as a member of a district school board or school authority if the person is,
 - (a) an employee of a district school board or school authority;
 - (b) the Clerk or Treasurer or Deputy Clerk or Deputy Treasurer of a municipality or an upper-tier municipality, all or part of which is included in the area of jurisdiction of the district school board or the school authority;
 - (c) a member of the Assembly or of the Senate or House of Commons of Canada; or
 - (d) otherwise ineligible or disqualified under this or any other Act.
- (5) Despite Subsection (4), none of the following persons is ineligible to be a candidate for or to be elected as a member of a district school board or school authority if he or she takes an unpaid leave of absence, beginning no later than the day the person is nominated and ending on voting day:
 - (1) an employee of a district school board or school authority;
 - (2) the Clerk or Treasurer or Deputy Clerk or Deputy Treasurer of a municipality or upper-tier municipality, all or part of which is included in the area of jurisdiction of the district school board or the school authority.
- (5.1) Subsections 30(2) to (7) of the Municipal Elections Act, 1996 apply with necessary modifications to an individual referred to in subsection (5).
- (9) A person is not qualified to act as a member of a district school board or school authority if the person ceases to hold the qualifications required to be elected as a member of the district school board or the school authority.
- (10) No person shall run as a candidate for more than one seat on a district school board or school authority and any person who does so and is elected to hold one or more seats on the district school board or the school authority is not entitled to act as a member of the district school board or the school authority by reason of the election.

- (11) The seat of a member of a district school board or school authority who is not qualified or entitled to act as a member of that school board or that school authority is vacated.

Certification of Nominations

Certification of Nomination Forms will occur by 4:00 p.m. on **August 22, 2022**. The Clerk's decision to certify or reject a nomination is final. Once a candidate is certified, their name will be placed on the ballot. A candidate's name will be removed from the ballot in accordance with the Act in the case of ineligibility or death. Nomination Forms are public documents and are available for inspection at the Township of Puslinch Clerk's Department office and online at www.puslinch.ca/2022election.

Section 4 – Campaigning

Campaign Period

The candidate's campaign period commences at the time the Nomination Form is filed with the Municipal Clerk and ends on December 31, 2022.

Candidates must not spend or receive funds for their election campaign until their Nomination Form is filed with the Municipal Clerk.

Financial Responsibilities of Candidates

All candidates, including those not elected, those who withdraw their nomination or those whose nomination is rejected by the Municipal Clerk, must disclose and report their contributions and expenses, using the prescribed form, **on or before 2:00 p.m. on March 31, 2023.**

A candidate requiring an extension to the filing deadline may apply to the Superior Court of Justice **prior to March 31, 2023**, and must notify the Clerk in writing that an application for an extension has been made **prior to 2:00 p.m. on March 31, 2023.** The court may grant an extension of up to 90 days.

Contributions

A contribution means money, goods or services given to and accepted by or on behalf of a person for his or her election campaign and include the following:

- monetary contribution;
- value of goods and services;
- the ticket price for a fundraising function;
- the difference between the amount paid and the market value of a good or service sold at a fundraising function;
- the difference between the amount paid and the market value of a good or service purchased for the campaign;
- any unpaid but guaranteed balance of a campaign loan.

The following are **not** contributions:

- the value of services provided by voluntary unpaid labour;
- an amount of \$25 or less that is donated at a fundraising function refer to page 18 of [2022 Candidates' Guide for Ontario Municipal Council and School Board Elections](#);
- the value of free political advertising provided it is in accordance with the *Broadcasting Act* (Canada) and is provided equally to all candidates;
- the amount of a campaign loan from a bank or a recognized lending institution.

Who can make Contributions

The following may make contributions:

- an individual who is normally resident in Ontario

Who cannot make Contributions

The following may not make contributions:

- 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 school board;
- 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).

What limits are there on Contributions?

The limit of a contribution whether donated in money or through a good or service is \$1,200.00 to any one candidate, regardless of the number of offices the candidate was nominated for during the election period. The limit applies whether the contribution is made in one lump sum or through a number of small contributions.

A contributor shall not make contributions exceeding a total of \$5000.00 to two or more candidates for office on the same council.

Contribution Limits – Own Campaign

Please note: a candidate and his or her own spouse shall not make contributions to the candidate's own election campaign that, combined, exceed an amount equal to the lesser of:

Candidate for Office of: Mayor	Preliminary estimate of maximum contribution limit (\$7,500 plus \$0.20 per number of entitled electors as of September 15, 2018 (5,742))
	\$8,648.40

Candidate for Office of: Councillor	Preliminary estimate of maximum contribution limit (\$5,000 plus \$0.20 per number of entitled electors as of September 15, 2018 (5,742))
	\$6,148.40

Candidate for Office of: County Councillor	Preliminary estimate of maximum contribution limit (\$5,000 plus \$0.20 per number of entitled electors as of September 15, 2018 (5,742 (Puslinch) + 1912 (Guelph- Eramosa))
Ward: 7	\$6,530.80

The Municipal Clerk upon the filing of a nomination shall provide a certificate of the applicable maximum contribution amount as of the filing date. The last day to provide a final Certificate of Maximum Campaign Contribution Limits to a candidate is September 25, 2022.

Refer to page 19 of the [2022 Candidates' Guide for Ontario Municipal Council and School Board Elections](#).

Campaign Spending Limits

Please note: campaign spending limits are calculated using the following formulas:

Candidate for Office of: Mayor	Preliminary estimate of maximum campaign expenses (\$7,500 plus \$0.85 per number of entitled electors as of September 15, 2018 (5,742))
	\$12,380.70

Candidate for Office of: Councillor	Preliminary estimate of maximum campaign expenses (\$5,000 plus \$0.85 per number of entitled electors as of September 15, 2018 (5,742))
	\$9,880.70

Candidate for Office of: County Councillor	Preliminary estimate of maximum campaign expenses (\$5,000 plus \$0.85 per number of entitled electors as of September 15, 2018 (5,742 (Puslinch) + 1912 (Guelph-Eramosa))
Ward: 7	\$11,505.90

The Municipal Clerk upon the filing of a nomination shall provide a certificate of the applicable maximum campaign expense limit as of the filing date. The last day to provide a final Certificate of Maximum Campaign Expense Limits to a candidate is September 25, 2022.

Refer to page 21 of the [2022 Candidates' Guide for Ontario Municipal Council and School Board Elections](#).

Expenses

The following expenses are subject to the spending limit:

- All expenses related to the election unless specifically excluded
- The replacement value of goods retained from any previous election and used in the current election. You may wish to refer to page 21 of the [2022 Candidates' Guide for Ontario Municipal Council and School Board Elections](#)
- The value of contributions of goods and services
- Interest on loans

The following expenses are excluded from the spending limit:

- Expenses incurred in holding a fundraising function

- 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
- ❖ Please note the spending limit for expenses related to holding parties and other expressions of appreciation after the close of voting is calculated as ten percent of the amount of your general spending limit. Refer to page 26 of the [2022 Candidates' Guide for Ontario Municipal Council and School Board Elections](#).

The last day to provide a final Certificate of Maximum Expenses for a party or other expressions of appreciation after the close of voting to a candidate is September 25, 2022.

Campaign Surplus

Any campaign surplus shall be filed with the Municipal Clerk and becomes the property of the municipality.

Campaign Extension

The campaign period begins when a nomination paper has been filed and ends on December 31, 2022.

A candidate may extend the campaign period to eliminate a deficit by completing a Form 6 and submitting it to the Clerk on or before, December 31, 2022. The campaign may be extended to June 30, 2023.

Use of Corporate Resources During an Election Period

The Use of Corporate Resources during an Election Policy contains specific restrictions regarding use of Township resources. A copy of the policy is included as part of the Candidates Package.

Scrutineers

Appointment

Candidates may appoint scrutineers in writing to represent them at voting places. Scrutineers must show their written appointment to election officials upon entering a voting place. Scrutineer appointment forms will be made available to candidates on August 1, 2022.

Only one scrutineer per candidate will be allowed at each ballot box. Confirmation on the number of scrutineers permitted may be obtained from the Municipal Clerk upon

finalization of the voting place set up. Candidates who enter the voting place are considered to be scrutineers, and their scrutineer must leave the voting place during the period of time the candidate is in attendance. A candidate who has been declared to be elected (by acclamation) may not remain in the voting place.

Rights

Candidates and scrutineers have a number of rights, including the following:

- to be present when materials and documents related to the election are delivered to the Municipal Clerk at the end of each voting day;
- to enter the voting place 15 minutes before it opens and to inspect the vote tabulator stand (if applicable), the ballots and all other forms and documents relating to the vote (but not so as to delay the timely opening of the voting place);
- to place his or her seal (which may not in any way identify/promote the candidate) on the ballot box immediately before the opening of the voting place, so that ballots can be deposited in the box and cannot be withdrawn without breaking the seal;
- to place his or her own seal (which may not in any way identify/promote the candidate) on the ballot box immediately after the close of voting on each day of an advance vote, so that ballots cannot be deposited or withdrawn without breaking the seal;
- to object to an elector receiving a ballot on the grounds that the issuance of the ballot does not comply with the prescribed rules (objection to be decided by the deputy returning officer); and
- to sign the statement of the results of an election, printed at the close of voting.

Prohibitions

While an elector is in a voting place, no person shall attempt, directly or indirectly, to influence how the elector votes;

No person shall display a candidate's election campaign material or literature (including buttons, pins, and clothing) in a voting place;

Every person who is present in a voting place or at the counting of the votes shall help to maintain the secrecy of voting; and

No person shall:

- a) interfere or attempt to interfere with an elector who is marking a ballot;
- b) obtain or attempt to obtain, at a voting place, information about how an elector intends to vote or has voted; and/or
- c) communicate any information obtained at a voting place about how an elector intends to vote or has voted.

The role of a candidate or a scrutineer in the voting place is to scrutinize the integrity of the process. It is not a communicative role.

Should an elector require the assistance of an interpreter, the elector must make his or her own arrangements to provide the interpreter. Candidates and scrutineers will not be permitted to serve as an interpreter for an elector.

If an elector requires assistance to vote for any reason other than language, the election staff will provide such assistance.

Media Advertising

Advertisements are considered an election expense and are subject to maximum expense limitations.

Election Signs

The Township of Puslinch Sign By-law regulates the placement of election signs on municipal and private property.

An election sign shall not be located in a manner that interferes with or obstructs the view of any traffic sign or signal or in any way be hazardous to pedestrian or vehicular traffic.

An election sign is not permitted in a voting location.

By-law Enforcement Officers will make their best efforts to notify a candidate or a property owner, as the case may be, if a sign is removed in contravention of the Sign By-law. Candidates will have one week to collect election signs removed by Township Staff from the Municipal Office.

The Township's and the County's Sign By-laws are included in the Candidates' Package. If you have any questions regarding election signs, please contact the Township at 519.763.1226 ext. 103.

- ❖ Please refer to a Notice included in the Candidates' Package regarding registration and regulation requirements for third party advertising
- ❖ Please refer to sections 88.2 (2), 88.2 (3) and 88.2 (4) regarding rules regarding the display of signs within a condominium corporation.

Prohibition of Campaigning in Voting Places on Voting and Advance Voting Days

Voting place means that area designated by the Municipal Clerk where voting occurs. No campaigning shall be conducted in any voting place on an advance voting day or on voting day. A voting place is deemed to include the entire building and the property on which it is located.

The *Municipal Elections Act, 1996, as amended*, provides that while an elector is in a voting place, no one shall attempt, directly or indirectly, to influence how the elector votes, and that no one shall display a candidate's campaign material or literature in a voting place. Election officials will remove, or have removed all campaign material or literature found in a voting place. This material includes campaign buttons, pins, and persons wearing campaign clothing or any other advertising material.

Candidates who are providing rides to constituents should ensure that their vehicles do not display election campaign material if they are entering the voting location property.

Access to Rented Premises by Candidates or their Authorized Representatives

Excerpt from the *Residential Tenancies Act, 2006*, Section 28:

"No landlord shall restrict reasonable access to a residential complex by candidates for election to any office at the federal, provincial or municipal level, or their authorized representatives, if they are seeking access for the purpose of canvassing or distributing election material. 2006, c.17, s.28"

Access to Condominiums by Candidates or their Authorized Representatives

Excerpt from the *Condominium Act*, Section 118:

"No corporation or employee or agent of a corporation shall restrict reasonable access to the property by candidates, or their authorized representatives, for election to the House of Commons, the Legislative Assembly or an office in a municipal government or school board if access is necessary for the purpose of canvassing or distributing election material. 1998, c.19, s.118"

Despite these legislative provisions, candidates may experience difficulty in gaining access to certain premises. If this occurs, candidates should contact the owner of the rental building or the board of directors of the condominium and request they advise their staff of the legislative right of candidates to have access to these buildings for canvassing purposes.

- ❖ Please note: The Municipal Clerk will not act or intervene on behalf of any candidate to secure access to any buildings for the purpose of canvassing or distributing election material.

Residential Premises

Excerpt from the ***Municipal Elections Act***, Section 88.1 and 88.2:

No person who is in control of an apartment building, condominium building, non-profit housing cooperative or gated community may prevent a candidate of his or her representative from campaigning between 9:00 a.m. and 9:00 p.m. at the doors to the apartments, units or houses, as the case may be.

No landlord or person acting on a landlord's behalf may prohibit a tenant from displaying signs in relation to an election on the premises to which the lease relates.

Section 5 - Voting Information

Elector qualifications

A person is entitled to be an elector at an election held in a local municipality if, on voting day, he or she:

- resides in the local municipality or is the owner or tenant of land there, or is the spouse of such owner or tenant;
- is a Canadian citizen;
- is at least 18 years old; and
- is not prohibited from voting by law under the prohibitions listed below, or otherwise by law.

Prohibitions

The following are prohibited from voting:

- a person who is serving a sentence of imprisonment in a penal or correctional institution;
- a corporation;
- a person acting as executor or trustee or in any other representative capacity, except as a voting proxy (See section on Voting Proxies);
- a person who was convicted of the corrupt practice described in subsection 90(3), if voting day in the current election is less than five years after voting day in the election in respect of which he or she was convicted.

Residence

The following rules apply to determining a person's residence:

- a person may only have one residence at a time;
- the place where a person's family resides is also his or her residence, unless he/she moves elsewhere with the intention of changing his/her permanent lodging place;
- if a person has no other permanent lodging place, the place where he/she occupies a room or part of a room as a regular lodger or to which he/she habitually returns is his/her residence.

Under subsection 2(1) of the *Municipal Elections Act, 1996, as amended*, a person's "residence" is the permanent lodging place to which, whenever absent, he or she intends to return.

A voter is only entitled to vote once in a municipality even though he or she may have more than one qualifying property address within the municipality.

Voter Notification

In September/October 2022, the Municipal Clerk will give notice to all electors residing at a given address advising of the date and time of voting, including advance voting, and the location of the voting place at which an elector is eligible to vote on voting day.

Voting Places

The Municipal Clerk will establish the number and location of voting places for the election as he/she considers most convenient for the electors. In choosing a location for a voting place, the Municipal Clerk shall consider the needs of electors whose mobility is impaired by disability or some other cause. All Voting locations must be fully accessible. In the event that any voting place is subsequently changed due to circumstances beyond the Municipal Clerk's control, a notice of the change will be provided to the candidates.

Voters' List

The Municipal Clerk shall make the Voters' List available on or before September 1, 2022 in accordance with the prescribed regulations. All candidates are entitled to one copy of the Voters' List, upon written request. The list provided shall contain the names of electors entitled to vote for the candidates' office and will be provided electronically or paper copy.

Electors Not On Voters' List

Voters can confirm their on the voter's list and their information is accurate by visiting www.voterlookup.ca. The Municipal Property Assessment Corporation (MPAC) provides the preliminary list of Electors to the Township before the election.

Persons who qualify and are not on the Voters' List may still vote on Voting Day by attending at the appropriate voting location and requesting an Election Official to add their name to the Voters' List. **Electors must bring prescribed identification such as an Ontario driver's licence, Ontario health card (photo) or an Ontario motor vehicle permit (vehicle portion).**

A comprehensive list of the prescribed proof of identity and residence that a person may present is outlined in Ontario Regulation 304/13 and may be obtained through the link provided on our website or refer to the [2022 Voters' Guide for Ontario Municipal Council and School Board Elections](#).

Revision of Voters' List

Applications for amendments to the Voters' List will be accepted by the Municipal Clerk commencing on September 1, 2022 and ending on Voting Day (October 24, 2022).

Eligible electors will be included on the Voters' List for the municipal election if the elector is listed on the preliminary list of electors received by the Municipal Clerk from the Municipal Property Assessment Corporation (MPAC) and is a qualified elector. If not included, the elector may have the list amended to include his/her name as follows:

1. The elector may apply to the Township of Puslinch, Clerk's Department to be added (or deleted) to the Voters' List up to Voting Day, October 24, 2022. The Voters' List will be revised upon receipt of the completed application. (An individual may apply for the deletion of another electors' name. The Municipal Clerk will address these applications in accordance with the procedures outlined in *the Municipal Elections Act, 1996*.)
2. The elector may apply to be added to the Voters' List at the voting place in accordance with the procedure below.

Application for Addition of Name on Voters' List at the Voting Place

All qualified electors attending at a voting place are entitled to vote. Where the qualified elector's name does not appear on the Voters' List, the deputy returning officer or designate at the voting location will issue the elector an Application to Amend the Voters' List. The deputy returning officer or designate will require the person to complete the application, provide proof of identity and residence, and verify qualifications. Once the Application to Amend the Voters' List is completed and accepted, the deputy returning officer or designate will add the voter name to the list and issue the voter a ballot.

Languages/Assistance to Vote

Posters containing instructions on how to vote will be available in the voting places.

Should an elector require the assistance of an interpreter, the elector must make his or her own arrangements to provide the interpreter. Candidates and scrutineers will not be permitted to serve as an interpreter for an elector.

If an elector requires assistance for any reason other than language, the election staff will be able to provide such assistance. Candidates and scrutineers will not be permitted to provide this assistance.

Proxy Voting

A person who is entitled to be an elector in the municipality may appoint another qualified elector within the municipality as their voting proxy, using the prescribed form.

A person shall not:

- appoint more than one voting proxy;
- act as a voting proxy for more than one other person (this restriction does not apply if the appointed proxy is the spouse, sibling, parent, child, grandparent or grandchild of the appointees).

The voting proxy is entitled to vote in their own right. A voting proxy may act for one other person or the specified family members, but not both.

A person who has been appointed a voting proxy shall:

- complete an application in the prescribed form, including a statutory declaration that he or she is the person appointed as a voting proxy; and
- present the application and the appointing document to the Municipal Clerk, or designate, in person at the Clerk's Department or any place designated by the Municipal Clerk.

For the purpose of issuing proxy voting certificates, the Township of Puslinch Clerk's Department or any other place designated by the Municipal Clerk, will be open as follows:

- Weekdays - Tuesday, September 1, 2022 to Monday, October 24, 2022 between the hours of 9:00 a.m. to 4:30 p.m.
- Advance Voting Day – Saturday, October 15, 2022 between the hours of 10:00 a.m. and 5:00 p.m.

A person may vote as a voting proxy only if they:

- submit the appointing document with the Clerk's Certificate to the deputy returning officer at the voting location; and
 - take the prescribed oath.
- ❖ Please note: A person shall not appoint a voting proxy for an election until after the time for the withdrawal of nominations has expired. The first date for appointing a voting proxy is September 1, 2022.

Identification at the Voting Location

Voters whose names appear on the Voters' List will be required to show identification at the voting place. If the identification is not acceptable or none is available, then the voter will be required to take and sign an oath of qualification.

A comprehensive list of the prescribed proof of identity and residence that a person may present is outlined in [Ontario Regulation 304/13](#) and may be obtained through the link provided on our website.

Candidates may wish to include these requirements in their campaign literature to assist in the education of the electorate.

Vote by Mail

Electors will be able to request a mail in ballot starting September 2, 2022.

A Vote by Mail kit will be mailed to the eligible electors between September 15-26. The voter can return the completed kit either through the mail or they can be hand-delivered to Ballot Return Station at the Township Office.

The last recommended day to mail back a voter kit is October 13, 2022. The Township will not be responsible for any Canada Post Delays. Vote by Mail Kits can be dropped off at the Township Office until 8:00 p.m. on Voting Day October 24, 2022.

More information about the Vote by Mail process will be made available on the Township's election website www.puslinch.ca/2022election.

Advance Voting

Electors will be able to vote at an Advance Voting prior to Election Day. The Advance Voting Dates are:

- **Saturday, October 15, 2022 from 10:00 a.m. to 5:00 p.m.**

Voting Day

Voting Day is **Monday, October 24, 2022**. Voting places will be open **from 10:00 a.m. to 8:00 p.m.**

Section 6 – Further Information

Publications

The following websites contain information and or publications relating to Municipal Elections:

www.puslinch.ca/2022election
www.ontario.ca/municipalelections
www.ontario.ca/laws
www.amo.on.ca
www.municipalworld.com

Contacts

Additional information to candidates, upon request, about their duties and responsibilities can be obtained from:

County of Wellington
Donna Bryce, County Clerk
74 Woolwich Street, Guelph, ON N1H 3T9
519.837.2600 ext. 2520

www.wellington.ca

Ministry of Municipal Affairs and Housing
659 Exeter Road, 2nd Floor, London, ON N6E 1L3
519.873.4020

Upper Grand District School Board
500 Victoria Road North, Guelph, ON N1E 6K2
519.822.4420 ext. 721

www.ugdsb.ca

Wellington Catholic District School Board
75 Woolwich Street, Guelph, ON N1H 6N6
519.821.4600

www.wellingtoncdsb.ca

Conseil scolaire de district du Centre-Sud-Ouest
116 Cornelius Parkway, North York, ON M6L 2K5
416-614-0844

www.csviamonde.ca

Conseil scolaire de district catholique Centre-Sud
110 Drewry Avenue, Toronto, ON M2M 1C8
416-397-6564

www.cscmonavernir.ca

Instructions

It is the responsibility of the person being nominated to file a complete and accurate nomination paper. Please print or type information (except signatures).

Nomination paper of a person to be a candidate at an election to be held in the following municipality

Nominated for the Office of		Ward Name or Number (if any)	
Nominee's name as it is to appear on the ballot paper (subject to agreement of the municipal clerk)			
Last Name or Single Name		Given Name(s)	
Nominee's full qualifying address within municipality			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
Mailing Address <input type="checkbox"/> Same as qualifying address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
If nominated for school board, full address of residence within its jurisdiction			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
Email Address		Telephone Number	Telephone Number 2

Declaration of Qualification

I, _____, declare that I am presently legally qualified (or would be presently legally qualified if I were not a member of the Legislative Assembly of Ontario or the Senate or House of Commons of Canada) to be elected and to hold the office for which I am nominated.

Signature of Nominee

Date (yyyy/mm/dd)

Date Received (yyyy/mm/dd)	Time Received	Initial of Nominee or Agent (if filed in person)	Signature of Clerk or Designate
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Certification by Clerk or Designate

I, the undersigned clerk of this municipality, do hereby certify that I have examined the nomination paper of the aforesaid nominee filed with me and am satisfied that the nominee is qualified to be nominated and that the nomination complies with the Act.

Signature

Date Certified (yyyy/mm/dd)

Instructions

- Candidates must obtain 25 original signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.
- The qualifying address provided must include the postal code.

Personal information collected on this form is obtained under the authority of sections 33 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.

Name of person seeking nomination

Last Name or Single Name

Given Name(s)

Endorsement signatures for the nomination of a person for an office in the municipality of _____ in the year _____.

Name of person providing endorsement – 1

Last Name or Single Name

Given Name(s)

Qualifying Address

Suite/Unit Number

Street Number

Street Name

Municipality

Province

Postal Code

I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.

Signature

Date (yyyy/mm/dd)

Name of person providing endorsement – 2

Last Name or Single Name

Given Name(s)

Qualifying Address

Suite/Unit Number

Street Number

Street Name

Municipality

Province

Postal Code

I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.

Signature

Date (yyyy/mm/dd)

Instructions

- Candidates must obtain 25 original signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.
- The qualifying address provided must include the postal code.

Name of person providing endorsement – 3			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

Name of person providing endorsement – 4			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

Name of person providing endorsement – 5			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	



CANDIDATE'S ACKNOWLEDGEMENT OF QUALIFICATIONS

I acknowledge that:

1. I am presently legally qualified to be elected and to hold office shown on my Nomination Paper (Form 1) pursuant to the *Municipal Elections Act, 1996* (MEA), *Municipal Conflict of Interest Act* and the *Municipal Act*.
2. I am a Canadian citizen, at least eighteen years of age, and I reside in the:
 - Township of Puslinch or am the owner or tenant of land in the Township of Puslinch or the spouse of such owner or tenant (MEA s. 17(2)(a)).
3. I am qualified to vote at the municipal election as provided for under s. 17(2) of the MEA.
4. I am not:
 - a registered third party advertiser in any municipality
 - a member of Legislative Assembly of Ontario or of the Senate of House of Commons of Canada (MA, s. 258(1)(3) or, if I am such a person, I will provide proof of my resignation in a form satisfactory to Clerk prior to 2:00 p.m. on nomination day (s. 29 (1.1) of the MEA)
 - a public servant within the meaning of *Public Service of Ontario Act, 2006*, or if I am a such a person, I have and will continue to follow the relevant provisions of Part V of such Act.
 - a person who is serving a sentence of imprisonment in a penal or correctional institution (MEA, s. 17(3)1)
 - ineligible from being elected or holding office by reason of failing to file a financial statement (MEA, s. 88.23(1))
 - prohibited from voting in a municipal election because of conviction of a corrupt practice (MEA, s. 90(2))
 - ineligible from holding office because of a conviction of a corrupt practice under the MEA or of an offence under the *Criminal Code (Canada)* in connection with an act or omission that relates to a municipal election (MEA, s. 91(1))
 - a Federal employee within the meaning of the *Public Service Employment Act*, or if I am such a person, I have and will continue to follow the relevant provisions of the Part 7 of such Act
 - an employee of the Township of Puslinch (MA, s. 258(1)(1)), or a person who is not an employee of the Township of Puslinch who is the Integrity Commissioner or Ombudsman or investigator of the Township, or a person who is not an employee of the municipality that holds an administrative position with the Township. If I am such a person, I am on an unpaid leave of absence (MEA, s. 30) or I, as a person who is not an employee comply with section 30 of the MEA.
 - a judge of any court (MA, s. 258(2))

Signature of Nominee

Date



Township of Puslinch
7404 Wellington Road 34
Puslinch, Ontario N0B 2J0
(519) 763-1226

Form 2022-EL19

WITHDRAWAL OF NOMINATION

A candidate or agent must provide identification when filing a nomination withdrawal.

If an agent is filing, the agent must also provide a signed letter from the candidate authorizing the agent to file the nomination withdrawal.

**Filing must be done in person at the Township Office Clerk's Department,
7404 Wellington Road 34, Puslinch**

Name of Candidate:

Candidate for the Office of:

I am a nominated candidate for the office of _____ for the election to be held on Monday, October 22, 2022 in the Township of Puslinch.

- I have provided proof of identity, which is satisfactory to the Clerk, that I am the candidate named herein; or
- I hereby authorize: _____ to act as my agent filing this Withdrawal of Nomination. I understand that my agent is required to furnish proof of identity that is satisfactory to the Clerk.

In accordance with Section 36 of the *Municipal Elections Act, 1996* I hereby withdraw my nomination for the above mentioned office.

I understand I am required to file a financial statement and, if required, an auditor's report, each in the prescribed form, on or before 2:00 p.m., March 31, 2023, pursuant to the *Municipal Elections Act, 1996*.

Name of Candidate	Signature of Candidate
Name of Agent, if applicable	Signature of Agent, if applicable
Signature of Clerk or designate	Date and Time

Instructions

All candidates must complete Boxes A and B. Candidates who receive contributions or incur expenses must complete Boxes C, D, Schedule 1 and Schedule 2 as appropriate. Candidates who receive contributions or incur expenses in excess of \$10,000 must also attach an Auditor's Report.

All surplus funds (after any refund to the candidate or their spouse) shall be immediately paid to the clerk who is responsible for the conduct of the election.

For the campaign period from (day clerk received nomination)

YYYY	MM	DD
------	----	----

to

YYYY	MM	DD
------	----	----

- Initial filing reflecting finances from start of campaign to December 31 (or 45 days after voting day in a by-election)
- Supplementary filing reflecting finances from start of campaign to end of extended campaign period

Box A: Name of Candidate and Office

Candidate's name as shown on the ballot

Last Name or Single Name	Given Name(s)
--------------------------	---------------

Office for Which the Candidate Sought Election	Ward Name or Number (if any)
--	------------------------------

Municipality

Spending Limit General \$	Parties and Other Expressions of Appreciation \$	Contribution Limit Contributions from Candidate and Spouse \$
---------------------------------	---	---

I did not accept any contributions or incur any expenses. (Complete Boxes A and B only)

Box B: Declaration

I, _____, declare that to the best of my knowledge and belief that these financial statements and attached supporting schedules are true and correct.

Signature of Candidate

Date (yyyy/mm/dd)

Date Filed (yyyy/mm/dd)	Time Filed	Initial of Candidate or Agent (if filed in person)	Signature of Clerk or Designate
-------------------------	------------	--	---------------------------------

Box C: Statement of Campaign Income and Expenses

LOAN

Name of bank or recognized lending institution

Amount borrowed
\$

INCOME

Total amount of all contributions (from line 1A in Schedule 1)

+ \$

Revenue from items \$25 or less

+ \$

Sign deposit refund

+ \$

Revenue from fundraising events not deemed a contribution
(from Part III of Schedule 2)

+ \$

Interest earned by campaign bank account

+ \$

Other (provide full details)

1. + \$

2. + \$

3. + \$

4. + \$

5. + \$

6. + \$

Total Campaign Income (Do not include loan)

= \$ **C1**

EXPENSES (Note: Include the value of contributions of goods and services)

1. Expenses subject to general spending limit

Inventory from previous campaign used in this campaign
(list details in Table 2 of Schedule 1)

+ \$

Advertising

+ \$

Brochures/flyers

+ \$

Signs (including sign deposit)

+ \$

Meetings hosted

+ \$

Office expenses incurred until voting day

+ \$

Phone and/or internet expenses incurred until voting day

+ \$

Salaries, benefits, honoraria, professional fees incurred until voting day

+ \$

Bank charges incurred until voting day

+ \$

Interest charged on loan until voting day

+ \$

Other (provide full details)

1. + \$

2. + \$

3. + \$

4. + \$

5. + \$

6. + \$

Total Expenses subject to general spending limit

= \$ **C2**

2. Expenses subject to spending limit for parties and other expressions of appreciation

1. + \$

2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____
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 candidate'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 is responsible for the conduct of the election.

Schedule 1 – Contributions

Part I – Summary of Contributions

Contributions in money from candidate and spouse	+	\$	
Contributions in goods and services from candidate and spouse (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 candidate or spouse).	+	\$	
Total value of contributions exceeding \$100 per contributor (from line 1B; list details in Table 3 and Table 4) • Include ticket revenue, contributions in money, goods and services where the total contribution from a contributor exceeds \$100 (do not include contributions from candidate or spouse).	+	\$	
Less: Ineligible contributions paid 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 candidate 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 candidate 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 per contributor – individuals other than candidate or spouse

Table 3: Monetary contributions from individuals other than candidate 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: Contributions in goods or services from individuals other than candidate or spouse
(Note: Must also be recorded as Expenses in Box C.)**

Name	Full Address	Description of Goods or Services	Date Received (yyyy/mm/dd)	Value (\$)
Total				

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

**Total for Part III – Contributions exceeding \$100 per contributor
(Add totals from Table 3 and Table 4 and record the total in Part 1 – Summary of Contributions)** \$ _____ **1B**

Schedule 2 – Fundraising Events and Activities

Complete a separate schedule for each event or activity held.

Additional schedule(s) attached, if completed manually.

Fundraising Event/Activity 1

Description of fundraising event/activity _____

Date of event/activity (yyyy/mm/dd) _____

Part I – Ticket revenue

Admission charge (per person) \$ _____ **2A**

(If there are a range of ticket prices, attach complete breakdown of all ticket sales)

Number of tickets sold x _____ **2B**

Total Part I (2A X 2B) (include in Part I of Schedule 1) = \$ _____

Part II – Other revenue deemed a contribution

Provide details (e.g., revenue from goods sold in excess of fair market value)

1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____

Total Part II (include in Part I of Schedule 1) = \$ _____

Part III – Other revenue not deemed a contribution

Provide details (e.g., contribution of \$25 or less; goods or services sold for \$25 or less)

1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____

Total Part III (include under Income in Box C) = \$ _____

Part IV – Expenses related to fundraising event or activity

Provide details

1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____

Total Part IV Expenses (include under Expenses in Box C) = \$ _____

Auditor's Report – *Municipal Elections Act, 1996* (Section 88.25)

A candidate who has received contributions or incurred expenses in excess of \$10,000 must attach an auditor's report.

Professional Designation of Auditor

Municipality		Date (yyyy/mm/dd)
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 88.25 and 95 of the *Municipal Elections Act, 1996*. Under section 88 of the *Municipal Elections Act, 1996* (and despite anything in the *Municipal Freedom of Information and Protection of Privacy Act*) documents and materials filed with or prepared by the clerk or any other election official under the *Municipal Elections Act, 1996* are public records and, until their destruction, may be inspected by any person at the clerk's office at a time when the office is open. Campaign financial statements shall also be made available by the clerk in an electronic format free of charge upon request.



To: Financial Institution

Re: 2022 Municipal Election – Municipal Campaign Account

A candidate, running in the Township of Puslinch 2022 Municipal Election, is required under the *Municipal Elections Act, 1996* to open an account in the name of their campaign (for example: “Campaign for Jane Doe” or “Jane Doe’s Campaign”).

Section 88.22 (1) of the *Municipal Elections Act, 1996* states, in part, that:

“A 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) 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.

If you have any questions, please contact the undersigned.

Sincerely,



Courtenay Hoytfox
Municipal Clerk
choytfox@puslinch.ca



PUSLINCH

Consent to Provide Candidate Contact Information

Notice to Candidates:

The information contained in a Nomination Paper is a public record that may be inspected at the Clerk's Department by any person. However, the media and members of the public generally do not wish to take the time to go to the office to view the information. Often they would prefer instead to be able to obtain contact information by telephone, via e-mail or off of the Town's website.

A candidate wishing to establish a campaign profile may find such contact to be of assistance. Therefore in order to make this initial contact easier, a candidate may authorize the Clerk's Department staff to release contact information as provided on your Nomination Paper. The form outlined below is to be completed by the candidate and returned to the Clerk's Department. Please note that there is no obligation on the part of a candidate to authorize the release of this contact information.

Consent Declaration:

I have read the above explanation in regard to the release of contact information. Having considered the information, I hereby provide the following direction:
(please place a mark in the appropriate box or boxes).

Do not release my contact information except as provided for in the Municipal Elections Act.

I hereby authorize the release of the following contact information (as provided for on my Nomination Paper) in response to requests for information made to the Clerk's Department staff and for posting to the Town's website.

- qualifying address
- telephone number (home)
- telephone number (business)
- telephone number (cell: _____)
- fax number
- e-mail address
- website address: _____

Signature of Candidate

Date

Candidate's Name (please print)

Candidate for the Office of

Personal information on this form is collected under the authority of the Municipal Elections Act, 1996 and will be used for the nomination process for office in the municipal election and will be available for public inspection in the Clerk's Department until the next municipal election. Questions about this collection of personal information should be directed to the Deputy Clerk, Township of Puslinch, 7404 Wellington Road 34, Puslinch, ON N0B 2J0

Declaration for Use of Election Information



Form 2022-EL100

Request for Copy of Election Information

In accordance with MEA s.88(5) “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 this Act 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. 1996, c. 32 Sch., s.88(5)”.

And in accordance with MEA s 88 (10) “no person shall use information obtained from public records, described in subsection (5), except for election purposes. 1996, c. 32, Sch., 88(10).

Therefore I,

Name: _____
Address: _____
Phone number: _____
Email: _____

request that the Township Clerk provide me with copies of public records related to the 2022 Municipal Election containing the personal information of registered candidates and electors.

I will use the information for election purposes only as per *Municipal Elections Act, 1996, s. 88*.

I will not post the information or extracts in a public place, on an internet website, or make it available on any other print or electronic medium of communication. I will not copy, distribute, resell or use the information or any extracts of the information for commercial purposes, nor will I permit any non-election use of the election information given.

I will destroy all copies of the election information, as soon as possible following October 24, 2022.

Signature

Date

Clerk or Designate

Record type of ID provided here



CANDIDATE'S DECLARATION- PROPER USE OF VOTERS' LIST

Municipal Elections Act, 1996 (s.23(4); 27(1))

I, _____, being a candidate for the office of _____, hereby request the Clerk to provide me with the following information when it becomes available:

a paper copy of the Voters' List (on or before Thursday, September 1, 2022). Please note that a copy of all revisions made to the Voters' List will be provided on or before Monday, September 26, 2022.

OR

an electronic copy of the Voters' List (on or before Thursday, September 1, 2022). Please note that a copy of all revisions made to the Voters' List will be provided on or before Monday, September 26, 2022.

AND

a copy of the Lists showing the name of each person who has voted at each Advance Vote.

I, the undersigned, do hereby agree to use the Voters' List for election purposes only and I understand that I am prohibited by the *Municipal Elections Act, 1996* from using the Voters' List for commercial purposes.

Signature

Date

Name: _____
(please print)

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

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

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

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

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

New election rules for 2022

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

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

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

Contact us

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

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

Table of contents

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

General information

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

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

Your municipality may have specific rules on issues such as:

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

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

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

The municipal clerk

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

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

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

Public health and safety at the voting place

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

Emergency declaration by the clerk

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

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

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

Eligibility to run for election

Running for municipal council

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

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

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

Municipal employees

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

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

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

Who is not eligible?

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

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

Running for school board trustee

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

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

School board employees

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

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

Municipal officials

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

Who is not eligible?

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

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

Note for MPs, MPPs and senators

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

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

Nominations

Filing your nomination

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

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

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

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

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

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

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

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

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

The nomination fee

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

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

Endorsement signatures

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

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

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

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

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

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

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

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

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

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

Deadline to file your nomination

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

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

Where to file

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

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

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

Changing your mind – withdrawal

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

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

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

Changing your mind – running for a different office

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

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

Example:

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

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

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

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

Example:

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

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

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

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

Example:

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

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

Acclamations

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

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

Additional nominations

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

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

Campaigning

Signs

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

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

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

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

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

Getting information out

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

All candidates' debates

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

Joint campaigns / running on a slate

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

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

Third party advertising

General information

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

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

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

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

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

On voting day

Campaigning on voting day

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

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

Remaining in a voting place

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

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

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

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

Scrutineers

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

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

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

Scrutineers may be required to take an oath of secrecy.

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

Counting votes

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

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

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

Results

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

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

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

After voting day

Recounts

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

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

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

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

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

Tied votes

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

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

Wrapping up your campaign

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

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

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

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

Term of office

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

Campaign finance

General information

Record keeping

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

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

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

You must keep the following campaign records:

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

Campaign period

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

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

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

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

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

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

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

Bank account

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

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

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

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

Contributions and campaign income

Contributions

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

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

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

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

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

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

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

Things that are not contributions

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

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

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

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

Who can make a contribution

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

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

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

Who cannot make a contribution

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

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

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

When you can receive contributions

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

Contribution limits – contributions from yourself and your spouse

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

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

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

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

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

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

This limit does not apply to school board trustee candidates.

Contribution limits – contributions from other people

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

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

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

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

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

Contribution receipts

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

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

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

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

Returning ineligible contributions

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

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

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

Unused contributions

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

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

Contribution rebates

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

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

Fundraising

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

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

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

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

Campaign income

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

Campaign expenses

Expenses

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

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

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

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

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

Goods and services

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

Spending limits

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

General spending limit

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

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

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

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

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

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

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

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

When the general spending limit applies

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

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

Spending limit for parties and expressions of appreciation

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

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

Leftover campaign inventory

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

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

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

Surplus and deficit

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

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

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

Campaign financial statement

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

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

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

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

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

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

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

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

Filing early

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

Applying for an extension

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

Grace period for filing

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

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

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

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

Separate statement for each office

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

Extended campaigns

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

Your campaign may be extended until June 30, 2023.

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

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

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

Auditor's report

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

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

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

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

Compliance and enforcement

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

Automatic penalties

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

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

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

Compliance audits

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

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

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

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

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

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

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

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

Penalties

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

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

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

Completing the financial statement

General information

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

Candidates must use [Form 4](#).

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

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

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

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

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

Tips for completing Form 4

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

Box A: Name of Candidate and Office

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

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

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

Box B: Declaration

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

Box C: Statement of Campaign Income and Expenses

Loan

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

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

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

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

Income

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

Example:

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

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

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

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

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

Sign deposit

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

Expenses

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

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

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

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

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

Box D: Calculation of Surplus or Deficit

Campaign deficit

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

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

Campaign surplus

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

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

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

Schedule 1: Contributions

Schedule 1 includes a summary of contributions from your campaign.

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

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

Contributions from yourself and/or your spouse

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

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

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

Contributions totalling \$100 or less

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

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

Goods and services from candidate or spouse

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

Inventory from previous campaign

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

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

Contributions totalling more than \$100

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

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

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

Goods and services from individuals other than candidate or spouse

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

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

Example:

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

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

Example:

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

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

Schedule 2: Fundraising Events and Activities

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

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

Contributions received at a fundraising event may include:

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

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

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

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

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

Anonymous contributions

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

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

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

Auditor's report

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

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

Forms referred to in this guide

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

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

Department: Administration
Date: March 2018
Subject: Code of Conduct for Members of Council and its Committee Members

1. DEFINITIONS

- 1.1 “Code” means the Code of Conduct for Members of Council and Township Committees.
- 1.2 “Complaint” means a request about whether a Member has contravened the **Code**.
- 1.3 “Complainant” means the individual who makes a **Complaint**.
- 1.4 “Family member” includes a child, parent and spouse, as outlined by the Municipal Conflict of Interest Act.
- 1.5 “Friend” is any individual who shares with a Member a close bond of friendship, a feeling of affection, or a special kinship sufficient that a reasonable person would perceive that the relationship has the potential to affect the Member’s conduct on a matter affecting the individual, whether or not the conduct or decision-making is actually affected.
- 1.6 “Investigation” means an inquiry in respect of whether a Member has contravened the **Code**. “**Investigation**” and “inquiry” may be used interchangeably.
- 1.7 “Member” means a **Member** of the Township of Puslinch Council, and of a Township of Puslinch Committee.
- 1.8 “*Municipal Act*” means the *Municipal Act, 2001*, as amended.
- 1.9 “Municipality” means the Township of Puslinch.
- 1.10 “Respondent” means a **Member** who is the subject of a **Complaint**.

RULES

2. Appropriate Use of Office

- 2.1. In this section and in section 5, “private interest” includes both a pecuniary (financial) and a non-pecuniary (non-financial) interest. It does not, however, include an interest

in a decision or matter (a) that is of general application, (b) that affects a **Member**, **Family Member** or **Friend** as one of a broad class of persons, or (c) that concerns the compensation of a **Member**.

- 2.2. A **Member** must not use the Office nor use the influence of the position to advance one's own private interest, or that of a **Family Member** or a **Friend**, or to advance improperly a private interest of any other individual or entity.
- 2.3. A **Member** must not attempt to influence the decision of another individual or entity (whether that individual or entity is part of the **Municipality** or is a third party) to advance the **Member's** private interest, that of a **Family Member** or a **Friend**, or to advance improperly a private interest of any other individual or entity.
- 2.4. No **Member** shall make a decision or exercise an official power, duty or function if the **Member** knows or reasonably should know that the action would create an opportunity to advance a private interest of the **Member**, a **Family Member** or a **Friend**, or to advance improperly a private interest of any other individual or entity, whether or not the private interest is actually advanced.
- 2.5. A **Member** shall not give preferential treatment to any individual or entity if a reasonable person would perceive (a) that the preferential treatment was for the purpose of advancing a private interest or (b) that the preferential treatment was based on the identity of the individual or their representative.
- 2.6. This section does not prohibit a **Member** from properly using influence on behalf of a constituent.

3. Interference

- 3.1. Township Council as a whole has the authority to approve budget, policy, governance and other such matters. Under the direction of the Chief Administrative Officer, Township staff serves the Municipal Corporation as a whole and the combined interests of all **Members** as evidenced through the decisions of Council. The role of Township staff is to implement the decisions of Council and to establish administrative procedures, systems and structures, processes and internal controls to carry out Township operations as provided for in the Act.
- 3.2. **Members** shall be respectful of the role of staff to provide advice based on political neutrality and objectivity and without undue influence from an individual **Member** or group of **Members**.

- 3.3. A **Member** shall not attempt to influence or to interfere, either directly or indirectly, with an employee, officer or other individual exercising functions under the Provincial Offences Act.
- 3.4. A **Member** shall not use or attempt to use the office or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any staff member with the intent of interfering in the staff member's duties.

4. Property and Resources of the Municipality

- 4.1. In this section, an asset or resource of the **Municipality** includes land, buildings, facilities, budgets, equipment, vehicles, supplies, services, employee time, Internet usage, cell phone usage, data usage, Websites, materials owned by the **Municipality** and any other asset or resource.
- 4.2. No **Member** shall use or permit the use of an asset or resource of the **Municipality** for any purpose other than the discharge of the duties of office or a proper purpose of the **Municipality**.
- 4.3. No **Member** shall use any asset or resource of the **Municipality** for any election-related activity or purpose, as outlined in the Corporate Use of Resources During an Election Policy.

5. Confidential Information

- 5.1. By virtue of office, **Members** acquire confidential information, including confidential personal information, from a variety of sources.
- 5.2. Confidential information includes information in the possession of, or received in confidence by the **Municipality**, that under the *Municipal Freedom of Information and Protection of Privacy Act* the **Municipality** is prohibited from disclosing or releasing.
- 5.3. A **Member** shall not use information obtained in the capacity of a **Member** and that is not available to the general public to further or seek to further a private interest of the **Member**, a **Family Member**, or a **Friend**, or improperly to advance private interest of another individual or entity.
- 5.4. A **Member** shall not disclose by any means to anyone, except to a **Member** or to an employee of the **Municipality** who requires the information in the course of duties, any confidential information acquired by virtue of office, in either oral or written form, except as required by law or authorized by Council to do so.

- 5.5. If a matter has been discussed in a meeting or part of a meeting closed to the public in accordance with the ***Municipal Act***, and the matter remains confidential, then a **Member** shall not disclose the content of the matter or the substance of the deliberations of the closed meeting.

6. Gifts, Hospitality and Benefits

- 6.1. In this section, “gift, hospitality or benefit” includes any benefit or thing of value offered or provided to a **Member**, including but not limited to food, beverage, entertainment, ticket, event admission, travel, clothing, good, service and memento. It includes an item that is offered or given for free, as well as one offered or given at a discounted price. The definition also encompasses a situation where another individual or entity pays for or “picks up the tab,” entirely or partly, for a good, service, food, beverage or other item used or consumed by the **Member**.
- 6.2. “Gift, hospitality or benefit” also includes a gift, hospitality or benefit offered or given to a child, parent, or spouse of the **Member** or to any other individual, for the benefit of the **Member**.
- 6.3. No **Member** shall receive or accept a gift, hospitality or benefit that may reasonably be seen to have been given to influence the **Member** in a decision or in the exercise of a power, duty or function of office.
- 6.4. No **Member** shall receive or accept a gift, hospitality or benefit provided indirectly or directly by an individual or entity that (a) has dealings with the **Municipality** or (b) has the potential to be affected by a decision or the exercise of a power, duty or function of the **Member** or of the **Municipality**.
- 6.5. No **Member** shall receive or accept any gift, hospitality or benefit from an individual or entity that is lobbying or has recently lobbied the **Member**. For greater certainty, the exceptions in section 6.6 do not apply to gifts, hospitality and benefits from lobbyists.
- 6.6. Despite sections 6.2 and 6.3, a **Member** may accept a gift, hospitality or other benefit that is,
- (a) provided by a **Family Member** or **Friend**;
 - (b) a trinket or memento of less than \$10 in value;
 - (c) compensation authorized by law;

- (d) lawful political contributions;
- (e) modest food or refreshment provided by a charity, not-for-profit organization or community group that is organizing or hosting a banquet, reception or similar event in which the **Member** is speaking or otherwise actively participating, or where the **Member** is an official representative of the **Municipality** (for greater certainty this does not include an event for which tickets are sold or an admission fee is charged and the **Member's** admission or ticket is paid entirely or partly by a third party);
- (f) a modest or token gift or hospitality that normally accompanies the responsibilities of office and is received as an incident of protocol or social obligation;
- (g) a service provided without compensation by an individual volunteering time;
- (h) food, lodging, transportation or entertainment provided by a provincial, regional or local governments (or a political subdivision of it), by the federal government or by a foreign government within a foreign country, where the **Member** is speaking or attending in an official capacity;
- (i) a communication to the office of a **Member**, including a subscription to a newspaper or periodical.

7. Employment and Business

- 7.1. No **Member** shall allow himself or herself to be influenced in the making of a decision or in the exercise of an official power, duty or function by plans for, or offers of, future or outside employment, including an appointment or a contract.
- 7.2. No **Member** shall act as a paid agent before the **Municipality**.
- 7.3. No **Member** shall refer a third party to an individual or entity in exchange for payment or other personal benefit.

8. Discrimination and Harassment

- 8.1. No **Member** shall engage in discrimination or harassment against another **Member**, an employee of the **Municipality**, in accordance with the Township's Harassment and Violence in the Workplace Policy.

- 8.2. No **Member** shall engage in discrimination or harassment against a member of the public. Furthermore, no **Member** shall abuse, bully or intimidate a member of the public.
- 8.3. In investigating a **Complaint** under this section, the Integrity Commissioner shall have the authority to recommend to Council such interim measures as are necessary to protect the **Complainant**, to respect the rights of both **Complainant** and **Respondent**, and to ensure the integrity of the **Investigation**.

9. Respectful Conduct

- 9.1. No Member shall maliciously or falsely injure the professional or ethical reputation or the prospects or practice of an employee of the Municipality.
- 9.2. A **Member** shall act with decorum and engage in respectful conduct during all meetings of Council and Committee.
- 9.3. The presiding officer of a meeting is primarily responsible for ensuring that meeting participants conduct themselves respectfully and with decorum. The Integrity Commissioner shall not entertain a **Complaint** alleging a violation of this section unless,
 - (a) the **Complaint** is made by Council in relation to conduct that allegedly occurred at a meeting of Council;
 - (b) the **Complaint** is made by Council in relation to conduct that allegedly occurred at a committee meeting following a report to Council by the Committee or its presiding officer;
 - (c) the **Complaint** is made by an individual who (i) is not a **Member**, (ii) was present at the meeting where the conduct allegedly occurred and (iii) following the meeting formally communicated the concern to Council or the Committee or satisfies the Integrity Commissioner that there was good reason not to raise the concern first with Council or the Committee.
- 9.4. At any time following the receipt of a **Complaint** alleging that conduct during a meeting contravened this section, the Integrity Commissioner may refer the matter back to Council or a Committee.

10. Communications and Media Relations

- 10.1. When a **Member** communicates with the public and/or media (which includes social media), they will accurately communicate the decisions of Council, even if the **Member** did not support the decision. Individual **Members** have the right to express their opinions; however, any discussion must be done in a manner that shows respect for and integrity in the decision making process of Council.

11. Enforcement

- 11.1. A **Complaint** alleging a breach of this **Code** shall be filed with the Integrity Commissioner in accordance with the **Complaint** Protocol that forms part of this **Code**.

12. Timing of Complaint

- 12.1. No **Complaint** shall be filed more than three months after the **Complainant** became aware of the act or omission giving rise to the **Complaint**.
- 12.2. No **Complaint** shall be filed for an act or omission giving rise to the **Complaint** that occurred prior to the adoption of this policy.
- 12.3. In the year of a regular election (2018, 2022, 2026, 2030, 2034, *etc.*), or when there is a by-election that involves a **Member**, no **Complaint** shall be filed between Nomination day and Voting Day, inclusive.

13. Timing of Investigation, Report and Consideration

- 13.1. In the year of a regular election, or by-election as applicable:
- (a) An **Investigation** by the Integrity Commissioner that has not been completed by Nomination Day shall be terminated on that day.
 - (b) There shall be no requests for an inquiry about whether a **Member** of council or of a local board has contravened the **Code** between Nomination Day and Voting Day.
 - (c) The Integrity Commissioner shall not report to the **Municipality** about whether a **Member** has contravened the **Code** between Nomination Day and Voting Day.
 - (d) Council shall not consider whether to impose a penalty on a **Member** for contravention of the **Code** between Nomination Day and Voting Day.
- 13.2. If an **Investigation** has been terminated under paragraph (a) then the Integrity Commissioner shall not commence another **Investigation** in respect of the matter

unless, within six weeks after voting day, either the **Complainant** or the **Respondent** makes a written request to the Integrity Commissioner that the **Investigation** be commenced.

14. Penalty

14.1. Upon receipt of a report that a **Member** has contravened the **Code**, Council may impose either of the following penalties on a **Member**:

- (a) A reprimand.
- (b) Suspension of the remuneration paid to the **Member** in respect of his or her services as a **Member** for a period of up to 90 days.

15. Reprisals and Obstruction

15.1. Each **Member** shall respect the integrity of the **Code** of Conduct and **Investigations** conducted under it.

15.2. No **Member** shall engage in any reprisal or make a threat of reprisal against a **Complainant** or anyone for providing relevant information to the Integrity Commissioner.

15.3. No **Member** shall obstruct the Integrity Commissioner in the carrying out of the Integrity Commissioner's responsibilities.

16. Written Advice

16.1. Any written advice given by the Integrity Commissioner to a **Member** binds the Integrity Commissioner in any subsequent consideration of the conduct of the **Member** in the same matter as long as all the relevant facts known to the **Member** were disclosed to the Integrity Commissioner.

Department: Administration
Date: February 2018
Subject: Use of Corporate Resources during an Election Policy

1. Purpose

The Municipal Elections Act, 1996, as amended (the Act) establishes regulations governing campaign finance for running a municipal election. The Act prohibits municipalities from making campaign contributions to municipal candidates. As a campaign contribution may take the form of money, goods or services, any use of corporate resources for election related purposes is not permitted. This Policy provides a consistent approach for the use of corporate resources during an election. Furthermore, the purpose of this policy is to ensure compliance with the Act.

2. Scope

This Policy applies to all Township Employees, Township Committee Members, Candidates, including Members of Council.

3. Definitions

“**the Act**” means the Municipal Elections Act, 1996, as amended.

“**Campaign Materials**” means any materials used to solicit votes for a Candidate(s) or question in an Election including but not limited to literature, banners, posters, pictures, buttons, clothing, or other paraphernalia. **Campaign Materials** include, but are not limited to, materials in all media, for example, print, displays, electronic radio or television, online including websites or social media.

“**Candidate**” means any individual running for elected office at the municipal, regional, school board, provincial or federal level.

“**Election**” means any municipal, provincial or federal election including by-elections.

“**Employee**” means any individual working for, or receiving compensation from the Township of Puslinch; including those in part-time, seasonal or contract positions.

“**Members**” means an elected Member of the Council of the Corporation of the Township of Puslinch.

“**Registered Third Party**” means an individual, corporation or trade union that is registered under section 88.6 of the Municipal Elections Act, 1996 as amended.

4. General Policy Statements

- 4.1 Pursuant to the **Act**, the Township of Puslinch cannot make a contribution, including money, goods and services, to any **Candidate, Registered Third Party** or a supporter of a question on the ballot during an election period.
- 4.2 Nothing in this Policy shall preclude a **Member** from performing his/her duty as an elected official, nor inhibit him/her from representing the interests of the constituents who elected him/her.

5. Campaign Activities at Township owned and/or operated facilities

- 5.1 The use of Township Facilities, Services and Property is prohibited for election related purposes with the exception of:
 - 5.1.1 **Candidates** and **Registered Third Parties** pay the full market rental fees and rates for use of the Archie MacRobbie Hall, the Alf Hales Room and the gym at the Optimist Recreation Centre, and that they must be rented in accordance with the Township’s rental procedures; and,
 - 5.1.2 **Campaign Materials** may only be displayed within the rented area designated within the rental agreement; and,
 - 5.1.3 **Candidates** and **Registered Third Parties** may set up and shall remove all **Campaign Materials** within the allowed rental period; and,
 - 5.1.4 **Candidates** and **Registered Third Parties** are not permitted to use the Municipal Offices, including the Fire Station, (located at 7404 Wellington Road 34) to undertake campaign-related activities.
 - 5.1.5 **Candidates** and **Registered Third Parties** may not rent Township facilities for campaign related activities on a date when there is a Voter Assistance Centre or Voting Location established at that facility or property.
- 5.2 Election signs, or other election material, may not be displayed in, or on the property or any Township owned or run facilities.
- 5.3 Notwithstanding Section 5.2, election signs can be displayed on Township roads as per sign By-law 9/91, as amended.

6. Campaign Activities at Events

- 6.1 **Candidates** and **Registered Third Parties** may attend Township organized events during the Election period, but may not display or distribute **Campaign Materials** for themselves a political party, third party, or a supporter of a question on a ballot.
- 6.2 **Candidates** and **Registered Third Parties** may attend non-Township organized events on Township property during an Election period, but may not display or distribute **Campaign Materials** for themselves a political party, third party, or a supporter of a question on a ballot, save and except the all candidates meeting organized by the Optimist Club of Puslinch.

7. Use of Corporate Resources

- 7.1 Corporate resources or services, such computers, cell phones, telephones, printers, scanners, copiers, e-mail, file storage, voicemail, or any other equipment or technology owned by the Township, may not be used for any election related purposes.
- 7.2 **Candidates** may not print or distribute any Election or **Campaign Materials** using municipal funds or resources.
- 7.3 Websites and domains that are operated or funded by the Township of Puslinch shall not include any election related **Campaign Materials** or links to any sites which include election related **Campaign Material**.
- 7.4 The Township logo, crest, coat of arms, flag, slogan, or other similarly branded corporate resources or property shall not be used by any **Candidate** for any election related **Campaign Materials**, including printed literature, signage and websites.
- 7.5 Photographs produced for and owned by the Township of Puslinch shall not be used for any Election purposes.

8. Procedures for Employees of the Township of Puslinch

- 8.1 **Employees** shall not engage in any election related activities during normal working hours, unless they are on a leave of absence without pay, lieu time, or vacation leave. This includes providing administrative support to **Candidates** such as photocopying campaign literature or providing technical assistance.

- 8.2 **Employees** shall not engage in any election related activities while wearing Township clothing, such as a uniform or badge which identify them as a Township of Puslinch Employee, or while using a Township owned or leased vehicle.
- 8.3 While engaging in election related activities, Township of Puslinch **Employees** shall not use any vehicle, technology, or other resources that are owned or leased by the Township of Puslinch.
- 8.4 **Employees**, who are also relatives (a spouse, child or parent) of any **Member** or **Candidate**, shall not be assigned to work as an Election Official in a Municipal Election.
- 8.5 **Employees** shall not use their official authority or influence for the purpose of interfering with or affecting the result of an Election, nor use their official title while participating in otherwise permissible political activities.
- 8.6 **Employees** are advised to be especially mindful of public perception during municipal Elections, and to ensure that their activities do not conflict with nor adversely affect their duties as Employees of the Township. Moreover, Employees have a responsibility to ensure that public resources are not used for political campaign purposes.

OFFICE CONSOLIDATION

Last consolidated on March 18, 2022. This is a consolidation of the Township's By-Law to regulate the erection and location of signs or advertising devices in the Township of Puslinch By-Law 9/91 as amended by By-Law 49/14 and 21/18. The following consolidation is an electronic reproduction made available for reference and information purposes only. It is not an official version of the By-Law. Official versions of all By-Laws can be obtained from the Clerk's Department by calling (519) 763-1226 ext. 103. If there are any discrepancies between this consolidation and By-Laws 9/91, 49/14, and 21/18 the By-Laws shall prevail.

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 9/91

Being a By-Law to regulate the erection and location of signs or advertising devices in the Township of Puslinch

WHEREAS The *Municipal Act*, R.S.O., 1980, Chapter 302, Section 210, as amended, authorizes municipalities to prohibit and regulate signs, notices and other advertising devices within any defined areas;

AND WHEREAS pursuant to this authority the Council of the Corporation of the Township of Puslinch deems it necessary and expedient to enact a by-law in this regard.

NOW THEREFORE the Council of the Corporation of the Township of Puslinch enacts as follows:

SECTION 1 – SHORT TITLE

- 1.1 This By-Law may be cited as the Sign By-Law

SECTION 2 – GENERAL

- 2.1 No sign, including any notices or other advertising devices, shall be erected or structurally altered on any land abutting any highway or road allowance within the boundaries of the Township of Puslinch, except in conformity with the provisions of this By-law.

- 2.2 Signs not in accordance with the provisions contained herein are hereby prohibited. Where a sign has been lawfully erected prior to this By-law coming into force, such a sign shall be permitted provided that it is not enlarged or structurally altered, and provided that it is not in conflict with the regulations of Section 7 of this By-law.
- 2.3 No sign except as provided herein, shall be erected, installed, displayed or altered by the owner or any person without first obtaining a permit from the Township of Puslinch approving such sign or alteration and paying the fee prescribed and charged herein for such a permit.
- i) a change in the message displayed by the sign, so long as such change is in accordance with the provisions herein, does not constitute an alteration so as to require a permit.
- 2.4 Puslinch Council may authorize the pulling down or removal, at the expense of the owner, of any sign or other advertising device that is erected or displayed in contravention of this By-law except as provided for in Section 2.2 and may require the owner or any person who
- i) has caused a sign or other advertising device to be erected, displayed, altered or repaired without first having obtained a permit to do so; or
 - ii) having obtained a permit has caused a sign or other advertising device to be erected, displayed, altered or repaired contrary to the approved plans in respect of which the permit was issued, to make such sign or other advertising device comply with the by-laws of the Municipality if it does not so comply or to remove such sign or other advertising device within twenty-one days of the Municipality giving notice of such contravention.
- 2.5 The nailing or otherwise attaching of anything or the causing of anything to be so nailed or otherwise attached to or upon any property managed and controlled by a public utility commission or of a local board or on any public road allowance is hereby prohibited.
- 2.6 Notwithstanding anything contained herein, this By-law shall not apply to signs used to regulate traffic and parking including the signs required for the maintenance and construction of roads and public services and including signs erected on public road

allowances by public agencies or authorities which have jurisdiction over such public road allowances.

- 2.7 Notwithstanding anything contained herein, this By-law shall not apply to lands owned by The Corporation of the Township of Puslinch nor shall it apply to signs erected at the direction of The Corporation of the Township of Puslinch whether such signs are situated on private property or public property.
- 2.8 No person shall pull down or deface signs or other advertising devices and notices lawfully affixed.
- 2.9 The posting or exhibition of placards, play bills, posters, writing of pictures or the writing of words, or the making of pictures or drawings, which are indecent or may tend to corrupt or demoralize, on any wall or fence or elsewhere on a highway or in a public place, is hereby prohibited.

SECTION 3 – REGULATIONS

- 3.1 No sign shall be so located as to interfere with or obstruct the view of any, traffic sign or signal or in any way be hazardous to pedestrian or vehicular traffic.
- 3.2 No sign shall overhang or encroach on any portion of a road allowance.
- 3.3 No sign shall be so located as to obstruct or impede any door, window or fire escape.
- 3.4 No sign shall be so located as, in the opinion of the Fire Chief, to obstruct or interfere with any fire hydrant within the Township of Puslinch.
- 3.5 No person shall erect or display any sign mounted on top of any roof of any building or structure.
- 3.6 Lighting facilities used to illuminate signs, buildings or premises, including parking areas, shall be so arranged as to deflect light away from adjacent properties or streets.
- 3.7 Portable signs and signs incorporating intermittent illumination are prohibited.
- 3.8 All signs shall maintain a minimum setback of 27.0 metres from the centre line of any road allowance.

- 3.9 Where a business is located within an existing building which is less than 27.0 metres from the centre line of the road allowance, a sign may be mounted on the building, but shall not be allowed to be free standing between said building and the road allowance.
- 3.10 A maximum of one sign shall be allowed for each street frontage of a lot within the Township.
- 3.11 No sign within the Township shall exceed 9.0 square metres in display surface or copy area.
- 3.12 A maximum of one sign, used for identification or advertisement, may be erected remote from a place of business provided such business is located within the Township.

SECTION 4 – APPLICATION AND PERMIT

- 4.1 No person shall erect, cause to be erected, structurally alter or cause to be structurally altered, a sign without first obtaining a permit from the Corporation of the Township of Puslinch.
- 4.2 All applications for permission to erect or alter a sign shall be accompanied by the following information:
- i) A plan showing the street lines or other boundaries of the property upon which it is proposed to erect such sign or advertising device upon the property in relation to other structures and signs upon such property or upon the premises immediately adjoining thereto. The Building Official may require that the foregoing information or any part thereof be verified by an Ontario land Surveyor at the applicant's expense.
 - ii) Complete drawings and specifications covering the construction of the sign and its supporting framework and the message to be displayed on the sign or advertising device, including colours to be used in the sign as determined by the Building Official.
 - iii) Drawings of, and such other information with respect to, any building upon which it is proposed to locate the sign or advertising device, as may be necessary to determine whether the structure of such building will carry the loads and stresses imposed thereon by the erection of such sign or advertising device without exceeding the stresses specified

in the Building Code. Such drawings shall, in all cases, have marked thereon, in figures, the height of such building.

- iv) Drawings required for the above subsections, shall be in duplicate and drawn to scale. The Building Of official may also require such drawings to be prepared by a professional architect or engineer.
- 4.3 A permit shall not be issued by the Building Official to erect, display, structurally alter or repair any sign or advertising device until such sign or advertising device has been approved by the Building Official as being in conformity with this By-law (except as provided for in Section 2.2) and all relevant Municipal By-laws and Provincial Regulations and the required fee is paid.
- 4.4 Where a sign is located adjacent to a road allowance under the jurisdiction of another government agency, a permit and/or approval may also be required by that agency before approval is given by the Township of Puslinch.
- 4.5 The fee to accompany all applications shall be similar to that established for the issuance of a building permit in the Township of Puslinch as amended from time to time.

SECTION 5 – TEMPORARY SIGNS

- 5.1 The following type of temporary signs may be permitted without municipal approval:
- i) Sale or lease signs, a maximum of one sign for each street frontage provided such sign is located on the property being sold or leased and does not exceed 0.8 square metres in display surface or copy area and are not illuminated or mechanized.
 - ii) Signs displaying a notice in conformity with a legal requirement or regulation of a government, public board or agency, utility or statute.
 - ~~iii) Directions or notices displayed in connection with any Federal, Provincial or Municipal Election.~~
 - iv) Signs erected at a construction site to identify the contractors, engineers, architects, or other related personnel such signs shall be removed upon completion of the construction project.

[By-Law 49/14]

[By-Law 49/14]

- 5.2 Notwithstanding the other provisions contained in this By-law, an Election Sign shall be governed by the provisions contained in Section 5 only.

[By-Law 49/14]

- 5.3 For the purpose of this section:

[By-Law 21/18]

Election Sign means:

- (a) Any candidate or political party in an 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 under the Canada Elections Act, the Election Act (Ontario), or the Municipal Elections Act, 1996
- (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
- (d) Any sign on a Vehicle used for the purposes outlined in (a), (b), and (c) above

Highway includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of Vehicles and includes the area between the lateral property lines thereof.

Official Sign means any sign erected pursuant to any statute, by-law, regulation or other directive or any federal, provincial or municipal government or agency, board or commission thereof.

Roadway means the part of the Highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a Highway includes two or more separate roadways, the term "Roadway" refers to any one roadway separately and not to all of the roadways collectively.

Vehicle includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power.

[By-Law 49/14]

- 5.4 Notwithstanding any other provision of this By-law, no person shall affix, erect, display or permit or cause to be affixed, erected or displayed an Election Sign:

- (a) prior to the issuing of a writ for a provincial or federal election;
- (b) no earlier than six (6) weeks prior to the day of the municipal election;
- (c) on a Highway that impedes, hinders or obstructs the view of a pedestrian or the driver of a Vehicle;
- (d) on a Highway that constitutes a danger or hazard;
- (e) greater than 1.5 square metres in copy area;
- (f) on any Official Sign or Official Sign structure;
- (g) on a Roadway;
- (h) two (2) days after the day of an election.

[By-Law 49/14]

- 5.5 An Election Sign on a Vehicle is not subject to the size restrictions outlined in section 5.4 (e).

SECTION 6 – EXEMPTIONS

- 6.1 The provisions of this By-law shall not be deemed to prohibit the following signs:
- i) Signs painted or posted on the interior surface of any window or door glass in any building, or the installation of any sign or advertising device in the interior of a building.
 - ii) Street numbering and identification signs not exceeding 0.3 square metres in display surface or copy area.
 - iii) Non-illuminated trespassing, caution, hunting or safety signs not exceeding 0.5 square metres in display surface or copy area.

SECTION 7 – MAINTENANCE AND REPAIRS

- 7.1 The owner, lessee or agent of the lands or premises upon which any sign or advertising device is located, shall maintain, or cause such sign or advertising device to be maintained, in a proper state of repair, so that such sign or advertising device does not become unsafe, unsightly or dangerous and so that such sign shall be completely operative at all times.
- 7.2 Where any sign or advertising device is in a dangerous or defective condition or location, the Building Official shall notify the owner, lessee or agent of the premises upon which such sign or advertising device is located, to remove at once such sign or advertising device or place the same in a proper state of repair.

- 7.3 Upon receipt of such notice from the Building Official, the owner, lessee or agent of such lands or premises shall at once proceed to repair or remove such sign or advertising device, provided that if the owner, lessee or agent of such lands or premises fails to repair or remove such sign or advertising device within a period of twenty-one days from the date of the notice, the Building Official may have such sign or advertising device removed or such repairs made thereto as deemed necessary, the expense thereof, with costs, shall be recoverable by action or distress, and in the case of non-payment, similarly to municipal taxes.

SECTION 8 – LIABILITY FOR DAMAGES

- 8.1 The provisions of this By-law shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning any sign or display for personal injury or property damage resulting from the placing of such sign or resulting from the negligence or willful acts of such person, his agents or employees, in the construction, erection, maintenance, repair or removal of any sign erected in accordance with a permit issued hereunder. Nor can it be construed as imposing upon the Municipality or its officers or employees any responsibility or liability by reason of the approval of any signs, materials or devices under the provisions of this By-law.

SECTION 9 – PENALTIES

- 9.1 Any person violating any of the provisions of this By-law upon conviction thereof shall forfeit and pay, a penalty not exceeding (exclusive of costs) the sum of Two thousand Dollars (\$2,000.00) and being not less than Two Hundred Dollars (\$200.00) for each offence. Each day such violation is committed, or permitted to continue, shall constitute a separate offence and shall be punishable as such hereunder.

SECTION 10 – SEVERABILITY

- 10.1 Should any section, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or in part thereof, other than the part which was declared to be invalid.

SECTION 11 – EFFECTIVE DATE

- 11.1 This By-law shall come into force on the date of enactment at which time all By-laws of the Township of Puslinch that are inconsistent with the provisions of this By-law be and the same are hereby

repealed insofar as is necessary to give effect to the provisions of this By-law.

SECTION 12 – ADMINISTRATION

- 12.1 In case of conflict between the provisions in this By-law or the provisions of other By-laws or Regulations, the most restrictive provisions shall apply.

SECTION 13 – TEMPORARY SIGNS

- 13.1 This By-law shall be administered by a person designated from time to time by Council as the Zoning Administrator or such other person as the Council of the Township of Puslinch designates.

SECTION 14 – BY-LAW REPEAL

- 14.1 By-law No. 12/79 is hereby repealed in its entirety.



THE CORPORATION OF THE COUNTY OF WELLINGTON

BY-LAW NUMBER 5579-18

A by-law to repeal and replace by-law 4555-03 being a by-law to regulate the erection and location of signs or advertising devices on and adjacent to county roads.

WHEREAS pursuant to Section 11 of the Municipal Act S.O. 2001 C.25 authority is given to the upper tier municipality to pass a by-law to regulate signs and pursuant to Section 59 of the said Act, authority is given to an upper-tier municipality to pass a by-law to prohibit or regulate the placing or erecting of signs, notices or advertising devices on County roads and within 400 metres of any limit of an upper-tier highway;

AND WHEREAS The Corporation of the County of Wellington deems it necessary and expedient to enact a by-law to regulate the erection and display of signs and other advertising devices on county roads and within 400 metres of any limit of County roads, except within urban system as defined in the County of Wellington's Official Plan;

NOW THEREFORE The Corporation of the County of Wellington, enacts as follows:

1. DEFINITIONS

The definitions of words that appear in italics in this by-law, are set out in Appendix A.

2. ADMINISTRATION

The County Chief Administrative Officer (CAO) or any person designated in writing by the CAO shall be responsible for the administration of this by-law.

3. INTERPRETATION

- (1) Words importing the singular number or the masculine gender only, include more persons, parties, or things of the same kind than one, and females, as well as males, and the converse.
- (2) A word interpreted in the singular number has a corresponding meaning when used in the plural.
- (3) In case of conflict between the provisions in this by-law and the provisions of other applicable by-laws or regulations, the most restrictive provisions shall apply.

4. GENERAL PROVISIONS

- (1) No *person* shall *erect*, display, *alter* or allow the *erection*, display or alteration of any *sign*, notice or *advertising device* on or overhanging a *county road* and on publicly or privately owned lands within 400 metres of any limit of a *county road line* without obtaining a permit under this by-law with the exception of the signs listed in section 4(2) where it is stated that no permit is required. Notwithstanding the fact that no permit is required for signs listed in section 4 (2), all other aspects of this by-law apply. This by-law does not apply within the Urban System as defined in the County's Official Plan.

Signs that are permitted on a *County road* are restricted to the following:

(2) **Signs not requiring a permit:**

- a) election *signs*, which may be displayed after the issuance of writs for a provincial or federal election, or within six weeks immediately preceding a municipal election, and which are to be removed at the candidates' expense within 48 hours after the day of the election;
- b) temporary *signs* to advertise fresh farm produce or Christmas trees not exceeding 1.5 square metres in *sign area*;
- c) a non-illuminated *real estate sign*, placed in front of the property for sale, up to a maximum of one *sign* for each 200 m along the property frontage, not exceeding 0.8 square metres in *sign area*;
- d) emergency or municipal address numbering and identification *signs* not exceeding 0.3 square metres in *sign area*;
- e) farm gate/farm name or crop identification signs
- f) non-illuminated trespassing, safety or warning *sign* not exceeding 0.5 square metres in *sign area*;

(3) **Signs that are permitted on a County Road and require a permit**

- a) *signs* identifying municipalities, with the exemption of County of Wellington gateway signs
- b) service club *signs*;
- c) *signs* pertaining to public community safety *signs* such as County of Wellington Crime Stopper, *signs*;
- d) *signs* marking walking trails, and snowmobile crossings;
- e) *signs* which gives directions or instructions for the control of vehicular or pedestrian traffic and shall include an entry and exit sign;
- f) *signs* advertising community events such as fall fairs;
- g) official signs;
- h) blue and white approved TODS trail blazer *signs* (Tourism Oriented Directional Signage);

- i) Signs approved through the County Directional Tourism Signage Programme
- (4) **The following *signs* are specifically prohibited:**
 - (a) a *sign* larger than 3.0 square metres (4' x 8') on a *County road*, with the exception of municipal entrance signage and, a *sign* larger than 9.0 square metres within 400 metres of any limit of a County line;
 - (b) *abandoned sign*;
 - (c) *portable sign on any county road*;
 - (d) *flashing or animated sign*;
 - (e) a *sign* in any location on *county roads* or within 400 m of any *county road line* which interferes or obstructs the view of any traffic signal or is in any manner hazardous or dangerous to pedestrian or vehicular traffic;
 - (f) a *sign* which does not comply with the provisions of this by-law or of the Ontario Building Code;
 - (g) a *sign* encroaching on a fire route or obstructing fire exits;
 - (h) a *sign* supported by a tree;
 - (i) a *sign* in a location which may interfere with or damage any above or below ground municipal or utility services which have been lawfully placed at the location;
 - (j) a *sign* or advertising device affixed, attached or displayed on a utility pole or light standard except for an *official sign* or *sign* pertaining exclusively to public safety;
 - (k) a *sign* or advertisement attached on a vehicle or trailer which is parked or located for the primary purpose of displaying the said *sign* or advertisement;
 - (l) a *sign* which does not comply with the provisions of a by-law of the member municipality in which it is proposed;
 - (m) a *sign* which has lighting facilities, used to illuminate *signs*, that fails to deflect light away from operators of motor vehicles;
 - (n) a *sign* or advertising device constructed on any County road with a support system that will not break away if struck by a vehicle;
 - (o) more than two signs advertising a business, which are remote from that place of business, other than those businesses referred to in clauses:
 - 4(2) (b) i.e. farm fresh produce and Christmas tree vendor locations,
 - 4(3) (h) blue and white approved Tourism Orientated Directional Signage (TODS) trail blazer signs,
 - 4(3) (i) Signs approved through the County Directional Tourism Signage Programme.
 - (p) banners across County roads.
- (5) No *person* shall *erect a sign on a County road* other than by *County* forces, or by a contractor approved by the *County* in writing and such *erection* of *signs* and *advertising devices* shall be at such *person's* expense.

5. APPLICATION FOR SIGN PERMIT

Subject to the General Provisions:

- (1) Every applicant for a *sign* permit shall complete a *sign* permit application provided by the *County*, submit all necessary plans and drawings, a letter of permission from the *property owner* on whose land the *sign* is proposed to be *erected*, unless the *sign* is proposed to be on a *County road*, and an installation deposit as may be determined by the *County* for signs proposed for installation on a *County road*.

- (2) *Sign* Permit Information

All plans and drawings accompanying a *sign* permit application on a *county road* shall contain the following information:

- (a) a key plan showing the location of the land on which the proposed *sign* is to be located and the nearest major intersection;
- (b) the location of the proposed *sign*;
- (c) details of the *sign* drawn to scale, including dimensions, *sign area*, colour scheme and any other information as may be requested to assist in the review to determine compliance with this by-law;
- (d) the location of any existing structures, above ground utilities, underground utilities, walkways, driveways, vehicular access and egress points;
- (e) identification of adjacent buildings, structures and *signs*;

6. VARIANCES

- (1) Where the provisions of this by-law are proposed not to be met, an application may be made to the *Council* for a variance to the by-law.
- (2) Applications for a variance shall clearly set out why the provisions of the by-law cannot be met and the necessity for the *sign*.
- (3) Council may, upon application for a variance from the provisions of this by-law, authorize such minor variances where the general intent and the purpose of the by-law are maintained.

7. EXPIRATION OF A SIGN PERMIT

If a sign, covered by a sign permit, is not erected or displayed for its intended purpose within 12 months of the issuance of said permit; the permit will be deemed null and void.

8. REVOCATION OF A SIGN PERMIT

The County may revoke a permit under the following circumstances:

- (1) where the permit has been issued in error by the *County*; or
- (2) where the *sign* does not conform with this by-law, the Ontario Building Code, or any other applicable regulation or legislation; or

- (3) where the permit has been issued as the result of false, mistaken, incorrect, or misleading statements, or undertakings on the application.

9. MAINTENANCE OF SIGNS

- (1) The *owner* of any sign, shall maintain or cause such *sign* to be maintained in a proper state of repair, so that such *sign* remains completely operative at all times and does not become *unsafe*, defective, dangerous, or an eye sore in the opinion of the County. All *signs* and *sign structure* shall be kept clean, neatly painted, and not allowed to fade.
- (2) Maintenance or repairs using materials identical to the materials of the component being maintained or repaired does not constitute an alteration so as to require a permit to be issued.

10. PENALTIES AND ENFORCEMENT

- (1) Every *person* who contravenes any provision of this by-law is guilty of an offence. Pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990 c P.33, as amended, upon conviction a *person* is liable to a fine of not more than \$5,000.00 exclusive of costs;
- (2) Where a *sign* is deemed not to comply with this by-law, the *CAO* may forward a notice by personal service or regular post, to the *owner*. The notice may require that the illegal *sign* be removed or that the illegal *sign* be made to comply with this by-law not later than the date and time stipulated in the notice. The notice may advise that if the *sign* is not so removed or made to comply within the specified period of time, then the *County* may pull down and remove the *sign* without any further notice at the cost of the *sign owner* and the cost therefor may be collected in like manner as municipal taxes;
- (3) If the notice set out in subsection (2) is not complied with within the specified period of time, the *CAO* may direct *County* forces or an independent contractor to pull down and remove the *sign* at the cost of the *sign owner* and the cost therefore may be collected in like manner as municipal taxes;
- (4) Any *sign* removed as provided for in this section shall be stored by the *County* or an independent contractor for a period of not less than thirty (30) days. During this time the *sign owner* or his agent is entitled to redeem such *sign*, upon completing a signed acknowledgment and release on the prescribed form and upon mailing payment satisfactory to the *County* of the amounts noted below:
 - (a) the sum of \$200.00 or the *County's* actual cost of removing the *sign*, whichever is greater; and
 - (b) a storage charge of \$20.00 per day of part thereof, or \$2.00 per metre square of *sign face* per day or part thereof, whichever is greater.
- (5) Where the *County* has removed a *sign* and stored it for a period of thirty (30) days and the *sign* has not been redeemed, the *County* may then destroy or otherwise dispose of the *sign* without notice to the *sign owner* or his agent.
- (6) None of the foregoing shall limit the *County* from enforcing the provisions of this by-law by any other action or remedy permitted in law.

11. LIABILITY FOR DAMAGES

The provisions of this by-law shall not be construed as relieving or limiting the responsibility or liability of any *person* who *erects* or causes or permits or allows to be *erected* any *sign*, from personal injury including injury resulting in death or property damage resulting from such *sign* or from the acts or omissions of such *person*, or his agents, servants, employees, contractors or subcontractors, in the *erection*, alteration, repair or removal of any *sign erected* in accordance with this by-law or any permit issued hereunder. Likewise, the provisions of this by-law shall not be construed as imposing on the *County*, its officers, employees, servants or agents any responsibility or liability whatsoever by reason of the approval of or issuance of a permit for any *sign* or removal of any *sign*.

12. INDEMNIFICATION

The applicant for a *sign* permit and the *sign owner* shall be jointly and severally responsible to indemnify the *County*, its officers, employees, servants and agents from all loss, damages, costs, expenses claims, demands, actions, suits or other proceedings of any nature and kind arising from and in consequence of the *erection*, alteration, repair or removal of such *sign*.

13. VALIDITY

If a Court of competent jurisdiction declares any section or any part of a section of this by-law invalid, it is the intention of the *County* that the remainder of the by-law shall continue to be in force.

14. GRAND FATHERING

Existing free standing signs that do not present a safety concern, but do not comply with other provisions of this bylaw, will be allowed to remain for a period of three years from the effective date of this by-law, after which they shall be removed or modified.

15. EFFECTIVE DATE

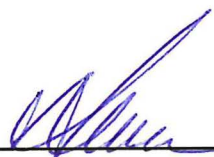
This by-law takes effect on May 24, 2018.

16. SHORT TITLE

This by-law may be referred to as the Sign By-law.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS MAY 24, 2018.





DENNIS LEVER - WARDEN



DONNA BRYCE - CLERK

APPENDIX A

The following words shall have the following meanings in this By-law:

“abandoned sign” means any sign located on property which becomes vacant and unoccupied for a period of ninety (90) days or more, or any sign which pertains to a time, event or purpose which no longer applies;

“advertising device” means any device or object erected or located so as to attract public attention to any goods or services or facilities or events and includes flags, banners, pennants and lights;

“alter” means any change to the sign structure or the sign face with the exception of the rearrangement of numerals, letters or copy applied directly to the face of a sign and specifically designed and intended to be periodically rearranged, the repair and maintenance of a sign, and a change in sign copy;

“animated sign” means any kinetic or illusionary motion of all or any part of a sign and includes the rotation of a sign but does not include a changing copy sign;

“CAO” means the Chief Administrative Officer of the County or his designate;

“Council” means the Council of the *County* of Wellington;

“County” means the Corporation of the County of Wellington;

“County road” means county road allowances comprising the entire right of way of any county road including daylight corners lying outside urban system and hamlets, as defined in the County Official Plan, under the jurisdiction, control or ownership of the County;

“County road line” means the limit of the county road allowance and is the dividing line between a lot and a county road;

“erect, erected and erection” include the construction, maintenance, display, alteration, placing or relocation of any sign or portion thereof, and the posting of notices;

“flashing sign” means a sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted light source but does not include an automatic changing sign or electronically controlled message centre;

“owner” means the registered owner of the lands or premises, or the person or the person’s authorized agent in lawful control of premises, building, occupancy, sign or other structure;

“person” means an individual, business, firm, corporation, association or partnership;

“portable sign” means a sign not permanently affixed to the ground and designed in such a manner as to be capable of being moved from place to place;

“premises” means a lot under registered ownership and includes all buildings and structures thereon;

“property” means a parcel of land having specific boundaries which is capable of legal transfer;

“real estate sign” means a temporary non-illuminated sign installed, erected or displayed for the notification that a building, premises or portion thereof is offered for sale, rent or lease;

“sign” means any surface, structure and other component parts, which are used or capable of being used as a visual medium to attract attention to a specific subject matter for identification, information or advertising purposes and includes an advertising device or notice;

“sign area” means the entire area of a sign face;

“sign face” means that portion of a sign, excluding the sign structure, upon which, as part of, against or through which the message of the sign is displayed. Where a sign is composed of individually installed letters, numerals or shapes, the sign face shall mean the area of the smallest polygon containing a maximum of eight (8) right angle sides that encloses the grouping of letters, numerals or shapes;

“sign owner” means the owner or lessee of a sign, or his agent. Where there is no owner, lessee or agent for a sign or such persons cannot be determined with certainty, the sign owner shall be deemed to be the person or business having the use or major benefit of the sign, or if such person or business is unknown, the sign owner shall be deemed to be the registered owner of the land upon which the sign is situated;

“sign structure” means anything used to support or brace a sign face and which is attached to the ground or a building or structure;

“sight triangle” means any sight triangle that is set out in a relevant section of the County zoning by-laws, or a sight triangle otherwise approved by the County;

“tourist attractions” means recreational areas, wineries, breweries, golf courses, theatres, and community events such as fall fairs and festivals;

“tourist service business” means bed and breakfasts, hotels, motels, restaurants, churches;

“unsafe” when used with respect to a sign or a sign structure means a condition which is structurally inadequate or faulty, or could be hazardous to a pedestrian or motorist.

Broadcasters and publishers must comply with advertising rules during the 2022 Municipal Election

Municipal elections will take place on Monday, October 24, 2022.

This notice is intended to inform broadcasters and publishers of their obligations under the [Municipal Elections Act, 1996](#) (the Act) related to candidate and third party advertisements during the upcoming municipal election. This document is for reference only. For legal advice, please consult legal counsel.

Candidate advertisement

A candidate election campaign advertisement is an advertisement in any broadcast, print, electronic or other medium, purchased by or under the direction of a candidate that has the purpose of promoting or supporting their election.

The candidate must be identified in the advertisement.

Third party advertisement

A third party advertisement is an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing a candidate in the election, or a "yes" or "no" answer to a question on the ballot.

Between May 1 and October 24, 2022, third party advertising is subject to restrictions.

Individuals, corporations and trade unions who wish to conduct third party advertising must register with the municipality where they want to advertise. A list of registered third party advertisers for each municipality will be regularly updated and available at each municipality's website.

Third party advertisements must contain the following information:

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

Obligations for broadcasters and publishers

Broadcasters and publishers must follow new requirements when running a candidate or third party advertisement, including:

1. Mandatory information

Mandatory information must be provided to the broadcaster or publisher in writing before the advertisement appears.

For a candidate advertisement (nominations open May 1):

- Name of the candidate
- Name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the candidate

For a third party advertisement (May 1 to October 24, 2022):

- Name of the registered third party advertiser
- 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

2. Maintaining records

The broadcaster or publisher of a candidate or third party advertisement must maintain records for 4 years after the date the advertisement appears. The public must be permitted to inspect the records during normal business hours.

These records must contain:

- Mandatory information described in section 1 (above)
- A copy of the advertisement or the means of reproducing it for inspection
- A statement of the amount charged for its appearance

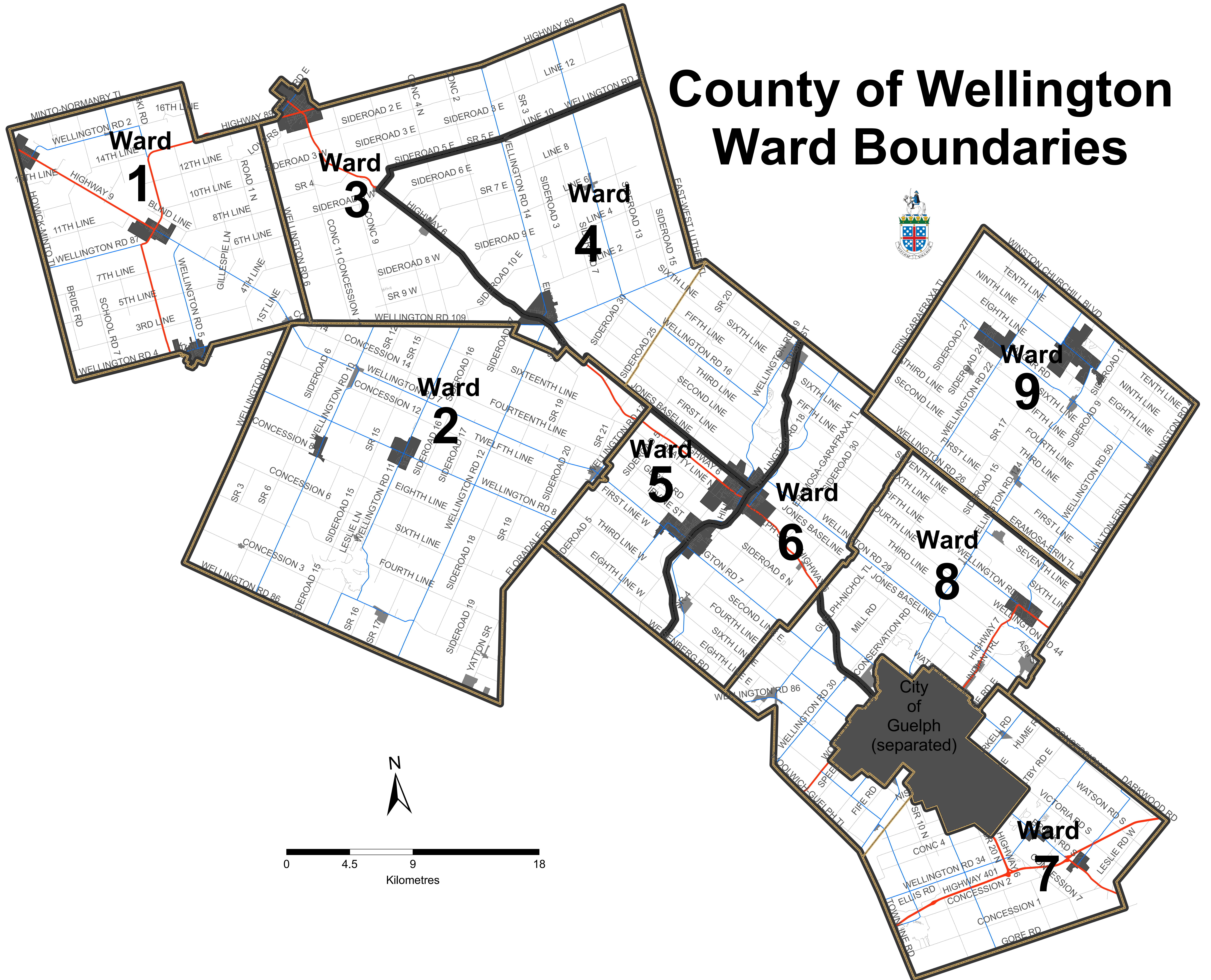
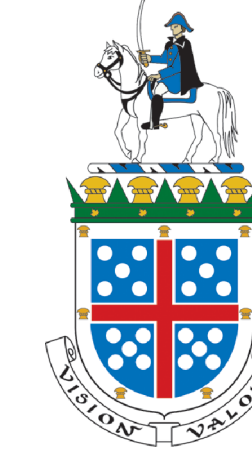
3. Broadcasters or publishers as registered third party advertisers

Broadcasters or publishers who wish to conduct third party advertising must register as a third party advertiser and follow the Act's requirements.

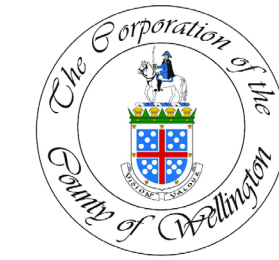
4. Ongoing obligations

Broadcasters and publishers should also be mindful of their ongoing obligations relating to contributions under the Act.

County of Wellington Ward Boundaries

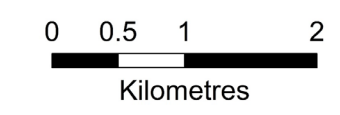


TOWNSHIP OF PUSLINCH



City of Guelph

NOTE:
 GREEN civic address number ranges increase from West to East.
 RED civic address number ranges increase from South to North



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Sources:
 Parcels: County of Wellington Planning and Development Department 2020. Teranet 2002.

2022

Amended Council & Committee Calendar 2022

C/PIM	Council Meeting (10a.m.) / Public Info. Meeting (7p.m.)
H	Denotes a Statutory Holiday/Offices Closed
C	Council Meeting (10a.m.)
PDAC	Planning Development Advisory Committee (7p.m.)
HC	Heritage Committee (1p.m.)
RC	Recreation Committee (7p.m.)
B	Council Meeting (10a.m.) / Final Budget Approval

ROMA	ROMA Virtual Conference January 23-25, 2022
OGRA	OGRA In Person Conference February 27-March 2, 2022
AMO	AMO In Person Conference August 14-17, 2022
FCM	FCM In Person Conference June 2-5, 2022
CB	Capital Budget Meeting (9a.m.)
OPB	Operating Budget Meeting (9a.m.)
CB/OPB	Capital & Operating Budget Meeting (9a.m.)

January

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**2022 Budget PIM

May

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September

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**2023 User Fees and Charges PIM

February

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March

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August

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December

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30	31					



[Français](#)

Municipal Conflict of Interest Act

R.S.O. 1990, CHAPTER M.50

Consolidation Period: From April 19, 2021 to the [e-Laws currency date](#).

Last amendment: [2021, c. 4, Sched. 11, s. 23](#).

Legislative History: [+]

CONTENTS [-]

1.	Definitions
1.1	Principles
2.	Indirect pecuniary interest
3.	Interest of certain persons deemed that of member
	<u>EXCEPTIONS</u>
4.	Where s. 5 does not apply
	<u>DUTY OF MEMBER</u>
5.	When present at meeting at which matter considered
5.1	Written statement re disclosure
5.2	Influence
	<u>RECORD OF DISCLOSURE</u>
6.	Disclosure to be recorded in minutes
	<u>REGISTRY</u>
6.1	Requirement to establish registry
	<u>REMEDY FOR LACK OF QUORUM</u>
7.	Quorum deemed constituted
	<u>ACTION WHERE CONTRAVENTION ALLEGED</u>
8.	Application
9.	Power of judge
11.	Appeal to Divisional Court
12.	Proceedings not invalidated but voidable
13.	Other proceedings prohibited
	<u>GENERAL</u>
14.	Insurance
15.	Conflict with other Acts

Definitions

1 In this Act,

“child” means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family; (“enfant”)

“controlling interest” means the interest that a person has in a corporation when the person beneficially owns, directly or indirectly, or exercises control or direction over, equity shares of the corporation carrying more than 10 per cent of the voting rights attached to all equity shares of the corporation for the time being outstanding; (“intérêts majoritaires”)

“council” means the council of a municipality; (“conseil”)

“elector” means,

(a) in respect of a municipality, or a local board thereof, other than a school board, a person entitled to vote at a municipal election in the municipality, and

(b) in respect of a school board, a person entitled to vote at the election of members of the school board; (“électeur”)

“interest in common with electors generally” means a pecuniary interest in common with the electors within the area of jurisdiction and, where the matter under consideration affects only part of the area of jurisdiction, means a pecuniary interest in common with the electors within that part; (“intérêt commun à tous les électeurs”)

“judge” means a judge of the Superior Court of Justice; (“juge”)

“local board” means a school board, board of directors of a children’s aid society, committee of adjustment, conservation authority, court of revision, land division committee, municipal service board, public library board, board of management of an improvement area, board of health, police services board, planning board, district social services administration board, trustees of a police village, board of trustees of a police village, board or committee of management of a long-term care home, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act in respect of any of the affairs or purposes, including school purposes, of one or more municipalities or parts thereof, but does not include a committee of management of a community recreation centre appointed by a school board or a local roads board; (“conseil local”)

Note: On a day to be named by proclamation of the Lieutenant Governor, the definition of “local board” in section 1 of the Act is amended by striking out “police services board” and substituting “police service board”. (See: 2019, c. 1, Sched. 4, s. 35)

“meeting” includes any regular, special, committee or other meeting of a council or local board, as the case may be; (“réunion”)

“member” means a member of a council or of a local board; (“membre”)

“municipality” includes a board, commission or other local authority exercising any power in respect of municipal affairs or purposes, including school purposes, in territory without municipal organization, but does not include a committee of management of a community recreation centre appointed by a school board, a local roads board or a local services board; (“municipalité”)

“parent” means a person who has demonstrated a settled intention to treat a child as a member of his or her family; (“père ou mère”)

“school board” means a board as defined in subsection 1 (1) of the *Education Act*, and, where the context requires, includes an old board within the meaning of subsection 1 (1) of the *Education Act*; (“conseil scolaire”)

“senior officer” means the chair or any vice-chair of the board of directors, the president, any vice-president, the secretary, the treasurer or the general manager of a corporation or any other person who performs functions for the corporation similar to those normally performed by a person occupying any such office; (“dirigeant”)

“spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage. (“conjoint”) R.S.O. 1990, c. M.50, s. 1; 1997, c. 25, Sched. E, s. 7; 1997, c. 31, s. 156 (1); 1999, c. 6, s. 41 (1); 2002, c. 17, Sched. F, Table; 2005, c. 5, s. 45 (1, 2); 2006, c. 19, Sched. C, s. 1 (1); 2006, c. 32, Sched. D, s. 10; 2007, c. 8, s. 219; 2016, c. 23, s. 58; 2021, c. 4, Sched. 11, s. 23 (1-3).

Section Amendments with date in force (d/m/y) [+]**Principles**

1.1 The Province of Ontario endorses the following principles in relation to the duties of members of councils and of local boards under this Act:

1. The importance of integrity, independence and accountability in local government decision-making.
2. The importance of certainty in reconciling the public duties and pecuniary interests of members.
3. Members are expected to perform their duties of office with integrity and impartiality in a manner that will bear the closest scrutiny.
4. There is a benefit to municipalities and local boards when members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations, and otherwise. 2017, c. 10, Sched. 3, s. 1.

Section Amendments with date in force (d/m/y) [+]

Indirect pecuniary interest

2 For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

- (a) the member or his or her nominee,
 - (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
 - (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
 - (iii) is a member of a body,

that has a pecuniary interest in the matter; or

- (b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. R.S.O. 1990, c. M.50, s. 2.

Interest of certain persons deemed that of member

3 For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3); 2021, c. 4, Sched. 11, s. 23 (4).

Section Amendments with date in force (d/m/y) [+]

EXCEPTIONS

Where ss. 5 and 5.2 do not apply

4 Sections 5 and 5.2 do not apply to a pecuniary interest in any matter that a member may have,

- (a) as a user of any public utility service supplied to the member by the municipality or local board in like manner and subject to the like conditions as are applicable in the case of persons who are not members;
- (b) by reason of the member being entitled to receive on terms common to other persons any service or commodity or any subsidy, loan or other such benefit offered by the municipality or local board;
- (c) by reason of the member purchasing or owning a debenture of the municipality or local board;
- (d) by reason of the member having made a deposit with the municipality or local board, the whole or part of which is or may be returnable to the member in like manner as such a deposit is or may be returnable to all other electors;
- (e) by reason of having an interest in any property affected by a work under the *Drainage Act* or by a work under a regulation made under Part XII of the *Municipal Act, 2001* or Part IX of the *City of Toronto Act, 2006*, as the case may be, relating to local improvements;
- (f) by reason of having an interest in farm lands that are exempted from taxation for certain expenditures under the *Assessment Act*;

- (g) by reason of the member being eligible for election or appointment to fill a vacancy, office or position in the council or local board when the council or local board is empowered or required by any general or special Act to fill such vacancy, office or position;
- (h) by reason only of the member being a director or senior officer of a corporation incorporated for the purpose of carrying on business for and on behalf of the municipality or local board or by reason only of the member being a member of a board, commission, or other body as an appointee of a council or local board;
- (i) in respect of an allowance for attendance at meetings, or any other allowance, honorarium, remuneration, salary or benefit to which the member may be entitled by reason of being a member or as a member of a volunteer fire brigade, as the case may be;
- (j) by reason of the member having a pecuniary interest which is an interest in common with electors generally; or
- (k) by reason only of an interest of the member which is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member. R.S.O. 1990, c. M.50, s. 4; 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (1); 2017, c. 10, Sched. 3, s. 2.

Section Amendments with date in force (d/m/y) [+]

DUTY OF MEMBER

When present at meeting at which matter considered

5 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. R.S.O. 1990, c. M.50, s. 5 (1).

Where member to leave closed meeting

(2) Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration. R.S.O. 1990, c. M.50, s. 5 (2).

Exception, consideration of penalty

(2.1) The following rules apply if the matter under consideration at a meeting or a part of a meeting is to consider whether to suspend the remuneration paid to the member under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* or under subsection 160 (5) or (6) of the *City of Toronto Act, 2006*:

1. Despite clauses (1) (b) and (c), the member may take part in the discussion of the matter, including making submissions to council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting. However, the member is not permitted to vote on any question in respect of the matter.
2. Despite subsection (2), in the case of a meeting that is not open to the public, the member may attend the meeting or part of the meeting during which the matter is under consideration. 2017, c. 10, Sched. 3, s. 3.

When absent from meeting at which matter considered

(3) Where the interest of a member has not been disclosed as required by subsection (1) by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise comply with subsection (1) at the first meeting of the council or local board, as the case may be, attended by the member after the meeting referred to in subsection (1). R.S.O. 1990, c. M.50, s. 5 (3).

Section Amendments with date in force (d/m/y) [+]

Written statement re disclosure

5.1 At a meeting at which a member discloses an interest under section 5, or as soon as possible afterwards, the member shall file a written statement of the interest and its general nature with the clerk of the municipality or the secretary of the committee or local board, as the case may be. 2017, c. 10, Sched. 3, s. 4.

Section Amendments with date in force (d/m/y) [+]

Influence

5.2 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter that is being considered by an officer or employee of the municipality or local board, or by a person or body to which the municipality or local board has delegated a power or duty, the member shall not use his or her office in any way to attempt to influence any decision or recommendation that results from consideration of the matter. 2017, c. 10, Sched. 3, s. 4.

Exception

(2) However, if a municipality delegates a power to suspend the remuneration paid to a member under subsection 223.4 (5) of the *Municipal Act, 2001* or subsection 160 (5) of the *City of Toronto Act, 2006* to a person or body, and the person or body is considering exercising that power with respect to a member, subsection (1) of this section does not prevent the member from attempting to influence any decision or recommendation of the person or body that results from consideration of the matter. 2017, c. 10, Sched. 3, s. 4.

Section Amendments with date in force (d/m/y) [+]

RECORD OF DISCLOSURE

Disclosure to be recorded in minutes

6 (1) Every declaration of interest and the general nature thereof made under section 5 shall, where the meeting is open to the public, be recorded in the minutes of the meeting by the clerk of the municipality or secretary of the committee or local board, as the case may be. R.S.O. 1990, c. M.50, s. 6 (1).

Idem

(2) Every declaration of interest made under section 5, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the minutes of the next meeting that is open to the public. R.S.O. 1990, c. M.50, s. 6 (2).

REGISTRY

Requirement to establish registry

6.1 (1) Every municipality and local board shall establish and maintain a registry in which shall be kept,

- (a) a copy of each statement filed under section 5.1; and
- (b) a copy of each declaration recorded under section 6. 2017, c. 10, Sched. 3, s. 5.

Access to registry

(2) The registry shall be available for public inspection in the manner and during the time that the municipality or local board, as the case may be, may determine. 2017, c. 10, Sched. 3, s. 5.

Section Amendments with date in force (d/m/y) [+]

REMEDY FOR LACK OF QUORUM

Quorum deemed constituted

7 (1) Where the number of members who, by reason of the provisions of this Act, are disabled from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then, despite any other general or special Act, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two. R.S.O. 1990, c. M.50, s. 7 (1).

Application to judge

(2) Where in the circumstances mentioned in subsection (1), the remaining number of members who are not disabled from participating in the meeting is less than two, the council or local board may apply to a judge without notice for an order authorizing the council or local board, as the case may be, to give consideration to, discuss and vote on the matter out of which the interest arises. R.S.O. 1990, c. M.50, s. 7 (2).

Power of judge to declare s. 5, 5.1 or 5.2 not to apply

(3) The judge may, on an application brought under subsection (2), by order, declare that section 5, 5.1 or 5.2 does not apply to the council or local board, as the case may be, in respect of the matter in relation to which the application is brought, and the council or local board thereupon may give consideration to, discuss and vote on the matter in the same manner as though none of the members had any interest therein, subject only to such conditions and directions as the judge may consider appropriate and so order. R.S.O. 1990, c. M.50, s. 7 (3); 2017, c. 10, Sched. 3, s. 6.

Section Amendments with date in force (d/m/y) [+]

ACTION WHERE CONTRAVENTION ALLEGED

Application

8 (1) An elector, an Integrity Commissioner of a municipality or a person demonstrably acting in the public interest may apply to a judge for a determination of the question of whether,

- (a) a member has contravened section 5, 5.1 or 5.2; or
- (b) a former member contravened section 5, 5.1 or 5.2 while he or she was a member. 2017, c. 10, Sched. 3, s. 7.

Six-week period

(2) An application may only be made within six weeks after the applicant became aware of the alleged contravention. 2017, c. 10, Sched. 3, s. 7.

Exception

(3) Despite subsection (2), an application may be made more than six weeks after the applicant became aware of the alleged contravention if all of the following conditions are satisfied:

1. The applicant applied to an Integrity Commissioner for an inquiry under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006* in accordance with those sections.
2. The Integrity Commissioner conducted an inquiry under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006* and the Commissioner,
 - i. has advised the applicant under subsection 223.4.1 (16) of the *Municipal Act, 2001* or under subsection 160.1 (16) of the *City of Toronto Act, 2006* that the Commissioner will not be making an application to a judge,
 - ii. has not completed the inquiry within the time limit set out in subsection 223.4.1 (14) of the *Municipal Act, 2001* or subsection 160.1 (14) of the *City of Toronto Act, 2006*, or
 - iii. has terminated the inquiry under subsection 223.4.1 (12) of the *Municipal Act, 2001* or subsection 160.1 (12) of the *City of Toronto Act, 2006*.
3. The application under this section includes a copy of the applicant's statutory declaration made under subsection 223.4.1 (6) of the *Municipal Act, 2001* or under subsection 160.1 (6) of the *City of Toronto Act, 2006*.
4. The application under this section is made within six weeks after the earlier of the following,
 - i. the day the Commissioner advised the applicant under subsection 223.4.1 (16) of the *Municipal Act, 2001* or under subsection 160.1 (16) of the *City of Toronto Act, 2006* that the Commissioner will not be making an application to a judge,

- ii. the last day on which the Commissioner is required under subsection 223.4.1 (14) of the *Municipal Act, 2001* or subsection 160.1 (14) of the *City of Toronto Act, 2006* to complete the inquiry referred to in paragraph 2 of this subsection, and
- iii. the day the inquiry was terminated under subsection 223.4.1 (12) of the *Municipal Act, 2001* or subsection 160.1 (12) of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 7.

Same, application by Integrity Commissioner

(4) Despite subsection (2), an application may be made more than six weeks after the applicant became aware of the alleged contravention if the applicant is an Integrity Commissioner and if the application relates to an inquiry conducted by the Commissioner under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 7.

No application by Integrity Commissioner during regular election

(5) No application shall be made by an Integrity Commissioner of a municipality during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that Act. 2017, c. 10, Sched. 3, s. 7.

Limitation

(6) Despite subsections (2), (3) and (4), no application shall be made after the sixth anniversary of the alleged contravention. 2017, c. 10, Sched. 3, s. 7.

Contents of notice of application

(7) The notice of application shall state the grounds for finding that the member or former member contravened section 5, 5.1 or 5.2. 2017, c. 10, Sched. 3, s. 7.

Section Amendments with date in force (d/m/y) [+]

Power of judge

9 (1) If the judge determines that the member or former member contravened section 5, 5.1 or 5.2, the judge may do any or all of the following:

1. Reprimand the member or former member.
2. Suspend the remuneration paid to the member for a period of up to 90 days.
3. Declare the member's seat vacant.
4. Disqualify the member or former member from being a member during a period of not more than seven years after the date of the order.
5. If the contravention has resulted in personal financial gain, require the member or former member to make restitution to the party suffering the loss, or, if the party's identity is not readily ascertainable, to the municipality or local board, as the case may be. 2017, c. 10, Sched. 3, s. 7.

Same

(2) In exercising his or her discretion under subsection (1) the judge may consider, among other matters, whether the member or former member,

- (a) took reasonable measures to prevent the contravention;
- (b) disclosed the pecuniary interest and all relevant facts known to him or her to an Integrity Commissioner in a request for advice from the Commissioner under the *Municipal Act, 2001* or the *City of Toronto Act, 2006* and acted in accordance with the advice, if any, provided to the member by the Commissioner; or

(c) committed the contravention through inadvertence or by reason of an error in judgment made in good faith. 2017, c. 10, Sched. 3, s. 7.

Section Amendments with date in force (d/m/y) [+]

10 REPEALED: 2017, c. 10, Sched. 3, s. 7.

Section Amendments with date in force (d/m/y) [+]

Appeal to Divisional Court

11 (1) An appeal lies from any order made under section 9 to the Divisional Court in accordance with the rules of court. R.S.O. 1990, c. M.50, s. 11 (1); 2017, c. 10, Sched. 3, s. 8.

Judgment or new trial

(2) The Divisional Court may give any judgment that ought to have been pronounced, in which case its decision is final, or the Divisional Court may grant a new trial for the purpose of taking evidence or additional evidence and may remit the case to the trial judge or another judge and, subject to any directions of the Divisional Court, the case shall be proceeded with as if there had been no appeal. R.S.O. 1990, c. M.50, s. 11 (2).

Appeal from order or new trial

(3) Where the case is remitted to a judge under subsection (2), an appeal lies from the order of the judge to the Divisional Court in accordance with the provisions of this section. R.S.O. 1990, c. M.50, s. 11 (3).

Section Amendments with date in force (d/m/y) [+]

Proceedings not invalidated but voidable

12 (1) A member's failure to comply with section 5, 5.1 or 5.2 does not invalidate any proceedings in respect of a matter referred to in those sections, but those proceedings are voidable in the circumstances described in subsection (2). 2017, c. 10, Sched. 3, s. 9.

Declaring proceedings void

(2) Subject to subsection (3), if a member has failed to comply with section 5, 5.1 or 5.2 in respect of a matter referred to in those sections, the municipality or local board, as the case may be, may declare the proceedings to be void before the second anniversary of the date of the passing of the by-law or resolution authorizing the matter. 2017, c. 10, Sched. 3, s. 9.

Exception

(3) Subsection (2) does not apply if declaring the proceedings to be void would adversely affect the rights that any person who acted in good faith and without actual notice of the failure to comply with section 5, 5.1 or 5.2 acquired under or by virtue of the proceedings. 2017, c. 10, Sched. 3, s. 9.

Section Amendments with date in force (d/m/y) [+]

Other proceedings prohibited

13 (1) A proceeding that relates to a member's or former member's alleged conflict of interest and seeks a remedy described in subsection 9 (1) shall be brought only under this Act. 2017, c. 10, Sched. 3, s. 9.

Same

(2) Subsection (1) does not affect the power of a municipality or a local board to reprimand a member or suspend a member's remuneration under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* or under subsection 160 (5) or (6) of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 9.

Section Amendments with date in force (d/m/y) [+]

GENERAL

Insurance

14 (1) Despite section 279 of the *Municipal Act, 2001* or section 218 of the *City of Toronto Act, 2006*, as the case may be, the council of every municipality may at any time pass by-laws,

- (a) for contracting for insurance;
- (b) despite the *Insurance Act*, to enable the municipality to act as an insurer; and
- (c) for exchanging with other municipalities in Ontario reciprocal contracts of indemnity or inter-insurance in accordance with Part XIII of the *Insurance Act*,

to protect a member of the council or of any local board thereof who has been found not to have contravened section 5, 5.1 or 5.2 against any costs or expenses incurred by the member as a result of a proceeding brought under this Act, and for paying on behalf of or reimbursing the member for any such costs or expenses. R.S.O. 1990, c. M.50, s. 14 (1); 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (2); 2017, c. 10, Sched. 3, s. 10 (1).

Insurance Act does not apply

(2) The *Insurance Act* does not apply to a municipality acting as an insurer for the purposes of subsection (1). R.S.O. 1990, c. M.50, s. 14 (2).

Surplus funds

(3) Despite section 387 of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in accordance with subsection 279 (2) of the *Municipal Act, 2001* or subsection 218 (3) of the *City of Toronto Act, 2006*, as the case may be. 2017, c. 10, Sched. 3, s. 10 (2).

Reserve funds

(4) The money raised for a reserve fund of a municipal reciprocal exchange may be expended or pledged for, or applied to, a purpose other than that for which the fund was established if two-thirds of the municipalities that are members of the exchange together with two-thirds of the municipalities that previously were members of the exchange and that may be subject to claims arising while they were members of the exchange agree in writing and if section 386 of the *Insurance Act* is complied with. R.S.O. 1990, c. M.50, s. 14 (4); 2009, c. 33, Sched. 21, s. 7.

Local boards

(5) A local board has the same powers to provide insurance for or to make payments to or on behalf of its members as are conferred upon the council of a municipality under this section in respect of its members. R.S.O. 1990, c. M.50, s. 14 (5).

Former members

(6) A by-law passed under this section may provide that it applies to a person who was a member at the time the circumstances giving rise to the proceeding occurred but who, prior to the judgment in the proceeding, has ceased to be a member. R.S.O. 1990, c. M.50, s. 14 (6).

Section Amendments with date in force (d/m/y) [+]**Conflict with other Acts**

15 In the event of conflict between any provision of this Act and any provision of any general or special Act, the provision of this Act prevails. R.S.O. 1990, c. M.50, s. 15.

Français

