

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)



Town of Blind River ~ Municipal Election 2022

CONSENT TO RELEASE PERSONAL INFORMATION *Municipal Freedom of Information and Protection of Privacy Act*

Personal information on the Nomination Paper is collected under the authority of the *Municipal Elections Act* and will be used to assist the Clerk in the administration of the 2022 Municipal Election. Questions regarding this collection should be forwarded to the Office of the CAO/Clerk, 11 Hudson Street, Blind River, Ontario P0R 1B0.

Name of Candidate: _____

Candidate for the office of:

- Mayor
 Councillor
 School Board Trustee

I acknowledge that the Nomination Form (Form 1) filed by me contains personal information and I am aware that the CAO/Clerk will disclose all or part of it to the general public.

Signature of Candidate

Signature of Clerk or Designate

Dated at the Town of Blind River, this _____ day of _____, 2022.

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
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 to

YYYY	MM	DD
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- 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 \$
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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
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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. _____	+ \$ _____
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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)
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Contact Information

Last Name or Single Name	Given Name(s)	Licence Number
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Address

Suite/Unit Number	Street Number	Street Name
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Municipality	Province	Postal Code
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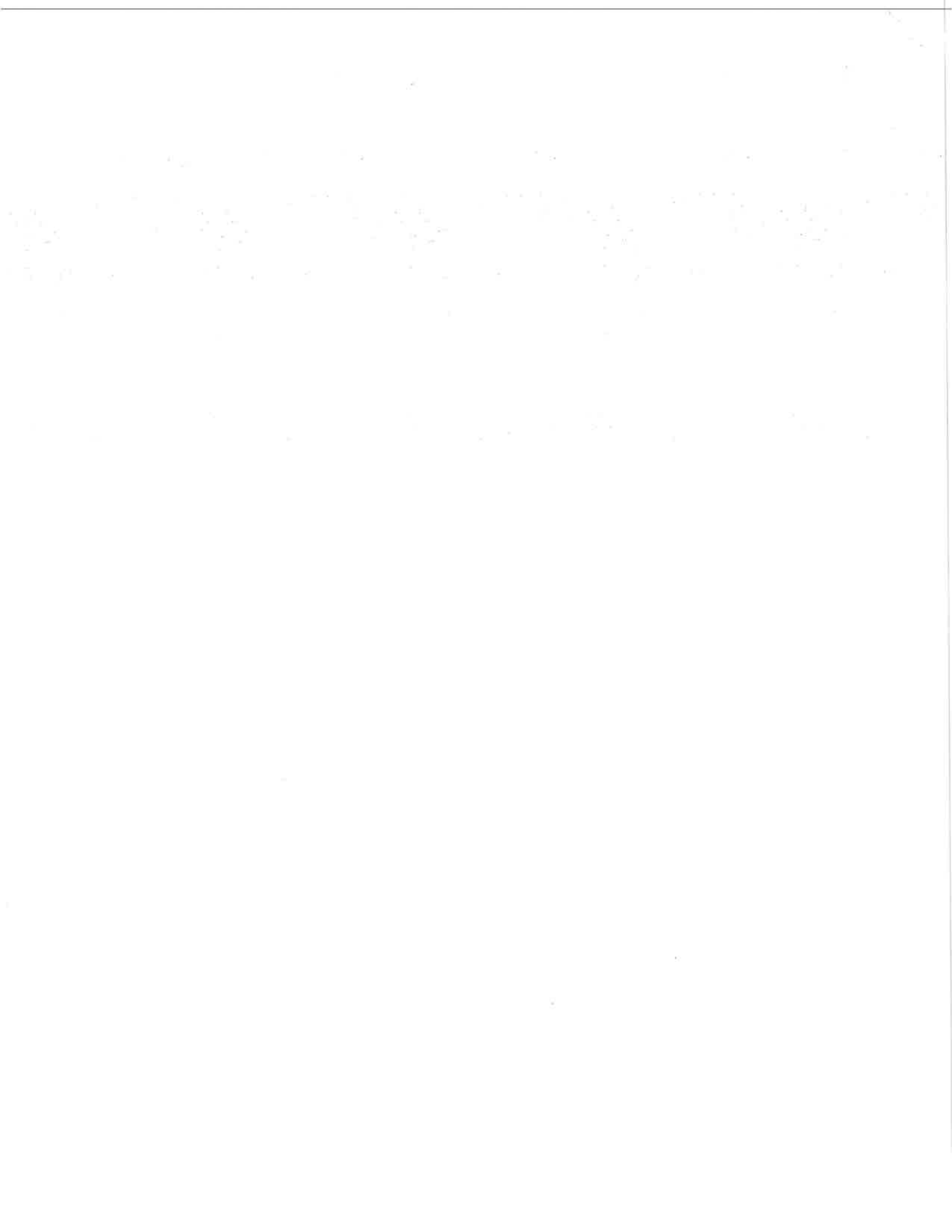
Telephone Number	Email Address
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The report must be done in accordance with generally accepted auditing standards and must:

- 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.



Instructions

This form must be completed by any candidate or registered third party who has:

- incurred costs related to a compliance audit, after the supplementary filing period has passed; and
- applied for the return of their surplus funds from the clerk in order to defray those costs.

Any surplus funds remaining when the costs have been defrayed shall be immediately paid to the clerk who was responsible for the conduct of the election.

A new form must be completed and filed with the clerk 90 days after the surplus was returned to the candidate or third party advertiser, and every 90 days thereafter, until:

- the costs are defrayed and any remaining surplus has been paid to the clerk, or
- there is no surplus remaining.

	YYYY	MM	DD	to	YYYY	MM	DD
For the reporting period from							

Box A: Name of Candidate and Office

Candidate's name as shown on ballot	
Last Name or Single Name	Given Name(s)
Office for Which the Candidate Sought Election	Ward Name or Number (if any)
Municipality	

Box B: Name of Registered Third Party

Name of Registered Third Party	Municipality
Official Representative (if trade union or corporation)	
Last Name or Single Name	Given Name(s)

Box C: Summary of Expenses

Surplus at Start of Reporting Period	\$	(A)
Expenses related to compliance audit (provide full details)		
1. _____	+ \$	
2. _____	+ \$	
3. _____	+ \$	
4. _____	+ \$	
5. _____	+ \$	
Total Expenses	= \$	(B)
Surplus Remaining (A) – (B)	= \$	
Amount Paid to Clerk (if applicable)	\$	

Box D: 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 or Registered Third Party (or Official Representative)

Date (yyyy/mm/dd)

Time Filed

Date Filed (yyyy/mm/dd)

Signature of Clerk or Designate

Instructions

- To be completed and filed with the clerk by a candidate or registered third party requesting an extension of the campaign period due to a deficit.
- This notice must be filed on or before December 31 in the year of a regular election and 45 days after voting day in the case of a by-election.

Box A: Name of Candidate and Office

Name of Candidate

Last Name or Single Name

Given Name(s)

Office for Which the Candidate Sought Election

Ward Name or Number (if any)

Municipality

Box B: Name of Registered Third Party

Name of Registered Third Party

Municipality

Official Representative (if trade union or corporation)

Last Name or Single Name

Given Name(s)

Box C: Declaration

I, _____, hereby give notice and declare to the clerk that I (or the registered third party that I represent) have a deficit and wish the campaign period to be extended in accordance with section 88.24.

Signature of Candidate or Registered Third Party (or Official Representative)

Date (yyyy/mm/dd)

PURPOSE

The *Municipal Elections Act, 1996*, as amended, prohibits municipalities from making campaign contributions to municipal candidates or registered third parties. As a campaign contribution may take the form of money, goods or services, this procedure provides a fair and consistent approach on how municipal corporate resources can and cannot be used during a municipal election. This procedure supports compliance with the *Municipal Elections Act, 1996*, as amended, the Council Code of Conduct, Code of Conduct for Members of Local Boards and Advisory Committees, and the Employee Code of Conduct.

SCOPE

This procedure applies to all Members of Council, municipal staff, registered election candidates, registered third parties, and members of the public.

PROCEDURE

Corporate resources, assets or funding may not be used for any election-related purposes, except as identified in this procedure.

1. Election campaigning

- a. Election campaign activities are not permitted at Town Hall (located at 11 Hudson Street).
- b. Election campaign materials may not be displayed at Town of Blind River (town) facilities, unless otherwise outlined in this procedure.
- c. Municipally owned or run assets and facilities, excluding Town Hall, may be rented in accordance with municipal agreements and current rates and fees for election campaign activities providing that the rental is available to all registered candidates and registered third parties. Use of rentals are subject to the following conditions:
 - i. all election campaign materials must only be displayed within the allotted rental period in the allotted rented area designated in the rental agreement;
 - ii. rentals for campaign related activities are not permitted from the first date of advance voting to the day after voting day; and
 - iii. the town reserves the right to refuse or cancel a rental contract at any time, in accordance with the terms of the contract, should it conflict with the town's corporate values or established policies or procedures, or presents a health and safety concern.
- d. The town will not host, organize, or advertise all-candidates meetings or debates. With the exception of Town Hall, use of town facilities for all-candidates meetings or debates is permitted, provided that the rental fee is paid and all candidates for an office are invited to attend and participate.

- e. Registered candidates and registered third parties may attend town organized or funded events during a campaign period, but may not display or distribute any campaign materials, or engage in any election related activities.

2. Use of corporate identifiers and resources

- a. The town's corporate logo, corporate branding, crest, chain of office, coat of arms, slogan or other corporate identifiers or that of its affiliates, shall not be used by any other body or person for any election campaign-related purposes.
- b. Registered candidates and registered third parties may not use photographs, videos, electronic images, or graphics, produced by the town or its affiliates.
- c. Use of photographs or videos not produced by the town or its affiliates, and taken from a publicly accessible place, in campaign advertising containing the corporate logo, corporate branding, crest, chain of office, coat of arms, slogan or other corporate identifiers is not in contravention of paragraph 2(a) of this procedure.
- d. Corporate resources shall not be used for:
 - i. the printing or distribution of any material that illustrates that a member of Council or any other individual is registered or intends to run for office; or
 - ii. the printing or distribution of any campaign material that makes reference to, or contains the names or photographs, or identifies registered candidates.
- e. No town consumable materials, such as toner and paper, associated with computer systems shall be used for election campaign-related purposes.
- f. Lists and files produced using town resources, with the exception of lists produced for election purposes in accordance with the Municipal Elections Act, 1996, may not be used for any election campaign-related purposes.
- g. In accordance with the Online Communications policy, the town will not publish any material used to promote individual political opinions or campaigns.

3. Town staff

- a. In accordance with the Employee Code of Conduct, municipal staff, including any contractor providing services to the town shall not canvass or actively work for any registered candidate or registered third party during hours in which the staff/contractor is receiving compensation from the town.

4. Town services

- a. The following town based services shall be discontinued for Members of Council as of nomination day:
 - i. all forms of advertising, including advertising in town publications; and
 - ii. all printing, photocopying and distribution, including printing and general distribution of newsletters unless so directed and approved by Council.
- b. Corporate resources (such as town issued phones and email addresses) shall be provided to current members of council for council related purposes and to serve their constituents and shall not be used to support an election campaign.

5. Technology related provisions

- a. Websites, domain names, emails, or other corporate systems that are funded by the town shall not include any election-related campaign material or links to sites that

feature election-related campaign material. The exception being the official Town of Blind River election website where links to external election campaign websites will be posted during the election period.

- b. Registered candidates, registered third parties, and Members of Council may not use the town website, domain names, and other corporate systems, for campaigning or display of any election-related materials. Links to the town's website are permitted from a campaign election website for the purpose of obtaining information about the election or sharing program/service information.

Definitions

Campaign contribution: anything of value given to influence an election, may take the form of money, goods, or services.

Campaign period: in accordance with Section 88.24 of the Municipal Elections Act, 1996, as amended, and begins on the day in which nomination papers are filed and ends on December 31 in the case of a regular election and 45 days after voting day in the case of a by-election.

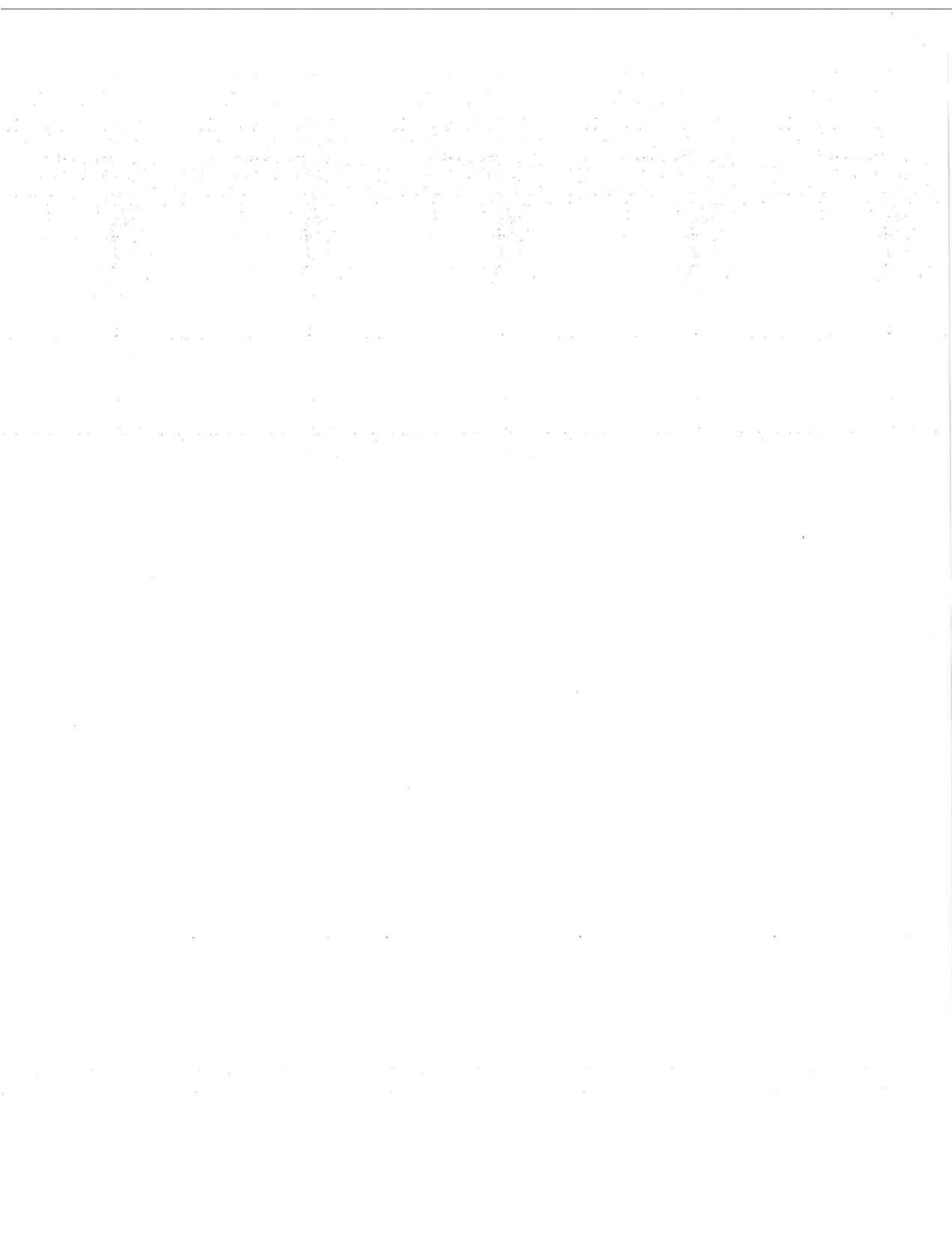
Campaign related activities: any activity by or on behalf of a registered candidate, registered third party, or question on a ballot meant to elicit support during the election period.

Campaign materials: any materials, including political advertising, used to solicit votes for a candidate(s) or question in an election or any materials that promote or oppose the candidacy of a person for elected office. Including but not limited to literature, banners, posters, pictures, buttons, clothing, or other paraphernalia. Campaign materials also include, but are not limited to, materials in all media, for example, print, displays, electronic radio or television, online including websites or social media. Campaign materials do not include election signs, which are governed by the town's Sign By-law.

Corporate resources: may include facilities, infrastructure, assets, equipment, supplies, services, staff or any resource that belongs to or is funded by the town.

Political advertising: advertising that takes a position on an issue that can reasonably be regarded as closely associated with a registered third party or candidate.

Approval Date:		Approved by:	
1.Amendment Date:		Approved by:	
2.Amendment Date:		Approved by:	
3.Amendment Date:		Approved by:	





PURPOSE

The purpose of this policy is to set guidelines and standards to ensure the appropriate use and management of social media on behalf of the Town of Blind River.

POLICY STATEMENT:

The Town of Blind River website is the primary source of online information exchange with the public and is the Municipality's official internet presence. The Municipality also uses social media to enhance communication and information-sharing with the public and other audiences.

The Municipality supports and promotes the use of social media as a tool to deliver effective and accessible communication about Municipal news, programs and services to the community.

Social media tools offer many benefits, including:

- sharing information on programs, services, and news to a wide audience;
- promote/market the Municipality online to local, regional, and national audiences;
- disseminate time-sensitive information as quickly as possible; and
- increase civic engagement by providing an additional tool for the public to communicate with the Municipality.

SCOPE:

This policy applies to all Town of Blind River employees and officials who make public statements on Municipal social media sites and social networks that discuss, share or comment on the Town of Blind River. This policy also applies to members of the public who use, comment or posts on Municipal social media sites and social networks. The policy applies to all social media channels as defined in this policy. Appendix A includes a list of current Social Media accounts owned and operated by the Town of Blind River.

DEFINITIONS:

“Accessibility” or “Accessible” means the degree of ease that something (e.g., device, service, environment) can be used and enjoyed by persons with a disability.

The term implies conscious planning, design and/or effort to ensure it is barrier-free to persons with a disability, and by extension, highly usable and practical for the general population as well.

“Chief Administrative Officer” or **“CAO”** means the Chief Administrative Officer of the Town of Blind River.

“Corporate Account” means the Town of Blind River’s primary social media account, within each of the selected Social Media channels, that provides communication for all Municipal departments and functions, and is managed, maintained, and populated by the Social Media Account Administrator designated to be responsible for corporate accounts.

“Council” or **“Councillor”** means the Council of the Town of Blind River and any individual elected member of the Council of the Town of Blind River.

“Department Head” means the Director or Manager of a Department of the Town of Blind River, and who is a member of the Senior Management Team.

“Employee” means any person that is employed by the Corporation of the Town of Blind River. This includes all classifications of employees.

“Information Technology (IT) System” means all electronic communication devices used by the Town of Blind River council, employees, or contractors which include, but are not limited to, all computer and telephone networks, devices and applications as well as mobile devices (e.g., tablets, smart phone devices and pagers).

“Objectionable Material” means content that contradicts the principles established by the Ontario Human Rights Code or materials of a pornographic, profane or sexually explicit nature, as well as content that may offend based on race, ancestry, place of origin, ethnicity, citizenship, creed, age, sex, marital status, sexual orientation, family status, religion or disability.

“Official Record” means any record of information however recorded, whether in printed form, by electronic means, or otherwise includes: Correspondence, a memorandum, a book, a plan, a map, a drawing, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine-readable record (or capable of being produced from a machine-readable record), any other documentary material, regardless of physical form or characteristics, and any copy thereof.

“Online Communication” means the exchange of information using the Internet or mobile communication network for any purpose (e.g., information sharing, marketing, public engagement, etc.).

“Separate Account” means a social media account set up by a Municipal

department, board, or committee that is in addition to the Corporate Account. Separate accounts are managed, maintained, and populated by the Social Media Account Administrator of the department/board/committee. The Account is owned by the Town of Blind River and will remain with the Corporation after employment ends.

“Social Media” means the various online, accessible communication channels or technologies that enable individuals to join and/or participate in online communities for the purpose of publicly sharing information, ideas, messages, pictures, etc. These channels can include Facebook, Twitter, YouTube, Instagram, LinkedIn, as well as blogs, mobile applications, websites, photo boards, discussion boards, or any other online location where commentary is publicly share and attributed to the corporation, an employee, or elected official.

“Social Media Account Administrator” means any employee designated by the Town of Blind River to maintain a particular Corporate or Separate Social Media Account, including writing and publishing content and monitoring, managing and measuring account activity.

“Transitory Record” means any record that has temporary usefulness and is only required for the completion of a routine action or until superseded.

“Trolling” means the activity of making deliberately offensive or provocative online posts with the aim of upsetting someone, eliciting an angry response and/or encouraging negative or unproductive discussion.

POLICY CONTENT:

The Blind River CAO, in consultation with the Senior Management Team, is responsible for designating the role of Social Media Account Administrator.

Where possible, a single staff person should be designated as the Social Media Account Administrator for each Corporate or Separate account that exists. This person is responsible for posting, monitoring, and maintaining the account on behalf of the Municipality, Department, Board, or Committee. In addition to the regular Social Media Account Administrator, an alternate Administrator should be identified.

ACCOUNT CREATION & MANAGEMENT

Before creating a corporate social media account or adding a new social media channel, discussion should occur between the Social Media Account Administrator, CAO, and any other applicable staff on the need for and benefit of a new account and/or channel. Adequate resources, including staff time and material, must be present for the creation of a new account.

Before creating a separate account for a department, board or committee, employees must obtain permission from the CAO or Council, if deemed appropriate.

Any corporate or separate social media account established by the Town of Blind

River prior to the adoption of this policy will be reviewed by the Social Media Account Administrator(s) for compliance to this policy. Any significant recommendations occurring from this review should be forwarded to the CAO and Senior Management Team for their review and decision.

ACCEPTABLE USE OF SOCIAL MEDIA BY ACCOUNT ADMINISTRATORS

Social Media Account Administrators are permitted to engage in social media activity for corporate purposes. Social Media Account Administrators must use judgement managing time and balancing the integration of social media within their overall work plans.

I. Maintenance

Social Media Account Administrators must maintain accounts to ensure they are kept current and relevant to the public. Social media accounts with frequent periods of inactivity (six weeks or more without new information) will be brought to the attention of the Social Media Account Administrator and relative Department Head for discussion on continuation. This does not apply to any seasonal accounts.

Social Media Account Administrators must undertake regular audits of social media comments to ensure inappropriate postings are removed in a timely fashion (e.g., commercial advertisement, disparaging remarks).

II. Purpose and Use

Social media should be used as a communications tool for the intent of enhancing communication from the Municipality to the public about programs and services for the following purposes:

- Raising awareness and sharing information
- Recruiting volunteers and employees
- Promoting Municipal events, programs, and services
- Increasing access to information for specific audiences
- Where possible, Municipal social media accounts should link back to the Municipal website for the purpose of downloading forms, documents, and providing specific or additional information.

III. Conduct

Social Media Account Administrators using social media on behalf of the Municipality will conduct themselves in a professional and ethical manner, including:

- Post accurate, credible, and consistent information and links that are consistent with the Municipality's information, messages, brand identity, and policies (including the Municipal Website Policy). Department Heads are responsible for the accuracy and relevancy of any information forwarded to the Social Media

Account Administrator for posting.

- Strive for transparency and openness, including when deemed necessary, identifying their name and position within the Municipality.
- Adhere to the objectives, values, and guidelines established in the Blind River's Customer Service Policy.
- Publicly correct any information in a timely manner that has been communicated and found to be in error, using the same platform it was produced.
- Post content in a manner that is discreet, does not disclose confidential information or release personal or corporate information, without prior consent. Social Media content must take the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) into consideration.
- Must not engage in offensive language, respond in a confrontational manner, or post content that is not professional or that contravenes Municipal policies and the Blind River Code of Conduct Policy.
- Must not use corporate accounts to express personal opinions or further personal agendas.
- Ensure proper protocols and permissions are obtained for posting any copyrighted material (including documents, websites, logos, images).
- Ensure security of social media accounts is maintained, including password and login information.

Where possible, each social media account used by the Municipality should contain a disclaimer clearly advising visitors to the site that third party comments are not official communications of the Town of Blind River. The disclaimer should also note that the Municipal Website is the official destination for municipal information and that social media accounts are regularly monitored Monday-Friday during regular business hours.

Disclaimer example:

"Comments made by members of the public are not official communications of the Town of Blind River and are owned by the contributing commenter. These comments are not reflective of the Municipality's views, opinions, and/or policies.

This page is primarily monitored during regular business hours, between 8:30 a.m.- 4:30 p.m. Monday-Friday. The Corporate website at blindriver.ca should be used as the official resource for municipal information."

Additionally, where possible, each social media account used by the Municipality should contain the following excerpt from the Town of Blind River Customer Service Policy:

As per the Town of Blind River Customer Service Policy, in order to ensure that information can be exchanged readily with the customer and the Town, customers requesting a response to a non-routine inquiry will be required to provide name, home address, telephone number and email address to municipal staff. Failure to provide the requested contact information will result in the request not being processed.

IV. Sharing/Re-posting Content

When sharing or re-posting content from a social media account that is not owned by the Town of Blind River, Social Media Account Administrators must follow these guidelines:

Content that includes external links:

- a) Connects the public with information and services provided by or government-funded agencies or boards in Canada.
- b) Provides further information on subject matter found on the Municipality's website. Such information must be provided by an official and/or accredited source.
- c) A Municipally affiliated organization, service club or registered charity (direct partnership by way of funding, sponsorship, staff resources or in-kind contributions).
- d) A business improvement area operating within the municipality.
- e) A professional association as determined solely by the Town of Blind River.
- f) Any organization approved by Council.

Any posts that include links to a personal account/website, individual business account/website, political party/candidate account/website, or objectionable material as defined in this policy must not be shared or reposted on a Municipal social media account.

Content promoting events:

- a) Organized or funded by another level of government;
- b) Organized by a government-funded agency or board;
- c) Organized by a Town of Blind River affiliated organization/group;
- d) Funded in full, or in part, by the Town of Blind River;
- e) Sponsored by the Town of Blind River;
- f) Organized by a registered charitable organization operating within the Town of Blind River;
- g) Organized by a service club operating within the Town of Blind River performing work that benefits Blind River residents;
- h) Organized by a business improvement area or Chamber of Commerce located

in the municipality for general promotional purposes; and/or

- i) Located in a facility owned by the Town of Blind River.

Any posts that promote events that are for individual businesses, include objectionable material, do not comply with municipal, provincial or federal legislation, are political in nature, or promote an individual religion or religious service must not be shared or reposted on a Municipal social media account.

V. RECORDS MANAGEMENT AND RETENTION

Posts/user content deemed to be Official Records must be retained and purged according to the Municipality's Records and Information Management Policy and comply with appropriate sections of the MFIPPA.

Posts/user content that is considered a Transitory Record of the Municipality is not required to be retained and may be purged from social media sites.

RESPONSE TIME

The Town's social media channels are monitored during business hours: Monday-Friday 8:30 a.m. – 4:30 p.m. staff aim to address all appropriate comments (deemed so as per the above) **within 8 business hours**.

Please note that this turnaround time is impacted by staff availability and resources across the corporation, and there will be instances when a response may take more time. In addition, there are some situations that are best dealt directly with specific departmental staff, and responses may therefore provide relevant department contact information.

Personal Use of Social Media by Councillors and Employees

Municipal employees who are not Social Media Account Administrators are not permitted to publish or comment via social media in any way that suggests they are doing so in connection with or as representatives of the Town of Blind River.

Incidental or occasional personal use of social media on personal or workplace devices is allowed, providing such limited use will not result in any measurable expense to the Corporation in time, material, or productivity, and is subject to the limitations of this policy.

I Conduct

The Municipality expects all Employees and Councillors who use social media to do so without breaching their duties to the Municipality and adhere to their respective Codes of Conduct.

Employees and Councillors should consider the following:

- Even if you don't explicitly identify yourself as a Municipal employee or Councillor, others may identify you as an employee or Councillor by your name,

your place of work, a photograph, or by the content you post.

- Identifiable Municipal employees should make it clear that their position does not officially represent the Municipality's position. Use phrases such as "in my personal view" or "Personally" to communicate that you are expressing personal views.
- Do not use visual cues that suggest you represent the Municipality. Do not post Municipally-owned logos, photographs, graphics or other media without the Municipality's authorization.
- Do not circulate any organizational or confidential information, such as internal deliberations about how decisions are made, personal information, such as client or employee information, or negative comments about the Town of Blind River, Councillors, Employees or residents.
- Do not disparage or embarrass the Municipality, individual Councillors, Employees, and others associated with the Municipality.
- Do not engage in workplace discrimination or harassment, or activity that includes inappropriate comments, photographs, links, etc.

Overall, Employees and Councillors are expected to conduct themselves professionally both on- and-off duty. Even when an Employee does not publicly associate themselves with the Municipality on social media, all materials associated with their page may be perceived to reflect upon the Municipality.

Further, Employees and Councillors should not expect confidentiality or privacy in relation to their online activities as they pertain to the Town of Blind River. The traditional legal view is that posting content on social media sites about an employer is considered a publication and not private activity. Councillors and Employees are personally responsible for the content they publish online as it relates to the Municipality.

II Municipal Councillor and Other Government Accounts

If a Councillor, MP, or MPP representing Blind River, Algoma-Manitoulin riding, has a personal social media account, the Municipality's social media accounts are permitted to like/follow the account. Accounts belonging to Municipal Councillors must be created and maintained by the Councillor and not municipal employees.

The Municipality's social media accounts are permitted to share/re-post content from posts belonging to a Municipal Councillor, MP, or MPP representing Blind River, Algoma riding if the content does not clearly promote or criticize a political party, candidate, or ideology. Appropriate sharable content includes, but is not limited to, community events, funding announcements, bill/law announcements, etc. Overall, Social Media Account Administrators should use their best judgement when sharing/re-posting content belonging to a Municipal Councillor, MP, or MPP.

Effective January 1st of an election year (the beginning of the Nomination Period), all links, likes/follows, and sharing of content with a Councillor, MP, or MPP site shall be stopped and removed until the Inaugural Meeting of the newly elected Council or Legislature is complete.

SECURITY AND MONITORING OF CORPORATE USE

I Information Technology

Town of Blind River IT staff may facilitate a request to monitor and oversee social media accounts and may:

- Allow internet access to an authorized user
- Limit or prevent unnecessary functionality within social media sites
- Enable technical risk mitigation controls, including filtering and scanning files exchanged with social media sites

All information created on Corporate and Separate social media accounts using municipal technology is the property of the Town of Blind River. Reasonable technological and procedural measures, including auditing and random monitoring of social media accounts, will occur to ensure adherence to corporate policies and standards.

II Log-in and Password Management

Blind River's Corporate and Separate social media accounts are owned by the Municipality. The CAO and Department Heads will have full "Administrator" access privileges to social media accounts managed within their area.

All credentials and details for Corporate and Separate accounts must be communicated to the Clerk's Department. The Clerk's Department staff will maintain a master list of the Municipality's social media login information. Password changes must be immediately communicated to the Clerk's Department.

Accounts created to represent the Town of Blind River must be associated with a valid Municipal email address (@blindriver.ca).

CITIZEN CONDUCT

Users and visitors to the Municipality's social media accounts/pages should be notified that the intended purpose of the site is to serve as a communication platform and information-sharing tool between the Municipality and the public.

A hyperlink to the Blind River Social Media Policy will be posted on the respective social media account/page where possible. The Municipality reserves the right to remove inappropriate, inaccurate, irrelevant or unproductive content (i.e. posts and comments) from social media accounts. If the user continues to post inappropriate, irrelevant, inaccurate or unproductive content, the Municipality may ban/block the user

from the site at the discretion of staff.

The Municipality's social media accounts/pages that the below citizen conduct criteria applies to are those that fall under the definition of Social Media in Section 4.0 of this policy. For example, Facebook, Twitter, Instagram and YouTube accounts, websites (i.e., www.blindriver.ca), blogs, etc.

Comments, posts, or articles containing the following content will not be allowed:

- Comments not topically related to the topic and/or issue being commented upon;
- Account spamming, trolling or overposting;
- Posts that are meant to solicit sales, products, or goods and services;
- Profane, aggressive, hateful, defamatory, insulting, rude, abusive or violent language or content;
- Content that includes or includes links to objectionable material, as defined in this policy;
- Conduct or encouragement of illegal activity;
- Information that may compromise the privacy, safety or security of the Municipality, public, or public systems;
- Comments or posts that includes inaccurate material or misrepresent facts as known by the Corporation;
- Comments or posts that impersonate or misrepresent someone else, including public figures, Municipal staff or Municipal officials;
- Content that violates a legal ownership interest of any other party.

The Town of Blind River is not responsible for any comments or use of material posted by users.

LEGAL

Comments and content uploaded to a social media account may be permanently available for viewing and printing and can be republished in other media without the Municipality's permission. As a result, Social Media Account Administrators must ensure that privacy, confidentiality, copyright, and data protection laws are adhered to.

All Corporate and Separate social media accounts must adhere to applicable provincial, federal, and local laws, regulations, and policies, including other applicable Municipal policies.

Any content removed based on the guidelines in the Citizen Conduct section will be retained by the Social Media Account Administrator, and have supporting documentation, including the time, date, identity of poster, reason for removal, and any

required incident reporting.

SOCIAL MEDIA MEASUREMENT

The Social Media Account Administrator will produce a bi-annual report (June, December) of analytics on the Town's social media accounts. Reporting performance measures should include:

- Facebook – likes, engaged users, reach, top posts, shares, comments and demographics.
- Instagram – followers, impressions, hashtag usage, reposts.
- YouTube – views, likes, dislikes, comments, shares and demographics.

POLICY COMMUNICATION:

This policy will be communicated internally with staff and posted on the Blind River website. The policy will be posted on the Municipal website for public use. The policy will also be hyperlinked onto Blind River's social media accounts.

This policy will be reviewed with staff on an ongoing basis as part of new employee and new councillor orientation sessions.

POLICY REVIEW:

This policy will be reviewed once per Council Term or more often as needed.

COMPLIANCE:

In cases of policy violation, the Municipality may investigate and determine appropriate corrective action.

Employees may be subject to discipline up to and including dismissal for violating this policy. Members of Council may be subject to action for violation of the Code of Conduct.

REVISION HISTORY

Approval Date:		Approved by:	
1.Amendment Date:		Approved by:	
2.Amendment Date:		Approved by:	
3.Amendment Date:		Approved by:	

APPENDIX A

Town of Blind River Corporate

- Facebook: <https://www.facebook.com/TownofBlindRiver>
- Instagram: https://www.instagram.com/experience_blind_river/
- YouTube: <https://www.youtube.com/channel/UCOINr7KiJr0sF1t9CjTH68A>

THE CORPORATION OF THE TOWN OF BLIND RIVER
BY-LAW NO. 18-33

Being a By-law to prohibit and regulate signs and other advertising devices
within the Town of Blind River.

WHEREAS Sections 8, 9 and 10 of the *Municipal Act*, 2001 authorize the Town of Blind River to pass by-laws necessary or desirable for municipal purpose, and in particular Paragraph 10 of Subsection 10(2) authorizes by-laws respecting signs;

AND WHEREAS subsection 8(3) of the *Municipal Act*, 2001 provides that a by-law under section 10 of that Act respecting a matter may regulate or prohibit, may require a person to do things, and may provide for a system of permits;

AND WHEREAS subsection 63(1) of the *Municipal Act*, 2001 authorizes the Town of Blind River, if it passes a by-law for prohibiting or regulating the placing of an object on a highway, to provide for the removal of any object placed on a highway in contravention of that by-law;

AND WHEREAS Section 425 of the *Municipal Act*, 2001 authorizes the Town of Blind River to pass by-laws providing that a person who contravenes a By-law of the Town of Blind River passed under that Act is guilty of an offence;

AND WHEREAS the *Municipal Act*, 2001 further authorizes the Town of Blind River, amongst other things, to delegate its authority, to impose fees or charges on persons for services or activities provided or done by or on behalf of it, to provide for inspections and inspection orders, and to make orders to discontinue activity or to do work;

THEREFORE the Council of the Corporation of the Town of Blind River hereby enacts as follows:

1. DEFINITIONS:

- 1.01 **ABANDONED SIGN:** means a sign which is located on a premises which becomes vacant and unoccupied for a period of 30 days or more, or any sign that pertains to a business, occupancy that no longer exists at the premises, or that pertains to a time, event, or purpose that no longer applies.
- 1.02 **ADVERTISING DEVICE:** means any device or object erected, located upon, or affixed to any property for advertising purposes to attract public attention to any goods, services, businesses, facilities or events and includes, but is not limited to flags, banners, pennants and lights;
- 1.03 **ALTER:** means any alteration to the supports or structure of a sign, but does not include any alteration to the message advertisement or emblem thereon,

provided that such alteration does not comprise an alteration to the structure or support of said sign;

- 1.04 BUILDING STREET FRONTAGE: means the linear measurement of the building face that runs parallel to a public street;
- 1.05 BY-LAW OFFICER: means the By-law Enforcement Officer appointed by By-law by the Corporation of the Town of Blind River for the purposes of the enforcement of this By-law;
- 1.06 CHIEF BUILDING OFFICIAL: means the Chief Building Official appointed by By-law by the Corporation of the Town of Blind River;
- 1.07 CLERK ADMINISTRATOR: means the municipal Clerk Administrator of the Corporation of the Town of Blind River.
- 1.08 COUNCIL: means the Council of the Corporation of the Town of Blind River;
- 1.09 DAYLIGHT CORNER: means a corner lot located at the intersection of two streets where no visual obstruction will be permitted such that it will obstruct the vision of any motorist;
- 1.10 ERECT: means the alteration, placing or relocation of any sign or any portion thereof, and the posting of notices, and includes allowing a sign to remain on a property;
- 1.11 GRADE: means the nearest point of a floor, stair, pavement or ground beneath the sign structure;
- 1.12 HOME BASED BUSINESS: means a privately operated legal occupation, enterprise or business which is carried out as an accessory use to a dwelling unit for pursuits conducted by the occupant thereof and any employees and is compatible with a domestic household;
- 1.13 PERMIT: means permission or authorization in writing by the Chief Building Official to construct, erect, place, alter, or reface any sign or advertising device;
- 1.14 PROPERTY: means a parcel of land or lot having specific boundaries which is capable of legal transfer and includes all buildings and structures thereon;
- 1.15 SIGHT TRIANGLE: means a triangular space, free of buildings, structures and obstructions, including vegetation, formed by the street lines abutting a corner *lot* and a third line drawn from a point on a street line to another point on a

street line, each such point being the required sight distance from the point of intersection of the street lines

- 1.16 SIGN: means any sign or advertising device, bulletin board, billboard, writing, pictorial representation, emblem, or any surface or space which attracts the attention of, or conveys a message to, any person by means of letters, numbers, figures, symbols, devices or representations, whether illuminated or not and is visible from outside a building and secured to the side, front or rear walls of any building, structure or support, free standing on any property, secured in the ground of any property, or signs painted directly on a building or structure;
- 1.17 SIGN, ELECTION: means a portable sign used to advertise a name involved in the current political Municipal, Provincial, or Federal election;
- 1.18 SIGN, FACIA: means a sign which is in any manner affixed to any exterior wall of a building or structure;
- 1.19 SIGN, GOVERNMENTAL: means a sign authorized to be erected or placed under provisions or any statute, Order-in-Council, or By-law, or resolution of Council to regulate the use of land, buildings, structures, mines, and includes traffic signs, signals, pavement markings and street-name signs;
- 1.20 SIGN, GROUND: means a sign or advertising device which is permanently secured/anchored to the ground, which is not attached to any part of the building, and is not designed or intended to be readily moved from one location to another. For the purpose of this By-law, ground signs are also known as pylon signs;
- 1.21 SIGN, PORTABLE: means any sign or advertising device which is not permanently secured/anchored to the ground, to a building or to a structure, and which is erected for a specific purpose and for a defined period, and is specifically designed or intended to be readily moved from one location to another and which does not rely on a building or a fixed foundation for its structural support;
- 1.22 SIGN, REAL ESTATE: means a portable sign used exclusively to advertise the sale, lease or rent of the property on which the sign is located;
- 1.23 SIGN, ROOFTOP: means a sign supported from and erected upon the rooftop of a building;
- 1.24 SURFACE AREA: means that portion of a sign in which, against which, or through which, the message of the sign is displayed, and includes all those areas

within a continuous perimeter enclosing the extreme limits of all the writing, display or presentation constituting such sign face, together with any other display material forming an integral part of such sign or used to differentiate the background against which such sign is placed, but does not include any structural element used solely for supporting the said sign;

1.25 STREET: means every street, road, boulevard, road allowance, square, park, bridge, highway, and any other public place under the jurisdiction of the Town of Blind River;

1.26 TOWN: means the Corporation of the Town of Blind River;

2. GENERAL PROVISIONS:

2.01 No person shall erect, display or maintain abandoned signs, or signs imitating or resembling official traffic or government signs or signals.

2.02 No person shall construct, erect, display, alter or repair a sign located within the Town of Blind River without first having obtained a permit from and approved by the Chief Building Official;

2.03 The owner(s) of any sign erected, constructed or altered in the Town of Blind River shall conform to the provisions of this By-law and to any applicable requirements of the Ontario Building Code, of the Municipal Act, any Order issued under this By-law, and any other applicable law.

2.04 No person shall erect or maintain any of the following signs:

- i) A sign located on premises which does not specifically identify or advertise a business, service, or occupant of the premises where it is located, unless otherwise specified in this By-law;
- ii) An abandoned sign.

2.05 A permit is not required for the following signs or advertising devices:

- i) Construction signs;
- ii) Election signs on private property during any election campaign;
- iii) Public notices, or any sign relating to an emergency;
- iv) Real estate signs limited to property listing signs;
- v) Window signs, interior signs, or window posters;
- vi) Flags bearing the emblems or logos of a Nation, Province, Municipality, Organization and those not bearing a logo or message of a commercial nature;

- vii) Official traffic signs or signals;
 - viii) Government signs or signals, including portable signs erected by the Town to advertise municipal events.
- 2.06 No person shall erect, display, affix, attach, fasten, or alter any sign on public property, including road allowances.
- 2.07 No person shall erect, display, affix, attach, fasten, or alter any sign within a daylight corner.
- 2.08 All signs or advertising devices erected or displayed shall be non-offensive to the public.
- 2.09 Notwithstanding any other section of this By-law, no person shall construct, affix, attach, fasten, alter, display or continue to display any sign which obstructs the sight of or access to any of the following:
- i) Fire hydrant;
 - ii) Sprinkler connection;
 - iii) Fire alarm box;
 - iv) Police call box;
 - v) Traffic signal box;
 - vi) Traffic signal light;
 - vii) Street light;
 - viii) Traffic sign;
 - ix) Manhole;
 - x) Catch basin;
 - xi) Waterworks;
 - xii) Valve chamber;
 - xiii) Fire escape;
 - xiv) Emergency exit from a building.
- or any other property designated by the Clerk Administrator where he or she determines on reasonable grounds that public or occupational safety would be at risk if unobstructed sight of such property is obstructed.
- 2.10 Notwithstanding any other section of this By-law, no person shall construct, affix, attach, fasten, alter, display or continue to display any sign which obstructs free and immediate access to any of the items listed in Section 2.09 above or to utility poles, road allowances, or any other property where the public or occupational safety would be at risk if free and immediate access to or on such property is obstructed.

- 2.11 Signs painted directly on any building or structure are prohibited.

3. APPLICATION FOR SIGN PERMIT:

- 3.01 No person shall construct, erect, display, alter, or maintain a sign or advertising device unless the applicable fee and application form as set out in Schedule "A" attached hereto has been filed, signed by the approval authority and signed by the owner or authorized agent.
- 3.02 An application for a sign shall only be approved where it is in compliance with this By-law, the Land Use Zoning By-law, and the Ontario Building Code.
- 3.03 All plans and drawings accompanying a sign permit application for any sign or advertising device shall be provided in duplicate and shall contain the following information:
- i) A key plan showing the general location of the land on which the proposed sign is to be located and the nearest major intersection;
 - ii) The municipal address and legal description of the property;
 - iii) The existing or proposed use of the premises drawn to scale and indicating all setbacks;
 - iv) The location and dimensions of the frontage and all boundaries of the premises on which the sign is proposed to be erected;
 - v) The location of the proposed sign on the premises, drawn to scale and indicating all setbacks;
 - vi) Details of sign drawn to scale, including dimensions, sign area and any other information as may be required to determine compliance with the By-law; and
 - vii) Authorization of the owner of the premises on which the sign is to be erected or displayed.
- 3.04 No person shall make a material change or cause a material change to be made to a plan, specification, document or other information on the basis of which a permit was issued without notifying, filing details with and obtaining the authorization of the Chief Building Official.

4. VALIDITY OF SIGN PERMIT:

- 4.01 A valid sign permit must be held by the person who is or will be the owner of a sign structure that is being constructed, erected, placed, altered, or maintained.
- 4.02 A sign permit is only valid:
 - i) For the sign described in the permit;
 - ii) If and when issued by the Chief Building Official;
 - iii) Once all applicable fees have been paid in full as set out in Schedule "C" attached hereto.

5. SIGN SIZE, POSITION AND SUPPORT:

- 5.01 Any new or replaced sign or advertising device along the Causley Street corridor must be in compliance with the "Wayfinding Signage Policy" as set out in Schedule "B" attached hereto, except for signs listed in Section 2.05.
- 5.02 Signs shall be subject to the Commercial Signing Policy by the Ministry of Transportation. A sign structure shall:
 - i) Not obstruct the view or interfere with the use of any traffic control device;
 - ii) Not be erected, or shall be erected where directed, or shall be removed, when the Town deems the use of a highway to be adversely affected by the proposed or actual sitting of the sign structure;
 - iii) Not be erected, placed or maintained within 3.0 metres (10 ft.) of controlled access highway, except for a sign structure not visible from such a highway;
 - iv) Not be placed within 30 metres (100 ft.) of a highway where the sign area is greater than one square metre;
 - v) Not be attached to or affect the free use of any fire escape;
 - vi) Not be placed within 3.0 metres (10 ft.) of a building or structure, where a sign structure is supported directly from the ground.
- 5.03 Any sign located within 45 metres (148 ft.) of a controlled access highway requires approval from the Ministry of Transportation.
- 5.04 No person shall install or maintain a sign or advertising device on a public highway, public right-of-way, road allowance or sight triangle. Portable signs located in such locations that create a hazard may be removed or relocated by the Corporation of the Town of Blind River by its municipal officers, agents or employees.

- 5.05 No person shall allow a sign to be located upon any parking space if that parking space is required by the Zoning By-laws applicable for the subject property and use thereto.
- 5.06 No person shall erect a sign on any driveway or entrance way.
- 5.07 Only one (1) sign shall be permitted to advertise a home based business. The sign shall not exceed 1 m² (10.75 ft.²) in surface area. The permitted sign may be a portable sign in a front or exterior side yard or may be a facia sign attached to the wall of a permitted building or structure. The sign may be illuminated where the illumination is directed onto the sign and complies with Zoning By-laws, the Municipal Act, and any other applicable law.

5.08 Election Signs:

- i) An election sign is permitted in any zone only during a current political Municipal, Provincial or Federal election;
- ii) No person shall erect an election sign or advertising device on any Municipal Property;
- iii) No person shall erect an election sign within 50 metres (165 ft.) of the exterior main entrance to the polling station;
- iv) No person shall fail to remove an election sign within forty-eight (48) hours immediately following 11:59 p.m. or the day of the election;
- v) The Town may remove election signs or advertising devices that do not respect provincial or municipal laws.

5.09 Facia Signs:

- i) Except for Section 5.07, a facia sign is not permitted in a residential zone.
- ii) Except for Section 5.07, a facia sign is permitted in any zone other than a residential zone. Such facia sign shall not exceed a sign area that exceeds 25% of the front building face, shall have a maximum projection of 0.5 metres (1.8 ft.) from the building face, shall not extend above the eaves of the building, and shall only advertise the business or service conducted on the property where the sign is located.

5.10 Governmental Signs:

- i) A governmental sign is permitted in any zone;
- ii) Governmental signs shall be in conformity with any standards regulating size and position authorized by the relevant statute or Order of Council,

or by-law or resolution of the Council, or, if no such standards are authorized, shall be sufficient in size and position to fulfill their function.

5.11 Ground Signs:

- i) A ground sign is permitted in any zone other than a residential zone;
- ii) Permitted zones shall not have more than one (1) ground sign per lot, shall not have a ground area exceeding one (1) square metre (10.76 ft.²), shall not have a height exceeding 1.8 metres (6 ft.) (including supports), shall have a minimum setback from the front and side property lines of 1.5 metres (5 ft.), and shall have a minimum setback from the exterior side yard of 3 metres (10 ft.);
- iii) A ground sign is only permitted in a residential zone for signs that do not require a sign permit, as listed in Section 2.05, with the exception of Section 5.07.
- iv) Applications for a ground sign on any residential zone or on any municipally owned property will be considered by specific request to Council.

5.12 Portable Signs:

- i) A portable sign is permitted in any zone other than a residential zone and any vacant lot in any zone; however, such sign shall be removed within seven days after it ceases to bear a useful message;
- ii) Portable signs in permitted zones shall not have more than one (1) portable sign per lot, shall not exceed a sign area of three (3) square metres (10 ft.²), shall have a maximum height of one (1) metre (3.3 ft.), shall have a minimum setback of 1.5 metres (5 ft.) from the front or side property lines, and shall have a minimum setback from the exterior side yard of 3 metres (10 ft.);
- iii) A portable sign is only permitted in a residential zone for signs that do not require to have a sign permit, as listed in Section 2.04, with the exception of Section 5.07, unless otherwise approved by the Town Council. Such portable sign, except for construction signs, shall not exceed a sign area of three (3) square metres (10 ft.²);
- iv) Applications for a portable sign in any residential zone or on any municipally owned property will be considered by specific request to Council.

5.13 Rooftop Signs:

- i) No person shall erect, display or maintain rooftop signs, unless otherwise approved by the Town of Blind River Council. Applications for rooftop signs in any zone will be considered by specific request to Council.

6. MATERIAL:

- 6.01 All signs shall be made of material of sufficient strength and durability to be substantially unaffected by the weather.
- 6.02 Combustible material shall not be used in the construction of a sign structure supplied with electrical energy unless such material has been given C.S.A. approval.
- 6.03 Except for electric lamps and tubing, glass shall not be used in a sign structure.
- 6.04 All steel supporting members shall be galvanized or otherwise fully protected from rusting.
- 6.05 Guide wires or braces, other than those giving direct lateral support, shall not be used in a sign structure.
- 6.06 The sign shall not contain flashing lights, a rotating beacon, or any visibly moving parts.

7. MAINTENANCE:

- 7.01 All sign structures shall be maintained in a safe condition and in good order at the expense of the owner, agent or lessee of the sign until removed or demolished, and such maintenance shall include the immediate repair of any defect.

8. HAZARDOUS SIGNS:

- 8.01 No person shall erect, display or allow the erection or display of any sign which constitutes a danger to the public be reason of:
 - i) Faulty support;
 - ii) Inadequate construction; or
 - iii) Dangerous distraction to vehicular traffic.
- 8.02 Where a sign is erected or displayed contrary to Section 4.01, the Clerk Administrator shall forward a notice, by regular post, to the lessee or owner of the sign or their agents, or if there is no lessee, or the lessee, owner or agent

thereof cannot be determined with certainty, to the person or agent thereof having the use or major benefit of the sign, or if such person is unknown, to the registered owner of the land on which the sign is situated, requiring that the illegal sign be removed, or in a proper case, be made to comply with this By-law forthwith of the date of the notice.

- 8.03 Failure to comply with the Notice, as given pursuant to Section 4.02, allows the Town to pull down, remove, and dispose the sign at the expense of the owner, agent or lessee of the sign.
- 8.04 In cases of emergency, the Clerk Administrator may cause immediate removal of a dangerous or hazardous sign, as outlined in Section 4.01, without notice.

9. PULLING DOWN & REMOVAL OF UNLAWFUL SIGNS:

- 9.01 Where a sign is erected or displayed in contravention of this By-law, such sign may be pulled down or removed by the Town in the manner stated in this section.
- 9.02 Where a sign is erected or displayed contrary to this By-law, the Clerk Administrator shall forward a notice, by regular mail, to the lessee or owner of the sign or their agents, or if there is no lessee, or the lessee, or the lessee, owner or agent thereof cannot be determined with certainty, to the person or agent thereof having the use or major benefit of the sign, or if such person is unknown, to the registered owner of the land on which the sign is situated, requiring that the illegal sign be removed, or in a proper case, be made to comply with this By-law within two business days of the giving of the notice.
- 9.03 A notice which is mailed pursuant to Section 5.02 shall be deemed to be received on the seventh day following the day on which the notice was mailed.
- 9.04 If the notice given pursuant to Section 5.02 is not complied with, the Clerk Administrator shall instruct Town employees or an independent contractor to enter upon the land to pull down and remove the sign between the hours of 8:00 a.m. and 6:00 p.m., but no such entry shall be made into a building for this purpose.
- 9.05 Signs so removed shall be stored by the Town for a period of not less than thirty (30) days, during which time the owner, or his agent, may be entitled to redeem the sign upon receipt of payment to the Town:
 - i) The sum of \$400.00, being the cost of removing the sign;
 - ii) A storage charge of \$25.00 per day;

- iii) A signed acknowledgement and release on a prescribed form;
- iv) Where the cost of pulling down and removing the sign exceeds \$400.00, then the cost to redeem shall be the actual cost accrued by the Town.

9.06 Where a sign has been removed by the Town and stored for a period of thirty (30) days and such sign has not been redeemed, such signs may be forthwith destroyed or otherwise disposed of by the Town.

9.07 Where a sign has been located on, over, partly on, or partly over, a highway or any other public property under the jurisdiction of the Town of Blind River, that sign or signs may be removed by the Town immediately without notice.

9.08 Unlawful utility pole poster signs and signs on public property, including road allowances, may be disposed of immediately without any notice.

9.09 Revocation of Permit

A permit may be revoked by the Town of Blind River under the following circumstances;

- i) Where the sign does not conform with the provisions of this By-law and amendments thereto;
- ii) Where the sign does not conform with any legal requirements of any governmental authority having jurisdiction over the area where the sign is situated;
- iii) Where the permit has been issued as the result of false or misleading statements, or undertakings in the application; or
- iv) Where the permit has been issued in error by the Town.

10. CONFLICT:

10.01 In the event of any conflict between the provisions of this By-law and the provisions of the Ontario Building Code, the provisions of the Ontario Building Code shall prevail.

10.02 Where a provision of this By-law conflicts with the provisions of another By-law in force in the Town of Blind River, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.

11. INSPECTION PROCEDURE:

11.01 The manufacturer of a sign structure shall notify the Chief Building Official at least twenty-four (24) hours prior to when the sign is ready for any of the following inspections, and await the Official's acceptance of the work to that point before continuing with the fabrication or erection of the sign structure;

- i) Inspection of the footing forms prior to pouring concrete;
- ii) Inspection of reinforcing steel prior to form enclosure and pouring concrete;
- iii) Inspection of the completed installation.

12. ENFORCEMENT:

12.01 Any police officer, provincial offences officer or employee of the Town, whose duties include the enforcement of this By-law, is authorized to:

- i) Request any person believed by such officer or employee to be contravening or who has contravened any provision of the By-law to desist from the activity constituting or contributing to such contravention; and
- ii) To enforce this By-law pursuant to the provisions hereof and of the *Provincial Offences Act, R.S.O. 1990, c.P.33*, as amended, or any amended or any successor thereof.

13. PENALTY:

13.01 Any person who:

- i) Contravenes or fails to comply with any provisions of this By-law or any permit issued hereunder; and/or
- ii) Erects or places a sign in contravention of this By-law; and/or
- iii) Obstructs or hinders any person in the performance of his/her duties under this By-law; and/or
- iv) Fails to comply with any order of any Police Officer, Provincial Offences Officer or Employees of the Town, whose duties include the enforcement of this By-law

is guilty of an offence and on conviction is liable to a fine, penalty or order as provided for in the *Provincial Offences Act, 1990, c.P.33*, as amended, or any successor thereof, or in the *Municipal Act, 2001, S.O. 2001, c.25*, as amended or any successor thereof.

14. SEVERABILITY:

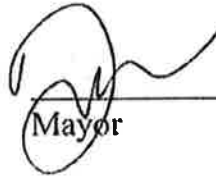
14.01 It is hereby declared that each and every of the foregoing provisions of this

By-law is severable and that, if any provisions of this By-law should, for any reason, be declared invalid by a Court, it is the intention and desire of this Council that each and every of the remaining provisions hereof shall remain in full force and effect.


15. REPEAL:

15.02 By-Law No. 18-11 is hereby repealed.

PASSED IN OPEN COUNCIL THIS 18 DAY OF JUNE, 2018.



Mayor



Kathryn Scott
Clerk Administrator

CERTIFICATION BY THE CLERK:

I, K. Scott, Clerk Administrator of the Corporation of the Town of Blind River, do hereby certify that the above is a true certified copy of By-Law No. 18-33 which was passed in Open Council on the 18 day of June, 2018.

K. Scott



Blind River

11 Hudson Street, Blind River, Ontario P0R 1B0

SCHEDULE "A"

BUILDING DEPARTMENT SIGN PERMIT APPLICATION

Tel.: (705) 356-2251 Fax: (705) 356-7343

For Town of Blind River Use Only

Permit Number:	Date Received:
----------------	----------------

A. Sign Information

NEW
 ALTERATION
 RE-FACING
 REPAIR
 REPLACE

FACIA
 PORTABLE
 WAYFINDING
 GROUND
 ROOF

Location/Street Address:

Material of Sign (including sign structure):

Total height (including support):

Total Surface Area:

Weight (lbs):

Total Ground Area:

Setback from front & side interior lot lines:

Setback from exterior lot line (if applicable):

Sign Purpose:

B. Applicant

Applicant is: Owner Authorized Agent of Owner

Last name:

First name:

Corporation or Partnership:

Mailing Address:

Telephone Number:

Cell Number:

Fax:	E-mail:
------	---------

C. Owner (if different from applicant)		
Last name:	First name:	Corporation or Partnership:
Mailing Address:		
Telephone Number:	Cell Number:	
Fax:	E-mail:	

D. Contractor (if applicable)		
Last name:	First name:	Corporation or Partnership:
Mailing Address:		
Telephone Number:	Cell Number:	
Fax:	E-mail:	

E. Declaration of Applicant	
I _____ declare that:	
(print name)	
1. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.	
2. If the owner is a corporation or partnership, I have authority to bind the corporation or partnership.	
_____	_____
Date	Signature of Applicant

PLEASE BE ADVISED:

- (a) Architect(s) and/or engineer(s) may be required as per the Ontario Building Code;
- (b) Detailed drawings and plans of the sign location, size, setbacks, and any other applicable information must accompany this application form for the application to be deemed complete;
- (c) Administration Fees shall be applied to permits as per the Municipal User-Fees By-law, as amended.



SCHEDULE "B"

TOWN OF BLIND RIVER POLICY MANUAL
SECTION: COMMUNITY SERVICES
SUB-SECTION: WAYFINDING SIGNAGE
POLICY TITLE: **WAYFINDING SIGNAGE POLICY**

POLICY NO: 2.8.1

PURPOSE

To provide standards to be followed with respect to municipally owned wayfinding signage. The Wayfinding Signage Program will consist of two separate streams:

- 1) The Base Program: The Base Program will consist of signage permitted to be located along Causley Street within the community (see attached Base Program map) subject to the base fee as indicated within this policy and includes;
 - a) Community Gateway signage (where safe to do so).
 - b) Wayfinding signage poles at designated locations.
 - c) "Pay to Play" Business Sign Poles at designated locations.

- 2) The Extended Program: The Extended Program will consist of signage which extends into streets located beyond the Highway corridor (see attached Extended Program map) subject to the base fee as indicated within this policy and will include;
 - a) Wayfinding signage poles at designated locations.
 - b) Facility/Park/Attraction, Assurance Markers, Pedestrian signage and Pay to Play signage locations approved on a case by case basis after review.

APPLICATION CRITERIAL

- 1) To be considered for placement on Municipal wayfinding signage a business must:
 - a) Hold a valid Blind River Business Licence; and
 - b) Have an international symbol designation as per MTO policy for the type of business.
- 2) A business may have only one sign with the text of the name of their business. This sign will be at the last signage location on the way to the business.
- 3) The Town of Blind River will remove any business sign from the municipal signage for a business which ceases to hold a Town of Blind River Business Licence.
- 4) The municipality shall maintain a waiting list on a first come first served basis to determine which business is next in line for a wayfinding signage placement.
- 5) Pay to Play signage placement and pole locations under the Extended Program (off of

the Highway 17 corridor) shall be considered on a case-by-case basis as to location, safety and traffic patterns.

EXEMPTIONS

- 1) Where there may be businesses outside of the municipal boundaries that do not have a valid Town of Blind River Business License and where the applicant is tourism based, the Traffic and Licensing Committee may recommend signage to the municipal boundary (but not beyond) for these businesses. This will be at full cost to the applicant plus an administration fee of \$200.00.

STANDARDS AND MAINTENANCE

- 1) All signs will be constructed of the materials and of a design that meets the Standards and Specifications Manual (June 2015).
- 2) The municipality shall install and maintain all signage relating to this policy.

FEES

- 1) Base Program – Hwy 17 Corridor: \$125 plus actual cost of the sign.
- 2) Extended Program – (signage specific to a business) - \$125 plus actual cost of the sign.

APPROVALS

- 1) All signage applications are to be submitted together with applicable payment to the Corporation of the Town of Blind River.
- 2) The Traffic and Licensing Committee or designated staff representative shall review all applications as to acceptability and make recommendations to Council for final approval and no signage will be permitted to be installed without the approval of Council.
- 3) Once the sign application has been approved the Corporation of the Town of Blind River will order the signage.
- 4) Once the sign is completed, the Town of Blind River will install the sign at the appropriate location(s).

OWNERSHIP

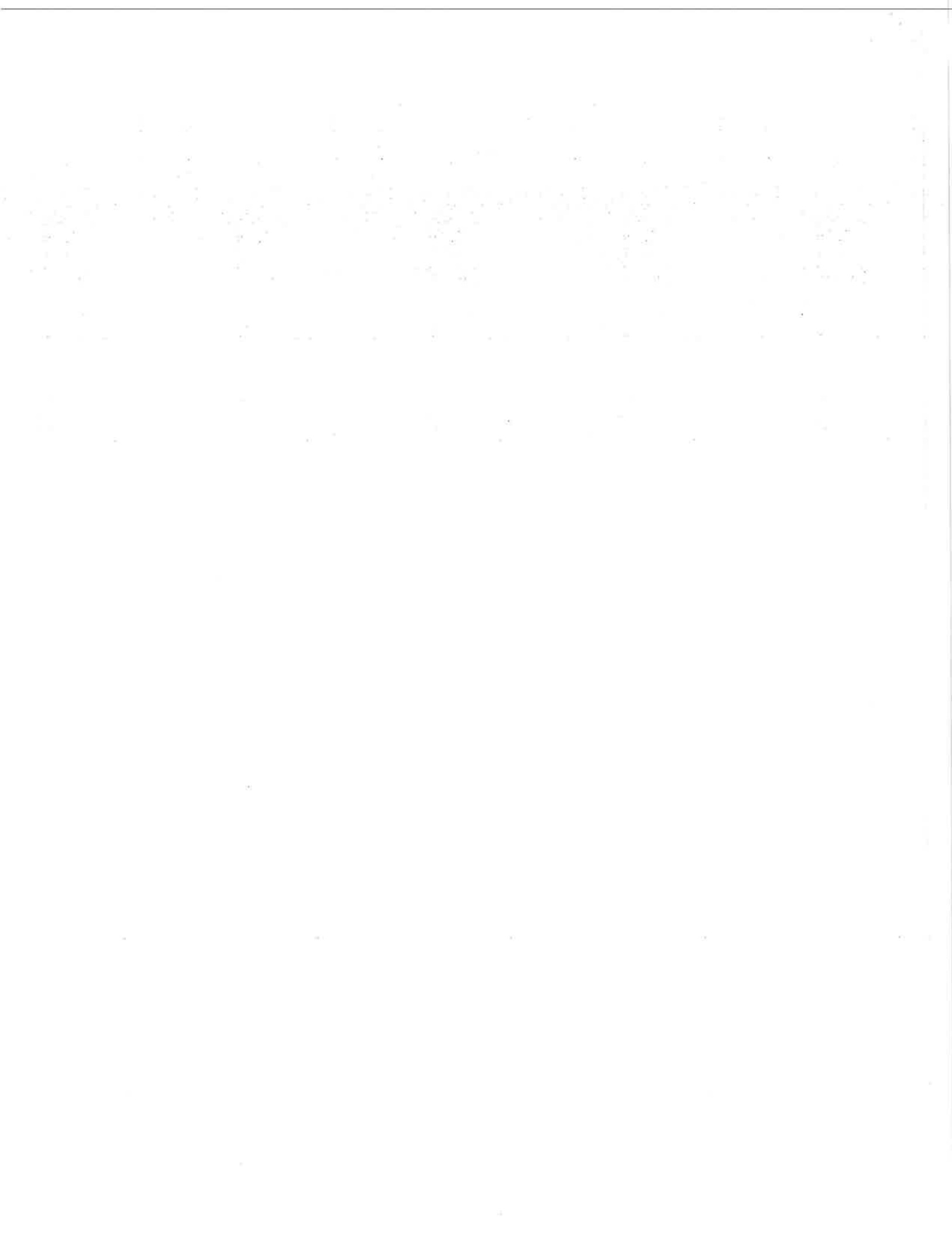
All signage is owned by the Town of Blind River.

SCHEDULE "C"

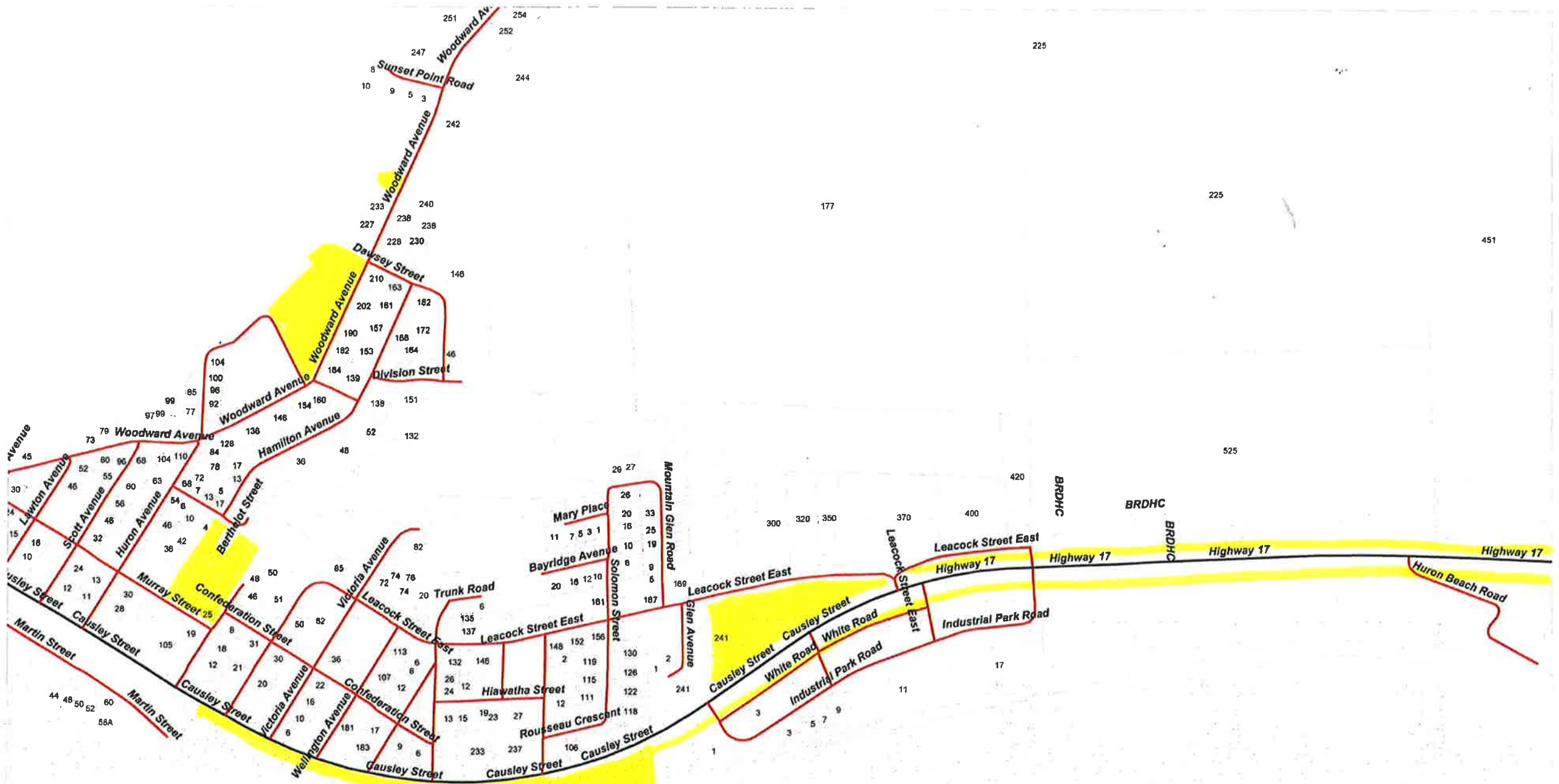
SIGNAGE PERMIT FEES	
Facia Sign	\$110.00 – one time*
Ground Sign (excluding Causley St. corridor)	\$110.00 – one time*
Ground Sign (along Causley St. corridor)	\$135.00 -- one time*
Wayfinding Sign:	
-Base Program (along Causley St. corridor)	\$125.00 – one time, plus cost of sign*
-Extended Program (streets beyond Causley St. corridor)	\$125.00 – one time, plus cost of sign*
Portable Sign	\$100.00 – annual fee*
Re-Facing/Alteration to an Existing Sign	\$55.00 – one time*
Replacement of an Existing Sign	\$135.00 – one time*
Specific Sign Request Approved by Council (including rooftop signs)	\$150.00 – one time*

*Administration Fees shall be applied to **all** sign permits as per the Municipal User-Fees By-law, as amended.

PLEASE BE ADVISED: Permit Fees **double** if any sign or advertising device is constructed, erected, replaced, refaced, or altered prior to the issuance of a Sign Permit.



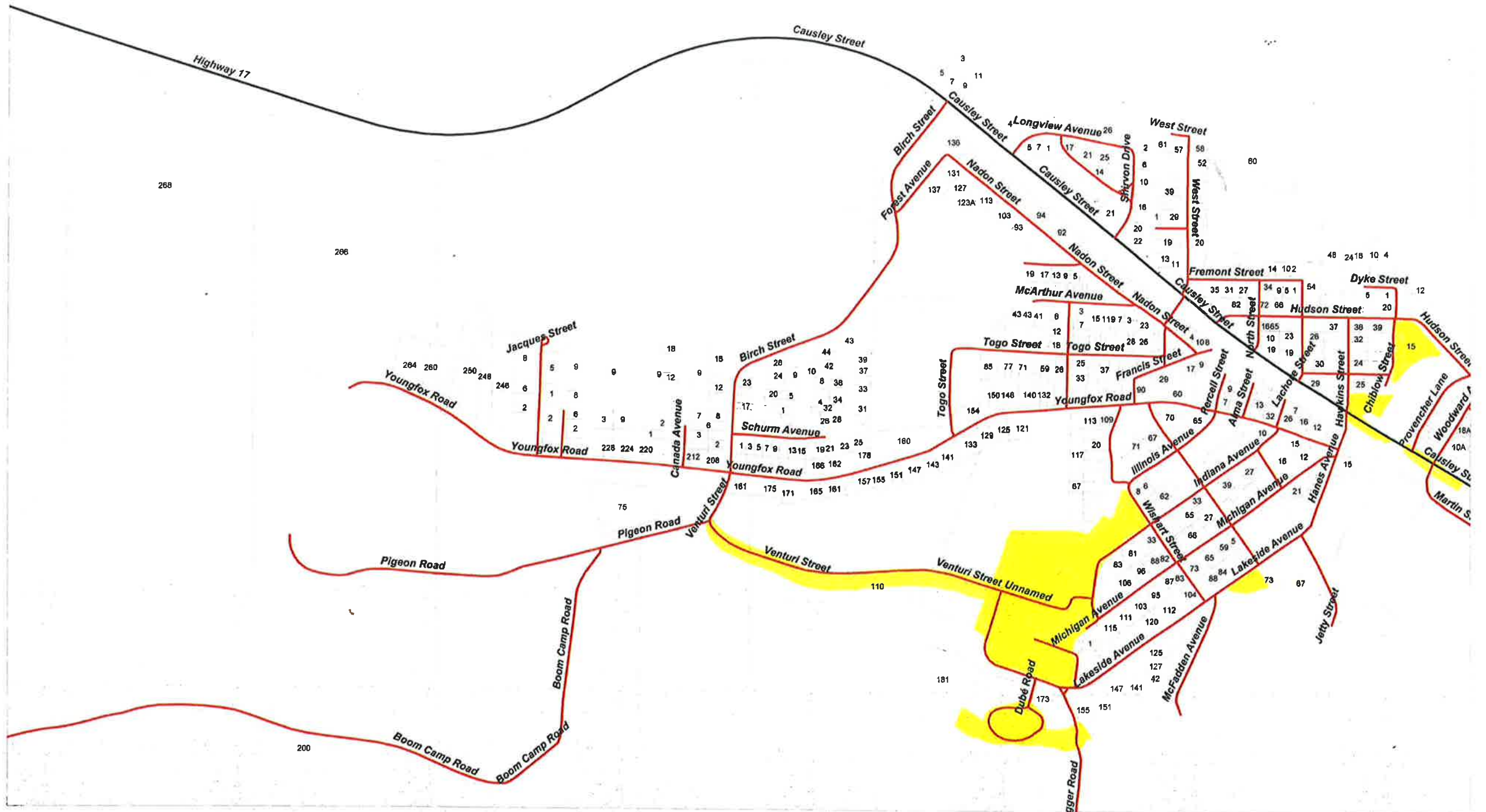
Blind River



Blind River

- **Roads**
 - Municipal
 - Private
 - Provincial
 - Unknown
 - All Others
- Lakes**
- **Crown Land Not in OASYS**
- **Roll # Not on MPAC maps**
- Roll # Not in OASYS**
- Parcels**
- Civic Addresses**

■ Municipal Land
no signs permitted



SCALE 1 : 8,940



N



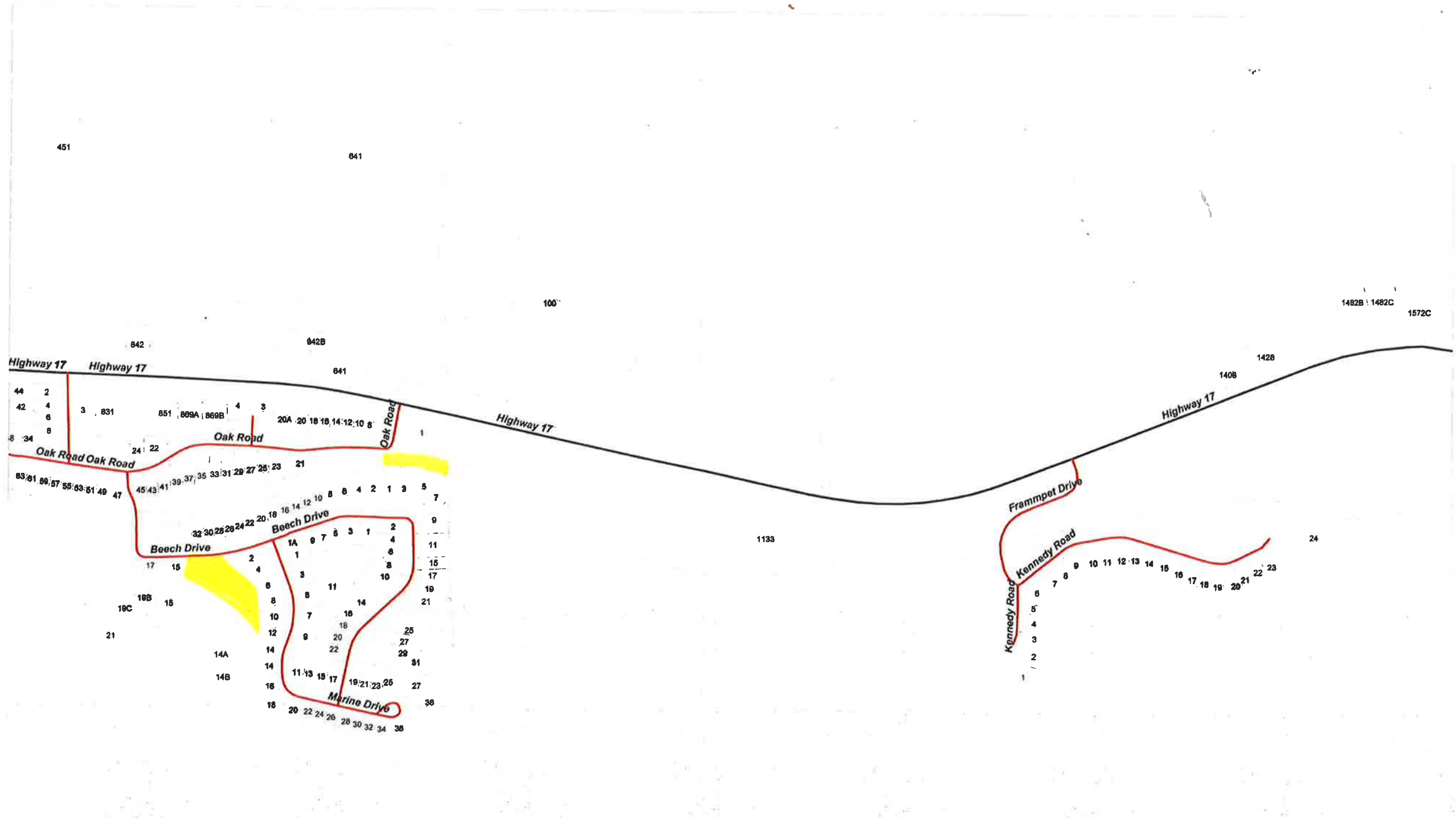
Blind River

- Roads
 - Municipal
 - Private
 - Provincial
 - Unknown
 - All Others

Lakes

- Crown Land Not in OASYS
- Roll # Not on MPAC maps
- Roll # Not in OASYS
- Parcels
- Civic Addresses

■ Municipal Land
No signs permitted



SCALE 1 : 10,729



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

Ontario



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](#).

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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

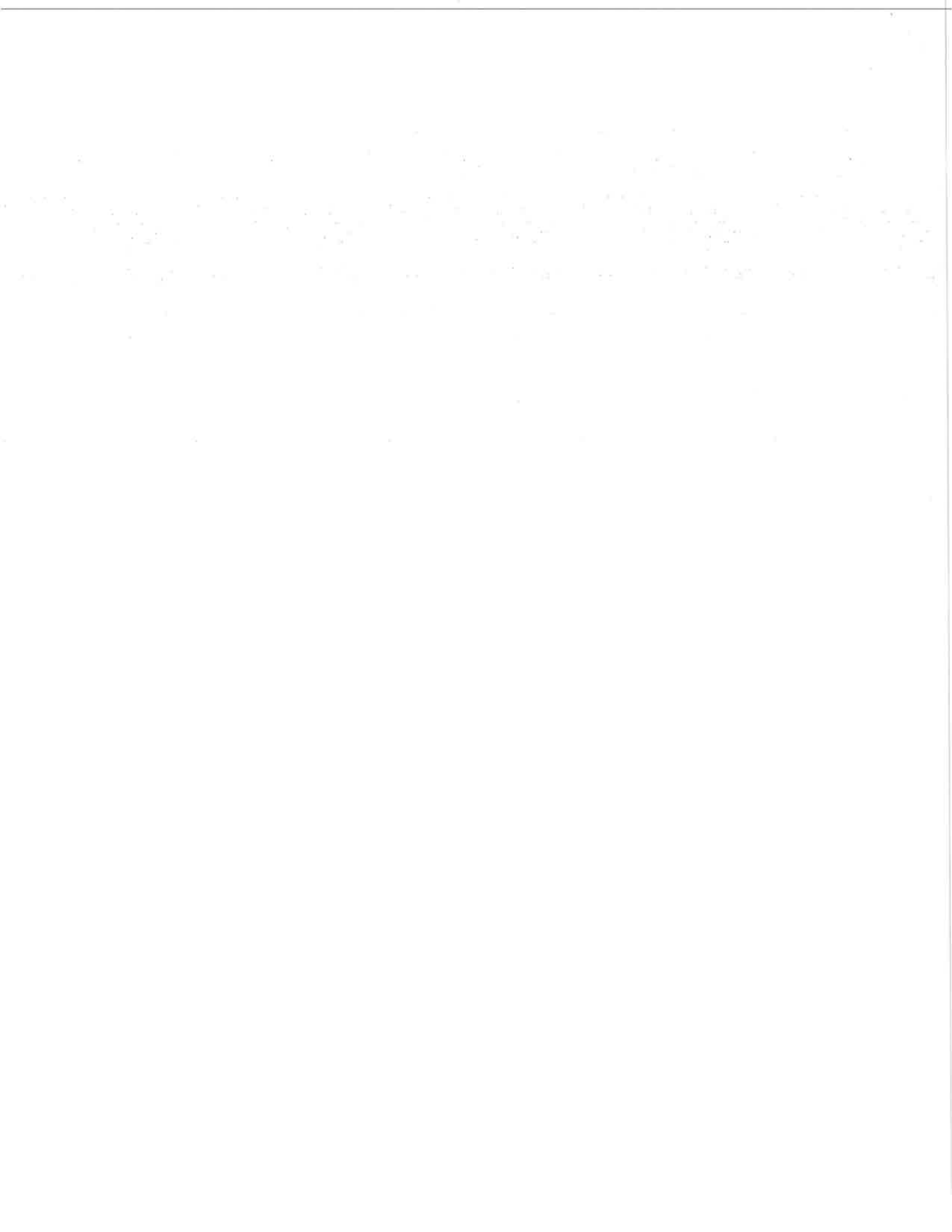
If your campaign expenses or the contributions you received total more than \$10,000 you must have an auditor review your financial statement and provide a report.

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](#).

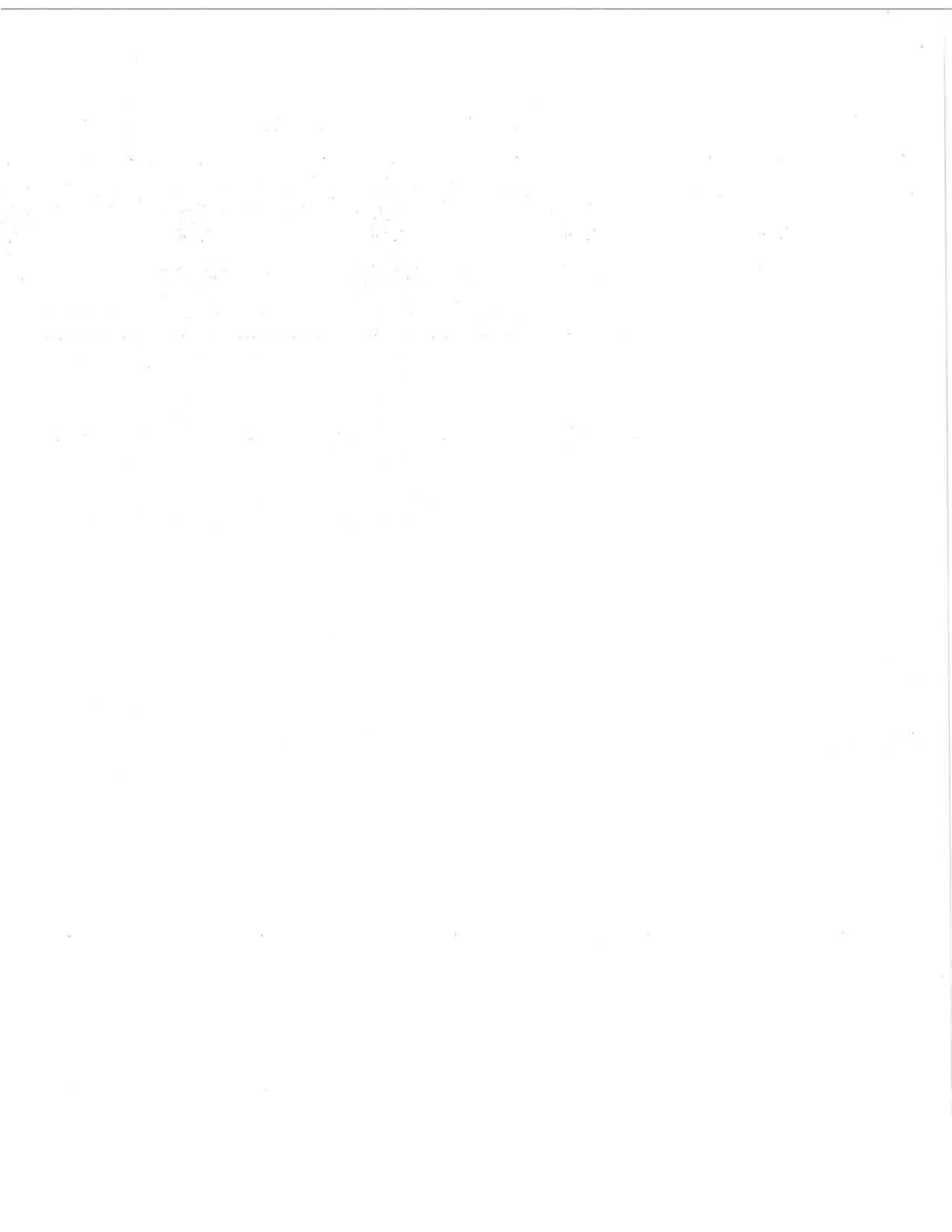
- [Nomination Paper \(Form 1\)](#)
- [Endorsement of Nomination \(Form 2\)](#)
- [Financial Statement – Auditor's Report – Candidate \(Form 4\)](#)
- [Financial Statement – Subsequent Expenses \(Form 5\)](#)
- [Notice of Extension of Campaign Period \(Form 6\)](#)



2022 Third Party Advertisers' Guide

Ontario





2022 Third Party Advertisers' Guide

This guide provides information to those who want to register as third party advertisers for the 2022 municipal council and school board elections. The information also applies to any by-elections that may be held during the 2022-2026 council and school board term.

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

- [Municipal Act, 2001](#)
- [City of Toronto Act, 2006](#)
- [Education Act](#)

General information

The [Municipal Elections Act, 1996](#) sets out a framework of rules for third party advertising.

This guide provides information about who can register to be a third party advertiser, what registration allows them to do, and the rules that third party advertisers must follow.

Contact us

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

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

The municipal clerk

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

The municipal clerk is the main contact for registered third party advertisers and those who are interested in becoming registered.

Third party advertisers must file any election forms, such as the registration form and campaign financial statements, with the municipal clerk.

The clerk is also responsible for providing information about spending limits and filing deadlines to third party advertisers.

If your municipality does not have a website, you could visit or contact your municipality's offices for more information.

A municipality may have specific rules regarding issues such as where and when election signs may be displayed and whether third party advertising activities may occur on municipal property.

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

Emergency declaration by the clerk

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

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

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

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Third party advertising

Third party advertising refers to advertisements or other materials that support, promote or oppose a candidate, or support, promote or oppose a “yes” or “no” answer to a question on the ballot. The meaning of “third party” in this context means a person or entity who is not a candidate.

Third party advertising is separate from any candidate’s campaign, and must be done independently from a candidate. Any advertisements or materials that are made and distributed by a candidate, or under a candidate’s direction, are part of the candidate’s campaign.

Third party advertising is a way for those outside of the candidate’s campaign to express support of or opposition to candidates (or a “yes” or “no” answer to a question on the ballot) and to try to persuade voters to vote a certain way.

A third party advertisement is an advertisement in any broadcast, print, electronic or other medium that promotes, supports or opposes a candidate, or a “yes” or “no” answer to a question on the ballot. Advertisement includes traditional ads as well as materials such as brochures or signs.

Third party advertisement

Activities that do not involve spending money, such as discussions or expressing an opinion about a candidate (or an answer to a question on the ballot) are not considered to be third party advertising. Examples include:

- speaking to friends and neighbours
- posting on social media, such as Twitter, Facebook or Instagram
- sending an email to a group or mailing list

Internal communications from an employer to their employees, a corporation to its shareholders, directors, members or employees or by a trade union to its members or employees are not considered to be third party advertising.

Advertising about an issue, rather than a candidate or a “yes” or “no” answer to a question on the ballot is not considered third party advertising. For example, signs saying “Support local businesses” or “Keep the waterfront green” would not be third party advertising, even if a candidate has made those issues part of their campaign.

Advertising period

The *Municipal Elections Act, 1996* sets out a restricted period for third party advertising. This restricted period runs from May 1 in the year of the election to the close of voting on voting day. For the 2022 election, the restricted period is May 1, 2022 to the close of voting on October 24, 2022.

Candidates can begin filing their nominations on May 1. If any individual or group wanted to spend money before May 1 on signs or advertisements supporting someone who intended to become a candidate, or someone who they hoped would become a candidate, the third party advertising rules would not apply. However, once the restricted period begins on May 1, any signs or other advertisements would have to be taken down or discontinued.

Who can be a third party advertiser

Only those who have registered can spend money on third party advertising. The following are eligible to register as a third party advertiser:

- any person who is a resident in Ontario
- a corporation carrying on business in Ontario
- a trade union that holds bargaining rights for employees in Ontario

If two or more corporations are owned or controlled by the same person or people, or if one corporation controls another, they are considered to be a single corporation. If the same person or people own or control multiple corporations, only one of those corporations may register to be a third party advertiser in a municipality.

There is no restriction against family members or campaign staff of candidates registering to be third party advertisers. However, third party advertising must be done independently of the candidate. If a person with close ties to a candidate wants to register they should consider how these activities may look to the public and how they would be able to demonstrate that they were not working in co-ordination with the candidate.

Who cannot be a third party advertiser

A candidate running for any municipal council or school board office cannot register to be a third party advertiser in any municipality.

Groups, associations or businesses that are not corporations are not eligible to register and may not spend money on third party advertising in municipal elections. For example, neighbourhood associations, clubs or professional associations cannot register and cannot make contributions to third party advertisers. Members may register as individual third party advertisers and may contribute individually.

Candidates in the provincial election cannot register. They may register after the provincial election, when they are no longer candidates.

Federal and provincial political parties cannot register to be third party advertisers. Political parties are not permitted to be financially involved in municipal elections.

Registration

An individual, corporation or trade union must register with the municipal clerk to be a third party advertiser in a municipality. Third party advertisers can register in any lower-tier or single-tier municipality (city, town, township, etc.). Third party advertisers cannot register in an upper-tier municipality (a region or county).

Being registered in a municipality allows the third party advertiser to advertise to the voters in that municipality. A third party advertiser can support or oppose any candidate or candidates who will be voted on by the people in that municipality. This includes candidates running for local council, school trustee and candidates running for offices on an upper tier council.

Third party advertisers do not need to decide before they register which candidate or candidates they want to support or oppose, and they do not have to tell the clerk what their intentions are.

A third party advertiser can only advertise to voters in the municipality where they are registered. There is no limit on the number of municipalities where a third party advertiser can register. If a third party advertiser wants to advertise to voters in more than one municipality they must register in each municipality where they want to advertise.

For example, if a third party advertiser wanted to advertise for or against a candidate running for an office that is voted on by people in more than one municipality, such as a school trustee or regional chair, they would need to register in each municipality.

Deadline to register

An individual, corporation or trade union can register to be a third party advertiser beginning on May 1, 2022, and can file a registration until the close of business on Friday, October 21, 2022. As May 1 is a Sunday, you may not be able to file your registration until May 2, 2022 when the clerk's office is open.

Where to register

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

If electronic filing is not allowed in your municipality, an individual or a representative of a corporation or trade union must file a Notice of Registration (Form 7) with the municipal clerk in person or by an agent. It must have an original signature – the form may not be a copy and may not be scanned and submitted electronically. There is no registration fee.

The municipal clerk must be satisfied that that the individual, corporation or trade union is eligible in order to certify the registration and may require that identification or additional documents be provided.

A person who is filing as the representative of a corporation or a trade union should make sure that they can provide proof that they are authorized to act on the corporation or trade union's behalf.

The clerk must certify your registration in order for you to begin your campaign as a registered third party advertiser.

Changing your mind

Withdraw your registration

If you want to end your advertising campaign before voting day, you can withdraw your registration by notifying the clerk in writing. The deadline to withdraw your registration is:

- the Friday before voting day for a regular election
- the last day the clerk's office is open prior to voting day for a by-election

Become a candidate

If you are a registered third party advertiser and decide to become a candidate instead, your third party advertising campaign automatically ends when the clerk receives your nomination to become a candidate.

You must keep your advertising campaign separate from your candidate campaign. This means:

- you cannot transfer any contributions or expenses from your advertising campaign to your candidate campaign
- you must file a financial statement for your advertising campaign
- you must file a separate financial statement for your candidate campaign.

For more information about running for office, please see the Candidates' Guide.

Registering in more than one municipality

If a third party advertiser registers in more than one municipality, each of those registrations is considered to be a separate advertising campaign. Once the third party advertiser registers, they must keep each advertising campaign separate, and ensure that they follow the rules in each municipality where they are registered:

- The identification required on signs, advertisements and other materials must indicate that the third party advertiser is registered in that municipality.
- There must be a separate bank account for each campaign.
- Contributions may not be shared between the advertising campaigns – if a contributor has given money to the advertising campaign in municipality A, that money cannot be used to fund expenses in municipality B.
- If the third party advertiser wants to use the same signs or the same advertisement in more than one municipality, the separate advertising campaigns can produce a "joint"

advertisement. The advertisement would indicate that the third party advertiser is registered in both municipality A and municipality B, and each advertising campaign would pay for its share of the expense for the advertisement.

- The third party advertiser must file a separate financial statement in each municipality where they were registered. The financial statement must reflect the financial activities relating to advertising in that municipality.

Responsibilities of registered third party advertisers

Third party advertisers are required to follow many of the same financial and reporting rules as candidates.

Unlike candidates, third party advertisers cannot appoint scrutineers to observe the voting, or to be present when votes are counted.

Identification on advertising

A third party advertiser must provide the following information on all of its advertisements, signs and other materials:

- the legal name of the registered third party advertiser (if the third party advertiser is a corporation or trade union, the name of the corporation or trade union must appear, not the name of the representative who filed the registration)
- the municipality where the third party advertiser is registered
- a telephone number, mailing address or email address where the third party advertiser can be contacted

A registered individual cannot act on behalf of a group or organization that is not eligible to register as a third party advertiser. For example, if Chris Smith is the president of a business improvement association (BIA), the signs and materials must identify Chris Smith as the person responsible for the advertising, not the BIA.

If ads are going to be broadcast or published (for example, on a radio station or in a newspaper), the ad must contain the information required above, and the third party advertiser must also provide the broadcaster or publisher with the following:

- the name of the registered third party advertiser
- the name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the registered third party advertiser
- the municipality where the third party advertiser is registered

Any additional content of signs is not regulated under the act.

Sign bylaws

A municipality may have rules in place about when signs can be put up, and how signs may be displayed on public property.

If you plan to reuse signs from the last election, you should be aware of rules on the use of leftover advertising campaign inventory (page 15).

The third party advertiser is responsible for removing their signs after voting day. The municipality may require a sign deposit or have penalties for failing to remove signs. Contact the municipal clerk for more information.

Advertising on voting day

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

The Act prohibits campaign material in a voting place. The voting place could include the entire property of a building that has a voting place inside it, including the parking lot. A third party advertiser is not allowed to have brochures, buttons, signs or any other advertising material in the voting place.

Wrapping up the advertising campaign

After voting day, the third party advertiser must remove any signs or other advertisements that have been put up, including online ads.

Usually, advertising campaigns must end on December 31. However, since December 31, 2022 is a Saturday, the deadline moves to January 3, 2023. The advertising campaign must end on January 3, 2023, unless it has a deficit and the third party advertiser informs the clerk in writing that they are going to extend their campaign. Once the campaign has ended, the third party advertiser should close the designated bank account and prepare the financial statement.

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

Finance rules

Third party advertising campaign

This guide refers to activities related to third party advertising as the “advertising campaign”.

Record keeping

Every third party advertiser is responsible for keeping financial records related to their advertising campaign. The *Municipal Elections Act, 1996* does not require that third party advertisers use any specific accounting system. A third party advertiser may want to consult with an auditor or an accountant to make sure that they are using a bookkeeping and accounting system that will suit their needs.

The third party advertiser should also look through the financial statement (Form 8) that they will be required to file to make sure that they are keeping records of all the information that must be included on the statement.

Every third party advertiser is required to keep all of their advertising campaign financial records until November 15, 2026 when the next council or school board takes office.

A third party advertiser must keep the following advertising campaign records:

- the receipts issued for every contribution including when the contribution was accepted and the date the receipt was issued (receipts must also be issued to the third party advertiser for any contributions made to their own advertising campaign)
- the value of every contribution, whether it is money, goods or services, and the contributor's name and address
- all expenses, including the receipts for each expense
- any claim for payment of an expense that the third party advertiser disputes or refuses to pay
- the funds raised and expenses incurred from each separate fundraising event or activity
- the terms of any loan received from a bank or other recognized lending institution

Advertising campaign period

A registered third party advertiser can only accept contributions or incur campaign expenses during their advertising campaign period.

The advertising campaign begins on the day the clerk certifies the registration of an individual, corporation or trade union to be a third party advertiser. Third party advertisers can register beginning on May 1, 2022 until the close of business on Friday October 21, 2022.

As the advertising is meant to influence voters, there is little point in continuing to advertise after voting day. However, the advertising campaign period runs until January 3, 2023. This extra time can be used to accept contributions if the advertising campaign has not paid for all of its expenses.

If a third party advertiser is certain that they will not have any more financial activity after voting day, they can end their advertising campaign at any time between voting day and January 3, 2023.

Bank account

Every third party advertiser must open a bank account exclusively for the advertising campaign.

An individual cannot use an existing personal bank account for advertising campaign finances, even if they are planning a very small advertising campaign. A corporation or trade union may not use an existing account.

All contributions – including contributions that the third party advertiser makes to itself – must be deposited into the third party advertising campaign bank account. All expenses must be paid for from the campaign account.

Contributions and advertising campaign income

Contributions

Contributions are any money, goods or services that are given to a third party advertiser for use in the advertising campaign, including money and goods that the third party advertiser contributes to their own campaign.

If a third party advertiser sells tickets to a fundraising event, the cost of the ticket is considered a contribution.

If a third party advertiser obtains a loan from a bank or other recognized lending institution and guarantees the loan, and the advertising campaign is unable to repay the full amount, any unpaid balance is considered to be a contribution by the guarantor. If the third party advertiser is an individual, either they or their spouse may guarantee a loan.

Things that are not contributions

The value of volunteer labour (for example, if a team of volunteers helps to put up signs) is not considered to be a contribution.

A cash donation of \$25 or less received at a fundraising event is not considered to be a contribution, and the third party advertiser may accept such donations without keeping track of who gave them. The total amount of money received from these donations must be reported on the financial statement.

If the third party advertiser obtains a campaign loan from a bank or a recognized lending institution, the amount of the loan is not considered to be a contribution.

Who can contribute

A third party advertiser can accept contributions from:

- any person who is a resident of Ontario
- corporations carrying on business in Ontario
- trade unions that hold bargaining rights for employees in Ontario

If the registered third party advertiser is an individual, and their spouse is not normally resident in Ontario, the spouse can still make contributions to the third party's advertising campaign. They may not make contributions to any other registered third party advertiser, or to any candidates.

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

Who cannot contribute

The following are not allowed to make contributions to third party advertising campaigns:

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

When can contributions be received

A third party advertiser can only accept contributions once they have registered as a third party advertiser, and cannot accept contributions after the advertising campaign period has finished.

Any contributions received outside the advertising campaign period must be returned to the contributor. If the contribution cannot be returned to the contributor, it must be turned over to the clerk.

Contribution limits

There is no limit on how much a registered third party advertiser (and, if the third party advertiser is an individual, their spouse) can contribute to their own advertising campaign.

There is a \$1,200 limit that applies to all other contributions. This amount includes the value of any goods or services donated to the third party advertiser. If an individual, corporation or trade union makes more than one contribution (for example, contributes money, contributes goods, and purchases a ticket to a fundraising event), the total value of all the contributions cannot exceed \$1,200.

The maximum total amount that a contributor can give to third party advertisers registered in the same municipality is \$5,000.

A contribution must come directly from the contributor – pooling contributions from others and giving them to a third party advertiser is not allowed. If a contribution is made from a joint account, it must be clear which person is making the contribution.

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

Third party advertisers are required to inform every contributor of the contribution limits. Contributors should keep track of their donations to ensure they don't end up giving more than is permitted.

Contribution receipts

Third party advertisers must issue a receipt for every contribution they receive. The receipt should show who made the contribution, the date, and the value. If the contribution was in goods or services, the third party advertiser must determine the value of the goods or services and issue a receipt for the full value.

If a third party advertiser receives a contribution from a joint account, the contribution can only come from one person. The third party advertiser must determine who is making the contribution and issue the receipt to that person.

Third party advertisers are required to list the names and addresses of every contributor who gives more than \$100 total to the advertising campaign in their financial statement. The financial statement is a public document.

A third party advertiser should keep a record of the names and addresses of every contributor, regardless of the value of their contribution, because the same contributor may make multiple contributions that end up totalling more than \$100.

Contribution receipts are not tax receipts. Contributions to third party advertising campaigns cannot be credited against provincial or federal income taxes.

An easy way for third party advertisers to inform contributors of the contribution limits is to include the contribution limits on the receipt that is given for each contribution.

Review of contributions

The contributions that are reported on third party advertisers' financial statements will be reviewed by the municipal clerk to see if any contributors have given too much.

If the contributions reported on the financial statements show that a contributor gave more than \$1,200 to an individual third party advertiser, or if they show that a contributor gave more than \$5,000 to third party advertisers registered in the same municipality, the clerk will report this to the compliance audit committee. The compliance audit committee will hold a meeting and determine whether the municipality will begin court proceedings against the contributor.

Returning ineligible contributions

Third party advertisers are required to return any contribution that was made or accepted in contravention of the *Municipal Elections Act, 1996* as soon as they learn that it was an ineligible contribution. If the contribution cannot be returned, it must be turned over to the clerk.

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

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

Unused contributions

If the advertising campaign ends with a surplus, the third party advertiser can withdraw the value of contributions that they made to their own campaign. If the third party advertiser is an individual, they can also withdraw the value of contributions made by their spouse. If there is still a surplus once these contributions have been withdrawn, it must be turned over to the clerk.

A third party advertiser cannot refund any other unused contributions.

Fundraising

Fundraising functions are events or activities held for the primary purpose of raising money for a third party's advertising campaign.

If a third party advertiser has created brochures or other advertising materials that include a sentence asking people to make a contribution or providing information about how to contribute, this would not be a fundraising brochure since its primary purpose is to persuade voters to vote a certain way, not to raise money.

Fundraisers can only be held during the advertising campaign period. Third party advertisers must record the gross income, including ticket revenue and other revenue, and the expenses related to each event and activity on their campaign financial statement.

If tickets are sold to the event, the ticket price is considered to be a contribution to the advertising campaign and a receipt must be issued to each person who purchases tickets. If the ticket price is higher than \$25, tickets cannot be paid for in cash.

Advertising campaign income

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

Advertising campaign expenses

Expenses

Advertising campaign expenses are the costs that are incurred during the campaign. These include costs directly related to producing, distributing or publishing advertisements, as well as indirect costs such as hiring someone to keep track of contributions and issue receipts.

Goods and services that are contributed to the advertising campaign are also expenses. They should be treated as if the contributor gave the third party advertiser money and the third party advertiser went out and purchased the goods and services at fair market value – both the contribution and the expense must be recorded.

Expenses must be paid from the advertising campaign bank account. If a credit card is used to pay for purchases, the third party advertiser should keep clear records showing that the expense on the credit card was reimbursed from the campaign account.

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

Third party advertisers can only incur expenses during their advertising campaign period, except for expenses related to the preparation of an auditor's report. If a third party advertiser is required to include an auditor's report with their financial statement, they may incur these expenses after the advertising campaign period has ended. These expenses must also be reported on the financial statement.

Spending limits

The general spending limit for a third party advertiser's advertising campaign is calculated based on the number of electors who are eligible to vote in the municipality where the third party advertiser is registered. The formula to calculate the limit is \$5,000 plus \$0.05 per eligible elector, to a maximum of \$25,000.

Examples:

A third party advertiser registered in a municipality with 50,000 electors would have a spending limit of \$7,500.

A third party advertiser registered in a municipality with 500,000 electors would have a spending limit of \$25,000. \$5000 plus \$0.05 per elector is \$30,000, so the maximum \$25,000 applies.

When a third party advertiser registers in a municipality, the clerk will give them an estimate of their general spending limit. This estimate will be based on the number of electors in the last election.

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

If the initial spending limit estimate is different than the final spending limit received in September, the higher of the two becomes the official spending limit. The clerk will also provide the spending limit for expenses related to parties and other expressions of appreciation.

Types of expenses

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

- expenses related to holding a fundraising event or activity
- expenses related to a compliance audit
- expenses incurred by a registered third party advertiser who is an individual with a disability, and the expenses are directly related to the disability and would not have been incurred if not for the election
- audit and accounting fees

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

When the general spending limit applies

The spending limit covers expenses that are incurred between the beginning of the advertising campaign (the day the third party advertiser is registered) and voting day. Expenses incurred between the day after voting day and the end of the advertising campaign period are not subject to the spending limit.

If a third party advertiser incurs an expense before voting day, but doesn't get around to paying for it until after voting day, it would still be subject to the spending limit.

Spending limit for parties and expressions of appreciation

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

Example:

A third party advertiser's general spending limit is \$20,000. The spending limit for throwing a party on voting night and making expressions of appreciation such as giving gifts to the

members of the advertising campaign team would be \$2,000. These expenses do not count toward the \$20,000 general spending limit.

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

Leftover advertising campaign inventory

If a third party advertiser registered as a third party advertiser in the last election and wants to reuse leftover goods such as signs or office supplies, the third party advertiser must establish the current market value of the goods — what it would cost to purchase them today. Record the current market value as an expense.

If the third party advertiser has inventory left at the end of their advertising campaign it becomes their personal property. If the third party advertiser wants to store materials such as signs for use in another election, any costs related to storage are personal costs, not advertising campaign expenses.

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

Surplus and deficit

If the advertising campaign has a surplus after the third party advertiser has refunded contributions made by the third party advertiser (and, if the third party advertiser is an individual, their spouse), the remaining surplus must be paid over to the clerk when the financial statement is filed. The surplus will be held in trust, and the third party advertiser can use it if they incur expenses related to a compliance audit. If the surplus is not needed for these expenses, it becomes the property of the municipality.

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

Advertising campaign financial statement

Every registered third party advertiser must file a complete and accurate financial statement on time.

The filing deadline is **2 p.m. on March 31, 2023**.

Third party advertisers must use Form 8 (Do not use Form 4, as that is the financial statement for candidates).

If a bookkeeper or accountant completes the financial statement, the third party advertiser is still responsible for ensuring that it is complete, accurate and filed on time.

Financial statements do not require original signatures. Contact the clerk for information about whether a financial statement can be filed electronically.

If an individual, corporation or trade union registered in more than one municipality, they must file a separate financial statement with each municipal clerk.

If a third party advertiser did not receive any contributions or incur any expenses, they are only required to fill out the first page of the financial statement and sign it.

If a third party advertiser received contributions or incurred any expenses, they must complete the relevant parts of the financial statement.

If the advertising campaign contributions or campaign expenses are greater than \$10,000, the financial statement must be audited and the auditor's report included when the financial statement is submitted to the clerk.

Filing early

A third party advertiser can file their financial statement after they have ended their advertising campaign. If a third party advertiser files a statement early and then discovers that there is an error in it, they can submit a corrected statement at any time before the filing deadline on March 31, 2023. The original statement is deemed to be withdrawn when the corrected statement is filed. A third party advertiser cannot withdraw a financial statement without submitting a corrected one.

Applying for an extension

If a third party advertiser will be unable to file the financial statement by the deadline, they may apply for an extension to the Superior Court of Justice before March 31, 2023.

Grace period for filing

If a third party advertiser has not filed a financial statement by the deadline, they may file the financial statement within 30 days after the deadline if they pay the municipality a \$500 late filing fee. This 30-day grace period ends at 2 p.m. on Monday, May 1, 2023.

Penalty for filing late

If a third party advertiser has not filed a financial statement by the end of the 30-day grace period and did not apply to the court for an extension prior to the March 31st deadline, the individual, corporation or trade union will not be eligible to register as a third party advertiser in the municipality until after the 2026 election.

If a third party advertiser did not file a financial statement by the end of the 30-day grace period, they may still file it for the purposes of having their finances on the record. The clerk will accept the financial statement and make it available to the public. The penalty will still apply.

Extended advertising campaigns

If the advertising campaign has a deficit, the third party advertiser can extend their campaign in order to do some additional fundraising.

A third party advertiser can extend their campaign by notifying the clerk using the [Notice of Extension of Campaign Period \(Form 6\)](#) on or before January 3, 2023. The end date for the extended period will be the earliest of:

- the day the third party advertiser notifies the clerk in writing that they will be ending their advertising campaign and not accepting any more contributions
- June 30, 2023

If a third party advertiser extends their advertising campaign they must file two financial statements:

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

The supplementary financial statement must be filed with the clerk by 2 p.m. on Friday, September 29, 2023. There is also a 30-day grace period for this deadline in which the statement can be filed late provided the \$500 fee is paid.

Auditor's report

A third party advertiser must have an auditor review the financial statement and provide a report if any of the following are true:

- the advertising campaign expenses exceed \$10,000
- the contributions received exceed a total of \$10,000
- both the expenses and contributions exceed \$10,000 each

The auditor's report must be prepared by an auditor licensed under the [Public Accounting Act, 2004](#). Before a third party advertiser hires someone to prepare the report, they should ensure that the person is properly qualified.

A third party advertiser can incur expenses relating to the auditor's report after January 3, 2023. These expenses do not count toward the spending limit. These expenses should be included on the financial statement that will be filed.

Compliance and enforcement

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

Automatic penalties

Under the *Municipal Elections Act, 1996* a penalty applies automatically if:

- a third party advertiser fails to file a financial statement by the end of the 30-day grace period or fails to apply to the court for an extension by the filing deadline
- the financial statement shows that the third party advertiser has exceeded a spending limit
- a third party advertiser fails to turn over their surplus to the clerk when they file their financial statement

The penalty is that the individual, corporation or trade union will not be eligible to register as a third party advertiser in the municipality until after the 2026 election.

Compliance audits

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

If an eligible elector believes that a third party advertiser has not followed the election finance rules, the elector may apply for a compliance audit of the third party's advertising campaign finances. The application must be in writing, and must set out the reasons why they believe the third party advertiser did not follow the rules.

An application for a compliance audit must be submitted to the clerk of the municipality where the third party advertiser is registered within 90 days of the deadline to file the advertising campaign financial statement.

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

If the committee grants the application, it will appoint an auditor to conduct a compliance audit of the third party's advertising campaign finances. The auditor is entitled to have access to all of the financial records related to the advertising campaign. The auditor will produce a report, which the third party advertiser is entitled to receive.

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

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

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

Penalties

If a person is convicted of committing an offence, they may be subject to the following penalties:

- a fine of up to \$25,000
- up to six months in prison
- ineligibility to register to be a third party advertiser until after the next regular election
- ineligibility to vote or run in the next regular election (in the case of conviction for bribery or other corrupt practices)

If a corporation or trade union is convicted of committing an offence, they may be subject to a fine of up to \$50,000, and ineligibility to register to be a third party advertiser until after the next regular election.

If any third party advertiser is convicted of exceeding a spending limit, they may also be fined the amount by which they exceeded the limit.

Completing the financial statement

General information

All third party advertisers must file a financial statement. This includes third party advertisers who withdrew their registration.

Third party advertisers must use Form 8.

All registered third party advertisers must complete Box A: Name of Registrant and Box B: Declaration.

- If the third party advertiser did not receive any contributions or incur any expenses, check the box indicating this, and complete the Declaration in Box B. No further information is required.
- If the third party advertiser did receive contributions or incur expenses, fill in the information in Box C, Box D, Schedule 1, and Schedule 2 as appropriate. It may be easier to fill out the form by starting with the more detailed sections such as the tables in Schedule 1 before filling in the Statement of Campaign Income and Expenses.

If the third party advertiser received contributions or incurred expenses in excess of \$10,000, an auditor's report must be included with the financial statement.

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

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

Tips for completing Form 8

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

Box A: Name of Registrant

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

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

Box B: Declaration

Signing the form declares that the information recorded in the financial statement is true and accurate. If the financial statement was prepared by someone else, the registrant (or official representative) is still responsible for its accuracy.

Box C: Statement of Campaign Income and Expenses

Loan

If a loan is obtained for the advertising campaign, the name of the bank or recognized lending institution and the amount borrowed must be recorded.

A loan is permitted only if it is from a bank or other recognized lending institution in Ontario, and it must be paid directly into the campaign bank account. A loan cannot be received from family members or from any corporate accounts that the third party advertiser may have access to.

The loan is not considered to be advertising campaign income, and paying it back is not a campaign expense. However, if the third party advertiser (or their spouse, if the third party advertiser is an individual) guarantees the loan and the campaign does not repay all of it, the remaining balance is considered to be a contribution (since the guarantor is basically providing the campaign the means to repay the loan).

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

Income

A registered third party's advertising campaign income includes all contributions received from themselves as the registrant, their spouse (if the registrant is an individual) and other eligible contributors. This includes the value of contributions of goods and services. Income also includes any refunds of deposits, interest earned by the registrant's campaign bank account, and revenue from fundraising events or activities that is not deemed a contribution (for example, if the third party advertiser sold refreshments at market value).

Sign deposit

If the municipality requires a deposit for election signs, this should be recorded as an advertising campaign expense and paid for using campaign funds. If the registered third party advertiser's deposit is refunded, record the amount under Income.

Expenses

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

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

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

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

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

Box D: Calculation of Surplus or Deficit

Campaign deficit

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

If the advertising campaign has been extended in order to fundraise, the registered third party advertiser must still file a financial statement reflecting their campaign finances to January 3, 2023.

Campaign surplus

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

The third party advertiser is entitled to reimburse contributions made by the registrant or, if the third party advertiser is an individual, their spouse out of the surplus. For example, if the surplus was \$500 and the registrant contributed \$400 to their advertising campaign, the third party advertiser may deduct that \$400, leaving the campaign with a surplus of \$100. If the surplus was \$500 and the registrant contributed \$600, the third party advertiser may deduct \$500 of their contribution, leaving the campaign with \$0. The third party advertiser may not deduct more than the value of the surplus.

If, after deducting contributions made by the registrant or their spouse (if the third party advertiser is an individual), the advertising campaign still has a surplus, these funds must be turned over to the clerk.

Schedule 1: Contributions

Schedule 1 includes a summary of contributions from the advertising campaign.

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

- Table 1: Contributions in goods or services
- Table 2: Inventory of campaign goods and materials from previous municipal campaign used in this campaign
- Table 3: Monetary contributions from individuals other than registrant or spouse where contributions exceed \$100 per contributor
- Table 4: Monetary contributions from corporations or trade unions where contributions exceed \$100 per contributor
- Table 5: Contributions in goods or services from individuals other than registrant or spouse where contributions exceed \$100 per contributor

- Table 6: Contributions in goods or services from corporations or trade unions where contributions exceed \$100 per contributor

Contributions from registrant and spouse

Record these amounts on the lines provided in Schedule 1.

Note: report the full amount of the contributions made by the registrant and their spouse (if the third party advertiser is an individual) including any amounts that have been reimbursed from a surplus.

Contributions totalling \$100 or less

Contributors that give \$100 or less in total do not have to be individually identified. The total amount contributed from these contributors will be recorded as a lump sum on the line provided at the top of Schedule 1.

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

Goods and services from registrant or (if individual) spouse

If the registrant or their spouse (if the third party advertiser is an individual) contribute goods and services to their advertising campaign, this must be recorded as a contribution. Record any contributions in Table 1 of Schedule 1.

Inventory of campaign goods and materials from previous municipal campaign used in this campaign

Any inventory from a previous advertising campaign that a registered third party advertiser is using again is a contribution in goods that the third party advertiser makes to their campaign. Calculate the current market value (for example, if the third party advertiser has 100 signs left over from 2018 and uses them again, they must calculate how much it would cost to purchase those same signs in 2022) and record it in Table 2. This inventory must also be recorded as an advertising campaign expense.

Contributions totalling more than \$100

If a contributor makes one or more contributions totalling more than \$100 (including the value of goods and services and the cost of tickets to fundraising events), record all of these contributions in the tables provided in Schedule 1 (Tables 3-6).

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

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

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

Corporations and trade unions are permitted to make contributions to third party advertisers. This includes contributions of goods and services.

Schedule 2: Fundraising Events and Activities

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

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

Contributions received at a fundraising event may include:

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

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

These contributions must be recorded in Schedule 1, and where the total from a contributor exceeds \$100, be detailed in the appropriate tables. Refer to Schedule 1: Contributions (page 22) for more information.

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

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

Anonymous contributions

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

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

Subtract the contribution as paid or payable to the clerk to arrive at the Total for Part II Contributions in Schedule 2.

Auditor's report

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

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

Where to find forms referred to in this guide

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

- [Financial Statement – Subsequent Expenses \(Form 5\)](#)
- [Notice of Extension of Campaign Period \(Form 6\)](#)
- [Notice of Registration – Third Party \(Form 7\)](#)
- [Financial Statement – Auditor's Report – Third Party \(Form 8\)](#)

Information for broadcasters and publishers

Broadcasters and publishers have responsibilities related to the campaign advertisements of candidates and third party advertisers. The campaign period begins on May 1 and ends on January 3, 2023.

Advertisements by candidates or third party advertisers

If a candidate is advertising, you must collect in writing the:

- candidate's name
- name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the candidate (Note: this individual may be the candidate themselves)

If a registered third party is advertising, you must collect in writing the:

- name of the registered third party advertiser (note: this may be the name of an individual, a corporation, or a trade union)
- municipality where the third party advertiser is registered
- name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the registered third party advertiser

You must not broadcast or publish any campaign advertising without recording this information.

Broadcasters and publishers must maintain records of:

- the information collected in writing
- a copy of the advertisement (or the means of reproducing the advertisement for inspection)
- a statement of the charge made for its appearance

These records must be kept for four years after the date the advertisement appears. Broadcasters and publishers must allow the public to inspect the records.

Third party advertising is restricted from the start of the campaign period on May 1 until the close of voting on October 24, 2022. Broadcasters and publishers are not required to collect information or retain records for advertisements that appear before May 1.

