



Candidate Receipt of Election package:

I, _____, Candidate for the 2022 Municipal Election in the Municipality of Morris-Turnberry do hereby confirm that I am in receipt of the Candidate package, handed to me on _____ (date), which contains the following:

1. Nomination paper to be submitted
2. Requirements for Nomination
3. Notice of Penalties
4. Qualifications
5. Morris-Turnberry Council Information
6. Preliminary Certificate of Maximum Campaign Expenses
7. 2018 Candidates' Guide
8. Morris-Turnberry Procedure and Rules
9. Council Procedural By-law effective April 1, 2020.
10. Council Code of Conduct effective March 1, 2019.
11. Council and Staff Relationship Policy effective March 1, 2019.

And that I understand that Section 88.22 (1) of the *Municipal Election Act, 1996* states that:

A candidate shall ensure that, no contributions of money are accepted or expenses are incurred unless one or more campaign accounts are first opened at a financial institution exclusively for the purposes of the election campaign.

Signature of Candidate

Date



MUNICIPALITY OF MORRIS-TURNBERRY

2022 Municipal Election:

Requirement for a Nomination paper to be submitted:

Nomination Period: May 2, 2022 until August 19th, 2022 at 2pm

1. Nomination Paper - Prescribed Form 1
2. Declaration of Qualifications (Council)- Form EL18(A)
3. Notice of Collection / Consent to Release Personal Information- Form MT02
4. Declaration of Proper Use of Voter's List
5. Preliminary Certificate of Maximum Campaign Expenses
6. Filing fee \$200.00 Head of Council \$100.00 all other offices - cash, certified cheque, money order
7. *Municipal Elections Act* – Duties of a Candidate
8. *Municipal Elections Act* – Effect of default by a Candidate

NOTE:

- Photo ID that states date of birth and Citizenship for proof of qualification or identification is required.
- Original form and signatures are required
- To file a 2nd paper- the first one must be withdrawn.
- May withdraw by 2 pm on August 19, 2022

In accordance with Section 88.22 (1) of the *Municipal Elections Act, 1996*

A Candidate must open an election bank account if you accept any contributions (including contributions of money from yourself) or incur any expenses.

Also, if you use election signs from a previous campaign, you must consider the cost of the signs as an expense.

**MUNICIPALITY OF MORRIS-TURNBERRY
DECLARATION OF QUALIFICATIONS
MUNICIPAL CANDIDATES**

Municipal Elections Act, 1996

I, _____, a nominated candidate for the office of:

Mayor / Reeve

Councillor

Do Solemnly Declare That:

1. I am qualified pursuant to the *Municipal Elections Act, 1996* and the *Municipal Act, 2001* to be elected to and to hold the office of:

Mayor / Reeve

Councillor

2. Without limiting the generality of paragraph 1, I am at least eighteen (18) years of age, a Canadian citizen, a resident of the Municipality of Morris-Turnberry or the owner or tenant of land in the Municipality of Morris-Turnberry or the spouse of such owner or tenant.

3. I am not ineligible, disqualified or prohibited under the *Municipal Elections Act, 1996*, the *Municipal Act, 2001*, the *Municipal Conflict of Interest Act* or any other *Act* to be elected to or hold the above-mentioned office.

4. Without limiting the generality of paragraph 3,

- I am not an employee of the Municipality of Morris-Turnberry, or if I am an employee of the Municipality of Morris-Turnberry, I am on an unpaid leave of absence as provided for by section 30 of the *Municipal Elections Act, 1996*.
- I am not a person who is not an employee of the Municipality of Morris-Turnberry but who is the Clerk, Treasurer, Integrity Commissioner, Auditor General, Ombudsman or registrar referred to in section 223.11 of the *Municipal Act, 2001* or an investigator referred to in subsection 239.2 (1) of the Municipality of Morris-Turnberry, or a person who is not an employee of the Municipality of Morris-Turnberry but who holds an administrative position of the Municipality of Morris-Turnberry.
- I am not a judge of any court.

- I am not a member of the Assembly as provided in the *Legislative Assembly Act* or of the Senate or House of Commons of Canada or, if I am such a person, I will provide proof of my resignation in a form satisfactory to the Clerk of the Municipality of Morris-Turnberry prior to 2:00 p.m. on Nomination Day, August 19, 2022. I understand that the Clerk of the Municipality of Morris-Turnberry will reject my nomination for the above-mentioned office if I fail to provide proof of resignation by this deadline.
 - I am not a public servant within the meaning of the *Public Service of Ontario Act, 2006*, or if I am a public servant, I have followed and will continue to follow all the relevant provisions of Part V of such *Act*.
 - I am not a Federal employee within the meaning of the *Public Service Employment Act*, or if I am a Federal employee, I have followed and will continue to follow all the relevant provisions of Part 5 of such *Act*.
5. I am not prohibited from voting at the municipal election under section 17 (3) of the *Municipal Elections Act, 1996*.
- I am not a person who is serving a sentence of imprisonment in a penal or correctional institution.
 - I am not a corporation.
 - I am not a person acting as executor or trustee or in any other representative capacity, except as a voting proxy in accordance with section 44.
 - I am not prohibited because of a conviction of a corrupt practice described in subsection 90 (3), if voting day in the current election is less than five years after voting day in the election in respect of which I was convicted
6. I am not a person who was convicted of a corrupt practice under the *Municipal Elections Act, 1996* or of an offence under the *Criminal Code* (Canada) in connection with an act or omission that relates to an election to which this Act applies and I am not a person who is ineligible to be nominated for, any office until the next two regular elections have taken place after the election to which the offence relates (Section 91 (1)).
7. I am not ineligible from being elected to or holding office by reason of any violations of the election campaign financial requirements, violations for not filing the financial statement or any other violations pursuant to the *Municipal Elections Act, 1996*. (Section 88.23)

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.
 Declared before me at the Municipality of Morris-Turnberry

This _____ day of _____, 20 _____
 (Signature of Candidate)

 (Signature of Municipal Clerk or designate)

Personal information on this form is collected under the authority of the *Municipal Elections Act, 1996* and will be used for the nomination process for office in the municipal election and will be available for public inspection in the office of the Clerk, Municipality of Morris-Turnberry until the next municipal election. Questions about this collection of personal information should be directed to Nancy Michie, Clerk of the Municipality of Morris-Turnberry, 41342 Morris Road, PO Box 310, BRUSSELS, ON N0G 1H0 Tel: 519-887-6137 Ext. 224 or email at kjohnston@morristurnberry.ca

MUNICIPALITY OF MORRIS-TURNBERRY

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 Deputy Clerk in the administration of the 2022 Municipal Election. Questions regarding this collection should be forwarded to the Deputy Clerk, 41342 Morris Road, BRUSSELS, ON N0G 1H0 (519) 887-6137 ext 224.

Name of Candidate: _____

Candidate for the office of:

- Mayor / Reeve
- Councillor
- Trustee English Public
- Trustee English Separate
- Trustee French Public
- Trustee French Separate

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

Candidate Signature: _____

Municipal Clerk Or Designate: _____

Dated at _____, this _____ day of _____, 2022.

MUNICIPALITY OF MORRIS-TURNBERRY
ESTIMATED MAXIMUM CAMPAIGN EXPENSES

Municipal Elections Act, 1996 [s. 33.0.1(1)]

TO:

_____ / _____ (Name of Candidate)	_____ (Office)
_____ (Address)	_____ (Postal Code)

I hereby certify that the estimated maximum campaign expenses that a candidate is permitted to incur for the office of Mayor in the Municipal Election to be held October 24, 2022, is \$9962.45 *.

 Date

 Municipal Clerk or designate

The Clerk shall give candidates a Preliminary Calculation of the estimated maximum campaign expenses at the time of filing the nomination paper, based upon the number of electors on the Voters' List as of Nomination Day for the 2018 election. (Section 33.0.1 (1))

On or before September 25, 2022; and in the case of a by-election, within 10 days after the clerk makes the corrections under subparagraph 4 iii of subsection 65 (4), the Clerk shall give a Final Calculation of the applicable maximum campaign expenses to each candidate. The number of electors to be used in this final calculation is to be the greater of the following:

- the number determined from the Voters' List from the previous regular election, as it existed on September 15 in the year of the previous election, adjusted for changes made under Sections 24 and 25 that were approved as of that day;
- the number determined from the Voters' List for the current election, as it exists on September 15 in the year of the current election, adjusted for changes made under Sections 24 and 25 that were approved as of that day (Section 88.20 (11))

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

MUNICIPALITY OF MORRIS-TURNBERRY
ESTIMATED MAXIMUM CAMPAIGN EXPENSES

Municipal Elections Act, 1996 [s. 33.0.1(1)]

TO:

_____ / _____ (Name of Candidate)	_____ (Office)
_____ (Address)	_____ (Postal Code)

I hereby certify that the estimated maximum campaign expenses that a candidate is permitted to incur for the office of **Councillor** in the Municipal Election to be held October 24, 2022, is **\$7462.45** *.

 Date

 Municipal Clerk or designate

The Clerk shall give candidates a Preliminary Calculation of the estimated maximum campaign expenses at the time of filing the nomination paper, based upon the number of electors on the Voters' List as of Nomination Day for the 2018 election. (Section 33.0.1 (1))

On or before September 25, 2022; and in the case of a by-election, within 10 days after the clerk makes the corrections under subparagraph 4 iii of subsection 65 (4), the Clerk shall give a Final Calculation of the applicable maximum campaign expenses to each candidate. The number of electors to be used in this final calculation is to be the greater of the following:

- the number determined from the Voters' List from the previous regular election, as it existed on September 15 in the year of the previous election, adjusted for changes made under Sections 24 and 25 that were approved as of that day;
- the number determined from the Voters' List for the current election, as it exists on September 15 in the year of the current election, adjusted for changes made under Sections 24 and 25 that were approved as of that day (Section 88.20 (11))

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



Receipt of the 2022 Nomination Fee:

I, _____ (name), who has filed a nomination paper with the Municipality of Morris-Turnberry on _____ (date) has hereby submitted the following nomination fee for the 2022 election:

Head of Council \$200.00 _____

Councillor \$100.00 _____

Signature-
Kim Johnston, Deputy Clerk for the
Municipality of Morris-Turnberry

Date

**MUNICIPALITY OF MORRIS-TURNBERRY
2022 MUNICIPAL ELECTION
VOTER - ID REQUIREMENTS**

In accordance with the Municipal Elections Act, 1996 and Ontario Regulation 304/13

Proof of identity and residence is required in the following instances:

- When adding or deleting one's name from the Voter's List
- When deactivating and re-issuing a PIN
- When issuing an oath

One of the following is required:

1. An Ontario driver's licence.
2. An Ontario Health Card (photo card).
3. An Ontario Photo Card.
4. An Ontario motor vehicle permit (vehicle portion).
5. A cancelled personalized cheque.
6. A mortgage statement, lease or rental agreement relating to property in Ontario.
7. An insurance policy or insurance statement.
8. A loan agreement or other financial agreement with a financial institution.
9. A document issued or certified by a court in Ontario.
10. Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency of such a government.
11. Any document from a Band Council in Ontario established under the *Indian Act* (Canada).
12. An income tax assessment notice.
13. A Child Tax Benefit Statement.
14. A Statement of Employment Insurance Benefits Paid T4E.
15. A Statement of Old Age Security T4A (OAS).
16. A Statement of Canada Pension Plan Benefits T4A (P).
17. A Canada Pension Plan Statement of Contributions.
18. A Statement of Direct Deposit for Ontario Works.
19. A Statement of Direct Deposit for Ontario Disability Support Program.

20. A Workplace Safety and Insurance Board Statement of Benefits T5007.
21. A property tax assessment.
22. A credit card statement, bank account statement, or RRSP, RRIF, RHOSP or T5 statement.
23. A CNIB Card or a card from another registered charitable organization that provides services to persons with disabilities.
24. A hospital card or record.
25. A document showing campus residence, issued by the office or officials responsible for student residence at a post-secondary institution.
26. A document showing residence at a long-term care home under the *Long-Term Care Homes Act, 2007*, issued by the Administrator for the home.
27. A utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utilities commission.
28. A cheque stub, T4 statement or pay receipt issued by an employer.
29. A transcript or report card from a post-secondary school



Duties of candidates:

Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched.

88.22 (1) A candidate shall ensure that,

- (a) no contributions of money are accepted or expenses are incurred unless one or more campaign accounts are first opened at a financial institution exclusively for the purposes of the election campaign;
- (b) all contributions of money are deposited into the campaign accounts;
- (c) all funds in the campaign accounts are used exclusively for the purposes of the election campaign;
- (d) all payments for expenses are made from the campaign accounts;
- (e) contributions of goods or services are valued;
- (f) receipts are issued for every contribution and obtained for every expense;
- (g) records are kept of,
 - (i) the receipts issued for every contribution,
 - (ii) the value of every contribution,
 - (iii) whether a contribution is in the form of money, goods or services, and
 - (iv) the contributor's name and address;
- (h) records are kept of every expense including the receipts obtained for each expense;
- (i) records are kept of any claim for payment of an expense that the candidate disputes or refuses to pay;
- (j) records are kept of the gross income from a fund-raising function and the gross amount of money received at a fund-raising function by donations of \$25 or less or by the sale of goods or services for \$25 or less;
- (k) records are kept of any loan and its terms under section 88.17;
- (l) the records described in clauses (g), (h), (i), (j) and (k) are retained by the candidate for the term of office of the members of the council or local board and until their successors are elected and the newly elected council or local board is organized;
- (m) financial filings are made in accordance with sections 88.25 and 88.32;

- (n) proper direction is given to the persons who are authorized to incur expenses and accept or solicit contributions under the direction of the candidate;
- (o) a contribution of money made or received in contravention of this Act or a by-law passed under this Act is returned to the contributor as soon as possible after the candidate becomes aware of the contravention;
- (p) a contribution not returned to the contributor under clause (o) is paid to the clerk with whom the candidate's nomination was filed;
- (q) an anonymous contribution is paid to the clerk with whom the candidate's nomination was filed; and
- (r) each contributor is informed that a contributor shall not make contributions exceeding,
 - (i) subject to subsection (2), a total of \$1,200 to any one candidate in an election, and
 - (ii) a total of \$5,000 to two or more candidates for offices on the same council or local board. 2016, c. 15, s. 60; 2017, c. 10, Sched. 4, s. 8 (13).



Effect of default by candidate

Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched.

88.23 (1) A candidate is subject to the penalties listed in subsection (2), in addition to any other penalty that may be imposed under this Act,

- (a) if the candidate fails to file a document as required under section 88.25 or 88.32 by the relevant date;
- (b) if a document filed under section 88.25 shows on its face a surplus, as described in section 88.31, and the candidate fails to pay the amount required by subsection 88.31 (4) to the clerk by the relevant date;
- (c) if a document filed under section 88.25 shows on its face that the candidate has incurred expenses exceeding what is permitted under section 88.20; or
- (d) if a document filed under section 88.32 shows on its face a surplus and the candidate fails to pay the amount required by that section by the relevant date. 2016, c. 15, s. 60.

Penalties

- (2) Subject to subsection (7), in the case of a default described in subsection (1),
 - (a) the candidate forfeits any office to which he or she was elected and the office is deemed to be vacant; and
 - (b) until the next regular election has taken place, the candidate is ineligible to be elected or appointed to any office to which this Act applies. 2016, c. 15, s. 60.

Notice of default

- (3) In the case of a default described in subsection (1), the clerk shall,
 - (a) notify the candidate in writing that the default has occurred;
 - (b) if the candidate was elected, notify the council or board to which he or she was elected in writing that the default has occurred; and
 - (c) make available to the public the name of the candidate and a description of the nature of the default. 2016, c. 15, s. 60.

Clerk's report re filing requirements

(4) The clerk shall make available to the public a report setting out all candidates in an election and indicating whether each candidate complied with section 88.25. 2016, c. 15, s. 60.

Same

(5) The report mentioned in subsection (4) shall be made available on a website or in another electronic format as soon as possible after,

(a) April 30 in the year following a regular election; and

(b) 90 days after voting day in a by-election. 2016, c. 15, s. 60.

Application to court

(6) The candidate may, before the last day for filing a document under section 88.25 or 88.32, apply to the Superior Court of Justice to extend the time for filing the document under that section and, if the court is satisfied there are mitigating circumstances justifying a later date for filing the document, the court may grant an extension for the minimum period of time necessary to enable the candidate to file the document but the court shall not grant an extension of more than 90 days. 2016, c. 15, s. 60.

Notice to clerk

(7) If a candidate makes an application under subsection (6), the candidate shall notify the clerk in writing before 2 p.m. on the last day for filing a document under section 88.25 or 88.32 that the application has been made. 2016, c. 15, s. 60.

Effect of extension

(8) If the court grants an extension under subsection (6), the penalties set out in subsection (2) apply only if the candidate has not filed the document before the end of the extension. 2016, c. 15, s. 60.

Cessation of penalty

(9) The penalties set out in subsection (2) for a default described in clause (1) (a) do not take effect if, no later than 2 p.m. on the day that is 30 days after the applicable day for filing the document, the candidate files the relevant document as required under section 88.25 or 88.32 and pays the clerk a late filing fee of \$500. 2016, c. 15, s. 60.

Late filing fee

(10) The late filing fee is the property of the municipality. 2016, c. 15, s. 60.

**MUNICIPALITY OF MORRIS-TURNBERRY
NOTICE OF PENALTIES**

Municipal Elections Act, 1996 (s. 33.1)

TO:

_____ / _____	
(Name of Candidate)	(Office)

(Address)	(Postal Code)

EFFECT OF DEFAULT BY CANDIDATE [88.23 (1)]

TAKE NOTICE THAT A CANDIDATE SHALL be subject to the penalties listed below, in addition to any other penalty that may be imposed under the *Municipal Elections Act, 1996*:

- a) if he or she fails to file documents with the Municipal Clerk as required under section 88.25 or 88.32 by the relevant date;
- b) if a document filed under section 88.25 shows on its face a surplus, as described in section 88.31, and the candidate fails to pay the amount required by subsection 88.31 (4) to the Municipal Clerk by the relevant date;
- c) if a document filed under section 88.25 shows on its face that the candidate has incurred expenses exceeding what is permitted under section 88.20; or
- d) if a document filed under section 88.32 shows on its face a surplus and the candidate fails to pay the amount required by subsection 88.32 by the relevant date.

OFFENCES [92 (1)]

TAKE NOTICE THAT A CANDIDATE SHALL be guilty of an offence and, on conviction, is subject to the penalties listed below, in addition to any other penalty that may be imposed under the *Municipal Elections Act, 1996*:

- a) incurs expenses that exceed what is permitted under section 88.20; or
- b) files a document under section 88.25 or 88.32 that is incorrect or otherwise does not comply with that section.

PENALTIES [88.23 (2)]

In the case of a default described above:

- (a) the candidate forfeits any office to which he or she was elected and the office is deemed to be vacant; and
 - (b) until the next regular election has taken place, the candidate is ineligible to be elected or appointed to any office to which the *Municipal Elections Act* applies.
-

REFUND (34)

A candidate is entitled to receive a refund of the nomination filing fee if the documents (financial statement and auditor's report) required under subsection 88.25 (1) are filed on or before 2:00 p.m. on the filing date in accordance with that subsection.

Date

Municipal Clerk or designate

The Clerk shall, before voting day, give to each person nominated for an office notice of the penalties under subsections 88.23 (2) and 92 (1) related to election campaign finances and the refund of the nomination filing fee that the candidate is entitled to receive in the circumstances described in section 34.

Eligibility – Municipal Election

Refer to Section 256-258 of the Municipal Act, 2001; Section 17 & 29-30 of the Municipal Elections Act, 1996

Municipal Employees

- A municipal employee must take an unpaid leave of absence before they file their Nomination Form.
- If they are elected, they must resign from their job. They cannot work for a municipality and be on its council at the same time.
- A volunteer firefighter as defined in the Fire Protection and Prevention Act, 1997 is not considered an employee.

Eligible & Ineligible Candidates

Eligible Candidate

- A person must be eligible to hold office on the day they file their Nomination Form.
- Every person qualified **to be an elector** is qualified to hold office as long as they are not disqualified by the Municipal Act or any other Act.
- Canadian citizen, resident, owner, tenant (or spouse of) of land in the municipality.

Ineligible Candidate

- An employee, a judge of a court, MP, MPP, Senator or an inmate serving a sentence in a penal or correctional institution.
- Any person not qualified **to be an elector**.

Qualified Elector

- On Voting Day, resides in or is the owner or tenant (or spouse of) of land in Morris-Turnberry
- Is a Canadian Citizen,
- Is at least 18 years old,
- Despite the definition of “owner or tenant” and “tenant” in Section 17 of the Municipal Elections Act, the province may make Regulations that specify the circumstances in which a person is, and is not, considered to be a tenant for the purposes of the Act.
- See Section 8 for additional information about qualified voters.

At the time of filing of Nomination Papers, candidates must complete the Declaration of Qualification.

Eligibility – School Board Election

Refer to section 219 of the Education Act; Section 30 of Municipal Elections Act, 1996

In order to run for a trustee position on a school board, a person must be a resident within the jurisdiction of the Board, and eligible to vote in a school board election. On the day they file their Nomination Paper, they must be a Canadian Citizen aged 18 years or older. They must also meet any other qualifications to vote for the school board (i.e. being a Roman Catholic, or hold French language rights).

If a person is an employee of any Ontario school board and they wish to run for a trustee position, they must take an unpaid leave of absence before they file their Nomination Paper. If they are elected, they must resign from their job. They cannot work for a scho



2022 Municipal Election:	Monday October 24, 2022
Method of Election:	Telephone / Internet Voting
Council Composition:	1 Mayor - voted at large 4 Councillors - voted at large

Council Meeting Dates and times:

Based on the current Procedural By-law- Council meetings are held the 1st and 3rd Tuesday of each month. Time: 7:30 pm
Special meetings are as required.

Agenda packages are paperless.

Committees and Boards:

Each member of Council will be appointed to at least 1 Committee or local Board

1. Committee of Adjustment (Planning Act) – ALL Council members
2. Property Standards Committee – ALL Council members
3. Emergency Management Planning and Program Committee - Mayor
4. Human Resources Committee – Mayor and Deputy Mayor

5. Ausable Bayfield Source protection Committee
6. Bluevale Community Committee
7. Belmore Arena Board
8. Brussels Fire Area- Fire Protection Sub Committee
9. Brussels Medical Dental Centre Board
10. Brussels, Morris & Grey Community Centre Board
11. Coalition for Huron Injury Prevention (CHIP)
12. Maitland Valley Conservation Authority
13. Maitland Source Protection Authority Board
14. Physician Recruitment Committee
15. Saugeen Valley Conservation Authority – (Shared with Howick and South Bruce)
16. Sustainable Huron Steering Committee
17. North Perth – North Huron Family Health Team

Contact Information:

Municipality of Morris-Turnberry
c/o: Kim Johnston, Deputy Clerk
PO Box 310, 41342 Morris Road, Brussels, ON N0G 1H0
Telephone 519-887-6137 Ext 224
Email: kjohnston@morristoryberry.ca
Website: www.morristoryberry.ca

Morris-Turnberry
2022 Municipal Election

Candidate Information Package



Prepared March 2022
Municipal Clerk's Office
Kim Johnston Deputy Clerk

vote@morristoryberry.ca OR kjohnston@morristoryberry.ca

519-887-6137 Ext. 224

www.morristoryberry.ca

<https://morristoryberry.ca/government/2022-municipal-election>

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Disclaimer

The information in this package is general in nature and candidates should refer to the Municipal Elections Act, 1996 for specific provisions and additional information. A copy of the Act can be obtained from Publications Ontario (telephone 1-800-668-9938), or online at www.e-laws.gov.on.ca.

1.0 Provincial Candidate Guide for Municipal Elections

The Municipality of Morris-Turnberry Clerk's Office has prepared this information package for those seeking election or re-election for Municipal Council or School Board Trustee on October 24, 2022. It is general in nature. Candidates should refer to the Municipal Act, 2001 or Municipal Elections Act, 1996 for specific provisions.

The Ontario Ministry of Municipal Affairs and Housing publishes a [Candidates' Guide for Municipal & School Board Elections](#). This guide provides more detail and it is recommended that you consider this, and the applicable legislation, as your first source of information. The Guide covers the following areas:

- Eligibility
- Nominations
- Campaigning
- Third Party Advertising
- On Voting Day
- After Voting day
- Campaign Finances
- Compliance & Enforcement
- Completing the Financial Statement
- Forms

A copy of the provincial Guide will be provided to each candidate.

2.0 Offices to be Elected

Municipality of Morris-Turnberry Council

- Mayor – one (1) to be elected
- Councillors - four (4) to be elected

Nominations for the following School Board offices must be filed with the appropriate municipal office:

- **English Public- Avon Maitland District School Board** – number to be elected to be determined by the Board;
- **English Separate- Huron-Perth Catholic District School Board** – number to be elected to be determined by the Board;
- **French Public- Conseil scolaire de district du Centre-Sud-Quest** for the Regional Municipality of Waterloo, County of Wellington, County of Middlesex, County of Perth (including Stratford) and County of Huron – number to be elected to be determined by the Board;
- **French Separate- Conseil scolaire de district des ecoles catholique Providence** for the County of Lambton, County of Huron and the County of Bruce- number to be elected to be determined by the Board;

The filing fee of \$100 for Councillor or School Board Member and \$200 for Mayor, is payable by cash, certified cheque, money order or debit machine. A nomination form must be signed by the candidate and filed in person or by agent during regular business hours between May 2, 2022 to August 18, 2022 from 9:00 a.m. and 4:30 p.m. and **Nomination Day** – August 19, 2022 from 9:00 a.m. to 2:00 p.m.

3.0 Eligibility – Municipal Election

Refer to Section 256-258 of the Municipal Act, 2001; Section 17 & 29-30 of the Municipal Elections Act, 1996

Municipal Employees

- A municipal employee must take an unpaid leave of absence before they file their Nomination Form.
- If they are elected, they must resign from their job. They cannot work for a municipality and be on its council at the same time.
- A volunteer firefighter as defined in the Fire Protection and Prevention Act, 1997 is not considered an employee.

Eligible & Ineligible Candidates

Eligible Candidate

- A person must be eligible to hold office on the day they file their Nomination Form.
- Every person qualified **to be an elector** is qualified to hold office as long as they are not disqualified by the Municipal Act or any other Act.
- Canadian citizen, resident, owner, tenant (or spouse of) of land in the municipality.

Ineligible Candidate

- An employee, a judge of a court, MP, MPP, Senator or an inmate serving a sentence in a penal or correctional institution.
- Any person not qualified **to be an elector**.

Qualified Elector

- On Voting Day, resides in or is the owner or tenant (or spouse of) of land in Morris-Turnberry
- Is a Canadian Citizen,
- Is at least 18 years old,
- Despite the definition of “owner or tenant” and “tenant” in Section 17 of the Municipal Elections Act, the province may make Regulations that specify the circumstances in which a person is, and is not, considered to be a tenant for the purposes of the Act.
- See Section 8 for additional information about qualified voters.

At the time of filing of Nomination Papers, candidates must complete the Declaration of Qualification.

4.0 Eligibility – School Board Election

Refer to section 219 of the Education Act; Section 30 of Municipal Elections Act, 1996

In order to run for a trustee position on a school board, a person must be a resident within the jurisdiction of the Board, and eligible to vote in a school board election. On the day they file their Nomination Paper, they must be a Canadian Citizen aged 18 years or older. They must also meet any other qualifications to vote for the school board (i.e. being a Roman Catholic, or hold French language rights).

If a person is an employee of any Ontario school board and they wish to run for a trustee position, they must take an unpaid leave of absence before they file their Nomination Paper. If they are elected, they must resign from their job. They cannot work for a school board and be a trustee in Ontario at the same time.

5.0 Nomination Procedures

Refer to Section 33 of the Municipal Elections Act, 1996

See the [Candidates' Guide for Municipal & School Board Elections](#) for specific information about filing your nomination, the nomination fee, endorsement signatures, deadlines, withdrawing or changing the nomination, acclamations and what happens if not enough nominations are filed with the Clerk.

Candidate Information Session

A joint Huron County Candidate Information Session is scheduled for

Wednesday June 22, 2022 at 7PM

Libro Hall, Clinton

More information will be available closer to the date.

Forms and Filing Information

Every person who proposes to be a candidate must file Nomination Papers prior to receiving any campaign contributions and prior to expending any funds on a campaign.

Nomination Papers (Form 1) are established by the Province of Ontario and available at the Clerk's Office or online.

The Nomination Paper must have original signatures. It may **not** be faxed, mailed or emailed.

The Nomination Paper must be filed with the Morris Turnberry Deputy Clerk (or designate).

It is strongly recommended that you make an appointment in advance.

- It is the responsibility of each candidate to ensure they meet all the qualifications and file proper Nomination Papers. Since the Clerk may examine the Nomination Papers after the nomination period ends and may reject them, without a meeting with the Clerk a candidate may find that their papers have been rejected and are too late to file additional information.
- The Nomination Papers require the candidate to take a declaration which must be made in front of a Commissioner of Oaths. The Clerk's Office can administer this declaration. Fee for this service is waived. By making an appointment, you are assured that a Commissioner of Oaths is available when you arrive.

The candidate must bring the following with them to their appointment with the Clerk:

- Identification suitable to the Clerk
- Nomination Paper – Form 1
- Declaration of Qualification
- Filing Fee

At the appointment with the Clerk a candidate will also be asked to complete the following:

- Declaration of Proper Use of Voters' List
- Consent to Release Personal Information

Candidates do not have to provide all names under "Given Name(s)" on the Nomination Paper (Form 1) Candidates should only provide the name(s) as they wish to have it appear on the ballot. If they normally go by a different name than their legal name, they may use that name provided the Clerk agrees.

Nomination Fees

- Office of Mayor - \$200
- All other positions - \$100
- Paid to the Clerk at the time of submitting Nomination Forms
- Refunded if Campaign Financial statement is filed by the deadline
- **Fee is payable by cash, debit, money order or certified cheque only. Payment will not be accepted by credit card or personal cheque. E-transfer is not permitted.**

Nomination Period

- File nominations beginning **May 2, 2022**, 8:30AM.
- Last day & time to file nominations is Nomination Day, **Friday August 19, 2022** (9:00AM-2:00PM)

Endorsement of Nomination

Refer to Section 33 of the Municipal Elections Act, 1996

- In accordance to O. Reg. 101/97 provides for an exemption to the 25 signature requirement for candidates in municipalities with less than 4,000 electors.
Therefore, no signatures are required in the Municipality of Morris-Turnberry.

Withdrawing a Nomination

Refer to Section 36 of the Municipal Elections Act, 1996

If a candidate decides to withdraw their nomination, they must notify the Clerk in writing by the close of nominations. It is highly recommended that the candidate use the Withdrawal of Nomination Form provided by the Clerk and posted on the municipal website. They must still file a campaign Financial Statement even if they do not incur any expenses. The nomination fee will be refunded by the Clerk if a Financial Statement is filed by the deadline.

Certified Candidates

Refer to Section 35 and 37 of the Municipal Elections Act, 1996

After **Nomination Day (August 19, 2022)**, if satisfied that the candidate is qualified to be nominated, the Clerk shall certify the Nomination by signing the Nomination Paper.

The Clerk must examine and certify (or reject) all nominations by **4PM on Monday August 22, 2022**. The Clerk must declare any candidates elected by acclamation at the same time.

A list of Certified Candidates will be posted on the Morris-Turnberry website and in the foyer of the Municipal Office.

6.0 Campaigning

See the [Candidates' Guide for Municipal & School Board Elections](#) for specific information campaigning and campaign finances. The provincial Guide provides information regarding record keeping, bank accounts, contributions, fundraising, expenses, inventory, the Financial Statement and surplus/deficits.

Campaign Period

Refer to Section 88.24 of the Municipal Elections Act, 1996

- Campaign Period begins on the date that Nomination Papers are filed
- Campaign Period ends on **January 3, 2023** unless nomination withdrawn, candidate was not certified or the campaign is extended to pay down a deficit
- Candidates can start campaigning after the Nomination Paper is filed

Campaign Advertising & Signs

Refer to Section 88.3 of the Municipal Elections Act, 1996

- See **Candidates' Guide for Municipal & School Board Elections** and the Act for the definition of a "campaign advertisement".

Huron County Election Sign Policy

The County of Huron By-law 53-1989 references Elections Signs as follows:

- (e) Election Signs: Election signs may be erected on the right of way or adjacent to a County Road, providing:
 - (i) They are not placed closer to the traveled portion of the highway than the outer extremity of the shoulder and do not interfere with the official signs, traffic signals, or other safety devices. Should the extremity of the shoulder be difficult to determine, it shall be the responsibility of the County Engineer to specify its location on any particular County Road.
 - (ii) Election signs are not to be affixed to any permanent or official County sign or support, guide rails or other County structure or facility.
 - (iii) Election signs shall be removed within 24 hours after the election date.

-

Campaign Finances, Bank Accounts & Contributions

Refer to Section 88 of the Municipal Elections Act, 1996

- Candidates must open a bank account if they accept any contributions (including money from themselves) or incur any expenses.
- The Nomination Fee is considered to be a personal expense.
- All contributions must be deposited into the campaign account. All expenses must be paid out of the campaign account.
- Inventory from previous campaigns (i.e. signs) used in the 2022 campaign must be reported using the current market value as a contribution to their campaign.
- Likewise, reusable campaign materials must be valued and reported as closing inventory.
- If a candidate uses their credit card for purchases, they should make sure they keep clear, defensible records showing that the expense was reimbursed from the campaign account.
- A “contribution” means money, goods & services. A discount is considered a contribution.
- Volunteer labour, donations under \$25, free advertising available to all candidates are not considered a “contribution”.
- Contributions must only be accepted from Ontario residents, the candidate and their spouse.
- Contributions are not permitted from corporations, trade unions, federal/provincial parties.

Contribution Limitations & Limits

Refer to Municipal Elections Act, 1996 and Ontario Regulation 101/97

- Contributions over \$25 shall not be made in cash.
- No contributor may contribute more than \$1200 to any one candidate in an election and no more than \$5000 to two or more candidates for the office on the same Council.
- An interim maximum campaign spending limit is provided to each candidate upon filing Nomination Papers.
- Tip: Unincorporated groups (i.e. law partnership) can contribute to a campaign but the candidate should request a list of individual contributors and amounts contributed, issue receipts to individual contributors, report the contributions on the candidate’s financial disclosure as individual contributions.
- For additional information about expenses related to the holding of parties and other expressions of appreciation after the close of voting, please refer to the provincial Candidate Guide.

Campaign Financial Reporting & Compliance Audits

Refer to Section 88.22 of the Municipal Elections Act, 1996

- Candidates must issue a receipt for every contribution over \$25
- Candidates must list the name and address of every contributor of more than \$100 in the Financial Statement
- If a Nomination Paper was filed, a Financial Statement must be filed.
- Candidates must retain financial records until the successor Council of the next regular election is organized.
- Financial Statements (Financial Statement – Auditors Report, Candidate – Form 4) must be filed on or before **March 21, 2023**.
- Campaign surplus (after refund contribution made by themselves or spouse) must be paid to the Clerk at the time of filing Financial Statement.
- Campaign deficits can be carried forward to the next election (same Council) or the campaign can be extended to permit additional fundraising.
- Any eligible voter who believes a candidate has contravened the election finance rules may apply for a compliance audit of their campaign finances. Application must be in writing, set out reasons and submitted to the Clerk within 90 days of the deadline to file the Financial Statement.
- See Section 88.33 of the Municipal Elections Act to read about the powers of the Compliance Audit Committee (appointed jointly by all Huron County municipalities).

7.0 Accessibility – Voters & Candidates with Disabilities

Refer to Section 12.1, 88.19(3) and 88.20(4) of the Municipal Elections Act, 1996

Clerk’s Responsibilities

The Clerk shall make every effort to accommodate the needs of voters and candidates with disabilities. When requested, all documents are available in alternative formats.

Expenses that are incurred by a candidate with a disability that are directly related to the disability, and would not have been incurred but for the election, are excluded from the permitted spending limit for the candidate.

The Clerk shall prepare an Election Accessibility Plan and make it available to the public before Voting Date. The Plan will be posted on the municipal website and available from the Clerk’s Office. The Clerk will also prepare a report outlining how the municipality identified, removed and prevented barriers that affect voters and candidates with disabilities.

Candidate Responsibilities

Candidates are encouraged to make their campaign as accessible as possible to voters with disabilities. The AMCTO has published the “AMCTO’s Quick Reference Guide to Accessible Campaign Information”.

8.0 Information for Voters

Candidates play a key role in communication with voters. The following information is general in nature. We encourage all candidates and voters to refer to the municipal website or contact the Clerk’s Office for the most current information.

Qualified Electors

Refer to Section 17 of the Municipal Elections Act, 1996

In order to vote in any municipal election in Ontario, a voter must be aged 18 or older and be a Canadian citizen. Specifically, they must be qualified to vote in Morris-Turnberry. They are several ways to do that:

- Resident Voters – person’s place of residence
- Non-Resident Voters – person lives in another municipality but owns or rents property in Morris-Turnberry.
- Spouse of a Non-Resident Voter – spouse of a qualified non-resident voter

Students & Trailer Owners

A person may have residence in two locations at the same time if the person lives in one municipality in order to attend school, but not with the intention of changing their permanent lodging place. A student can vote in the municipality where they attend school and they can also vote where they live.

Trailer owners in campgrounds are tenants of the campground, therefore, they are potential eligible electors. Under a timeshare contract, to be eligible, the person must be

entitled to use the land on Voting day or for a period of six weeks or more during the calendar year in which the election is held.

Getting on the Voters' List

Prior to **July 31, 2022**, a voter can visit www.VoterLookup.ca. This site is site managed by MPAC. On this site an eligible voter can:

- Confirm or update their electoral information
- Add an elector name to an address
- Change school support for the purpose of voting in a school board election

MPAC provides the Clerk with the Preliminary List of Electors and the Clerk has until **Thursday September 1, 2022** to make any obvious corrections and reproduce a Voters' List. Starting on this date, eligible voters may fill out an Application and file it with the Clerk before Voting Day. The Application can be filed in person, by the applicant or an agent. The Application can also be mailed to the Clerk's Office.

Internet & Phone Voting – Election Manual

In 2021 the Municipality of Morris-Turnberry chose to utilize Internet & Telephone voting. This will be the third election that this voting method has been used. All municipalities in Huron County are utilizing the same method of voting.

The Clerk must establish and publish election procedures and forms used for Internet & Phone voting by **June 1, 2022**. A copy of the Election Manual will be provided to each candidate and published on the municipal website. The is a great reference guide as it provides copies of all forms and explains all processes.

Missing Voter Information Letters & PINS

The Voters' List is the database used to create the Voter Information Letters (VILs). The VILs will be mailed to electors during the first two weeks of October. The VIL will contain a Personal Identification Number (PIN) plus an additional security element to gain access to the internet or phone voting system.

If an eligible elector is not on the Voters' List or has not received a VIL, please direct them to contact the Clerk's Office immediately. The Clerk's Office will assist them.

9.0 Morris Turnberry Council Information

Composition

The Morris-Turnberry Council is composed of the Mayor, four (4) Councillors (elected at large),. There is a total of five (5) members of Council.

Roles & Responsibilities

Refer to Sections 224-226.1 of the Municipal Act, 2001

The Ontario Municipal Act, 2001 sets out the roles and responsibilities of Council and staff. The Ministry of Municipal Affairs and Housing has published "[The Ontario Municipal Councillor Guide](#)".

The Guide is excellent. It reviews topics such as Accountability & Transparency measures, definition of a meeting (including Closed meetings), the role of Council, municipal powers, fiscal responsibilities, land use planning, building regulations, emergency management, etc.

One of the first, and most important acts as a member of a municipal Council is to make the Declaration of Office. The Declaration includes the following four promises:

- I will truly, faithfully and impartially exercise this office to the best of my knowledge and ability.
- I have not received and will not receive any payment or reward, or promise thereof, for the exercise of this office in a biased, corrupt or any improper manner.
- I will disclose any pecuniary interest, direct or indirect, in accordance with the Municipal Conflict of Interest Act.
- I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second.

Boards & Committees

Immediately following the Inaugural Meeting of Council, members will be polled to determine their interest in Morris Turnberry Committees & Boards. The Mayor reviews the interest expressed and puts forward a roster of members, which is adopted by by-law. Some of the Committees & Boards meet on a very regular basis (i.e. monthly) while others meet more infrequently.

Morris-Turnberry Council also holds meetings specifically focused on the Budget and Strategic Planning.

Morris-Turnberry Committees of Council:

- Committee of Adjustment (Planning Act) – All Council members
- Property Standards Committee – All Council members
- Emergency Management Planning Committee - Mayor
- Human Resources Committee – Mayor and Deputy Mayor

Committees to which Morris-Turnberry appoints a Member:

- Ausable Bayfield Source Protection Committee
- Bluevale Community Committee
- Belmore Arena Board
- Brussels, Morris & Grey Community Centre Board
- Brussels Medical Dental Centre Board
- Brussels Fire Area – Fire Protection Sub Committee
- CHIP – Coalition of Huron Injury Prevention
- Maitland Valley Conservation Authority
- Maitland Source Protection Authority Board
- Physician Recruitment Committee
- Saugeen Valley Conservation Authority (Shared with Howick and South Bruce)
- Sustainable Huron Steering Committee
- North Perth – North Huron Family Health Team

Huron County Council

The Mayor automatically hold membership on Huron County Council and have the opportunity to participate in a number of their Boards and Committees.

The Municipal Act permits a municipality to appoint an alternate member to act in the place of the Mayor if they are not able to attend a meeting (except in the case of a member on parental leave).

Huron County Council meets twice monthly (first and third Thursday of each month).

A copy of the regular [Council and Committee meeting schedule](#) is available on the Huron County website.

Inaugural Meeting & Regular Meeting Schedule

The Municipal Act states that a candidate shall not take a seat on Council until the person takes the Declaration of Office. The Inaugural Meeting of Council is scheduled for **Tuesday November 15, 2022 at 5PM**. Details of this event will be available closer to the date.

The Inaugural Meeting of Huron County Council is scheduled for **Wednesday November 30, 2022 at 9AM**. Details available closer to the date.

The regular meeting of Council schedules is established in accordance with the Morris-Turnberry Procedure By-law. Regular meetings are held the first and third Tuesdays of the month. Agendas are published not later than forty-eight (48) hours prior to the meeting. Items for the agenda and delegation appointments must be submitted to the Clerk no later than noon on the Thursday prior to the meeting.

The 2023 meeting schedule will be established in mid-2022 but can be revisited by the new Council if necessary.

Council Remuneration & Technology Provided

Council Remuneration:

Council must, at least one time during a term, review their own Remuneration. It is recommended that this review is undertaken within the first year of the new term.

The current Remuneration By-law was adopted in 2021 and adjusted by the annual Consumer Price Index (CPI).

All members earn an Honourarium.. Members are paid a per-meeting rate (including Council, Committees, conferences & seminars) and mileage to travel to meetings outside of the municipality.

Elected members are paid monthly (12 times annually).

A copy of the 2022 Council Remuneration & Expenses Rates is posted on the municipal website.

Candidates should consider the impact of the remuneration earned on their personal income tax circumstances.

Technology Provided:

Council Members shall be issued the following devices and/or electronic tools at the beginning of their term of office:

- one (1) corporate standard electronic device (corporate standard to be determined by the Treasurer in consultation with the Clerk.
- one (1) corporate email address.
- Corporate standard software identified (i.e. electronic agenda software) as essential to the business of the Municipality, to be determined by the Treasurer in consultation with the Clerk.

Council Orientation

Morris-Turnberry staff, experts and other representatives will provide the newly formed Council with the training & information necessary to fill their roles and responsibilities. Attendance at Council Orientation should be considered a priority.

Joint Huron County Council Orientation: **Thursday November 10, 2022 (full day)**

Morris-Turnberry Orientation: **Date to be determined.**

10.0 Important Dates

The following list of dates is subject to change. Please see municipal website or contact the Clerk for clarification.

May 2, 2022 (8:30AM) – Nomination Period starts – First day to file Nomination Papers

June 1, 2022 – Election Manual published by the Clerk

June 22, 2022 (7:00PM) – Libro Hall, Clinton – Joint Huron County Candidate Information Session

August 19, 2022 (9:00AM-2:00PM) – Nomination Period – Last day to file, change or withdraw Nomination Papers

August 22, 2022 (by 4:00PM) – Announcement of Acclamations & Certified Candidates

September 1, 2022 – Voters' List Published

September 26, 2022 – Final expense limits provided to candidates and registered third parties.

October 11, 2022 at 9:00am – Telephone and online voting opens (Continuous voting period 24/7 until Monday October 24th at 8pm

October 21, 2022 – Last day for an individual or entity to file a notice of registration as a third party advertiser

October 24, 2022 (until 8:00PM) – Voting Day

October 24, 2022 (8:00PM-9:00PM) – Announcement of Results at Morris-Turnberry Council Chambers

October 25, 2022 – Declaration of Election Results by the Clerk

November 1, 2022 – Final meeting of the outgoing Council

November 10, 2022 – Joint Council Orientation Session (full day)

November 15, 2022 (5:00PM) – Inaugural Meeting of Council for 2022-2066 Term

November 30, 2022 (9:00AM) – Inaugural Meeting of Huron County Council

December 6 & 20, 2022 (7:30PM) – Regular Council Meetings

December 31, 2022 – End of campaign period

January 3, 2023 – End of Election Campaign Period

March 31, 2023 – Deadline to file Financial Statement

11.0 Links to Legislation, Policies, Maps & Forms

Provincial Legislation & Guides:

[Municipal Act, 2001](#)

[Municipal Elections Act, 1996](#)

[Municipal Conflict of Interest Act, 1990](#)

[Candidates' Guide for Municipal & School Board Elections](#)

[Ontario Municipal Councillor's Guide](#)

[Association of Ontario Municipalities – How Local Governments Work](#)

[MPAC VoterLookup.ca](#)

Required Forms:

Nomination Paper - Form 1

Endorsement of Nomination - Form 2

Declaration of Qualification

Declaration of Proper Use of Voters List

Consent to Release Personal Information

Withdrawal of Nomination Form

Financial Statement – Auditors Report, Candidate – Form 4

Morris-Turnberry Policies:

Council Remuneration Rates 2022

Use of Corporate Resources During an Election

Council Code of Conduct

Links to Maps

[Morris-Turnberry Map](#)

[Ward Maps - County of Huron](#)

[Huron County GIS Mapping](#)

[Huron County Map Library](#)

12.0 Contact Information

Kim Johnston, Deputy Clerk/Returning Officer

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

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

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

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

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

New election rules for 2022

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

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

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

Contact us

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

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

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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 \(Form 6\)](#)

MUNICIPALITY OF MORRIS-TURNBERRY

**DECLARATION OF PROPER USE OF THE VOTERS'
LIST**

Municipal Elections Act, 1996 [s. 23 (3), (4) and (5)]

I, _____, being a:
(Name)

Candidate for the office of _____

OR

a person entitled to a copy of the Voters' List pursuant to section 23 (3) of the *Municipal Elections Act*, namely

_____ hereby request the Clerk to provide me with the following information when it becomes available:

- a copy of the Voters' List;
- a copy of the Revisions made to the Voters' List after the preparation of the Interim List of Changes

Internet/Telephone:

- the Candidates module to view the list of electors
- a copy of the daily lists showing the name of each person who has voted.

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

Signature

Date

MUNICIPALITY OF MORRIS-TURNBERRY POLICY FOR USE OF THE VOTERS' LIST

The Voters' List has been compiled for election purposes only. All electors should ensure that their names and relevant information are correct on the Voters' List.

Eligible persons who request a copy of the Voters' List must sign a declaration **MT Form 10** as per the attached form prior to receiving a copy of all or any part of the Voters' List.

Where the Voters' List can be provided electronically to an eligible person, who has signed a declaration **MT Form 10** provided by the Clerk stating the list shall be used for Election purposes only, the Clerk may choose to provide it in this format.

Eligible persons who obtain additional copies of the Voters' List or any part thereof shall pay to the Clerk a fee prescribed by the Clerk for photocopies which must be the lowest fee charged by the municipality for copies. [Section 88 (8)]

Copies for local boards – municipalities - Minister

On written request, the Clerk shall provide a copy of the Voters' List to, [Section 23 (3)]

- the secretary of a local board any of whose members are required to be elected at an election conducted by the Clerk, or that has submitted a question to the electors;
- the Clerk of the local municipality responsible for conducting the elections in any combined area for school board purposes;
- the Clerk of an upper-tier municipality any of whose members are required to be elected at an election conducted by the Clerk, or that has submitted a by-law or question to the electors;
- the Minister, if he or she has submitted a question to the electors.

Copies – for candidates

On the written request of a certified candidate for an office, the Clerk shall provide him or her with the part of the Voters' List that contains the names of the electors who are entitled to vote for that office.

The Candidate or their campaign worker cannot confirm or deny if a person is on the Voters' List.

The person must contact or visit the municipal office where they are entitled to vote, with proper identification and proof of residence during normal office hours beginning September 1 up to and including the close of voting on October 24 at 8 p.m.

Use of online, electronic and paper versions of the Voters' List, Interim and Final List of Changes to the

List and all other information containing personal voter information shall be protected by the Candidate and shall not be used for any purpose other than the 2022 Municipal Election. All Voter information obtained by the Candidate during the 2022 Municipal Election shall be destroyed by the Candidate after the election, either by returning same to the Clerk for destruction with other election material or by deleting it completely from Candidate computer hardware. If records are shared by the Candidates with others (campaign workers) an oath administered by the Candidate, similar to the one taken by the Candidate shall be administered and all shared records shall also be protected and destroyed.

MUNICIPALITY OF MORRIS-TURNBERRY

INTERIM LIST OF CHANGES

Municipal Elections Act, 1996 [s. 27(1)a]

Municipality of Morris-Turnberry

Ward No. (if any)	N/A	Voting Subdivision (one or more)	N/A
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I hereby certify that the following revisions, as attached, were made to the Voters' List for this Municipality.

DATED THIS ____ DAY OF SEPTEMBER, 2022.

Municipal Clerk or Designate

NOTE:

This form is the cover sheet for the Interim List of Changes. Information should be the same as appears on the Voters' List with the addition of a column indicating D = Deletion, A = Addition, C = Correction.

MUNICIPALITY OF MORRIS-TURNBERRY

**NOTICE OF ELECTION INFORMATION -
Internet / Telephone:**

Municipal Elections Act, 1996 (s. 40)

Municipal Elections for the offices of:

Mayor/Reeve – 1 to be elected

(List candidates alphabetically)

Councillors - 4 to be elected

(List candidates alphabetically)

School Board Trustee – English Public – 1 to be elected

(List candidates alphabetically)

School Board Trustee – English Separate – 1 to be elected

(List candidates alphabetically)

School Board Trustee – French Public – 1 to be elected

(List candidates alphabetically)

School Board Trustee – French Separate – 1 to be elected

(List candidates alphabetically)

- Location of Revision and Help Centre: 41342 Morris Road, Brussels
- Voting Period: beginning October 11 at 9:00 a.m. through to October 24 at 8:00 p.m.
- Additional information as appropriate to the circumstance.

Date

Municipal Clerk or designate

MUNICIPALITY OF MORRIS-TURNBERRY

FINAL LIST OF CHANGES

Municipal Elections Act, 1996 [s. 27(2)]

Municipality of Morris-Turnberry

Ward No. (if any) N/A	Voting Subdivision (one or more) N/A
------------------------------	---

I hereby certify that the following additions were made to the Voters' List for this Municipality.

C = correction D = deletion A = addition	ELECTOR	ELECTOR STATUS			QUALIFYING ADDRESS	MAILING ADDRESS

DATED THIS ___ DAY OF _____ 2022.

Municipal Clerk or Designate

NOTE:

Be sure to include all additions made by the Returning Officers at the voting place on voting day. This list is to be prepared by the date fixed by the Minister of Finance under the *Assessment Act*.

MUNICIPALITY OF MORRIS-TURNBERRY

CERTIFICATE OF THE VOTERS' LIST

Municipal Elections Act, 1996 [s. 28(1)]

I hereby certify that the attached Voters' List contains the names of persons entitled to vote at the Municipal Elections to be held on Monday, October 24, 2022, for the voting subdivision(s) set out below:

Municipality		
Ward No (if applicable) N/A	Voting Subdivision No(s) (if applicable) N/A	

DATED THIS ____ DAY OF _____ 2022.

Municipal Clerk

NOTE: The Voters' List for use in the Voting Subdivision should be prepared as late as possible so that as many revisions made to the list can be included. Clerks may choose to create this list from a computer data base.

**MUNICIPALITY OF MORRIS-TURNBERRY
OATH OF RETURNING OFFICER**

Municipal Elections Act, 1996

I, the undersigned, appointed in the capacity of Returning Officer, for the Municipality of Morris-Turnberry swear or solemnly affirm:

That I will act faithfully in the capacity set out in my appointment and perform all the duties required by law without partiality, fear, favour or affection; and

That I will maintain and aid in maintaining the secrecy of the voting; and

That I will not attempt to:

- interfere with an elector when he/she is marking his/her ballot,
- obtain or communicate any information as to how an elector is about to vote or has voted, or
- directly or indirectly induce an elector to show his/her marked ballot to any person, or
- directly or indirectly influence how an elector votes.

SWORN or affirmed before me at the

_____ of _____

in the County of Huron

this _____ day of _____, 2022.

Commissioner of Oaths, etc.

Signature of Returning Officer

MUNICIPALITY OF MORRIS-TURNBERRY
APPOINTMENT AND PRELIMINARY OATH
OR AFFIRMATION FOR ELECTION OFFICIALS

Check Applicable Box Below

- DEPUTY RETURNING OFFICER
ASSISTANT RETURNING OFFICER
POLL CLERK
ELECTION ASSISTANT

Ward and Voting Subdivision No. N/A
Municipality:
Name of Person Appointed:

I, the undersigned, appointed in the capacity of
do hereby swear or solemnly affirm:

That I will act faithfully in the capacity set out in my appointment and perform all the duties required by law without partiality, fear, favour or affection; and

That I will maintain and aid in maintaining the secrecy of the voting; and

That I will not attempt to:

- interfere with an elector when he/she is marking his/her ballot,
obtain or communicate any information as to how an elector is about to vote or has voted, or
directly or indirectly induce an elector to show his/her marked ballot to any person.
directly or indirectly influence how an elector votes.

SWORN or affirmed before me at the Municipality of Morris-Turnberry in the County of Huron

this day of , 2022.

Kim Johnston, Deputy Clerk Signature of person appointed

Morris-Turnberry 2022 Municipal Election

USE OF CORPORATE RESOURCES FOR ELECTION PURPOSES



Prepared April 2022
Municipal Clerk's Office
Kim Johnston Deputy Clerk

vote@morristorynberry.ca OR kjohnston@morristorynberry.ca

519-887-6137 Ext. 224

www.morristorynberry.ca

<https://morristorynberry.ca/government/2022-municipal-election>

Policy Statement:

The *Municipal Elections Act, 1996*, as amended, establishes the election campaign finance rules for Candidates running in a municipal election. Section 88(8)(4) prohibits municipalities such as The Corporation of the Municipality of Morris-Turnberry from making campaign contributions.

The *Election Finance Act, 1990*, as amended, and the *Canada Elections Act, 2000* as amended, establish regulations for candidates and parties running in provincial and federal elections. Section 29(1) of the *Election Finance Act* and Section 363 (1) of the *Canada Elections Act* prohibit a municipal corporation from making campaign contributions to any candidate, political party or constituency association in a provincial or federal election.

As campaign contributions may take the form of money, goods or services, any use of corporate resources for election related purposes, by candidates, third party advertisers or Municipal staff, is not permitted.

No candidate or registered third party advertiser shall use the facilities, equipment, supplies, services, staff or other resources of the Municipality of Morris-Turnberry for any election campaign or campaign-related activities.

Purpose/Application:

The policy provides direction to candidates, third party advertisers, members of Council and all Municipal staff on the administration of Corporate resources and members' budgets with respect to election-related matters. The purpose of this policy is to clarify that all election candidates at the municipal, provincial and federal level, including Members of Municipal Council and Third Party Advertisers are required to follow the provisions of the *Municipal Elections Act, 1996* as amended, *the Election Finance Act, 1990* as amended, *Elections Act, 1990* and the *Canada Elections Act, 2000* as amended, as applicable.

The Policy is intended to:

- Ensure compliance with the *Municipal Elections Act, 1996*, *Elections Finance Act, 1990* and *the Canada Elections Act, 2000*, in regards to the role of the Municipality contributing to a candidates or registered third party campaign;
- Ensure that candidates and registered third parties are treated fairly and consistently within the municipality;
- Ensure the integrity of the election process is maintained at all times;
- Establish the appropriate uses of resources during an election period, in order to:
 - Protect the interests of the members of Council, Candidates, Registered Third Parties, Municipal staff and the Corporation; and
 - Ensure accountable and transparent practises

This policy is applicable to all candidates (including any candidate acclaimed), Members of Morris-Turnberry Council (including a member who is not seeking re-election), Third Party Advertisers and Municipal staff.

Definitions:

Election Campaign-Related Activities and Materials means any resources used to promote, support or oppose a candidate or a “yes” or “no” vote related to a question on the ballot, including but not limited to literature, banners, posters, pictures, buttons, clothing or other paraphernalia.

Activity means any action or event by or on behalf of a candidate, political party, or third party advertiser meant to promote, support or oppose a candidate or a “yes” or “no” vote related to a question on the ballot during the election period. Campaign-related activities do not include the appearance of elected officials acting in their capacity of Councillor, School Board Trustee, Member of Provincial Parliament, or Member of Parliament.

Campaign Period means the official campaign period of an election.

- For a municipal election, the campaign period commences on the May 1 of an election year and ends on December 31 of an election year.
- For a provincial or federal election, the election period commences on the day the writ for the election is issued and ends on voting day.
- For a by-election, the period commences the day the by-election is called and ends on voting day.

Candidate means any individual running for an elected office, including Mayor, Councillor, School Board Trustee, Member of Provincial Parliament and/or Member of Parliament or anyone acting on their behalf.

Election-related purpose refer to the occurrence of a municipal election or by-election. It also includes any participation in federal and provincial elections that is partisan in nature.

Nomination Day refers to the third Friday in August in a municipal election year.

Third Party or Third Party Advertiser means an individual, corporation or trade union that promotes, supports or opposes a candidate or a “yes” or “no” vote related to a question on the ballot in accordance with the *Municipal Elections Act*.

Specific Requirements:

Communications Related Provisions

At no time shall Corporate resources and/or Members' budgets be used to sponsor or produce any election campaign-related materials (municipal, provincial and federal).

Members of Council are responsible for ensuring that the content of any communication material, printed, hosted or distributed by the Municipality of Morris-Turnberry is not election campaign-related.

Members of Council shall not deliver any unsolicited material where the printing and/or distribution costs are being paid by the municipality. This provision shall be effective not only during an election year, but at all times.

Members of Council shall not:

- Create, print, publish, sponsor or distribute any material paid by municipal funds that illustrates that a Member of Council or any other individual is registered in any election or where they will be running for office;
- Profile (name or photograph), or make reference to, in any material paid for using municipal funds, any individual who is registered as a candidate in any election; and
- Create, print, publish, sponsor or distribute any material using municipal funds that makes reference to, or contains the names or photographs, or identifies registered candidates for municipal elections.

In a municipal election year or in the event of a by-election, Corporate resources or the Members' budgets are not to be used to sponsor any advertisements, flyers or newsletters from the day prior to Nomination Day up to and including the final voting day.

Candidates shall not create, print, publish sponsor or distribute any election campaign-related materials using municipal funds. This prohibition also applies to the use of any Municipal equipment, facilities, social media or websites, if the access is Municipally-sponsored/funded.

In any material created, printed sponsored or distributed by the Municipality of Morris-Turnberry, candidates are not permitted to:

- Illustrate that an individual (either a Member of Council or any other individual) is a candidate registered in any election;
- Identify where they or any other individual will be running for office; or
- Profile or make reference to candidates in any election.

Notwithstanding the above, the minutes of Council and Committee meetings shall be exempt from this policy.

The municipality's logo, crest, coat of arms, slogan, etc. shall not be printed or distributed on any election campaign-related materials, or included on any election campaign website, except in the case of a link to the Municipality's website to obtain information about the municipal election.

Photographs produced for and owned by the Municipality of Morris-Turnberry shall not be used for any election campaign-related purposes.

Photographs taken utilizing Morris-Turnberry equipment or sent through Municipal accounts shall not be utilized.

Candidates and Third Party Advertisers are not permitted to engage in election campaign-related activities directed at municipal employees while those employees are at their workplace or engaged in work for the Municipality.

Where an emergency occurs, a non-emergency related community issue arises or where an annual community event is held during the period beginning the day prior to Nomination Day up to and including final voting day, a Member of Council may use Corporate resources to advise or contact their constituents with the approval of the Municipal Clerk.

Use of Municipal Facilities, Services and Property Provisions

Candidates shall not campaign and/or distribute campaign literature during any function hosted by the Municipality of Morris-Turnberry, whether on municipal property or not.

Members of Council, Candidates and Third Party Advertisers shall not use any municipally provided facilities for any election-related purposes unless the facility is generally available for rent by the public and it is rented in accordance with the Municipality of Morris-Turnberry's rental procedures.

In accordance with the Election Sign By-law, no election campaign-related signs nor any other election-related material shall be displayed in any municipally owned facilities.

Notwithstanding, the ability to use the interior of any Municipally-owned or run facility for election related purposes, if rented in accordance with the provisions noted above, no election related activities, including campaigning and the distribution of campaign literature are permitted to take place inside or on the property of the Municipality of Morris-Turnberry Municipal office.

Technology Related Provisions

Candidates, Members of Council and Third Party Advertisers shall not use Corporate resources or services such as computers, cell/smart phones, telephones, tablets, printers, scanners, copiers, email, file storage, voicemail, or any other equipment or technology owned by the Municipality of Morris-Turnberry, for election related purposes.

Websites or domain names that are operated or funded by the Municipality shall not include any election campaign-related materials or links to any sites that feature election campaign-related information, including but not limited to Twitter, Facebook and other social media accounts to any sites that feature election campaign-related material.

The municipality's voice-mail system or voice-mail set up on any Municipally issued phone shall not be used to record election related messages or the computer network (including Morris-Turnberry's email system) to distribute election related correspondence.

Distribution lists or contact lists developed utilizing Corporate resources or through a contact in a Member of Council's role shall not be utilized for election purposes.

Morris-Turnberry Staff

In keeping with the Municipality of Morris-Turnberry Staff Code of Conduct, Municipal Staff are expected to preserve the public trust and confidence in Morris-Turnberry. Employees engaged in political activities must take care to separate those personal activities from their official positions.

Employees may participate in political activity at the federal, provincial or municipal levels providing that such activity does not take place during work hours or utilizing Municipal assets, resources, or property. Notices, posters or similar material promoting, supporting or opposing a particular Candidate or political party are not be produced, displayed or distributed by employees of the Municipality of Morris-Turnberry.

Employees shall not canvass or actively work in support of a Candidate or political party during normal work hours, unless they are on a leave of absence without pay, lieu time, flex time or vacation leave.

Employees shall not canvass or actively work in support of a municipal Candidate or political party while wearing a uniform, badge, logo or any other item identifying them as an employee of the Corporation, or using a vehicle owned or leased by the Municipality.

Employees wishing to run for federal, provincial or municipal office must request and obtain a leave of absence without pay and abide by the respective legislation governing such elections.

Limitations

Nothing in this Policy shall preclude a Member of Council from performing their duties as Mayor or Councillor, nor inhibit them representing the interests of the constituents who elected them.

Responsibilities

The Clerk (or designate) is responsible for communicating the policy to members of Council, Candidates, Third Party Advertisers and Municipal staff.

Members of Council, Candidates, Third Party Advertisers and Municipal staff are accountable to comply with this policy.

In accordance with the Municipal Elections Act, the Clerk is authorized and directed to take the necessary action to give effect to this policy.

Rationale and Legislative Authority

Section 88.18 of the *Municipal Elections Act, 1996* as amended requires a municipality before May 1 in the year of a regular election, to establish rules and procedures with respect to the use of municipal or board resources, as the case may be, during the election campaign period. The *Municipal Elections Act, 1996* as amended establishes regulations governing campaign finance for candidates running in a municipal election. Section 88(8)(4) prohibits municipalities from making campaign contributions to municipal candidates.

The *Election Finance Act, 1990*, as amended, and the *Canada Elections Act, 2000* as amended, establish regulations for candidates and parties running in provincial and federal elections. Section 29(1) of the *Election Finance Act* and Section 363(1) of the *Canada Elections Act* prohibit a municipal corporation from making campaign contributions to any candidate, political party or constituency association in a provincial or federal election.

Date Approved by Council

April 19, 2022.



INTERNET AND TELEPHONE VOTING ELECTION PROCEDURES FOR THE 2022 MUNICIPAL ELECTION

Approved by the Deputy Clerk of the Municipality of Morris-Turnberry

As Returning Officer of the Municipality of Morris-Turnberry for the municipal elections, I do hereby certify that the following procedures for conducting the 2022 municipal elections and also certify the forms attached (or similar versions, either paper or electronic) as being those permitted to be used during the election process.

This policy may be amended as required, for the purposes of the 2022 municipal election, and any amendments will be underlined and will state the date of the amendment.

April 29, 2022
Date

Kim Johnston
Deputy Clerk Kim Johnston

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Note: The forms and notices in this document will be provided in English only as required by Legislation unless the Council of a municipality has passed a by-law under Section 9(2) of the Municipal Elections Act.

<p style="text-align: center;">Legend PR FORM = Prescribed Form Form MT = Morris-Turnberry Clerk's Form Form EL = AMCTO Election Form</p>
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DEFINITIONS

DEFINITIONS AND ABBREVIATIONS

Term	Definition
Act or “ <i>Municipal Elections Act, 1996</i> ”	means the Municipal Elections Act, S.O. 1996 c. 32, as amended.
Advance Voting Period	means the time during the Voting Period in which eligible electors may cast ballots before Voting Day in an election.
Auditor	means the person appointed by the Clerk to validate the logic and accuracy of a Voting System used in an election.
Ballot	means an image on an internet-enabled device of a ballot for an election to be voted for, including all choices available to the electors and containing spaces in which the electors mark their votes, or when voting using a telephone or wireless phone, an audio set of instructions which describe all choices available to the electors and instruction to mark their selection by depressing the numbered touchtone keypad.
Candidate	means a person who has submitted their nomination form under Section 33 of the Municipal Elections Act, 1996.
Certified Candidate	means a Candidate whose nomination has been certified by the Clerk under Section 35 of the <i>Municipal Elections Act, 1996</i> .
Clerk	<p>means the Clerk of the Municipality who is responsible for conducting this election under the authority of the <i>Municipal Elections Act, 1996</i>.</p> <p>All references to the Clerk for the purposes of this manual shall mean the Deputy Clerk for the Municipality of Morris-Turnberry and shall also be the Returning Officer (R.O.) for the 2022 Municipal Election.</p> <p>All references to Clerk’s designate shall mean the delegated duties of the R.O.</p>
Corporate Resources or Services	means computers, cell phones, telephones, tablets, printers, scanners, copiers, file storage, or any other equipment or technology owned by the Municipality, will not be used for any election related purposes

Term	Definition
Corporation	<p>means a firm that meets certain legal requirements to be recognized as having a legal existence, as an entity separate and distinct from its owners. Corporations are owned by their stockholders (shareholders) who share in profits and losses generated through the firm's operations. A legal entity has legal capacity to enter into agreements or contracts, assume obligations, incur and pay debts, sue and be sued in its own right, and to be held responsible for its actions.</p> <p>A Corporation may include a numbered company, a co-op, an incorporated company, an association, a partnership, a proprietorship (excludes sole-proprietorship as it's not a legal entity), trust, etc. A legal entity cannot vote, only an individual (a person) can vote.</p> <p>Test – if someone tripped and fell on your property who would they sue? You as the person or your company?</p> <p><u>What is a Sole Proprietorship?</u> Income and losses are taxed on the individual's personal income tax return. The sole proprietorship is the simplest business form under which one can operate a business. The sole proprietorship is not a legal entity. It simply refers to a person who owns the business and is personally responsible for its debts.</p> <p><u>What is a Co-op?</u> A business or organization that is owned and operated by the people who work there or the people who use its services.</p>
Election Campaign Advertisement	<p>means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a Candidate.</p> <p>The Municipality's logo, crest, etc. may not be printed or distributed on any election campaign-related materials, except in the case of a link to the Municipality's website to obtain information about the Municipal election</p>
Election Official	<p>means any Election Staff bearing the authority to make a decision on a matter based on their assigned role as authorized by the Clerk in respect to an election.</p>
Election Staff	<p>means any individual that is assigned a role and/or responsibilities by the Clerk in respect to an election.</p>

Term	Definition
Elector	means an individual eligible to vote in an election for The Municipality.
Friend	means a person who has been requested by an Elector to assist them in the voting process in accordance with the <i>Municipal Elections Act, 1996</i> .
Help Centre	means a location designated by the Clerk supplied with a telephone and internet connection to accommodate voting during the voting period. The ability to vote at the Help Centre will be limited to regular office hours Monday to Friday during the voting period, save and except on Voting Day when the offices will remain open until 8:00pm
Interim List of Changes	means, for a regular election, the list of changes made to the Voters' List between the time that the Voters' List was originally published and September 15th in the year of the election.
Lame Duck	means there are restrictions on Council's powers in accordance with Section 275 of the <i>Municipal Act, 2001</i> . A Council is considered to be a Lame Duck Council when: before election day it is determined the new Council will include less than $\frac{3}{4}$ of the members of the outgoing Council before election day; it is determined on election day after the results are known that the new Council is composed of less than $\frac{3}{4}$ of the members of the outgoing Council.
Municipal Office	means the municipal administration building located at 41342 Morris Road, Brussels, Ontario N0G 1H0
Municipality, The	means the Corporation of the Municipality of Morris-Turnberry, Brussels, Ontario.
Normally Resident in Ontario	means the place in which an individual regularly returns if his or her presence is not continuous (sleep)

Term	Definition
Owner or Tenant	<p>means a person who is the owner or tenant shown on the assessment roll of land assessed under the Assessment Act and a non-residential tenant of land assessed under the Assessment Act, whether or not the tenant is shown on the assessment roll, but does not include an owner or tenant of land who is entitled to use the land under a time share contract unless the person is entitled to use the land,</p> <p>(a) on voting day, or</p> <p>(b) for a period of six weeks or more during the calendar year in which voting day of the election is held</p> <p>Tenant – includes an occupant and a person in possession other than the owner or the spouse of such owner or tenant.</p>
Password	<p>means an additional access control word assigned to each authorized user in order to provide additional security for access to the Voting system.</p>
Personal Identification Number (PIN)	<p>means a unique multiple digit number assigned to each elector to provide security for access to the Voting System.</p>
Preliminary List of Electors	<p>means a list of eligible electors compiled by the Municipal Property Assessment Corporation for an election in the Municipality.</p>
Proof of Identification	<p>means proof of identity and residence as prescribed in O. Reg. 304/13 of the Act.</p>
Receiving Location	<p>means the location where the Voting System is activated and where election results are reported, which shall be the Council Chambers located at the Municipal Office.</p>
Registered Third Party Advertiser	<p>means an individual, corporation or trade union that is registered under section 88.6 of the <i>Municipal Elections Act, 1996</i>.</p>
Restricted Period for Third Party Advertisements	<p>means the earliest day that an individual, corporation or trade union is permitted to file a notice of registration as a registered third party and ends at the close of voting on Voting Day.</p>
Revision Centre	<p>means the locations and times designated by the Clerk where members of the public can apply to make additions, deletions and corrections to the list of electors.</p>

Term	Definition
Satisfactory Identification	means any piece of identification or personal information which would verify the identity of an individual to the satisfaction of an Election Official in accordance with the Ministry of Municipal Affairs and Housing (MMAH) list of “Acceptable Documents for Voter Identification”, Ontario Regulation. 304/13 (Voter Identification), or any other identification criteria established by the Clerk.
Scrutineer	means an individual appointed in writing by a Certified Candidate to represent him or her during the voting process.
Third Party Advertisement	means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing a candidate, or a “yes” or “no” answer to a question on the ballot, but does not include an advertisement by or under the direction of a candidate, or an advertisement that incurs no expenses in relation to the advertisement, or an advertisement that is transmitted to employees, shareholders, or directors of the registered third party
Trade Union	means a trade union as defined in the Labour Relations Act, 1995 or the Canada Labour Code (Canada) and includes a central, regional or district labour council in Ontario.
Time/Clock	means the time as indicated on the clock located in the Clerk’s Department.
Voter Assistance Centre	means physical location, property, structure or space on a property where eligible electors may attend in person to cast their ballot in a given election, operated by the Municipality.
Voter Help Desk	means an email address and a telephone help line provided by The Municipality to assist electors with the voting process or other general election inquiries.
Voter Information Letter	means a letter containing a PIN, a telephone access number and an internet address for voting, a Help Centre telephone number for assistance and a list of candidates for office. These letters shall be mailed individually to every person on the Voters’ List or provided by Election Officials to persons who have completed an application for inclusion on the Voters’ List.
Voters’ List	means the list of eligible Electors in an election in the Municipality.
Voting Day	means the final day on which ballots may be cast in an election in the Municipality.

Term	Definition
Voting Kiosk	means a physical internet-enabled device at a Voter Assistance Centre which is specifically configured to permit electors to cast a ballot on the Voting System during an election.
Voting Period	means the time during which Electors may cast ballots using the Voting System provided in an election, and includes both the Advanced Voting Period and Voting Day.
Voting System	means the platform(s) chosen by The Municipality to provide electors with a means of casting their ballot in an election.

AUTHORITY

AUTHORITY

Municipal Elections Act, 1996

Authority

On April 6, 2021, the Council of Corporation of the Municipality of Morris-Turnberry adopted By-law Number 17-2021 authorizing the use of alternative voting methods, that being internet and telephone-based voting.

Section 42 (3) of the *Municipal Elections Act, 1996*, states as follows:

- (3) The clerk shall,*
- (a) establish procedures and forms for the use of,*
 - (i) any voting and vote-counting equipment authorized by by-law, and*
 - (ii) any alternative voting method authorized by by-law; and*
 - (b) provide a copy of the procedures and forms to each candidate.*

In addition, the Corporation of the Municipality of Morris-Turnberry has entered into an agreement with Simply Voting Inc. for the provision of internet and telephone voting services for the 2022 Municipal and School Board elections.

Section 11 (2) of the *Municipal Elections Act, 1996*, states that the clerk of a local municipality is responsible for conducting elections within that municipality, which includes responsibility for:

- (a) preparing for the election;*
- (b) preparing for and conducting a recount in the election;*
- (c) maintaining peace and order in connection with the election; and*
- (d) in a regular election, preparing and submitting the report described in subsection 12.1 (2).*

With respect to the duties and authority of a municipal clerk, Section 12 (1) of the *Municipal Elections Act, 1996*, further states as follows:

- 12. (1) A clerk who is responsible for conducting an election may provide for any matter or procedure that,*
- (a) is not otherwise provided for in an Act or regulation; and*
 - (b) in the clerk's opinion, is necessary or desirable for conducting the election.*

The power conferred by Section 12 (1) includes the power to establish forms, including forms of oaths and statutory declarations, and the power to require their use. It also includes the power to require a person, as a condition of doing anything or having an election official do anything under the Act, to furnish proof that is satisfactory to the election official of the person's identity or qualifications or of any other matter.

Section 13 of the *Municipal Elections Act, 1996*, further states as follows:

- (1) Any notice or other information that this Act requires the clerk to give shall be given in a form and manner and at a time that the clerk considers adequate to give reasonable notice or to convey the information, as the case may be. 1996, c. 32, Sched., s. 13 (1).*
- (2) The clerk shall provide electors, candidates and persons who are eligible to be electors with information to enable them to exercise their rights under this Act.*

Section 42 (4) also states that:

1. *The procedures and forms, if they are consistent with the principles of this Act, prevail over anything in this Act and the regulations made under it.*

The Municipal Elections Act, 1996, Section 53, also provides that the clerk may declare an emergency if they are of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with the Act and provides the authority to the clerk to make arrangements for the proper conduct of the election. Any arrangements made by the clerk, if they are consistent with the principles of the *Municipal Elections Act, 1996*, prevail over anything in the Act and the regulations and all such arrangements, if made in good faith, shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness.

Therefore, as Deputy Clerk and Returning Officer for the municipal elections of the Corporation of the Municipality of Morris-Turnberry, I do hereby certify and approve the following procedures for conducting the 2022 Municipal and School Board Elections and also establish that the forms listed in section 18 below are permitted to be used during this election process.

Kim Johnston, Deputy Clerk/Returning Officer

Duties of Clerk

- 11. (1)** The clerk of a local municipality is responsible for conducting elections within that municipality, subject to the following exceptions:
1. The clerks specified in the regulations made under the *Education Act* are responsible for certain aspects of the elections of members of school boards, as set out in those regulations.
 2. The clerks specified in section 11.1 are responsible for certain aspects of the election of members of the council of an upper-tier municipality, as provided for in that section.
 3. Repealed: 2002, c. 17, Sched. F, Table.
 4. The clerks specified in subsection (5) are responsible for certain aspects of the election with respect to a question an upper-tier municipality submits to its electors under clause 8 (1) (b) or (c).
- (2)** Responsibility for conducting an election includes responsibility for,
- (a) preparing for the election;
 - (b) preparing for and conducting a recount in the election;
 - (c) maintaining peace and order in connection with the election; and
 - (d) in a regular election, preparing and submitting the report described in subsection 12.1 (2).

Powers of Clerk

- 12. (1)** A clerk who is responsible for conducting an election may provide for any matter or procedure that,
- (a) is not otherwise provided for in an Act or regulation; and
 - (b) in the clerk's opinion, is necessary or desirable for conducting the election.

Forms

- (2) The power conferred by subsection (1) includes power to establish forms, including forms of oaths and statutory declarations, and power to require their use.

Also see the section on DISCRETIONARY POWERS OF THE CLERK later in the manual.

Procedures and Forms

Section 42(4) states that the procedures and forms established by the Clerk, if they are consistent with the principles of this Act, prevail over anything in this Act and the regulations made under it.

Any unforeseen cases not dealt with in these procedures will be recorded, action taken, and reflected in an addendum signed by the Clerk, to these procedures and circulated to all candidates and third party advertisers, as applicable, and will be posted on the Municipal website.

APPLICATION

Application

This procedure applies to the 2022 Municipal and School Board Elections in The Municipality including any contests for which The Municipality collects a vote on behalf of another Returning Officer for which the election spans municipal boundaries (e.g. French School Board contest).

The procedures and forms established by this document prevail over anything in the *Act* and its regulations, provided that they are consistent with the principles of the *Act* as per Subsection 42(4) 2. of the *Municipal Elections Act, 1996*.

Where these procedures do not provide for any matter, the election shall be conducted in a manner that is both practicable and consistent with the principles of the *Municipal Elections Act, 1996*, with the same being determined and established by the Clerk.

These procedures may be amended, as necessary and deemed appropriate, by the Clerk. Any amendment to these procedures shall be signed by the Clerk and a copy of the amendment(s) shall be provided forthwith to all candidates and registered third party advertisers.

The Clerk will provide access to these procedures to the Returning Officer of any contests for which The Municipality collects a vote on behalf of, and request that the procedures are distributed to candidates who register to run for those offices.

LANGUAGE

LANGUAGE (SECTION 9)

English

With respect to an election held for offices of a municipal council and an English public or separate school board, notices, forms and other information provided under this Act shall be made available in English only, unless the council of the municipality passes a by-law to authorize the use of:

- a) French, in addition to English, in the prescribed forms; and
- b) French, other languages other than English, or both, in notices, forms (other than prescribed forms) and other information provided under this Act.

English and French

Section 9.1 of the Act requires notices, forms and other information provided under the Act to be made available in **both** English and French for the election of:

- a) Members of a French-language district school board; or
- b) Members of a school authority that,
 - i. has established, operated or maintained a French-language instructional unit within the year before Voting Day, or
 - ii. is subject to an agreement, resolution or order under Part XII of the *Education Act* that requires the school authority to establish, operate or maintain a French-language instructional unit.

Other Languages

A municipal council may pass a by-law to authorize the use of other languages other than English and French in notices, forms (other than the prescribed forms) and other information provided under the Act with respect to the election of the aforementioned members.

PRINCIPLES OF THE ACT

PRINCIPLES OF THE ACT

Some of the principles that were considered during the development of the legislation were that:

- the secrecy and confidentiality of the individual votes is paramount;
- the election should be fair and non-biased;
- the election should be accessible to the voters;
- the integrity of the process should be maintained throughout the election;
- there be certainty that the results of the election reflect the votes cast; and
- voters and candidates should be treated fairly and consistently within a municipality.

NOMINATIONS

2022 NOMINATION PROCEDURE

NOMINATION PAPERS (SECTION 33)

The giving of notice (Section 32) for nominations shall be issued on a form entitled “Notice of Nomination for Office” *Form MT01* and shall be placed, as a minimum, in a local newspaper(s) prior to **May 1, 2022** and prior to August 19th, 2022, in one (1) conspicuous place in the municipality and on the municipal website.

“Nomination Paper” *PR Form 1* for the following offices will be available at the Clerk’s Office from the first business day of May in 2022 to Thursday, August 18th, 2022 during regular office hours, and between 9:00 a.m. and 2:00 p.m. on Friday, August 19th, 2022 (Nomination Day) and on the municipal website for the following offices:

- **Mayor** - 1 to be elected **at large**;
- **Councillor** – 4 to be elected **at large**;

Nominations for the following School Board offices must be filed with the appropriate municipal office:

- **English Public- Avon Maitland District School Board** – number to be elected to be determined by the Board;
- **English Separate- Huron-Perth Catholic District School Board** – number to be elected to be determined by the Board;
- **French Public- Conseil scolaire de district du Centre-Sud-Quest** for the Regional Municipality of Waterloo, County of Wellington, County of Middlesex, County of Perth (including Stratford) and County of Huron – number to be elected to be determined by the Board;
- **French Separate- Conseil scolaire de district des écoles catholique Providence** for the County of Lambton, County of Huron and the County of Bruce- number to be elected to be determined by the Board;

The filing fee of \$100 for Councillor or School Board Member and \$200 for Mayor, is payable by cash, certified cheque, money order or debit machine. A nomination form must be signed by the candidate and filed in person or by agent during regular business hours between May 2, 2022 to August 18, 2022 from 9:00 a.m. and 4:30 p.m. and **Nomination Day** – August 19, 2022 from 9:00 a.m. to 2:00 p.m.

Nomination forms may be picked up from the Clerk’s Office at 41342 Morris Road, Brussels, ON, during business hours beginning May 2, 2022 or from the Municipal website www.morristurnberry.ca for the offices of Mayor and Councillor.

Nomination papers for school boards must be obtained and filed at the appropriate Municipal Office for the following offices:

- (1) School Board Trustee – English Public
- (1) School Board Trustee – English Separate
- (1) School Board Trustee – French Public
- (1) School Board Trustee – French Separate

Nominations must be on the prescribed form and are to be filed with the Clerk at the Municipal Office, 41342 Morris Road, Brussels, Ontario, in the following manner:

- in person or through an agent
- during regular office hours at the Clerk's Office from the first business day in May of 2022 to Thursday, August 18, 2022 and between 9:00 a.m. and 2:00 p.m. on Friday, August 19, 2022 (Nomination Day)
- with the prescribed declaration by at least 25 persons endorsing the nomination who are eligible to vote in an election for an office within the municipality.
- In accordance to O. Reg. 101/97 provides for an exemption to the 25 signature requirement for candidates in municipalities with less than 4,000 electors.

Therefore, no signatures are required in the Municipality of Morris-Turnberry.

- with the prescribed statement of qualifications, signed by the person being nominated
- with the prescribed nomination filing fee of \$200.00 for Head of Council and \$100 for all other offices - the filing fee shall be paid by cash, debit card, bank draft, certified cheque or money order payable to the municipality
- with proof of identity and residence as prescribed in *O. Reg. 304/13*, as amended
- no faxed or other electronically transmitted nomination paper will be accepted - original signatures are required

If a person is present at the Clerk's Office on Nomination Day at 2:00 p.m. and has not yet filed a nomination, he or she may file the nomination as soon as possible after 2:00 p.m.

The Clerk shall administer the Declaration of Qualifications on the Nomination Paper *PR Form 1* and the "Declaration of Qualifications – Municipal Candidates" *Form EL 18(A)* (or for the Clerk responsible for the School Board Elections, the "Declaration of Qualifications – School Board Candidates" *Form EL 18(B)*), oath to the Candidate. The date and time of filing are to be filled in by the Clerk and initialled by the candidate or his/her agent. The Clerk will then sign the Nomination Paper and Declaration of Qualifications.

The certified cheque, cash, debit card, money order will be deposited with the Municipality of Morris-Turnberry.

ESTIMATED MAXIMUM CAMPAIGN EXPENSES [SECTION 88.20(6)]

The Clerk shall calculate the estimated maximum campaign expenses for each office on the "Estimated Maximum Campaign Expenses" *Form MT23* and provide a copy to the candidate or his/her agent the day that the Nomination Paper is filed in accordance with Section 33.0.1 (1). The certificate must be delivered to each candidate within 10 days of Nomination Day, before August 29, 2022. The Clerk's calculation is final.

NOTICE OF PENALTIES (SECTION 33.1)

The Clerk shall, before voting day, provide a notice of penalties on the “Notice of Penalties” *Form MT31* to the candidate or their agent.

MUNICIPAL FREEDOM OF INFORMATION & PROTECTION OF PRIVACY ACT

The candidate may sign the consent to release personal information *Form MT02* authorizing the Clerk to release personal information to the public and media.

UNOFFICIAL LIST OF CANDIDATES

The Clerk shall provide notice of the unofficial list of candidates by preparing and, at a minimum, posting in the Municipal Office and on the website an “Unofficial List of Candidates” *Form MT03* which is to be updated as each Nomination Paper is filed. The list should be clearly marked "UNOFFICIAL".

NOMINATION DAY – August 19, 2022 (SECTION 31)

Nomination Papers will be received at the Municipal Office between 9:00 a.m. and 2:00 p.m. on Nomination Day.

Procedure for the handling of Nomination Papers on Nomination Day will be the same as above.

CERTIFICATION OF NOMINATION PAPERS (SECTION 35)

On or before Monday, August 22, 2022, at 4:00 p.m., the Clerk will do a review of each nomination received to determine qualification and if the nomination complies with the *Municipal Elections Act, 1996*. Once satisfied the candidate is qualified, complete the “Certification by Clerk” section on “Nomination Paper” *PR Form 1*.

REJECTION OF NOMINATION PAPER [SECTION 35(3), (4)]

If the Candidate is not qualified to be nominated, or the nomination does not comply with the *Municipal Elections Act, 1996*, the Clerk will reject the Nomination. A telephone call or email shall be made to the candidate informing him/her of the rejection, and a “Notice of Rejection of Nominations” *Form MT04* shall be sent, by Registered Mail, as soon as possible, to:

- the person who sought to be nominated, and
- by regular mail to all candidates for the office.

WITHDRAWAL OF NOMINATION PAPERS (SECTION 36)

Candidates may withdraw their Nomination by filing in person a withdrawal in writing on “Withdrawal of Nomination” *Form EL19* with the Clerk before 2:00 p.m. on Nomination Day, Friday, August 19, 2022, if the person was nominated on or before Nomination Day; and before 2:00 p.m. on the Wednesday following Nomination Day, (August 24, 2022), if the person was nominated under Section 33(5) - Additional Nominations.

The withdrawal shall be noted on the “Unofficial List of Candidates” *Form MT03*.

OFFICIAL LIST OF CANDIDATES

The final list of certified candidates will be posted at the Municipal Office and, as a minimum, on the website on or before, Thursday , August 25, 2022 using the “Official List of Certified Candidates” *Form MT05*.

DECLARATION OF ELECTION (SECTION 40)

If after 4:00 p.m. on Monday, August 22, 2022 the number of certified nominations filed for an office is more than the number of persons to be elected to the office, the Clerk shall declare an election to be conducted.

Internet/Telephone:

The Clerk shall give the electors notice of the following, as a minimum, through the use of newspaper advertisements and the municipal website:

- a) under clause 42(1)(b), (alternative voting methods), the manner in which electors may use the Internet/Telephone voting method;
- b) the dates and times of the voting period;
- c) the location and hours of operation for the Help Centre and Revision Centre.

The form and manner of such notice of election shall be as shown in “Sample Voter Information Letter” *Form MT41* and “Notice of Election Information” *Form MT13*.

ACCLAMATIONS [SECTION 37(1)]

If after 4:00 p.m. on Monday, August 22, 2022, the number of certified candidates for an office is the same as or less than the number to be elected, the Clerk shall immediately declare the candidate(s) elected by acclamation. The Clerk shall post a “Declaration of Acclamation to Office” on *Form EL20*. In this situation there shall be no election conducted for this position(s).

FEWER NUMBER OF NOMINATION PAPERS THAN OFFICES [SECTION 33(5)]

If at 4:00 p.m. on Monday, August 22, 2022, the number of certified nominations filed for an office is less than the number of persons to be elected to the office, additional nominations may be filed between 9:00 a.m. and 2:00 p.m. on Wednesday, August 24, 2022. The Clerk shall post a “Notice of Additional Nominations” *Form MT06* advising that additional Nomination Papers may be filed for that office during the specified time. If at 2:00 p.m. on Wednesday, August 24, 2022, additional Nomination Papers have been filed, the procedure to certify or reject Nomination Papers shall be followed.

ADDITIONAL NOMINATIONS MORE THAN NUMBER OF OFFICES REMAINING [SECTION 33(5)]

If between 9:00 a.m. and 2:00 p.m. on Wednesday, August 24, 2022, there are more than a sufficient number of certified Nominations to fill the office(s), an election shall be conducted with the names of the persons who have filed certified Nomination Papers.

WITHDRAWAL OF ADDITIONAL NOMINATIONS (SECTION 36)

Withdrawal of additional nominations must take place prior to 2:00 p.m. on Wednesday, August 24, 2022. Follow the procedure in the Withdrawal of Nomination Paper section above.

ADDITIONAL NOMINATIONS EQUIVALENT TO NUMBER OF OFFICES [SECTION 35(2) and 37(2)]

If at 4:00 p.m. on Thursday, August 25, 2022 there is a sufficient number of certified Nomination Papers filed to fill the office(s), the Clerk shall cause to be posted a “Declaration of Acclamation To Office - Additional Nominations” on *Form MT07*.

FILLING VACANCIES [SECTION 37(4)]

If an office remains vacant after the declaration of candidates by acclamation under section 37 and the declaration of the election of candidates following the conduct of the election for offices on the Municipal Council, the following rules apply:

- **Insufficient Number to Form a Quorum – Municipal Council**
If the number of candidates declared elected is insufficient to form a quorum of the Municipal Council, a by-election shall be held.

- **Sufficient Number to Form a Quorum – Municipal Council**
If the number of candidates declared elected is less than the number of positions for an office of the Municipal Council, but does form a quorum, Section 263 (1) (a) of the *Municipal Act, 2001* shall apply.

DEATH OR INELIGIBILITY OF A CANDIDATE (SECTION 39)

If a certified candidate dies or becomes ineligible before the close of voting and

- if the result would be one less candidate only and no acclamation, the candidate's name shall be omitted from the ballot. If the ballots are already printed, the Clerk shall at a minimum, post the notice of the death or ineligibility in a conspicuous place in every Voting Place, Ballot Return Station or Help Centre and the election shall proceed as if the deceased or ineligible candidate has not been nominated.
- if the result would be an acclamation for an office, the election to such office is void and a by-election for such office shall be held (Section 65(4)(1.)(v.)) provided that the sixty day (60) period starts as of the date of death or ineligibility).

No votes are to be counted for the candidate who has died or become ineligible.

FINAL CALCULATION OF CAMPAIGN EXPENSES [SECTION 88.20 (13), (14) and (15)]

The Clerk shall, after determining from the number of eligible electors from the Voters' List for each office, calculate the maximum amount of campaign expenses that each candidate may incur for that office and prepare a "Certificate of Maximum Campaign Expenses" *Form EL37*. The certificate shall be given to each candidate in the case of a regular election, on or before September 26, 2022; and in the case of a by-election, within 10 days after the Clerk makes the corrections under subparagraph 4 iii of subsection 65 (4).

The number of electors to be used in this final calculation is to be the greater of the following:

- the number determined from the Voters' List from the previous regular election, as it existed on September 15 in the year of the previous election, adjusted for changes under Section 24 and 25 that were approved as of that day;
- the number determined from the Voters' List for the current election as it exists on September 15 in the year of the current election, adjusted for changes under Section 24 and 25 that were approved as of that day. [Section 88.20 (11)]

The Clerk's calculation is final and shall be made in accordance with the prescribed formula in *Ontario Regulation 101/97*.

CANDIDATE NAME PRONUNCIATION

All certified candidates are to provide to the Clerk the proper pronunciation of their name prior to August 26, 2022.

VOTERS' LIST

VOTER QUALIFICATIONS [SECTION 17 (2)]

A person is entitled to be an elector at an election held in a local municipality if, on Voting Day (October 24, 2022) he/she:

- (i) resides in the local municipality or is the owner or tenant of land in the local municipality, or the spouse of such owner or tenant;
- (ii) is a Canadian citizen,
- (ii) is at least 18 years old; and
- (iv) is not prohibited from voting under subsection 17(3) of the *Municipal Elections Act, 1996* or otherwise, by law.

PERSONS PROHIBITED FROM VOTING [SECTION 17 (3)]

The following are prohibited from voting:

- (i) a person who is serving a sentence of imprisonment in a penal or correctional institution.
- (ii) a corporation.
- (iii) a person acting as executor or trustee or in any other representative capacity, except as a voting proxy in accordance with section 44.
- (iv) a person who was convicted of the corrupt practice described in subsection 90 (3), if voting day in the current election is less than five years after voting day in the election in respect of which he or she was convicted.

PRELIMINARY LIST OF ELECTORS (PLE) (SECTION 19)

The Preliminary List of Electors (PLE) supplied by the Municipal Property Assessment Corporation (MPAC) shall be delivered to the Clerk by July 31, 2022 if no date is agreed upon with MPAC or prescribed by the Minister [Section 19 (1.1)].

The PLE shall contain the name and address of each person who is entitled to be an elector and any additional information the Clerk needs to determine for which offices each elector is entitled to vote, such as school support [Section 17 (4)].

In addition, if the local municipality is divided into voting subdivisions, the name of each resident elector shall be entered on the PLE for the voting subdivision in which he or she resides and the name of each non-resident elector shall be entered on the PLE for the voting subdivision in which the elector or his or her spouse is an owner or tenant of land [Section 17 (5)].

The Clerk shall, to the best of his/her ability and legislative authority, ensure that an elector's name appears on the PLE for a local municipality only once [Section 17 (6)].

Where a voter qualifies at more than one location in the municipality, the voter may vote only **once** for each office and the qualifying address to determine eligibility for voting shall be the elector's place of residence [Section 17 (7)].

It is possible for an elector's name to appear on the Voters' List of more than one municipality. That elector may be eligible to vote in both municipalities. For example, a person listed as a resident elector in one municipality and a non-resident elector in another municipality is entitled to vote in each, provided they are not voting for the same office more than once. For example, School Board votes must be cast in the municipality where the elector resides.

CORRECTION OF ERRORS (SECTION 22)

The Clerk shall correct any obvious errors in the PLE prior to September 1, 2022 and notify the Municipal Property Assessment Corporation (MPAC). This notification can occur when the "Final List of Changes" to the Voters' List is sent to MPAC after the election (see the Final List of Changes section below). However, those changes affecting a ward and voting place designation, missing streets, buildings or subdivisions, should be forwarded to MPAC in time for inclusion in the September Exceptions files that MPAC provides. Notification to MPAC should be sent in an email to the municipality's Municipal Relations Rep.

The Clerk may use any information that is in the municipality's custody or control when correcting the PLE for obvious errors [Section 22 (2) and (3)].

CERTIFICATION OF VOTERS' LIST (SECTION 23)

The corrected PLE becomes the Voters' List once it is reproduced and identified with a "Voters' List Cover Sheet" *Form MT08* on or before September 1, 2022.

The Clerk, may place in a local newspaper(s) on or before September 1, 2022 a "Notice of the Voters' List" Municipality of Morris-Turnberry *Form MT09A* as attached and the Clerk of the Municipality of Morris-Turnberry may place in a newspaper having general circulation within the Municipality, a "Notice of the Voters' List" *Form MT09B*.

REQUESTS FOR COPIES OF VOTERS' LIST [SECTION 23 (3), (4) and (5)]

Upon written request, but not until September 1st, 2022, the Clerk shall give every candidate a copy of the part of the Voters' List that contains the names of the electors who are entitled to vote for that office

The use of the Voters' List shall be in accordance with the "Policy for Use of the Voters' List" *Form MT11*.

ACCESS TO THE VOTERS' LIST [SECTION 88 (10) and (11)]

The legislation states that the Voters' List cannot be posted in a public place and can be used only for election purposes.

The list shall be distributed in electronic format to those who are entitled to copies under the Act. All certified candidates shall be entitled to one encrypted USB stick containing the part of the Voters' List that contains the electors who are entitled to vote for that office, at no cost. Candidates may produce paper copies at their own effort and cost, should they choose to do so. Each certified candidate shall sign the Candidate's Declaration - Proper Use of the Voters' List *Form EL14* stating that the Voters' List shall not be used for any purposes other than the 2022 Municipal and School Board elections, in accordance with Section 88(10) of the Municipal Elections Act, 1996. The Clerk, at their sole discretion, may determine which data fields shall be included in the copy of the Voters' List provided to Candidates for each electoral category.

The list shall be accessible by authorized Election Officials, who will use the DataFix VoterView system to facilitate additions and changes during the revision period and perform other functions as required, subject to the security permissions assigned to each Official.

The Voters' List shall be provided by DataFix to Simply Voting Inc. in computer format at a time to be determined by the Clerk, to allow for activation of the Voting System. Once the Voters' List has been loaded into the Voting System it will remain synchronized; any additions, deletions or changes to elector information in VoterView will automatically and instantly be reflected in the Voting System.

The Voters' List shall be provided by Simply Voting Inc. to Taylor Demers Mail Processing Inc. in computer format at a time to be determined by the Clerk, to allow for printing of the Voter Information Letters in time for delivery. Voter Information Letters shall be sent via Canada Post Lettermail to all eligible Electors no later than October 4, 2022 to enable them to use the Telephone/Internet Voting service.

All certified candidates shall receive usernames and passwords allowing them to access the Voters' List in the Voting System or VoterView, whichever the case may be, for the purposes of viewing which electors have voted during the Voting Period. The Municipality will not produce a physical or electronic excerpt of the Voters' List indicating Electors that have voted; it is expected that Candidates will use this access. This access does not provide information on how an elector has voted, only whether or not they have participated in the election. Candidates may access this information anytime from the start of the Voting Period, until October 24, 2022, at 8:00 p.m.

Due to MFIPPA, details about another person, other than the person an Election Official is speaking with, should not be provided, including whether or not the individual is on the Voters' List. The procedure, "Voters' List – Are you on the Voters' List?" *Form MT51* shall be used by Municipal Staff and Election Officials.

AMENDMENTS TO THE VOTERS' LIST (SECTION 24 & 25)

Application for Change of Own Name (Section 24)

An elector may make an application to amend their information on the Voters' List using the prescribed form "Application to Amend Voters' List" *Form EL 15* and providing proof of identity and residence as prescribed in *O. Reg. 304/13*, between the 1st day of September, 2022 until the 24th day of October until 8:00 p.m.

The "Voter – ID Requirements" *Form MT40* may be posted at the Municipal Office or any other location where Amendments to the Voters; List are made. In addition, it may be included in information packages, posted on the municipal website, etc.

AMENDMENTS TO THE VOTERS' LIST – Remote Verification Process

1. Determine whether the remote verification meeting will be recorded. If the remote meeting will be recorded, ensure that all that are attending are informed that the meeting is recorded.
2. If the person is unable to attend the office and requires remote verification
 - a. To be added to the voter's list advise them that they will need to submit an *EL 15* form (available online or at Revision Centre), and deliver it by mail or email to the Election Official to arrange for a remote meeting to review the *EL 15* form and identification. **This meeting is not acceptable by telephone.**
 - b. The remote verification takes place by an electronic method of communication in which the Election Official and the voter can see, hear, and communicate with each other in real time throughout the entire transaction.
 - c. Request that the voter show the front and back of their identification. Reasonably satisfy yourself that the identification belongs to the person making the request.
 - d. The Election Official will approve or refuse the Certificate of Approval located on the *EL 15* and note on the form that the meeting was held remotely.
 - i. Should the person not have identification in accordance with the Municipal Elections act, 1996 and *O. Reg 304/13*, a *PR Form 9*, Declaration of Identity must be completed.
 - ii. The *PR Form 9*, Declaration of Identity shall be signed virtually and witnessed by the Election Official, and then submitted via mail or email for commissioning.
 1. The Election Official shall not certify the Certificate of Approval until the *PR Form 9*, Declaration of Identity is commissioned.
 - e. To be issued a replacement PIN advise them that they will need to submit a completed Application for the Reissue of a Voter Information Letter (Lost and Unused) *Form MT42*, and deliver it by mail or email to the Election Official to arrange for a remote meeting to review the Application form and identification.

- i. See steps above for remote viewing process.
- ii. Should the person not have identification in accordance with the Municipal Elections act, 1996 and O. Reg 304/13, the Election Official shall ask the elector security questions such as, their date of birth and address, or if there are any other eligible electors in their household, and the birth dates of those electors.

An elector can no longer remove a family member's name from the Voters' List, except in the case of a deceased person. See Removal of Another's Name *Form EL16* below.

If the elector does not appear in person, a certified copy showing proof of ID and proof of residence/occupancy is required.

Removal of Deceased Person's Name (Section 25)

The Clerk may remove a person's name from the Voters' List up to 8:00 p.m. on October 24th, 2022 if the Clerk is satisfied the person has died.

A person may make an application requesting that a deceased person's name be removed from the Voters' List by using the form "Application for Removal of Deceased Person's Name from the Voters List" *Form EL16* and providing proof of identity and residence as prescribed in O. Reg. 304/13, between the 1st day of September, 2022 to the 23rd day of October, 2022 during normal hours and on the 24th day of October until 8:00 p.m.

Number of Electors to Determine Candidates' Expenses

On, September 15th, 2022, determine the total number of electors on the Voters' List. This number will be necessary to calculate the "Estimated Maximum Campaign Expenses" *Form MT23* and the "Certificate of Maximum Campaign Expenses" *Form EL37* for the 2022 Municipal Election.

INTERIM LIST OF CHANGES [SECTION 27(1)]

The Clerk shall, during the period beginning on September 15th and ending on September 26th in the year of a regular election, prepare an "Interim List of Changes" *Form MT12* to the Voters' List. The Interim List of Changes shall be given to each person who received a copy of the Voters' List and to each certified candidate.

Internet/Telephone:

For the purpose of producing the Voter Information Letter by the supplier, the Interim List of Changes shall be prepared between September 15-26, 2022 (date provided by election supplier).

CERTIFICATION OF THE VOTERS' LIST [SECTION 28(1)]

The Clerk shall compile any changes to the Voters' List on the "Certificate of the Voters' List" *Form MT16* and certify the Voters' List for use in each voting place.

FINAL LIST OF CHANGES [SECTION 27(2)]

The Clerk shall prepare the "Final List of Changes" *Form MT14* to the Voters' List by November 23, 2022. A certified copy of the Final List of Changes shall be sent to the MPAC together with a copy of the approved applications *Form EL15* and *Form EL16*.

For those who use a supplier to manage their Voters' List (ie. DataFix), the Final List of Changes shall be provided to MPAC by November 23, 2022 by the supplier upon the Clerk's authorization.

Proper Use of the Voter's List Declaration *Form MT10*

The Voter's list may only be used for election purposes, only.

CANDIDATE CAMPAIGNING AND CAMPAIGN ADVERTISING

**CANDIDATE
CAMPAIGNING AND CAMPAIGN ADVERTISING (SECTION 88.3)**

Campaigning, including campaign advertising, are permitted no earlier than the filing of Nomination Papers by the Candidate unless otherwise stated in the local municipal by-law.

Candidate campaign advertising means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a Candidate. Examples include, lawn signs, brochures, posters, print, radio and electronic ads, etc.)

All candidate campaign advertising shall identify the Candidate by name, as it appears on the Nomination Form.

All Candidates shall provide the following information to a broadcaster or publisher in writing:

- the name of the Candidate.
- the name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the Candidate.

Information contained in/on all campaign material is the responsibility of the Candidate and any questions or concerns should be directed to the Candidate.

**CAMPAIGNING AND CAMPAIGN ADVERTISING
MUNICIPAL EMPLOYEE COMMUNICATION**

The Clerk's primary method of communication with Candidates will be by email.

**CAMPAIGNING AND CAMPAIGN ADVERTISING
MUNICIPALLY OWNED/LEASED FACILITIES**

Election campaigning or the distribution/posting of election campaign advertising at municipally-owned or leased facilities is not permitted.

The use of corporate resources is not permitted by Candidates for election purposes (ie. staff, electronic devices, supplies, candidate photos taken in/on municipal property, etc.).

Candidates are prohibited from offering electronic equipment to electors to vote (ex. cell phone, laptop).

Candidates are prohibited from verifying whether an elector appears on the Voters' List or not, to the elector or any other person. Questions should be directed to the Clerk.

ELECTION SIGNS

Huron County Election Sign Policy

The County of Huron By-law 53-1989 references Elections Signs as follows:

- (e) Election Signs: Election signs may be erected on the right of way or adjacent to a County Road, providing:
 - (i) They are not placed closer to the traveled portion of the highway than the outer extremity of the shoulder and do not interfere with the official signs, traffic signals, or other safety devices. Should the extremity of the shoulder be difficult to determine, it shall be the responsibility of the County Engineer to specify its location on any particular County Road.
 - (ii) Election signs are not to be affixed to any permanent or official County sign or support, guide rails or other County structure or facility.
 - (iii) Election signs shall be removed within 24 hours after the election date.

Other Policies Related to Signage

Posters and similar campaign material that will be installed or affixed to poles belonging to public utility companies will require the permission of the respective approval authority. The Municipality or any of its municipal servants, employees or agents will not be responsible for investigating or prosecuting for any acts of vandalism to the posters or campaign material of the candidates.

The Municipality of Morris-Turnberry allows campaign signs on Municipal road allowances as long as sight lines are not affected and the signs are removed immediately after the election.

The provincial policy with respect to the posting of campaign advertising on provincial road allowances follows on the next few pages.

Posters or similar campaign advertising that will be installed or affixed to poles belonging to Hydro One Network, Bell Canada or other public utilities will require the permission of these respective approving authorities.

The investigation or prosecution for any acts of vandalism to campaign advertising of the candidates should be referred to the local police force by the complainant. The municipality or any of its municipal servants, employees or agents will not be responsible.

MUNICIPAL AUTHORITY TO REMOVE ADVERTISEMENTS (SECTION 88.7)

If a municipality is satisfied that there has been a contravention of section 88.3 (candidates' election campaign advertisements), 88.4 (third party advertisements) or 88.5 (mandatory information in third party advertisements), the municipality may require a person who the municipality reasonably believes contravened the section or caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to remove the advertisement or discontinue the advertising.

CANDIDATE CAMPAIGN CONTRIBUTIONS AND EXPENSES

CONTRIBUTIONS

CONTRIBUTIONS TO REGISTERED CANDIDATES [SECTION 88.8 (1) – (5)]

A contribution shall not be made to or accepted by a person or an individual acting under the person's direction unless the person is a candidate.

A contribution made to or accepted by a candidate, or to an individual acting under the candidate's direction, shall only be made during the candidate's election campaign period.

Contributions shall only be made by the following:

- An individual who is normally resident in Ontario;
- The candidate and his or her spouse, subject to if the spouse of a candidate is not normally resident in Ontario, a candidate and his or her spouse may make contributions only to the candidate's election campaign.

The following shall not make a contribution:

- A federal political party registered under the *Canada Elections Act* or any federal constituency association or registered candidate at a federal election endorsed by that party.
- A provincial political party, constituency association, registered candidate or leadership contestant registered under the *Election Finances Act*.
- A corporation that carries on business in Ontario;
- A trade union that holds bargaining rights for employees in Ontario;
- The Crown in right of Canada or Ontario, a municipality or local board.

ACCEPTANCE OF CONTRIBUTIONS [SECTION 88.8 (6) – (10)]

A contribution may be accepted only by a candidate or an individual acting under the direction of the candidate.

A contribution may be accepted only from a person or entity that is entitled to make a contribution.

A contribution of money that exceeds \$25 shall not be contributed in the form of cash and shall be contributed in a manner that associates the contributor's name and account with the payment or by money order signed by the contributor.

The listing of the phone number and email address and/or hyperlink to the candidate's website by the municipality or local board does not constitute a contribution to a candidate.

MAXIMUM CONTRIBUTIONS TO CANDIDATES (SECTION 88.9)

A contributor shall not make contributions exceeding a total of:

- \$1,200 to any one candidate in an election;
- Except if a person is a candidate for more than one office a contributor's total contributions to that candidate in respect of all the offices shall not exceed \$1,200;
- \$5,000 to two or more candidates for office on the same council or local board;
- Except if the candidate is contributing to the candidates own election campaign, then the maximum contributions do not apply;
- Except if the contributor is the spouse of the candidate, then the maximum contributions do not apply.

The Clerk shall provide the "Contributions to Registered Candidates *Form MT55* at the time of filing.

FUNDRAISING FOR CANDIDATES (SECTION 88.10)

A fundraising function shall not be held for a person who is not a candidate.

Fundraising functions may only be held during the campaign period.

WHAT CONSTITUTES A CONTRIBUTION (SECTION 88.15)

For the purposes of this Act, money, goods and services given to and accepted by a person for his or her election campaign, or given to and accepted by another person who is acting under the person's direction, are contributions.

Contributions:

In addition to the statement above [88.15 (1)]:

- An amount charged for admission to a fund-raising function.
- If goods and services are sold for more than their market value at a fund-raising function, the difference between the amount paid and the market value. However, if the amount received for the goods or services is \$25 or less, the amount is not a contribution.
- If goods and services used in the person's election campaign or in relation to third party advertisements are purchased for less than their market value, the difference between the market value and the amount paid.
- Any unpaid but guaranteed balance in respect of a loan under section 88.17 (Campaign Account Loans).

Not Contributions:

In addition to the statement above [88.15 (4)]:

- The value of services provided by voluntary unpaid labour.
- The value of services provided voluntarily, under the direction of the person or the individual, corporation or trade union, by an employee whose compensation from all sources for providing the services does not exceed the compensation the employee would normally receive for the period the services are provided.
- An amount of \$25 or less that is donated at a fund-raising function.
- The amount received for goods and services sold at a fund-raising function, if the amount is \$25 or less.
- The amount of a loan under section 88.17 (Campaign Account Loans).
- For a person referred to in 88.15 (1), the value of political advertising provided without charge on a broadcasting undertaking as defined in section 2 of the *Broadcasting Act* (Canada), if,
 - it is provided in accordance with that Act and the regulations and guidelines made under it, and
 - it is provided equally to all candidates for office on the particular council or local board.

Value of Goods and Services

The value of goods and services provided as a contribution is,

- (a) if the contributor is in the business of supplying these goods and services, the lowest amount the contributor charges the general public in the same market area for similar goods and services provided at or about the same time;
- (b) if the contributor is not in the business of supplying these goods and services, the lowest amount a business providing similar goods or services charges the general public for them in the same market area at or about the same time.

RESTRICTION: USE OF OWN MONEY (SECTION 88.16)

A contributor shall not make a contribution of money that does not belong to the contributor.

However, this does not apply to the personal representative of a deceased person whose will directs that a contribution be made to a named candidate or a registered third party, as the case may be, out of the funds of the estate.

CAMPAIGN ACCOUNT LOANS (SECTION 88.17)

A candidate and his or her spouse may obtain a loan only from a bank or other recognized lending institution in Ontario, to be paid directly into the candidate's campaign account. Only the candidate and his or her spouse may guarantee a loan.

EXPENSES

WHAT CONSTITUTES AN EXPENSE (SECTION 88.19)

Costs incurred for goods or services by or under the direction of a person wholly or partly for use in his or her election campaign are expenses.

Without restricting the generality of 88.19 (1), the following amounts are expenses:

- The replacement value of goods retained by the person from any previous election in the municipality and used in the current election.
- The value of contributions of goods and services.
- Audit and accounting fees.
- Interest on loans under section 88.17 (Campaign Account Loans).
- The cost of holding fund-raising functions.
- The cost of holding parties and making other expressions of appreciation after the close of voting.
- For a candidate, expenses relating to a recount or a proceeding under section 83 (Controverted Elections).
- Expenses relating to a compliance audit.
- Expenses that are incurred by a candidate with a disability, are directly related to the disability, and would not have been incurred but for the election to which the expenses relate.
- The cost of election campaign advertisements (within the meaning of section 88.3).

For greater certainty, the cost of holding fund-raising functions does not include costs related to,

- events or activities that are organized for such purposes as promoting public awareness of a candidate and at which the soliciting of contributions is incidental; or
- promotional materials in which the soliciting of contributions is incidental.

In the following circumstances, a candidate's expenses for the 2022 regular election that are described in 88.19 (3) paragraphs 7 and 8 may include his or her expenses as a candidate in the 2018 regular election for an office on the same council or local board:

1. The circumstances described in paragraph 4 of subsection 88.24 (1) (deficit).
2. The circumstances described in paragraph 5 of subsection 88.24 (1) (expenses relating to a recount, etc.).

CANDIDATES' EXPENSES (88.20)

An expense shall not be incurred by or under the direction of a person unless he or she is a candidate.

Only during campaign period

An expense shall not be incurred by or under the direction of a candidate outside his or her election campaign period.

Exception, auditor's report

Despite 88.20 (2) (Only During Campaign Period), a candidate whose election campaign period ends as described in paragraph 2, 3 or 4 of subsection 88.24 (1) (Election Campaign Period for Candidates) may incur expenses related to the preparation of an auditor's report under section 88.25 (Candidates' Financial Statements, etc.) after the campaign period has ended.

For greater certainty, expenses, including audit and accounting fees, related to the preparation of an auditor's report after the campaign period has ended constitute campaign expenses.

Who may incur expense

An expense may only be incurred by a candidate or an individual acting under the candidate's direction.

Maximum amount

During the period that begins on the day a Candidate is nominated and ends on Voting Day, his or her expenses shall not exceed an amount calculated in accordance with the prescribed formula.

A Candidate shall be provided with the maximum campaign expenses amount upon filing of his or her Nomination Papers (see Nominations section of this manual).

Maximum amount for parties, etc., after voting day

The expenses of a candidate that are for the holding of parties and making other expressions of appreciation after the close of voting shall not exceed an amount calculated in accordance with the prescribed formula.

The formula that is prescribed, must be written so that the amount calculated under it varies based on the maximum amount determined under 88.20 (6) (Maximum Amount) for the office for which the candidate is nominated.

DUTIES OF CANDIDATES (SECTION 88.22)

The Clerk shall provide the “Duties of Candidates” *Form MT60* at the time of filing.

THIRD PARTY ADVERTISING

THIRD PARTY ADVERTISER

A Third Party Advertiser means an individual who is normally resident in Ontario, a corporation that carries on business in Ontario or a trade union that holds bargaining rights for employees in Ontario, and who's Notice of Registration for Third Party Advertiser has been certified by the Clerk.

ELIGIBILITY FOR REGISTRATION [SECTION 88.6 (4), (5) AND (6)]

Registration shall be restricted to the following persons and entities:

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

The following persons and entities are deemed ineligible to register:

- A candidate whose nomination has been filed.
- A federal political party registered under the *Canada Elections Act* or any federal constituency association or registered candidate at a federal election endorsed by that party.
- A provincial political party, constituency association, registered candidate or leadership contestant registered under the *Election Finances Act*.
- The Crown in right of Canada or Ontario, a municipality or local board.

A Candidate whose nomination has been filed shall not direct any third party advertisements.

FILING THE NOTICE OF REGISTRATION [SECTION 88.6 (2), (7) AND (13)]

"Notice for Registration" *PR Form 5* shall be filed with the Clerk from the first business day of May in 2022 (first day for filing Nominations) to Friday, October 21, 2022 (the Friday before voting day) during regular office hours in the following manner:

- in person or by an agent
- no faxed or other electronically transmitted registration notices will be accepted – original signatures required
- with proof of identity as prescribed in *O. Reg. 304/13*, as amended
- with the declaration of qualification, signed by the individual or by a representative of the corporation or trade union
- a resolution from the corporation or trade union that authorizes the person or agent to register on their behalf, if applicable

The Clerk shall administer the Declaration of Qualifications on the "Notice for Registration" *PR Form 5* and the "Declaration of Qualifications – Third Party Advertiser" *Form MT52* oaths to the individual or to the representative of the corporation or trade union. The date and time of filing are to be filled in by the Clerk and initialled by the individual or by a representative of the corporation or trade union. The Clerk will then sign the Notice for Registration and Declaration of Qualifications.

For registrations for a By-Election, refer to Section 88.6 (8) to (12).

ESTIMATED MAXIMUM THIRD PARTY EXPENSES [SECTION 88.21 (15)]

The Clerk shall calculate the estimated maximum third party expenses for registered third parties on the “Estimated Maximum Third Party Expenses” *Form MT58* and provide a copy to the individual filing the registration. The Clerk’s calculation is final.

NOTICE OF PENALTIES [SECTION 88.29 (7)]

The Clerk shall, at least 30 days before the filing date, provide a notice of the penalties on the “Notice of Penalties – Registered Third Parties” *Form MT64* to every Registered Third Party that registered in the municipality.

FINAL CALCULATION OF THIRD PARTY EXPENSES [SECTION 88.21 (11) to (17)]

The Clerk shall, after determining from the number of eligible electors from the Voters’ List, calculate the maximum amount of third party expenses that each registered third party may incur and prepare a “Certificate of Maximum Third Party Expenses” *Form MT59*. The certificate shall be given to each individual that filed a Notice of Registration for Third Party Advertising in the case of a regular election, on or before September 25, 2018; and in the case of a by-election, within 10 days after the Clerk makes the corrections under subparagraph 4 iii of subsection 65 (4) or subparagraph 3 ii of subsection 65 (5).

The number of electors to be used in this final calculation is to be the greater of the following:

- the number determined from the Voters’ List from the previous regular election, as it existed on Nomination Day for the 2018 election, adjusted for changes under Section 24 and 25 that were approved as of that day;
- the number determined from the Voters’ List for the current election as it exists on September 15 in the year of the current election, adjusted for changes under Section 24 and 25 that were approved as of that day. [Section 88.21 (11)]

The Clerk’s calculation is final and shall be made in accordance with the prescribed formula in *Ontario Regulation 101/97*.

CERTIFICATION OF NOTICE OF REGISTRATION [SECTION 88.6 (13) and (14)]

The Clerk will do a review of each notice received to determine qualification and if the notice complies with the *Municipal Elections Act, 1996*. Once satisfied the third party is qualified, the Clerk will complete the “Certification by Clerk” section on the “Notice for Registration” *PR Form 5* If not satisfied the Clerk shall reject the notice. The Clerk’s decision is final.

ADVERTISEMENTS (SECTION 88.4, 88.5)

Restricted Period and Expenses

The Restricted Period for Third Party Advertisements begins on the earliest day that an individual, corporation or trade union is permitted to file a notice of registration as a registered third party (first business day in May) and ends at the close of voting on Voting Day.

Third Parties must do the following during the Restricted Period:

- file notice of registration and have it certified by the Clerk;
- once registered, advertise; and
- once registered, incur expenses related to the advertisement.

The expenses for these advertisements cannot exceed the amount calculated under Section 88.21 (registered third parties' expenses).

Mandatory Information in Advertisements

All Third Party Advertisements shall contain the following information:

- the name of the registered third party
- the municipality where the registered third party is registered;
- a telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement.

Mandatory Information for Broadcaster, etc.

All Registered Third Parties shall provide the following information to a broadcaster or publisher in writing:

- the name of the registered third party;
- 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;
- the municipality where the registered third party is registered.

MUNICIPAL AUTHORITY TO REMOVE ADVERTISEMENTS (SECTION 88.7)

If a municipality is satisfied that there has been a contravention of section 88.3 (candidates' election campaign advertisements), 88.4 (third party advertisements) or 88.5 (mandatory information in third party advertisements), the municipality may require a person who the municipality reasonably believes contravened the section or caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to remove the advertisement or discontinue the advertising.

LIST OF REGISTERED THIRD PARTIES [SECTION 88.12 (9) and (10)]

A list of registered third parties shall be posted using the "Official List of Registered Third Parties" *Form MT54*, as a minimum, on the website and may also include the phone number and email address provided by the registered third party in the notice of registration filed and, if applicable, a hyperlink to the website of the registered third party.

DUTIES OF REGISTERED THIRD PARTIES (SECTION 88.26)

The Clerk shall provide the "Duties of Registered Third Parties" *Form MT61* at the time of filing.

CONTRIBUTIONS TO AND EXPENSES OF REGISTERED THIRD PARTY

CONTRIBUTIONS

CONTRIBUTIONS TO REGISTERED THIRD PARTIES [SECTION 88.12 (1) to (5)]

A contribution shall not be made in relation to third party advertisements that appear during an election in a municipality unless they are a registered third party.

A contribution to a registered third party, or to an individual acting under his, her or its direction, shall only be made during the restriction period.

Contributions shall only be made by the following:

- An individual who is normally resident in Ontario.
- A corporation that carries on business in Ontario.
- A trade union that holds bargaining rights for employees in Ontario.
- The registered third party and, in the case of an individual, his or her spouse, subject to if the spouse of a registered third party is not normally registered in Ontario, the spouse may make contributions only to the registered third party.

The following shall not make a contribution:

- A federal political party registered under the *Canada Elections Act* or any federal constituency association or registered candidate at a federal election endorsed by that party.
- A provincial political party, constituency association, registered candidate or leadership contestant registered under the *Election Finances Act*.
- The Crown in right of Canada or Ontario, a municipality or local board.

ACCEPTANCE OF CONTRIBUTIONS [SECTION 88.12 (7) to (8)]

A contribution may be accepted only by a registered third party or an individual acting under the direction of the registered third party.

A contribution may be accepted only from a person or entity that is entitled to make a contribution.

A contribution of money that exceeds \$25 shall not be contributed in the form of cash and shall be contributed in a manner that associates the contributor's name and account with the payment or by money order signed by the contributor.

MAXIMUM CONTRIBUTIONS TO REGISTERED THIRD PARTIES (SECTION 88.13)

A contributor shall not make contributions in relation to third party advertisements exceeding a total of:

- \$750 to a registered third party that appears during an election in a municipality;
- \$5,000 to two or more third parties registered in the same municipality;
- Except if the third party is contributing to itself, then the maximum contributions do not apply;
- Except if the contributor is the spouse of an individual that is a registered third party, then the maximum contributions do not apply.

The Clerk shall provide the “Contributions to Registered Third Parties *Form MT53* at the time of filing.

FUND-RAISING FOR REGISTERED THIRD PARTIES (SECTION 88.14)

Only registered third parties in the municipality may hold a fund-raising function relating to third party advertisements.

Fund-raising functions may only be held during the campaign period.

WHAT CONSTITUTES A CONTRIBUTION (SECTION 88.15)

Money, goods and services given to and accepted by an individual, corporation or trade union in relation to third party advertisements, or given to and accepted by another person who is acting under the direction of the individual, corporation or trade union, are contributions.

Contributions:

In addition to the statement above [88.15 (2)]:

- An amount charged for admission to a fund-raising function.
- If goods and services are sold for more than their market value at a fund-raising function, the difference between the amount paid and the market value. However, if the amount received for the goods or services is \$25 or less, the amount is not a contribution.
- If goods and services used in the person’s election campaign or in relation to third party advertisements are purchased for less than their market value, the difference between the market value and the amount paid.
- Any unpaid but guaranteed balance in respect of a loan under section 88.17 (Campaign Account Loans).

Not Contributions:

In addition to the statement above [88.15 (2)]:

- The value of services provided by voluntary unpaid labour.
- The value of services provided voluntarily, under the direction of the person or the individual, corporation or trade union, by an employee whose compensation from all sources for providing the services does not exceed the compensation the employee would normally receive for the period the services are provided.
- An amount of \$25 or less that is donated at a fund-raising function.
- The amount received for goods and services sold at a fund-raising function, if the amount is \$25 or less.
- The amount of a loan under section 88.17 (Campaign Account Loans).
- For a person referred to in 88.15 (1), the value of political advertising provided without charge on a broadcasting undertaking as defined in section 2 of the *Broadcasting Act* (Canada), if,
 - it is provided in accordance with that Act and the regulations and guidelines made under it, and
 - it is provided equally to all candidates for office on the particular council or local board.

Value of Goods and Services

The value of goods and services provided as a contribution is,

- (a) if the contributor is in the business of supplying these goods and services, the lowest amount the contributor charges the general public in the same market area for similar goods and services provided at or about the same time;
- (b) if the contributor is not in the business of supplying these goods and services, the lowest amount a business providing similar goods or services charges the general public for them in the same market area at or about the same time.

RESTRICTION: USE OF OWN MONEY (SECTION 88.16)

A contributor shall not make a contribution of money that does not belong to the contributor.

However, this does not apply to the personal representative of a deceased person whose will directs that a contribution be made to a named candidate or a registered third party, as the case may be, out of the funds of the estate.

CAMPAIGN ACCOUNT LOANS (SECTION 88.17)

A registered third party and, in the case of an individual, his or her spouse, may obtain a loan in relation to third party advertisements only from a bank or other recognized lending institution in Ontario, to be paid directly into the campaign account. Only the registered third party and, in the case of an individual, his or her spouse may guarantee a loan.

EXPENSES

WHAT CONSTITUTES AN EXPENSE (SECTION 88.19)

Costs incurred by or under the direction of an individual, corporation or trade union for goods or services for use wholly or partly in relation to third party advertisements that appear during an election in a municipality are expenses.

Without restricting the generality of 88.19 (2), the following amounts are expenses:

- The replacement value of goods retained by the individual, corporation or trade union from any previous election in the municipality and used in the current election.
- The value of contributions of goods and services.
- Audit and accounting fees.
- Interest on loans under section 88.17 (Campaign Account Loans).
- The cost of holding fund-raising functions.
- The cost of holding parties and making other expressions of appreciation after the close of voting.
- Expenses relating to a compliance audit.
- Expenses that are incurred by a registered third party who is an individual with a disability, are directly related to the disability, and would not have been incurred but for the election to which the expenses relate.
- The cost of third party advertisements (within the meaning of section 88.3).

For greater certainty, the cost of holding fund-raising functions does not include costs related to,

- events or activities that are organized for such purposes as promoting public awareness of a candidate and at which the soliciting of contributions is incidental; or
- promotional materials in which the soliciting of contributions is incidental.

REGISTERED THIRD PARTIES' EXPENSES (88.21)

An expense shall not be incurred by or under the direction of an individual, corporation or trade union in relation to third party advertisements that appear during an election in a municipality unless he, she or it is a registered third party in the municipality.

Only during campaign period

An expense shall not be incurred by or under the direction of a registered third party in relation to third party advertisements outside the campaign period for the registered third party in relation to the election in the municipality.

Exception, auditor's report

Despite subsection 88.21 (2) (Only During Campaign Period), a registered third party whose campaign period in relation to an election in a municipality ends as described in paragraph 2 or 3 of section 88.28 (Campaign Period for Registered Third Parties) may incur expenses related to the preparation of an auditor's report under section 88.29 (Financial Statements, etc., of Registered Third Parties) after the campaign period has ended.

For greater certainty, expenses, including audit and accounting fees, described above constitute third party expenses.

Who may incur expense

An expense may only be incurred by a registered third party or an individual acting under the direction of the registered third party.

Maximum amount

During the campaign period for third party advertisements, the expenses of a registered third party in relation to third party advertisements that appear during an election in a municipality shall not exceed an amount calculated in accordance with the prescribed formula.

A Third Party shall be provided with the maximum third party expenses amount upon registering as a Third Party Advertiser (see Third Party Advertising section of this manual)

Maximum amount for parties, etc., after voting day

The expenses of a registered third party are for the holding of parties and making other expressions of appreciation after the close of voting shall not exceed an amount calculated in accordance with the prescribed formula.

The formula that is prescribed must be written so that the amount calculated under it varies based on the maximum amount determined under 88.21 (6) (Maximum Amount).

SCRUTINEERS

SCRUTINEERS (SECTION 16 & 47)

Scrutineers may be appointed, in writing by the candidate, to represent them as allowed for under Section 16 of the Municipal Elections Act, 1996. If appointed, scrutineers will be entitled to the following:

- ✓ to be present in the Receiving Location, from 9:30 a.m. to 10:00 a.m. on October 12, 2022 prior to the opening of polling to verify and ensure that all candidates' names are listed and the total votes cast are at "0" (Zero), and to sign the Activation of Voting System *Form MT44* to attest to this fact.
- ✓ to be present at any Voter Assistance Centre during hours of operation to observe the process.
- ✓ to be present in the Receiving Location, at the time when results are announced.

Before being admitted to a Voter Assistance Centre or the Receiving Location, Scrutineers shall produce satisfactory identification and a properly signed Appointment of Scrutineer by Candidate form, and take the Oral Oath of Secrecy *Form MT22 and Form MT25*.

Only one candidate or their appointed scrutineer may be in attendance at a Voter Assistance Centre or the Receiving Location at one time.

Use of mobile communication devices and cameras shall not be permitted within any Voter Assistance Centre or the Receiving Location by any candidate or scrutineer.

Scrutineers who do not follow the instructions of the Election Official(s) or who attempt to interfere, influence and to determine how an elector is voting will be requested to leave the Voter Assistance Centre immediately, their appointment will be revoked and they will not be permitted to re-attend at a Voter Assistance Centre or during the announcement of results. Scrutineers may also have their appointment revoked if they contravene the rules and guidelines established by the Clerk as provided to the Candidates.

Internet/Telephone:

Appointment - by candidate – qualification

A candidate may appoint scrutineers to represent him or her during the voting and during the receipt of voting results. The appointment shall be made using the "Appointment of Scrutineer" . This form must be signed by the Candidate with an original signature.

The appointment shall be made using the "Appointment of Scrutineer By Candidate" *Form MT22*. The forms to appoint scrutineers, must be signed by the candidate in person at the Municipal Office. The candidate shall be asked for proof of identity. The candidate shall provide the signed form to their scrutineer.

Number - per candidate - in Help Centre - one only

Only one certified candidate or his/her appointed scrutineer may be in attendance at a Help Centre or location for receipt of voting results.

The scrutineer/candidate must take an “Oral Oath of Secrecy” *Form MT25* at the Help Centre or location for receipt of voting results.

Appointment - by Council - by-law – question

Council may appoint scrutineers by resolution using “Appointment of Scrutineers Re By-laws or Questions” *Form MT46* in relation to voting on a by-law or question submitted to the electors, to attend at a Help Centre during the “0” count audit and receipt of voting results, including during a recount.

Equal number of scrutineers shall be appointed to represent supporters and opponents of the by-law and one scrutineer representing supporters and one representing opponents may be present at the Help Centre during the receipt of voting results.

Equal numbers of scrutineers shall be appointed for each possible answer to the question and one scrutineer for each of the possible answers may be present at the Help Centre during the receipt of voting results.

Appointment - by local board or Minister - question

Scrutineers appointed by a local board or the Minister in relation to a question may also remain in the Help Centre.

Appointment - by elector - recount [Section 61 (1)]

In the case of a recount ordered under Section 58, the elector may appoint one scrutineer for the receipt of voting results.

The “Appointment of Scrutineer by Elector” *Form MT45* must be signed by the Applicant. Forms are available at the Municipal Office. The scrutineer/candidate must take an “Oral Oath of Secrecy” *Form MT25* at the receipt of voting results.

Appointment - Proof of

A person appointed as a scrutineer, before being admitted to a Help Centre or receipt of votes shall show proof of his/her applicable appointment to the Election Official for the Help Centre or receipt of votes and shall provide proof of identity and residence as prescribed in *O. Reg. 304/13*.

Scrutineers Rights and Prohibitions

Each scrutineer shall be responsible for his/her conduct, rights and prohibitions as set out on the applicable appointment form.

PERSONNEL

CLERK [SECTION 12 (1)]

A Clerk who is responsible for conducting an election may provide for any matter or procedure that,

- a) is not otherwise provided for in an Act or regulation; and
- b) in the Clerk's opinion, is necessary or desirable for conducting the election.

DRO's AND OTHER ELECTION OFFICIALS (SECTION 15)

The Clerk may delegate to a Deputy Returning Officer or other election official any of the Clerk's power or duties in relation to the election as he or she considers necessary. The Clerk may continue to exercise the delegated powers and duties despite the delegation. The delegation shall be in writing, "Delegation of Powers and Duties of Clerk" *Form MT19*.

There shall be a substitute qualified person appointed to attend to the election details in the event the Clerk is unable to be present to conduct procedures on Voting Day.

The Returning Officer is required to complete and sign the "Oath of Returning Officer" *Form MT17* prior to January 1 of an election year.

All other election staff are required to complete and sign the "Appointment and Preliminary Oath or Affirmation for Election Officials" *Form MT18*.

An application form, detailed job descriptions and appointment letters for election personnel are below *Form MT47*.

Duties and Responsibilities of the Election Assistant *Form MT37*.

Confirmation letters for Election Officials *Form MT38* and *Form MT39*

PROXY VOTING

PROXY VOTING (SECTION 44)

Internet/Telephone:

The municipality has chosen to use an alternative voting method and proxy voting will not be utilized.

VOTING PROCEDURE TELEPHONE / INTERNET

AUTHORITY (SECTION 42)

A by-law authorizing internet/telephone voting must be passed on or before May 1 in the year prior to the election.

On April 6, 2021, By-law No. 17-2021 was passed authorizing internet/telephone voting.

The Municipal Elections Act, 1996 more specifically subsections 42(2) and (3) states as follows:

- (a) Applies to a regular election of the by-law is passed on or before May 1 in the year of the election;
 - (b) Applies to a by-election if the by-law is passed more than 60 days before voting day;
- The Clerk shall,
- (a) Establish procedures and forms for the use of,
 - i. any voting and vote-counting equipment authorized by by-law; and,
 - ii. any alternative voting method authorized by by-law; and,
 - (b) Provide a copy of the procedures and forms to each candidate when their nomination is filed.

The service provider for such alternative voting procedures, after review and analysis of options, has been determined by the Clerk as Simply Voting. A copy of the contract with Simply Voting is available from the Clerk upon request.

Subsection 11(1) of the Municipal Elections Act, 1996, states that the Clerk of a local municipality is responsible for conducting elections within that municipality and subsection 11(2) for:

- i. preparing for the election;
- ii. preparing for and conducting a recount in the election; and
- iii. maintaining peace and order in connection with the election; and
- iv. in a regular election, preparing and submitting the report described in subsection 12.1(2).

Subsection 42(4) states that the procedures and forms established by the clerk, if they are consistent with the principles of this Act, prevail over anything in this Act and regulations made under it.

Any unforeseen cases not dealt with in these procedures will be recorded, action taken, and reflected in an addendum signed by the Clerk, to these procedures and circulated to all candidates.

Subsection 42(5) further states that when a by-law authorizing the use of an alternative voting method is in effect, Sections 43 (advance votes) and 44 (voting proxies) apply only if the by-law so specifies.

A person cannot give his or her Voter Information Letter to another eligible elector for the purpose of voting. Acceptance of another person's Voter Information Letter including the actual voting thereof will be considered an illegal and corrupt practice and therefore subject to the penalty provision under the Municipal Elections Act, specifically sections 89 and 90.

SERVICE PROVIDER

The service provider for internet/telephone voting, determined by the Clerk, is Simply Voting Inc. A copy of the contract with Simply Voting Inc. is available from the Clerk upon request.

SYSTEM INTEGRITY

The integrity of the voting process shall be the responsibility of the Clerk and shall be preserved by:

- a) ensuring that every eligible elector on the Voters' List, as amended, is sent a sealed Voter Information Letter containing the voter's unique PIN, by first class mail;
- b) ensuring that no one except authorized Simply Voting Inc. and Taylor Demers Mail Processing Inc. staff shall have access to a comprehensive list of PINs that matches each voter's name and address;
- c) establishing proper procedures to ensure that no person is added to the Voters' List unless an Election Official is completely satisfied of their identity and qualification as an elector in the Municipality;
- d) establishing proper procedures to ensure that no replacement PIN is issued unless an Election Official is completely satisfied of the eligible elector's identity;
- e) ensuring that no replacement PIN is issued by anyone other than an employee of The Municipality who has been appointed in writing by the Clerk to do so;
- f) appointing an Auditor to test the Voting System and providing same with read-only access to the Voting System; and
- g) providing an opportunity for eligible electors to be added to the Voters' List or to make amendments to the list, up to and including Election Day, October 24th, at 8:00 p.m

AUDITOR

The Auditor, appointed by the Clerk, shall test the voting system on several occasions.

The Voting System shall be tested thoroughly through a comprehensive logic and accuracy audit prior to the Voting Period. The tests shall include but not be limited to the following:

1. Voting System refuses ballots before the start of the Voting Period
2. Voting System is 'zeroed out' at the start of the Voting Period
3. Voting System presents electors with the correct ballot based on their elector information
4. Voting System accepts ballots from un-used eligible PINs
5. Voting System refuses ballots from used PINs
6. Voting System does not allow over-votes on any ballot
7. Voting System acknowledges under-voted ballots and prompts elector if they wish to complete under-voted contests on their ballot
8. For telephone voting specifically, the wording and clarity of the recordings and the input timing is accurate
9. Voting System 'times out' after a period of voter inactivity
10. Voting System accepts ballots from PINs that previously 'timed out' or were abandoned before being submitted
11. Voting System refuses ballots after the end of the Voting Period, except from specifically authorized Voting Kiosks
12. Voting System accurately counts votes for all candidates in each contest

The Voting System shall be further tested through an ongoing audit during the Voting Period.

The tests shall include but not be limited to the following:

1. Voting System refuses ballots before the start of the Voting Period
2. Voting System is 'zeroed out' at the start of the Voting Period
3. Voting System presents electors with the correct ballot based on their elector information
4. Voting System does not allow over-votes on any ballot
5. Voting System acknowledges under-voted ballots and prompts elector if they wish to complete all contests on their ballot
6. Voting System 'times out' after a period of voter inactivity
7. Voting System refuses ballots after the end of the Voting Period, except from specifically authorized Voting Kiosks

All Voting Kiosks and associated information technology infrastructure used the Voter Assistance Centres will be tested for internet access, network security, proper configuration, and device security.

All certified candidates are to provide to the Clerk the proper pronunciation of their name for programming into the telephone Voting System no later than August 26, 2022.

SECRECY

The Clerk shall require all Election Officials and or other persons working in connection with the municipal elections to swear or affirm an "Oath of Secrecy" as per the "Appointment and Preliminary Oath or Affirmation for Election Officials" *Form MT18*.

No person shall interfere or attempt to interfere with an elector while in the process of accessing the Telephone/Internet Voting service or interfere or attempt to interfere in the voting process while using the Telephone/Internet Voting service unless expressly requested and authorized by an elector.

Electors voting at the Voting Centre may vote with assistance of a Friend. The elector and those providing assistance shall take the appropriate oaths on "Oral Oaths at Voting Center" *Form MT18-1* and shall vote according to the instructions and wishes of the elector.

No person shall communicate any information that might have been inadvertently obtained about how an elector intends to vote or has voted.

No elector shall reveal how he or she intends to vote except when obtaining assistance in voting from either a Friend or an Election Official. Any other person present must withdraw until the voter finishes instructing the Friend or Election Official, as the case may be.

No person shall obtain or attempt to obtain information about how an elector intends to vote or has voted. Any individual requested by an elector to assist him or her in voting is required to maintain the secrecy of the vote(s) cast by the elector and, if marking the ballot on behalf of the elector, shall vote according to the instructions and wishes of the elector.

All complaints regarding any and/or all breaches of secrecy shall be documented by the Election Official as well as questions and answers of the complainant and, if deemed appropriate, the Clerk shall submit same to the Police for further investigation and possible prosecution.

PUBLIC INFORMATION SESSION

A public information session may be held for the purpose of explaining the method of voting and responding to questions from the electorate. The date and time will be advertised in a local newspaper and on the municipal website.

The Clerk may coordinate the public information session, notices and advertisements with other municipal clerks of local municipalities who have adopted a similar alternative voting method.

PREPARATION OF VOTER INFORMATION LETTERS

Preparation of Voter Notification Letters

Compilation of the Voter Information Letter will be completed and printed by the Municipality's service provider Gilmore Doculink in collaboration with Simply Voting and Datafix. The Voters' List being the compilation of the Preliminary List of Electors and the Interim List of Changes shall be provided to the service providers in September in electronic format in order to print the Voter Information Letter.

Voter Information Letters shall be delivered to Canada Post and distributed by first class mail to all eligible voters to enable them to use the Telephone/Internet Voting service.

The candidates shall receive login ID(s) and password(s) allowing them to access a Candidates Module as of October 1, 2022 to view the List of Electors.

The Voters' List, being the compilation of the Preliminary List of Electors and Interim List of Changes, shall be provided to Simply Voting by September 26, 2022 in electronic format in order that Simply Voting /Data Fix may provide this information to Doculink to print the "Voter Information Letter" *Form MT41*.

Voter Information Letters shall be delivered by Simply Voting /Data Fix to Canada Post and distributed by first class mail to all eligible voters no later than October 4, 2022 to enable them to use the Telephone/Internet Voting service.

In the event of a postal strike by Canada Post, the Voter Information Letters will be circulated by email, courier and personal service.

The Municipal Office

The list shall be available at the Municipal Office in electronic format to accommodate the voting process.

The Municipal Office is located at 41342 Morris Road, Brussels, ON

For election purposes, the Municipal Office shall be responsible for the following:

1. Eligible voters who attend at the Municipal Office and are not on the Voters' List will be able to be added to the list by filling out an "Application to Amend Voters' List" *Form EL15* and provide proof of identity and residence as prescribed in O. Reg. 304/13. Their names will be added to the Voters' List and they will be assigned and sent a Voter Information Letter containing a PIN along with the rest of the electorate.
2. For additions to the list made after the mailing of the Voter Information Letters, the Voter Information Letter containing a PIN will be provided to the individual immediately.
3. Where an eligible voter has received a notice on their Voter Information Letter that their date of birth is missing or incomplete, the voter can attend the Municipal Office and provide their date of birth. The elector will be required to fill out an "Application to Amend Voters' List" *Form EL15* and provide proof of identity and residence as prescribed in O. Reg. 304/13.
4. Where an eligible voter has received an incorrect Voter Information Letter in terms of ward, if applicable, and/or school support, and has not already voted, the voter can attend the Municipal Office and have the proper category applied. The elector will be required to fill out an "Application to Amend Voters' List" *Form EL15* and provide proof of identity and residence as prescribed in O. Reg. 304/13

5. Eligible voters who attend the Municipal Office will be able to request a replacement Voter Information Letter and PIN under certain circumstances:
 - Where a person on the Voters' List has lost his or her Voter Information Letter or did not receive it in the mail, he or she will prove to the satisfaction of the authorized Election Official that they require a new PIN. Upon providing proof of identity and residence as prescribed in O. Reg. 304/13 to an Election Official, an oath on "Application for Re-Issue of a Voter Information Letter (Lost and Unused)" *Form MT42* shall be taken by the elector and a new Voter Information Letter containing a new PIN shall be issued. The new PIN shall replace the old PIN in the voting system.
 - Where a person on the Voters' List has attempted to vote and their PIN has already been used, he or she can provide to the satisfaction of the Election Official that they did not vote the PIN and require a new PIN. Upon providing proof of identity and residence as prescribed in O. Reg. 304/13 to an Election Official, an oath on "Application for Re-Issue of a Voter Information Letter (Used by an Impersonator)" *Form MT43* shall be taken by the elector and the elector's status shall be reset to allow a second vote. Furthermore, a new Voter Information Letter containing a new PIN shall be issued. The new PIN shall replace the old PIN in the voting system.

6. Answer general election questions and refer detailed questions to the Returning Officer or Deputy Returning Officer.

Notices / Advertisements

When a municipal election is to be held, the Clerk shall notify voters of the following through the use of newspaper advertisements and the municipal website:

1. That a municipal election is being held and that the Municipality has adopted an alternative voting method, being Telephone/Internet Voting;
2. The time and date for the holding of the vote, including voting period and the method of voting including the municipal and/or school board office(s);
3. Who is eligible to vote in the municipal election;
4. The location and hours of the Help Center, where eligible voters can check to see if their name is on the Voters' List and follow the procedures by which their name can be added, deleted or information corrected on the Voters' List as well as the procedure by which another person's name may be deleted from the list.

5. The offices for which persons may be nominated and the nomination procedure; and

6. The opportunity to become a registered third party advertiser and the registration procedure.

The Clerk shall determine the date(s) of all advertisements including the newspaper(s) and the notices that are to appear in order to comply with the requirements and principles of the Municipal Elections Act, 1996.

On or about October 11, 2022, each person on the Voters' List shall be mailed, by first class mail, a sealed Voter Information Letter containing:

1. His or her PIN and the telephone number to call to cast his or her vote and the designated internet address (URL) to access to cast his or her vote using the Internet;
2. Instructions on how to vote;
3. Dates and hours of voting;
4. Locations, dates and hours of Voter Assistance Centres;
5. The location, telephone number and email address of the Municipal Office/Help Centre;
6. Illegal and corrupt practices;
7. Voter eligibility criteria; and
8. Race and candidate information.

Voting

A Telephone/Internet Voting method shall be used for the 2022 municipal election.

1. Telephone/Internet Voting:
 - a. Eligible electors shall be required to telephone a designated 1-800 number or access a designated internet address and cast their vote(s).
 - b. Every eligible elector shall be limited to only one vote through the use of a PIN distributed by first class mail in a sealed and personalized Voter Information Letter.
 - c. The supplier's system will allow the eligible voter to vote using a telephone and/or the internet.
 - d. Following the voter's selection, the voting system shall identify the voter's choice on a confirmation page.
 - e. The confirmation page offers the option to the voter to confirm their selection or return to the ballot to change their selection.
 - f. Once the Voter PIN has been used with the Telephone/Internet Voting service to cast a vote, it cannot be used for voting again.

Voting will commence on October 11, 2022 at 9:00 am through to October 24, 2022 at 8:00 pm.

During the Voting Period, the Help Centre will be open Monday to Friday, during office hours, and on Voting Day between the hours of 8:30 a.m. and 8:00 p.m.

At 8:00 p.m. the doors of the Help Centre shall be locked and those in the Help Centre will be permitted to cast their ballot. Touch-tone telephones and internet access is provided. Any telephone provided at the Help Centre shall delete any display options on the telephone.

Prior to the activation of the system by Simply Voting, on October 11, 2018 (9:00 a.m.), Simply Voting shall allow access by the Clerk, or other authorized Election Official, to the voting system at the Voting Centre between 8:30 and 8:59 a.m. by secure ID and password, for the purposes of ensuring that all candidate's names are listed and that no votes have been cast. count

Candidates or their scrutineer may be present to verify and ensure that all totals of votes cast are at "0" and shall be required to sign the "Activation of Simply Voting System" *Form MT44* that attests to this fact.

Simply Voting will make available during the course of the election, ID and password for each candidate, who when using this authorization can connect into the voting system and review elector list information to discern which electors have participated in the election. This capacity does not provide the candidate information on how an elector has voted, only if they have participated in the election.

Candidates may view this information any time after the start of the voting period using the Candidates Module.

Simply Voting shall keep a record of all electors who have voted.

The names of electors who have voted during the voting period will be provided to the Clerk electronically through the voting system using the Clerk's assigned password and a report generation feature incorporated with the system. The information will be created in an electronic file format suitable for electronic distribution and will only be done so under the control and direction of the Clerk.

If requested in writing by a candidate, the Clerk will create the report which will provide an up-to-date list of the names of electors who have voted. This list will also include other information such as qualifying address, and category information that will allow the Clerk and/or candidates to sort the voter information. This information shall be made available to candidates through the Clerk's office.

Use of online, electronic and paper versions of the Voters' List, Interim and Final List of Changes to the List, Voter Participation Status reports and all other information containing personal voter information shall be protected by the Candidate and shall not be used for any purpose other than the 2022 Municipal Election. All Voter information obtained by the Candidate during the 2022 Municipal Election shall be destroyed by the Candidate after the election, either by returning the same to the Clerk for destruction with other election material or by deleting it completely from Candidate

computer hardware. If records are shared by the Candidates with others (campaign workers) an oath administered by the Candidate, similar to the one taken by the Candidate shall be administered and all shared records shall also be protected and destroyed.

Voter Qualifications

A person is entitled to be an elector at an election held in a local municipality if, on Voting Day (October 24, 2022) he or she is: (s.17(2))

1. Is a Canadian Citizen;
2. Is at least 18 years old;
3. Resides in the local municipality, or is the owner or tenant of land in the local municipality, or the spouse, or same-sex partner of such a person; and
4. Is not prohibited from voting under subsection 17(3) of the Municipal Elections Act, 1996 or otherwise, by law.

Where a voter qualifies at more than one location in the municipality, the voter may only vote only once for each office and the qualifying address to determine eligibility for voting shall be the elector's place of residence. Duplication of names on the preliminary list of electors shall be investigated by the Clerk and/or Election Official(s) and all obvious duplicate names of individuals shall be deleted prior to the final preparation of the Voters' List as certified by the Clerk. However, should an eligible voter receive more than one Voter Information Letter, the eligible elector may only vote once and must return the other Voter Information Letter to the Municipal Office and complete an application to correct the Voters' List by removing the duplicate name. All voters that vote more than once, or who improperly use the Voter Information Letter shall be reported to the police for further investigation as to possible corrupt practices under the Municipal Elections Act, 1996.

Oath of Qualification *Form EL26*.

Unopened Voter Information Letters

Unopened Voter Information Letters returned to the Municipal Office will be kept in a secure location. Individuals who contact the Municipal Office claiming not to have received a VIL may be the owner of the unclaimed mail. At the closing of the election, the unclaimed letters will be destroyed at the same time as all other municipal election material as provided for under Section 88 of the Municipal Elections Act, 1996.

Should a Voter Information Letter be returned to the Municipal Office that has been opened but has not been used for voting purposes, the PIN shall be disabled so that it cannot participate in the voting process. In this circumstance, the Voter Information Letter shall be marked "disabled" and be secured and destroyed as in the paragraph above.

The Clerk and the Election Official(s) shall ensure a complete audit trail is maintained of all Voter Information Letters:

1. That were sent to eligible voters by Gilmore Doculink;
2. That were returned from the Post Office;
3. That were returned by an elector or other individual(s) either opened or unopened but unused for voting purposes;

4. That were generated by Election Officials for eligible electors added to the Voters' List after completing an "Application to Amend Voters' List" *Form EL15*;
5. That were set to a status that prevented them from being voted; and
6. That were re-issued to an eligible elector.

Notwithstanding the foregoing, at the Clerk's discretion a Voter Information Letter containing a new PIN may be distributed by mail or email, provided the voter submits proof of identity and residence as prescribed in O. Reg. 304/13 and the appropriate completed form by mail or email.

Voting Process

Eligible voters may vote by:

1. Accessing the telephone number provided by using a cellular or land line, touch tone telephone will be able to access the system using their PIN providing the over-ride button on their telephone to a "touch-tone" mode is completed; or
2. Accessing the internet address provided; or
3. Attending the following locations during the following hours:

Municipality of Morris-Turnberry Office, 41342 Morris Road, Brussels, ON, during the Voting Period starting October 11th commencing at 9:00 am and October 11th to October 21st during regular business hours and up to 8 pm on Monday October 24, 2022. Internet access will be provided at this location.

4. Attending the location identified in (3) with a Friend, the elector may use a Friend to assist with voting. The "Oral Oaths at Voting Location" *Form MT18-1* will be administered. In the absence of a Friend, the voter may request the assistance of the Election Official, who may provide assistance only after the appropriate Oath has been taken.

CANDIDATES MODULE

The candidates shall receive login ID(s) and password(s) allowing them to access the Candidates Module as of October 1, 2022 to view the List of Electors.

When using this authorization, candidates can connect into the voting system and review elector list information to discern which electors have participated in the election. This capability **does not** provide the candidate information on how an elector has voted, it only provides information on whether or not they have participated in the election.

Candidates may view this information at any time after the start of the voting period using the Candidates Module.

ELECTORS REQUIRING ASSISTANCE (SECTION 52 (1) 4)

The Election Official may permit an elector who needs assistance in voting to have such assistance as the Election Official considers necessary.

Oral Oath to Vote With Assistance

A voter who requires such assistance to vote may ask the Election Official for assistance. The Election Official shall require the voter making the request to take the Oral Oath to Vote With Assistance on the “Oral Oaths At Help Centre” *Form MT18-1* and then assist and/or vote as directed by the voter. Any other person present must remove themselves until the voter finishes instructing the Election Official.

Oral Oath of Friend of Elector

In lieu of the Election Official assisting a voter, the voter may request that a friend accompany them to vote. Any friend who is permitted to vote shall be required to take the Oral Oath of Friend of Elector on the “Oral Oaths At Help Centre” *Form MT18-1*. No person shall be allowed to act as a friend of more than one voter at a Help Centre.

Oral Oath of Interpreter

Where the Election Official does not understand the language of a voter, an interpreter, provided by the voter, shall take the Oral Oath of Interpreter on the “Oral Oath At Help Centre” *Form MT18-1*, and shall translate the oaths as well as any lawful questions put to the voter.

RETIREMENT HOME OR INSTITUTION (SECTION 45(7))

A Help Centre will be provided to the following institutions and retirement homes on the specified date(s) and hours, as determined:

NAME OF RETIREMENT HOME OR INSTITUTION	DATE	HOURS FOR ASSISTANCE
Braemar Retirement Centre		
<i>Braemar Nursing Home</i>		
Huronlea Home for the Aged		
<i>Huronlea/ Highland Apartments</i>		

COUNT PROCEDURES

Internet/Telephone

COUNT PROCEDURES

The Clerk, at 8:00 p.m. on Voting Day, shall arrange for the close and deactivation of the Telephone/Internet Voting service at the Help Centre.

Notwithstanding the above, the Clerk shall keep the Help Centre access open until the Clerk of the municipality confirms that all eligible voters in the Help Centre at 8:00 p.m. have completed voting.

The Clerk or designate will then conduct a test to confirm that no votes can be cast.

The Clerk shall then request the tabulation of the results for each candidate to be sent by email or fax to the following Receiving Location in the Help Centre:

kjohnston@morristorynberry.ca or Fax 519-887-6424 .

The Clerk, Auditor and any others present (Candidates, or their scrutineer) shall sign the Vote Count Summary Report indicating the results and votes cast.

- i) Only the Clerk, Deputy Returning Officers, Assistant Returning Officers, appointed Election Officials, certified Candidates (an acclaimed candidate or their scrutineer is NOT permitted) and authorized Scrutineers will be permitted to remain in the Help Centre.
- ii) Before being admitted to the Help Centre, upon request by the Clerk or DRO, Candidates, Scrutineers and Election Officials shall be required to show proof of identity as prescribed in *O. Reg. 304/13*.
- iii) Before being admitted to the Help Centre, a person appointed as a scrutineer shall also produce and show his/her *Form MT22* to the Clerk for the receiving of the voting results at the Help Centre and take the "Oral Oath of Secrecy" *Form MT25* from the Clerk before being permitted to remain at the Help Centre.
- iv) Entrance to the Help Centre will not be permitted after 8:00 p.m. on Voting Day and only Election Officials will be allowed to enter thereafter. Candidate's and scrutineers are to arrive between 7:45 p.m. and 8:00 p.m. Once admitted to the Help Centre, no one shall be permitted to leave until the results are received and the Vote Count Summary Report has been signed by all in attendance.
- v) The candidate or scrutineer shall not communicate the results to anyone until the Clerk has released the unofficial results to the general public.
- vi) ANYONE who is creating a disturbance at the Help Centre will be removed as directed by the Clerk.
- vii) **Cell phones and other equipment SHALL be turned off** upon entering the Help Centre and their use is prohibited while at the Help Centre, except by Election Officials.
- viii) No campaign material will be allowed within the Help Centre.

NOTICE OF RESULTS

NOTICE OF RESULTS [SECTION 55 (3)]

The unofficial results of each candidate , as applicable, shall be made available by the Clerk as soon as practical after 8:00 p.m. on Monday, October 24, 2022, Voting Day, at the Municipal Office located at 41342 Morris Road, Brussels, and the Clerk shall post the same **Unofficial Results** on the municipality’s website.

The Clerk shall send each school board’s election results to the respective Clerk handling the school board election as soon as possible after the close of voting on Voting Day.

DECLARATION [SECTION 55 (4)]

As soon as possible after Voting Day, the Clerk shall declare the **Official Results** using the “Declaration of Election Results” *Form MT26* and post the results at the Municipal Office and on the municipal website.

Separately, the Clerk responsible for school board elections shall provide the respective school board results to each Clerk using the “Declaration of Election Results” *Form MT26*. Note – only include the school board results and not your municipality’s municipal election results.

INFORMATION TO BE MADE AVAILABLE [SECTION 55 (4.1)]

As soon as possible after Voting Day, the clerk shall make the following information available at no charge for viewing by the public on a website or in another electronic format:

1. The number of votes for each candidate.
2. The number of declined and rejected ballots.
3. The number of votes for the affirmative or negative on a by-law or question.

RECOUNT

RECOUNT (SECTIONS 56-58)

Manner in Which a Recount is Conducted

A recount shall be conducted in the same manner as the original count, whether manually or by vote counting equipment [Section 60 (1)], unless ordered otherwise by a judge as per Section 60 (3).

Internet/Telephone:

This shall be done by requesting from Simply Voting Inc a re-tabulation of the votes cast to be conducted in the same manner as the original vote tabulation.

Simply Voting Inc. shall send the results of the recount by fax and/or by e-mail, along with any documentation, if required, to support the integrity, security and accuracy of the electronic voting system, and these results will be compared to the results tabulated by the Auditor assigned to the election.

Common to All:

A recount is required when:

- there is a tie vote where both or all candidates cannot be declared elected (Automatic)
- the votes for the affirmative and negative on a by-law are equal (Automatic)
- the votes for two or more answers to a question are equal (Automatic)

Within 30 days after the declaration of the results:

- by resolution of Council (for Council offices or questions, or by-laws submitted by Council)
- by resolution of local board (for offices on a local board or questions or by-laws submitted by a local board)
- by order of the Minister (for questions submitted by the Minister)
- by order of the Superior Court of Justice

Recount in accordance with Policies

The Clerk shall hold a recount in accordance with the above with respect to the circumstances in which the municipality or local board requires the Clerk to hold a recount of the votes cast in an election if the by-law or resolution is passed on or before May 1 in the year of an election.

Time for Recount

The recount shall be held within 15 days after the Clerk's declaration of the results of the election or resolution or order to hold a recount is passed or made.

WHO CONDUCTS RECOUNT (SECTION 56, 63)

The Clerk shall conduct all recounts for elections for which he or she is responsible except recounts conducted by the Superior Court of Justice upon appeal.

VOTES FOR CANDIDATES TO BE INCLUDED IN A RECOUNT (SECTION 56, 57, 58)

Internet/Telephone:

All votes for all candidates in the contested race, or answers to a question or by-law will be counted.

PERSONS ENTITLED TO BE PRESENT AT RECOUNT (SECTION 61)

- the Clerk and any other election official appointed to assist with the recount;
- every certified candidate for the office involved;
- the applicant, if any, who applied for the recount;
- legal counsel for any of the above;
- one scrutineer for each recount station established by the Clerk for every certified candidate for the office involved and the applicant, who applied for the recount;
- where the recount applies to a by-law or question, the scrutineers as appointed by Council, a local/school board or the Minister;
- where scrutineers are appointed under Sections 61 (3) or (4), an equal number must be appointed to represent supporters and opponents of the by-law and for each possible answer to the question;
- any other person may be present with the Clerk's permission.

NOTIFICATION OF RECOUNT DATE, TIME, PLACE (SECTIONS 56, 57, 58 and *O. Reg. 101/97*)

The Clerk shall give notice of the recount date, time and place on "Notice of Recount" *Form MT27* to the following:

- all certified candidates for the office which is the subject of the recount;
- where a resolution is involved, the Council or local/school board which passed the resolution;
- the Minister when an order has been made;
- the applicant in the case of a court order;
- in the case of a recount concerning an office, by-law or question in respect of which electors of another municipality are entitled to vote, the Clerk who was responsible for the conduct of the vote in the other municipality;
- notice of recount will be given by registered mail or personal service.

PROCESS AT RECOUNT (SECTIONS 61, 62 and O. Reg. 101/97)

At the time set for the recount to commence, the Clerk should outline the procedures as follows:

- the rules prescribed by the Minister or established by the Clerk are to be followed and should be explained to everyone present for the recount;

Internet /Telephone:

Upon completion of the recount, the Clerk shall announce the results of the recount.

Declaration:

Clerk: The clerk shall not *declare the results officially*. *Verbally announce the unofficial results. See Notice of Final Certified Results for official declaration process, according to Section 62 (4)*

Persons authorized to be in attendance at the recount may also be at the announcement of the results of the recount.

CONTINUING TIE VOTE – AFTER RECOUNT PROCEDURES [SECTION 62 (3) AND 63 (10)]

Pursuant to Section 62 (3) in a case of a tied vote following the recount the Clerk shall determine the result by conducting a lot as follows:

The Clerk shall write the name of each candidate on equal-sized pieces of paper. They are then put in a “hat”. The Clerk shall announce, prior to the draw, that “the candidate to be elected shall be the candidate whose name is written on the first piece of paper I draw out of the hat.” The paper is pulled from the hat and the candidate elected is announced.

DECLARATION BY CLERK [SECTION 62 (4)]

Unless an application has been made for a judicial recount, the Clerk, on the 16th day after the recount is completed, shall declare the successful candidate or candidates elected or will declare the result of the vote with respect to a by-law or a question.

The results of the recount shall be posted, at a minimum, in the Municipal Office and on the municipal website by noon, the day following the recount being completed using the “Declaration of Recount Results” *Form MT28*. The Clerk will notify everyone notified of the recount, of the results of the recount in writing.

Such Declaration shall be **sent** to everyone previously given notice of the recount.

COSTS OF RECOUNT [SECTION 7 (3), (4)]

The costs incurred by the Clerk to conduct a recount are to be paid by the municipality, local board, upper-tier municipality or the Minister as soon as possible after the Clerk has signed a certificate verifying the amount. The municipality is to be reimbursed for its reasonable costs in the following situations:

- a regular election when the recount is for:
 - an office on a local board or an upper tier municipality
 - a by-law or question submitted by an upper-tier municipality; or
 - a question submitted by a local board or by the Minister
- a by-election for a local board or for an upper tier municipality; or for the Minister, or a recount in such a by-election

Any expenses incurred by a candidate will be the responsibility of the candidate (ie: legal counsel in attendance on behalf of the candidate).

CANDIDATES FINANCIAL STATEMENTS

CANDIDATES FINANCIAL STATEMENTS [SECTION 88.25 (1) and (9)]

All Candidates shall file with the Clerk, the “Financial Statement – Auditor’s Report” *PR Form 4* on or before 2:00 p.m. on March 31, 2023, reflecting the Candidate’s election campaign finances as of December 31 in the year of the election.

The earliest the “Financial Statement – Auditor’s Report” *PR Form 4* can be filed is the first day the Municipal Office is open in January, 2023

At least 30 days before the filing date, but no later than November 30, 2022, the Clerk shall give every candidate whose nomination was filed, **by registered mail**, notice of:

- all the filing requirements of this section; and
- the candidate’s entitlement to receive a refund of the nomination filing fee if her or she meets the requirements of section 34 (Refund);
- the penalties set out in subsections 88.23 (2) and 92 (1).

The notice shall be given on “Notice to Candidate of Filing Requirements” *Form EL42*.

NOTICE OF DEFAULT [SECTION 88.23 (1) - (3), 88.25]

A “Notice of Default” *Form EL43* shall be given to the candidate by registered mail, and if the candidate was elected, to the relevant council or local board, in the event that a candidate has not submitted the “Financial Statement – Auditor’s Report” *PR Form 4* on or before 2:00 pm on March 31, 2023.

The Clerk shall make available to the public the name of the candidate and a description of the nature of the default.

As soon as possible after April 30th in the year following a regular election, and 90 days after Voting Day in a by-election, the Clerk shall make available to the public on a website or in another electronic format a report setting out all candidates in an election and indicating whether each candidate complied with section 88.25 (Candidates’ Financial Statements, etc.).

For questions regarding campaign finances, the Clerk should direct the candidate to Sections 88.22 – 88.25, 88.30 – 88.32.

EXTENSION OF CAMPAIGN PERIOD [SECTION 88.23 (6) to (8)]

For further information, refer to the *Municipal Elections Act, 1996*.

REFUND OF NOMINATION FILING FEE (SECTION 34)

A candidate is entitled to receive a refund of the nomination filing fee if he or she,

- files the Financial Statement and Auditor’s Report, each in the prescribed form, on or before 2:00 p.m. as of March 31, 2023.

THIRD PARTY FINANCIAL STATEMENTS

THIRD PARTY FINANCIAL STATEMENTS [SECTION 88.29 (1) and (7)]

All Registered Third Parties shall file with the Clerk, the “Financial Statement – Auditor’s Report” *PR Form 4* on or before 2:00 p.m. on March 31, 2023, reflecting the Registered Third Party’s campaign finances in relation to third party advertisements as of December 31 in the year of the election. The earliest the “Financial Statement – Auditor’s Report” *PR Form 4* can be filed is the first day the Municipal Office is open in January, 2023.

March 1, 2023 is the last day to provide candidates and registered third parties that registered in the municipality, **by registered mail**, notice of:

- all the filing requirements of this section; and
- the penalties set out in subsections 88.27 (1) and 92 (4) of the MES. S.88.29(7).

The notice shall be given on “Notice to Registered Third Party of Filing Requirements” *Form MT62*.

NOTICE OF DEFAULT [SECTION 88.27 (1) and (2), 88.29]

A “Notice of Default – Registered Third Party” *Form MT63* shall be given to the registered third party by registered mail, has not submitted the “Financial Statement – Auditor’s Report” *PR Form 8* on or before 2:00 pm on March 31, 2022.

The Clerk shall make available to the public the name of the registered third party and a description of the nature of the default.

As soon as possible after April 30th in the year following a regular election, or 75 days after Voting Day in a by-election, the Clerk shall make available to the public on a website or in another electronic format, a list of all registered third parties for the election, along with an indication of whether each has filed a financial statement and auditor’s report under section 88.29 (1) (Financial Statements, etc. of Registered Third Parties).

For questions regarding third party finances, the Clerk should direct the registered third party to Sections 88.26 – 88.29, 88.30 – 88.32.

EXTENSION OF CAMPAIGN PERIOD [SECTION 88.27 (3) to (5)]

For further information, refer to the *Municipal Elections Act, 1996*.

COMPLIANCE AUDIT COMMITTEE

COMPLIANCE AUDIT COMMITTEE (SECTION 88.37)

Establish Compliance Audit Committee

A council shall before October 1st of an election year establish a committee for the purposes of the *Municipal Elections Act, 1996*.

In Huron County a joint compliance audit committee is established.

Develop a “Terms of Reference” to be adopted by by-law by all participating municipalities. Once adopted, initiate recruitment process using the “Joint Huron County Compliance Audit Committee Ad” and using the “Joint Huron County Compliance Audit Committee Application”, pursuant to the decision of the Huron County working group..

Post the ad, application, and Terms of Reference, at a minimum, on the municipal website.

Council shall approve the appointment of members by resolution or by-law.

REVIEW OF CONTRIBUTIONS TO CANDIDATES [SECTION 88.34 (1) to (4)]

The Clerk shall review the contributions reported on the financial statements submitted by a candidate to determine whether any contributor appears to have exceeded any of the contribution limits under section 88.9 (Maximum Contributions to Candidates).

Report, Contributions to Candidates for Council

As soon as possible after April 30th in the year following a regular election, the Clerk shall prepare a report identifying each contributor to a candidate for office on a council who appears to have contravened any of the contribution limits under section 88.9 and,

- (a) if the contributor’s total contributions to a candidate for office on a council appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to the candidate; and
- (b) if the contributor’s total contributions to two or more candidates for office on the same council appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to all candidates for office on the same council.

The Clerk shall prepare a separate report in respect of each contributor who appears to have contravened any of the contribution limits under section 88.9.

The Clerk shall forward each report prepared to the Compliance Audit Committee.

See Section 88.30 (2) for supplementary filing date provisions.

COMPLIANCE AUDIT APPLICATION [88.33 (1) AND 88.35 (1)]

An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate or a Registered Third Party who is registered in relation to the election in the municipality has contravened a provision of the Act relating to election campaign finances may apply for a compliance audit of the Candidate's or Registered Third Party's election campaign finances, even if the Candidate or Registered Third Party has not filed a financial statement using "Compliance Audit Application" .

COMPLIANCE AUDIT COMMITTEE [88.33 (4), (14)]

Within 10 days after receiving the Compliance Audit Application, the Clerk shall forward the application to the Compliance Audit Committee.

Within 10 days after receiving the Auditor's Report, if applicable, the Clerk shall forward the application to the Compliance Audit Committee.

ELECTION RECORDS

PUBLIC RECORDS [SECTION 88 (5), (10), (11)]

Despite anything in the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, 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.

Restrictions

No person shall use information obtained from public records described above, except for election purposes.

Access to the Voters' List

The Voters' List shall not be posted in a public place and can be used only for election purposes.

Due to MFIPPA, details about another person, other than the person an Election Official is speaking with, should not be provided, including whether or not the individual is on the Voters' List.

CANDIDATE'S ELECTION RECORDS

Use of online, electronic and paper versions of the Voters' List, Interim List of Changes to the Voters' List, Voter Participation Status reports and all other information containing personal voter information shall be protected by the Candidate and shall not be used for any purpose other than the 2022 Municipal Election. All Voter information obtained by the Candidate during the 2022 Municipal Election shall be destroyed by the Candidate after the election, either by returning same to the Clerk for destruction with other election material or by deleting it completely from the candidate's computer hardware. If records are shared by the candidates with others (campaign workers) an oath administered by the Candidate, similar to the one taken by the Candidate shall be administered and all shared records shall also be protected and destroyed.

MUNICIPAL ELECTION RECORDS (SECTION 88)

Destruction of Records

After 120 days from declaring the results of the election under Section 55, the Clerk may destroy any other documents and materials related to the election except those listed below under the Retention of Records section of the manual. Witness Statement *Form MT30*

Retention of Records

The election documents or materials shall not be destroyed if:

- a court orders that they be retained; or
- a recount has been commenced and not finally disposed of.

In addition, documents filed under Sections 88.25 (candidates' financial statements, etc.), 88.29 (financial statements, etc. of registered third parties) and 88.32 (return of surplus for subsequent expenses) until the members of the council or local board elected at the next regular election have taken office.

ACCESSIBILITY

ACCESSIBILITY

Electors and Candidates with Disabilities [Section 12.1 (1)]

The Clerk shall have regard to the needs of electors and candidates with disabilities.

Plan re Barriers [Section 12.1 (2)]

The Clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before Voting Day in a regular election.

Location – Accessibility [Section 45 (2)]

In establishing the locations of Help Centres or Ballot Return Stations, the Clerk shall ensure that each Help Centre or Ballot Return Station is accessible to electors with disabilities.

Attendance on Electors with Disabilities [Section 45 (9)]

To allow an elector with a disability to vote, an Election Official shall attend on the elector anywhere within the area designated for voting.

Electors Needing Assistance [Section 52 (1) 4]

The Election Official may permit an elector who needs assistance in voting to have such assistance as the Election Official considers necessary.

Report [Section 12.1 (3)]

Within 90 days after Voting Day in a regular election, the Clerk shall submit a report to council about the identification, removal and prevention of barriers that effect electors and candidates with disabilities and shall make the report available to the public.

Other Resources

AMCTO Municipal Election Manual 2022

Ontario Candidate's Guide to Accessible Elections

Integrated Accessibility Standards Regulation, Ontario Regulation 191/11

Municipally approved Accessibility Policies and Procedures

EMERGENCIES

EMERGENCIES (SECTION 53)

The Clerk may declare an emergency if he or she is of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with this Act.

On declaring an emergency, the Clerk shall make such arrangements as he or she considers advisable for the conduct of the election.

The arrangements made by the Clerk, if they are consistent with the principles of this Act, prevail over anything in the Act and the regulations made under it.

The emergency continues until the Clerk declares it has ended.

If made in good faith, the Clerk's declaration of emergency and arrangements shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness.

It shall be the policy that in the event of an emergency, as determined by the Clerk, that the Clerk shall to the best of their ability advertise such emergency by means of a Notice of Disruption to the public. The Notice should include, where possible, information about what service is being disrupted, the reason, its anticipated duration and a description of the alternate facilities or services available. This information will be made available on a "Notice of Election Service Disruption" *Form MT65*, and will be posted at the affected voting location, if available and the municipal election website, social media platforms and radio, if possible.

If required, the Clerk may consider alternate options for reporting results, notification of electors, alternate facilities, voting period and or election officials.

In the event of an emergency, third party vendors will take direction from the Clerk as to what actions will be taken.

In the event the Clerk is unable to be present to conduct procedures on Voting Day, there shall be a substitute qualified person appointed or available to attend the election details

If any part of the voting for an office is not completed, the results will not be released until the voting for that office is complete.

Given the options available to electors to vote from any touch-tone telephone or device with an internet connection, any event that results in one or more voting locations becoming unavailable for use on Election Day (e.g. flooding, power failure) shall not be sufficient to cause the Clerk to declare an emergency, delay the vote, open a new voting place, or extend the voting hours.

Pursuant to Section 53 of the Municipal Elections Act, 1996, an emergency shall be declared in the event of any circumstance that in the opinion of the Clerk compromises the integrity and/or execution of the election.

CORRUPT PRACTICES

CORRUPT PRACTICES

The Municipal Elections Act, 1996 provides for penalties and enforcement of corrupt practices and other offences during an election process. Penalties can include a fine up to \$25,000, forfeiture of office, ineligibility to run for office in the following election, and/or imprisonment up to 6 months.

Although The Municipality will be using an alternative voting method, being Telephone/Internet Voting, the principles and the integrity of the election process will remain and are enforceable.

No person(s) shall solicit a Voter Information Letter from an eligible elector. All valid complaints or knowledge of solicitation shall be reported immediately to the appropriate authorities for investigation of corrupt practices.

In addition, under the provisions of Section 90 of the Municipal Elections Act, 1996, if a person is convicted of an offence and the offence was committed knowingly, the offence also constitutes a corrupt practice and the person is liable, in addition to any other penalty, for a term of imprisonment not more than six (6) months.

REPORTING CORRUPT PRACTICES

All valid complaints or knowledge of an offence shall be reported immediately to the appropriate authorities for investigation of corrupt practices.

In addition, although many provisions of the *Municipal Elections Act* also deal with voting places, ballots and ballot boxes, etc. the same must be used interchangeably with the alternative forms of voting since the principles of the *Act* must be maintained and is therefore enforceable and subject to penalties.

As such, the Clerk has agreed to the following:

- That all complaints about actions which may contravene the provisions of the *Municipal Elections Act*, either verbally or written, will be reviewed by the Clerk and, if viewed by the Clerk to be valid and not frivolous, will be reported to the appropriate authorities.
- THAT all such valid complaints submitting in writing, once deemed by the Clerk to be substantiated, will be submitted to the appropriate authorities;
- THAT the Clerk or any Election Official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.

OFFENCES (SECTION 89, 90)

A person is guilty of an offence if he or she:

- votes without being entitled to do so;
- votes more times than this *Act* allows;
- induces or procures a person to vote when that person is not entitled to do so;
- before or during an election, publishes a false statement of a candidate's withdrawal;
- furnishes false or misleading information to a person whom this *Act* authorizes to obtain information;
- without authority, supplies a PIN to anyone;
- deals with a PIN, without having authority to do so;
- no person(s) shall solicit a Voter Information Letter, containing a PIN, from an eligible elector;
- a person who contravenes any provision of the *Act* or a regulation under the *Act* or a by-law passed by a municipality under the *Act*;
- attempts to do something described above.

The following are guilty of an offence that constitutes a corrupt practice:

- A Clerk or other Election Official who willfully fails to perform a duty imposed by the *Act*.

PENALTIES

Elector [Section 90 (2)]

An offence described above under Corrupt Practices [Section 90 (3)] constitutes a corrupt practice and a person who commits it is, on conviction, disqualified from voting at an election until the next regular election has taken place after the election to which the offence relates, in addition to being liable to any other penalty provided for in the *Act*.

Candidate [Section 91 (1)]

If a person is convicted of a corrupt practice under the *Act*, or of an offence under the *Criminal Code* (Canada) in connection with an act or omission that relates to an election to which the Act applies, then, in addition to any other penalty provided for in the Act:

- a) any office to which the person was elected is forfeited and becomes vacant; and
- b) the person is ineligible to be nominated for or elected or appointed to, any office until the next two regular elections have taken place after the election to which the offence relates.

However, if the presiding judge finds that the person committed the corrupt practice or offence under the *Criminal Code* (Canada) without any intent of causing or contributing to a false outcome of the election, clause b) does not apply.

Individual [Section 94.1(1)]

An individual who is convicted of an offence is liable to the following penalties in addition to any other penalty provided for:

- for any offence, a fine not more than \$25,000;
- for any offence other than a corrupt practice, the penalties described in Subsection 88.23 (2) – Effect of Default by Candidate and 88.27 (1) – Effect of Default by Registered Third Party.
- for an offence under Section 90 (Corrupt Practices: Certain Offences Committed Knowingly), imprisonment for a term of not more than 6 (six) months;
- for any offence that the presiding judge finds that the individual committed knowingly, imprisonment for a term of not more than 6 (six) months.

Trade Unions [Section 94.1(2)]

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

MAIL TAMPERING - CRIMINAL OFFENCE AND PROSECUTION

Notification of the voting process and how electors can vote will be provided in the Voter Information Letter, to electors by first class mail.

The Criminal Code of Canada states that tampering with the mail of an individual is a criminal offence and a person found guilty is liable to a term of imprisonment not exceeding ten (10) years. Since The Municipality's election methods rely on delivery of the VIL to eligible electors in order to allow those electors to exercise their right to vote, any instance or substantiated account of mail tampering will be taken very seriously and reported to the authorities.

In order to ensure the integrity and confidence of the voting process for all electors and candidates, the Clerk agrees to the following rules and regulations:

- THAT all complaints about actions which may contravene the provisions of the Criminal Code of Canada with respect to mail tampering, submitted in writing, will be considered by the Clerk;
- THAT all such valid complaints, once deemed by the Clerk to be substantiated, will be submitted to the appropriate authorities;

- THAT the Clerk or any Election Official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.

DISCRETIONARY POWERS OF THE CLERK

THE MUNICIPAL ELECTIONS ACT, 1996
Implied And Direct Discretionary Authority of the Clerk

SECTION	SHORT DESCRIPTION
	<i>Summary of Broad Discretionary Authority</i>
7; 8(7); 45	The Clerk has authority and control over the costs incurred for an election.
7(3)1	The Clerk shall bill a local board or upper tier municipality for the costs for a recount in a regular election for a local board or municipality, a by-law or question submitted by an upper tier or local board or the Minister.
7(3)4	The Clerk shall bill for costs when the Clerk counts the votes or conducts a recount of a ranked ballot election for an upper-tier municipality, if the member of council of the upper-tier municipality is not also elected to the council of the lower-tier municipality within the upper-tier municipality.
7(12)	The Clerk of a municipality can incur expenses in respect to a question which are required or authorized by this Act to be incurred.
8(6)	The Clerk is responsible for giving notice to the public for any question on the ballot, regardless of whether it was initiated by a municipality, an upper tier or a Minister.
11(1)	The Clerk is responsible for conducting municipal elections. Unless otherwise provided, the Clerk has broad discretionary authority to determine the form and method of communication for notices, forms and other information provided under the Act.
12(1)	The Clerk may provide for any matter or procedure that is not specifically provided for in the Act or Regulations.
12(2)	The Clerk may establish forms such as oaths, statutory declarations and has the power to require their use.
12(3)	The Clerk may require a person to furnish proof of identity, qualification or any other matter.
12(4)	The power given to the Clerk does not include the power to require a person for the purposes s 52(1) (Voting Procedure) to furnish proof of identity in addition to what is prescribed.
12.1	The Clerk shall have regard to the needs of electors and candidates with disabilities
12.1(2)	The Clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before Voting Day in a regular election.
12.1(3)	Within 90 days after Voting Day in a regular election, the Clerk shall prepare a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities.
13(1)	The Clerk shall determine the form, manner and timing of any notice or other information required by the Act.

22(2)	For the purposes of subsection (1) – correction of errors in the preliminary list, the Clerk may use any information that is in the local municipality’s custody or control
53(1)	The Clerk has discretion in determining what constitutes an emergency or circumstances that will undermine the integrity of the election.
53(2)	The Clerk has discretion in a declared emergency to make any arrangements deemed necessary for the conduct of the election.
53(4)	The Clerk determines when the emergency has passed.
55(4.1)	The Clerk shall, as soon as possible after Voting Day, make information available on the number of votes for each Candidate, the number of declined and rejected ballots and the number of votes (yes or no) on a by-law or question and determine website or electronic format.
	<i>Cost of Elections</i>
7(2), (4); 8(7)	The Clerk has authority and control over the finances of an election.
	<i>Notice of By-laws and Questions</i>
8(6)	The Clerk shall determine the form and method of notice to the electors of by-laws and questions to be placed on the ballot.
	<i>Certification of Vote Results</i>
8(9)	The Clerk shall determine the form of certification when giving the result of the vote on a question or by-law.
	<i>Information to Electors</i>
45(8)	The Clerk may issue instructions to Deputy Returning Officers (DRO) regarding attending on an elector in an institution or retirement home.
13(2)	The Clerk may determine what information is necessary to inform electors how to exercise their rights under the Act.
12.1(1)	The Clerk shall identify strategies to provide for the needs of electors and candidates with disabilities.
12.1(2)	The Clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities before Voting Day in a regular election.
12.1(30)	Within 90 days after Voting Day in a regular election, the Clerk shall submit a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities.
	<i>Appointment of Election Officials</i>
15(1)	The Clerk shall appoint a Deputy Returning Officer (DRO) for each Voting Place.
15(1)	The Clerk may appoint other election officials in addition to DROs. The Clerk determines what instruction and training is provided to election officials.

	<i>Delegation of Authority</i>
15(2), (3), (4)	The Clerk may delegate to election officials in writing, any of the Clerk's powers and duties, however the Clerk may continue to exercise the delegated powers and duties, despite delegation.
	<i>Creation of Voting Subdivisions</i>
18(1)	The Clerk may divide the municipality into voting subdivisions.
18(2)	If the Clerk creates voting subdivisions, he or she shall inform MPAC.
	<i>Correction of Preliminary List Of Electors</i>
19(1)(1.1)	The Clerk and the Municipal Property Assessment Corporation, may agree on a date for the delivery of the Preliminary List of Electors (which must be a date earlier than September 1).
22(1)	The Clerk may correct any obvious errors on the Preliminary List of Electors, and shall notify MPAC of the corrections.
22(2)	For the purposes of subsection (1), the Clerk may use any information that is in the local municipality's custody or control.
25(4)	The Clerk shall determine the format and manner of the written application to remove a deceased person's name.
	<i>Reproduction of Voters' List</i>
23(2)(a)(b)	The Clerk shall have the Voters' List reproduced on or before September 1 st and determine where and at what time applications for revisions to the Voters' List may be made.
	<i>Revision of Voters' List</i>
24(1)(2)	From September 1 st to the close of Voting on Voting Date, a person may make an application to be added or removed from the Voters' List or have the information on the Voters' List relating to that person amended.
24(3)	The Clerk may approve or deny applications for revision to the Voters' List.
27(1)(a)(b)	During the period beginning September 15 and ending September 25, the Clerk shall prepare an interim list of changes to the Voters' List approved on or before September 15, and give a copy to each certified candidate and to each person who received a copy of the Voters' List under s. 23.
27(2)(a)(b)	The Clerk shall within 30 days after Voting Day prepare a final list of the changes to the Voters' List and give a copy to MPAC.
	<i>Certification of Voters' Lists, As Revised</i>
28(1)	The Clerk shall prepare and certify the Voters' List for use in each Voting Place.
	<i>Nominations</i>
32	The Clerk shall give notice of the offices for which persons may be nominated and the nomination procedures under the Act.

33(1.3)	The Clerk is entitled to reply upon the information filed by the candidates (endorsements).
35(2), (3)	The Clerk shall certify the nomination of qualified persons, and reject the nomination if not satisfied the person is qualified.
35(4)	The Clerk can determine the form and method of giving notice when a nomination is rejected and shall give notice to the person who sought to be nominated and to all candidates for the office, as soon as possible.
35(5)	The Clerk's decision to certify or reject a nomination is final.
	Acclamations
37(1), (2)	The Clerk can determine the method of declaring acclamations.
	Notice of Election
40(a), (b), (c), (d)	The Clerk shall give notice to the electors and determine the form and method of giving such notice about the location of voting places, dates and times open, and the manner in which electors may use voting proxies if applicable and if alternative voting methods, the manner in which electors may use the alternative voting methods.
	Ballot Form
41(1)	The Clerk shall provide ballots in the prescribed form.
41(2)3	The Clerk can agree to permit another name that a candidate uses to appear on the ballot.
41(2)5	If the surnames of two or more Candidates for an office are identical or in the Clerk opinion so similar as to cause possible confusion, the Clerk shall differentiate the Candidates on the ballots as the Clerk considers appropriate.
41(3)	The Clerk shall change some or all of the ballots to facilitate voting by the visually impaired without assistance.
41(4)	The Clerk can decide to use separate or composite ballots.
	Voting or Vote Counting Equipment or Alternate Voting Method
42(3)(a) (i), (ii)	Where there is a by-law providing for voting or vote counting equipment or an alternative voting method, the Clerk has discretion in establishing forms and procedures for carrying out the intent of the by-law.
42(3)(b)	The Clerk can determine the method for providing a copy of the procedures and forms to Candidates and shall provide a copy of the procedures and forms to each Candidate when his or her nomination is filed.
	Advance Vote
42(2)	The Clerk shall establish the date or dates, number, location and hours of Advance Voting.
43(5)(b)	The Clerk determines how to keep safe any Advance Vote ballot boxes and

(ii)	all other material and documents relating to the Advance Vote.
43(7)	The Clerk determines the method of updating Voters' Lists to reflect Advance Voting and ensures that the Voters' Lists for all Voting Places are updated to reflect voting that took place at an advance vote.
	<i>Proxies</i>
44(7)	The Clerk may determine what is required to verify that persons are qualified to appoint and be appointed as a voting proxy and if satisfied that the person who appointed the voting proxy is entitled to do so, and that the person appointed is entitled to act as the voting proxy, shall apply a certificate in the prescribed form to the appointing document.
	<i>Voting Places and Procedures</i>
45(1), (3), (5)	The Clerk has discretion in identifying the number and location of voting places and designating the area.
45(2)	In establishing the locations of Voting Places, the Clerk shall identify strategies that ensure that each voting place is accessible to electors with disabilities.
45(7)1, 2, 3	A voting place shall be located in an institution for the reception, treatment or vocational training of members or former members of the Canadian Forces; an institution on September 1 st where 20 beds or more are occupied by persons who are disabled, chronically ill or infirm; and in a retirement home in which 50 beds or more are occupied on September 1 st .
45(8)	The Clerk may issue instructions to DROs regarding attending on an elector in an institution or retirement home.
45(9)	The Clerk shall issue instructions to DROs regarding attending on electors with a disability, including mobility impaired, anywhere within the defined voting place.
46(2)	The Clerk may establish specific Voting places to open on Voting Day before 10:00 a.m.
46(3)	The Clerk may establish reduced voting hours for a Voting Place that is only for the use of residents of the institution or retirement home.
47(1)(a)	The Clerk has discretion to go to or remain in voting places during voting or when votes are being counted.
	<i>Emergency</i>
53(1)	The Clerk has discretion in determining what constitutes an emergency or circumstances that will undermine the integrity of the election.
53(2)	The Clerk has discretion in a declared emergency to make any arrangements deemed necessary for the conduct of the election.
53(4)	The Clerk determines when the emergency has passed.
	<i>Declaration of Results</i>
55 (3) 55(4)	The Clerk shall declare the results of the election as soon as possible.

	Recounts
56(1), (1.1), (2)	The Clerk shall hold a recount in accordance with policy within 15 days after the declaration of results.
59	The Clerk may decide to include other candidates for an office in a recount.
61(1)1	The Clerk may be present at a recount in the case of a tie vote, or any policy passed, when the Council, Board or Minister requires a recount and when the Ontario Superior Court of Justice orders a recount. Sections 56, 57, or 58 or 63.
61(2)1	The Clerk may be present at a recount for a by-law or question.
61(6)	The Clerk determines disputes concerning the validity of a ballot or the counting of votes in a ballot.
61(7)	The Clerk may permit others to be present at a recount.
62(3); 63(10)	If the recount leaves two candidates tied, the Clerk shall choose the successful candidate by lot.
	By-Elections
65(4)1	The Clerk sets the date of Nomination Day, in the case of a by-election.
65(5)1	The Clerk sets the date of voting if the by-election relates to a question or by-law.
	Financial Reporting
33.0.1(1)	The Clerk determines the form of the preliminary certificate of maximum campaign expenses (upon the filing of a person's nomination) and shall give the person, or their agent filing the nomination for the person, a certificate of the applicable maximum amount as of the filing date.
33.1	The Clerk shall, before Voting Day, give notice of the penalties under s.88.23(2) and s.92(1) related to election campaign finances to each person nominated for an office.
88.20(13)(a)(b)	The Clerk determines the form and method of delivery of the certificate of maximum campaign expenses. The Clerk shall calculate the maximum amounts permitted by subsections 6 (Candidate Expenses) and subsection 9 (Registered Third Party Expenses) for each office for which nominations have been filed and shall give a certificate of the applicable amounts to each candidate on or before September 25 in a regular election, and within 10 days after the Clerk makes the required corrections in the case of a by-election.
88.22(3)	The Clerk determines the form and process of the notice of default.
88.23(9)	The Clerk determines the form and method of delivery of notice to Candidates of the campaign expense filing requirements and shall give notice at least 30 days before the filing date.

	<i>Election Records</i>
88(2)(a)(b)	When the 120-day period has elapsed, the Clerk shall destroy the ballots and may destroy other documents and materials related to the election.
88(4)	Financial statements must be retained until the next election.
88(9.1)	The Clerk shall make the documents filed under sections 88.25, 88.29 and 88.32 available at no charge for viewing by the public on a website or in another electronic format as soon as possible after the documents are filed

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EL18(A)	Declaration of Qualifications - Municipal Candidates
EL18(B)	Declaration of Qualifications –School Board Candidates
EL19	Withdrawal of Nomination
EL20	Declaration of Acclamation to Office
EL26	Oath of Qualification
EL37	Certificate of Maximum Campaign Expenses - Candidate
EL42	Notice to Candidate of Filing Requirements
EL43	Notice of Default

Candidate's Guide to Accessible Elections

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

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Preamble

This guide is intended to draw your attention to the measures candidates should be considering to ensure equal opportunity for all electors to access your candidate information and to interact with you. These measures should include aspects of your campaign including: literature through print media, audio and video messages, and access to your campaign office (if you are intending to campaign from an office that is separate from your home).

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

Campaign Literature

1. Print Media

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

- What is the font size on your material? Will you have separate large print copies? Is your material easily read (i.e. simple sans serif fonts such as Arial)
- Do you have magnifying sheets available to help a person with low vision to read your materials? Could the material be offered in an alternate format, if requested?
- Can you have key pieces of your literature in alternative formats (e.g. Braille, large print, e-text versions)?
- Ensure that your print materials provide details on whether your campaign office (if you have a campaign office) is accessible.
- Consider accessibility provisions for your website. Do you have scalable print? Is the font size large enough? Is there sufficient contrast between the colour of the background and any text? Has alternative text been provided to describe any images used on your website?
- If you elect to provide a TTY number in your campaign office/home, be sure to include your TTY number in all the advertising and promotional materials.
- Consider the services offered through VoicePrint, a division of The National Broadcast Reading Service, which broadcasts readings of full-text articles from more than 600 Canadian newspapers and magazines. They also provide advertising opportunities through a fee-for-service program.

2. Audio/Video Media

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

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

3. One-on-one communication

Will you consider offering Sign Language Interpreting?

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

The websites below provide a directory of interpreters, as well as tips on finding an interpreter, negotiating terms for agreements, etc. click on the

Ontario Association of Sign Language Interpreters' (OASLI) website:
<http://www.oasli.on.ca>

Association of Visual Language Interpreters of Canada's on line directory:
<http://www.avlic.ca/store/directory.php>

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

Click on the links below for more detailed tips on communicating with people with disabilities:

Quick Reference Guide to Accessible Campaign Information and Communication – [Click here to access](#).

Quick Reference Guide to Accessible All Candidates Meetings – [Click here to access](#).

Campaign Office

Choosing a Location

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

Getting There and Getting In...

- Is the office located on a route that is served by accessible public transportation?
- Is the name and address of the building clearly visible from the street and sidewalk? If needed, is there a pedestrian crosswalk close by? Crosswalks served by an audible and visual traffic-crossing signal are preferred. Where there is a change in level, for example where the sidewalk meets the street, curb cuts are necessary.
- Is accessible parking available for electors? At least one accessible parking space should be provided on the shortest, safest accessible route to the accessible building entrance.
- Is the accessible parking space clearly marked with the international symbol of accessibility?
- Is the parking space firm and level?
- Are curb cuts provided? All sidewalks should have curb cuts at locations near parking and along the route to the primary entrance.
- Is the space large enough to meet the needs of an elector who uses a van equipped with a wheelchair lift?
- Are the parking spaces and route of travel properly maintained? Snow and ice should be removed and uneven surfaces repaired as soon as possible.
- Is the route to the entrance accessible? Accessible routes should be unobstructed and have continuous, smooth, hard surfaces with no abrupt changes in level and should not require the use of stairs. Plan to have routine checks made throughout the day.
- Is the route wide enough so someone using a wheelchair, scooter, or service animal can travel safely?



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

Inside the Office

- Is there level access from the entrance to the office area? Internal stairs are just as much of a problem as external ones. It may be necessary to install ramps.
- Are doormats level with the floor to prevent potential tripping hazards. If not, you may consider removing them, provided of course this does not create further hazards.
- Is the flooring non-slip, even and level? Highly polished surfaces can be slippery for some users, while thick carpeting and loose rugs or mats can cause people to trip or get stuck. Glare from polished surfaces can be a problem for people with visual impairments.
- Is the office area well lit?
- Are there seats available for people to rest if needed?
- Are corridors inside the office facility spacious enough for a wheelchair or scooter to pass through comfortably? Obstructions such as stacked furniture or piles of boxes can cause problems for visually impaired people, as well as people with limited mobility.
- Is there enough space inside the office area for a wheelchair or scooter to move about easily?

Make Provisions for Service Animals

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

Telephone Access

- Consider providing a TTY number.

Accessible Washrooms

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

Customer Service

- Are your staff/volunteers trained as it relates to customer service for persons with disabilities?

Other

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

Budgeting

Costs associated with ensuring your campaign is accessible to your electors must be reported as per the legislated requirements.

Sign Language Interpreting

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

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

Some examples of barriers to people with disabilities:

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

Disabilities can take many forms and can range from temporary to permanent. Often disabilities are non-visible and no one should ever make assumptions. Disabilities include developmental, cognitive and physical challenges/conditions of persons of any age.

Listed below is a brief description of types of disabilities. Understanding people's needs and challenges may help you better communicate with them.

Physical Disabilities: There are many types and degrees of physical disabilities, and while people who use mobility aids like wheelchairs, scooters, crutches or canes are most recognizable, it is important to consider that not all people with physical disabilities require a mobility device. People who have arthritis, heart or lung conditions or amputations may also have difficulty with stamina, moving, standing, sitting or the ability to reach or grasp. It may be difficult to identify a

person with a physical disability. If you're not sure what to do, ask the person, "May I help you?" People with disabilities know if they need help and how you can provide it.

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

Hearing Impaired, Deafness and Hearing Loss: Hearing loss ranges from mild to profound. The distinctions between the terms "deaf", "deafened", "hearing impaired" and "hard of hearing" are based principally on the individual's preferred language (spoken or signed) rather than on the actual degree of hearing loss. Deaf, deafened, hearing impaired and hard of hearing individuals may use hearing aids, pen and paper, personal amplification devices, hearing aid dog or other assistive-listening and communication methods. Attract the person's attention before speaking. Generally, the best way is by a gentle touch on the shoulder or with a gentle wave of your hand. Look at and speak directly to the person. Address them, not the interpreter or support person.

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

Speech Impairments: People with speech disabilities may have problems communicating. For many reasons, people may have difficulty speaking clearly – for example, as a result of a stroke or cerebral palsy – which may result in difficulties with verbal communication. Some people may use communication

boards or other assistive devices to help communicate. A speech disability often has no impact on a person's ability to understand. Ask them to repeat the information if you don't understand. Ask questions that can be answered "yes" or "no" if possible.

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

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

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

For more tips on how to communicate with people with disabilities, go to the Accessibility Directorate's training resource, [by clicking here](#) (go to Page 6 for communication tips).



Municipality of Morris-Turnberry

Election Accessibility Plan

2022 Municipal Elections

Date

Returning Officer, Kim Johnston

This Plan is for use in the 2022 Municipal Election in conjunction with the Municipality’s current Accessibility Plan and IASR Standards.

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1. Introduction

The Municipal Clerk is responsible for the appropriate legislative and administrative conduct of the municipal elections in Morris-Turnberry.

The Municipal Elections Act, (MEA), Section 12.1 (1) places responsibility on the Clerk to have regard to the needs of the electors and candidates with disabilities. Accessible Customer Service Standards must be followed when conducting municipal elections.

Section 12.1 (2) of the MEA requires that the clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before voting day in a regular election.

Morris-Turnberry municipal elections will be conducted in a manner that shall ensure that Candidates and electors with disabilities have full and equal access to all election information and services, including the voting kiosk at the municipal office. The election shall be conducted in a manner that ensures that persons with disabilities are able to vote independently and privately with access to voting assistance if required.

Section 12.1 (2) of the MEA requires that within ninety (90) days of voting day the Clerk who is responsible for conducting the election shall submit a report to Council regarding the identification, removal and prevention of barriers that affect elector and candidates with disabilities.

2. Staff Training and Election Assistance

Staff Training

All staff carrying out election duties will complete the Morris-Turnberry Accessible Customer Services Training and specific Election Training to comply with the municipal Accessibility Plan and to recognize and ensure that persons with disabilities are served in a way that accommodates their individual needs.

Training will include:

- How to interact/communicate with persons with various types of disability;
- How to interact with persons with disabilities who use assistive devices, require the assistance of a support person or a service animal.
- How to clearly explain internet and telephone voting, as well as the touch-screen voting kiosk option.
- What to do if a person is having difficulty accessing election information or services.
- How to provide voter assistance if requested.

Provision of Election Information

Election information will be provided to electors and candidates with disabilities in an alternative format, agreed upon between the requester and the Clerk.

Notice of the provision of information in an alternative format will be provided on the municipal website, www.morristurnberry.ca, and included in the election notices in the local media.

Notice of Temporary Service Disruption

The Clerk shall provide public notice on the municipal website and in the local media if there is a temporary disruption in the delivery of election information or services. The Notice shall include the reason for the disruption, the expected duration and an explanation of alternative methods of delivering the information or service. Every effort shall be made to provide alternative methods of providing the information or service to persons with disabilities.

Staff Assistance

The Clerk Department Staff are available throughout the election to assist with any issues that may arise with respect to providing a barrier-free election.

Contact information for assistance:

Telephone: 519-887-6137

Email: vote@morristurnberry.ca

Fax: 519-887-6137

In Person: Clerk's Office
41342 Morris Road,
Brussels, ON

Mail: Clerk's Department, Municipality of Morris-Turnberry
41342 Morris Road.
P.O. Box 310,
Brussels, ON N0G 1H0

3. Assistance to Electors

General

The 2022 Morris-Turnberry Municipal Elections will be conducted with Internet and Telephone Voting methods. Detailed information about each voting method is set out in

the 2022 Election Procedures Manual, available on the municipal website or from the Clerk's Office and can be provided in an alternative format upon request.

Please contact us at 519-887-6137 or vote@morristoryberry.ca if you require your Voter Information Package in an accessible format.

The Clerk Department Staff are available throughout the election to assist with any issues that may arise with respect to providing a barrier-free election.

Accessible Voting Kiosk

Section 45(2) of the MEA requires that the clerk shall ensure that each voting place is accessible to electors with disabilities.

An accessible voting kiosk located at the municipal office, 41342 Morris Road, Brussels will be available to voters throughout the voting period during regular office hours and on Election Day until 8:00 p.m. The location, accessible parking and entrance information will be posted on the election page of the municipal website, www.morristoryberry.ca.

Parking

The municipal office parking lot has designated parking for individuals with disabilities that are clearly posted and located close to the entrance to the Voting Kiosk.

Entrance

The entrance doors to the municipal office have automatic door opening devices. They are wide enough to accommodate a wheelchair or other mobility devices.

Interior

Access to the interior voting area and voting booth is level. Carpeting and doormats are level with the floor to prevent potential tripping hazards. The voting area is well lit and seating shall be made available.

Accessible Voting Booth

The Voting Kiosk will be low in height and have a wide area to allow individuals using mobility aids to vote independently and secretively.

Voting Assistance

Persons with disabilities may be accompanied by a support person within the Voting Kiosk or the Voting Kiosk Staff can assist the voter in casting their vote. The Voting Kiosk Supervisor shall, in conjunction with the person with the disability, determine the extent to which they need assistance and the best way to provide the assistance.

A mobile voting kiosk with a touch screen and Election Staff will be on-site at the Braemar Retirement Centre/Nursing Home and Huronlea Home for the Aged during one day in the voting period to increase accessibility to residents of the home.

Election officials can attend on voters in their specific living areas or at their bedside to assist them to vote. All Election Officials are sworn to an oath of secrecy.

Accessible Voting Technologies

Voting Kiosks will have a touch screen computer for internet voting that will assist voters with disabilities in casting their votes with independence and privacy. Staff will be available at all times to assist voters at the kiosk upon request. Support persons and service animals will be accommodated.

Huron County libraries also provide internet access during regular library hours and will have trained staff available to assist voters in accessing the electronic voting site throughout the voting period for voters that choose to vote from that location. This provides voters another option of location to access the internet if they do not have their own access to the internet.

4. Internet Voting

Internet voting allows voters to vote from their home through secured internet services. This method provides for easy voting for persons with a variety of disabilities to cast their vote with independence and privacy as voters have the option of using the assistive tools they have on their own computer such as a thumb switch or sip and puff technology.

This method of voting is designed to encourage voter participation as voters don't have to attend a physical location to cast their ballot and accessibility and privacy for persons with disabilities is maximized.

5. Telephone Voting

Telephone voting allows voters to vote from their home through secured telephone services which provides for easy voting for persons with a variety of disabilities to cast their vote with independence and privacy. Land lines or cell phone can be used to vote, the method is compatible with assistive devices.

Voters can register their vote selections with the telephone keypad or voice commands, greatly increasing accessibility, privacy and independence for voters who do not have internet access.

6. Assistance to Candidates

General

The 2022 Morris-Turnberry Municipal Elections will be conducted with Internet and Telephone Voting methods. Detailed information about each voting method is set out in the 2022 Election Procedures Manual, available on the municipal website or from the Clerk's Office and can be made available in an alternative format upon request.

Please contact us at 519-887-6137 or vote@morristoryberry.ca if you require your Candidate Package in an accessible format.

The Clerk Department Staff are available throughout the election to assist with any issues that may arise with respect to providing a barrier-free election.

Accessibility measures for Candidates to consider in regards to their campaign messaging are included in the Candidate Package.

Service Animals/Support Persons

Candidates are permitted to be accompanied by a service animal and/or support person at all designated elections locations.

Campaign Expenses

Expenses that are incurred by a candidate with a disability that are directly related to the disability, and would not have been incurred but for the election to which the expenses relate, are excluded from the permitted spending limit for the candidate.

7. Feedback Process

The Accessible Customer Service Feedback Form is available on the municipal website, www.morristoryberry.ca and at the municipal office. A copy can be provided in an alternative format upon request.

The feedback received will be reviewed by the Clerk and appropriate action will be taken to remove barriers or provide accommodation if necessary.

The information received on the Accessible Customer Service Feedback Form will be summarized in the post-election Election Accessibility Report and will be used to improve accessibility measures in future municipal elections.

8. Additional Information

Huron County Joint Accessibility Plan –
<https://www.huroncounty.ca/administration/accessibility/accessibility-plan/>

Municipality of Morris-Turnberry Website Election Page –
<https://morristoryberry.ca/government/2022-municipal-election>

Electronic Accessible Customer Service Feedback Form – :
<https://morristoryberry.ca/accessibility-feedback-form>



CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY

BY-LAW NO. 13-2020

Being a by-law to adopt a procedure for governing the calling, place and proceedings of meetings of council, committees of Council and boards of council of The Corporation of the Municipality of Morris-Turnberry.

WHEREAS Section 238 of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides that every Council shall adopt a procedure for governing the calling, place and proceedings of meetings;

AND WHEREAS Section 8 of the Municipal Act, 2001, S .O. 2001, Chapter 25, as amended, guarantees that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues.

NOW THEREFORE, The Council of the Corporation of the Municipality of Morris-Turnberry hereby enacts as follows:

1. SHORT TITLE

- 1.1. This by-law shall be known as "The Procedural By-Law" for The Corporation of The Municipality of Morris-Turnberry.

2. DEFINITIONS

The following definitions shall apply to this by-law:

- 2.1. "Agenda" means the written Order of Business.
- 2.2. "Act" or "The Act" shall mean the Municipal Act, 2001, S.O. 2001, c. 25 as amended unless otherwise indicated.
- 2.3. "By-law" means a law or regulation in a form approved by Council for the purposes of giving general effect to a decision or proceeding of Council.
- 2.4. "Chair" shall mean the Mayor or the presiding officer of a meeting.
- 2.5. "Clerk" shall mean the Clerk of The Corporation of The Municipality of Morris-Turnberry, or a person delegated by the Clerk.
- 2.6. "Closed Session" shall mean a meeting or part of a meeting of Council, a committee of Council, a Communications Meeting, or a Local Board and its committees, not open to the public.
- 2.7. "Committee of Council" shall mean a committee established by Council.
- 2.8. "Committee" shall mean any advisory or other committee, subcommittee or similar entity of which at least 50% of the members are also members of one or more councils or local boards.
- 2.9. "Committee-of-the-Whole" shall mean a committee composed of all of the members of Council.

- 2.10. "Council" shall mean the Council of The Corporation of The Municipality of Morris-Turnberry, consisting of five (5) members.
- 2.11. "Corporation" shall mean The Corporation of the Municipality of Morris-Turnberry.
- 2.12. "Mayor" shall mean the Head of Council and Mayor of the Municipality of Morris-Turnberry.
- 2.13. "Alternate member of Huron County Council" shall mean an alternate member of the Municipality of Morris-Turnberry to represent the Municipality on Huron County Council, in the absence of the Mayor and as appointed in accordance with the provisions herein.
- 2.14. "Meeting" shall mean any regular, special or other meeting of a council, of a local board or of a committee of either of them, where;
- 2.14.1. A quorum of members is present; and
- 2.14.2. members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- 2.15. "Member" shall mean a member of Council, its committees or its local boards, and shall include the Mayor.
- 2.16. "Motion" shall mean a resolution of Council or a Recommendation of a committee that is under debate by Council or a committee.
- 2.17. "Pecuniary Interest" means a direct or indirect pecuniary (monetary) interest with as defined by the Conflict of Interest Act, RSO 1990 Chapter M. 50, as amended.
- 2.18. "Point of Order" means a statement made by a member during a meeting, drawing to the attention of the Chair:
- 2.18.1. Any breach of the Rules of Order of Council; or
- 2.18.2. Any defect in the constitution of any meeting of the Council; or
- 2.18.3. The use of improper offensive or abusive language; or
- 2.18.4. Notice of the fact that the matter under discussion is not within the scope of the proposed motion; or
- 2.18.5. Any other informality or irregularity in the proceedings of Council.
- 2.19. "Presentation" means the occurrence when staff, an individual or group have been invited to present information to Council or a committee.
- 2.20. "Chair" means the Mayor, Deputy Mayor or a person appointed by the members present at a Council Meeting in the event the Mayor and Deputy Mayor are not in attendance within five (5) minutes after the hour appointed for the Council meeting.
- 2.21. "Point of Privilege" means the raising of a question when a member believes that his or her rights, immunities or integrity or that of Council as whole has been impugned.
- 2.22. "Public Meeting" shall mean a public meeting as required by statute.
- 2.23. "Quorum" shall mean a majority of all members of Council.
- 2.24. "Recorded Vote" shall mean the recording of the name and vote of every member voting on any matter or question during a Council meeting.
- 2.25. "Rules of Procedure" shall mean the rules and regulations provided in this by-law.

- 2.26. "Two-thirds majority vote" shall mean a vote where at least two-thirds (2/3) of the members present and eligible to vote, vote in the affirmative.

3. GENERAL RULES

- 3.1. The rules and regulations contained in this by-law shall be observed in all proceedings of Council, committees of Council and Local Boards and shall be the rules and regulations for the order and the dispatch of business in Council, committees of Council and Local Board meetings.
- 3.2. Any part or parts of this by-law may be suspended by a vote with the consent of two-thirds majority of the Council, committee or local board members present, unless the part(s) is prescribed by statute or law.
- 3.3. In the absence of the Mayor, the Deputy Mayor shall act in the stead of the Mayor and shall have all the rights, powers and authority of the Mayor, while so acting.
- 3.4. Only members of Council', or Officers of the Corporation, shall be allowed on the floor of Council Chambers during meetings, without the approval of the Mayor.

4. COUNCIL MEETINGS

4.1. Inaugural Meeting

The Inaugural Meeting shall be held on the first Tuesday in December following a Regular Municipal Election.

4.2. Open Meetings

All meetings of Council, its committees and local boards must be open to the public in accordance with Section 239 of the Act.

4.3. Location

Meetings of Council shall be held in the Council Chambers of the Municipal Building located at 41342 Morris Road, RR 4, Brussels, unless otherwise specified in the notice of the meeting, decided by resolution of Council or specified elsewhere in this by-law.

4.4. Alter Time, Day or Place

Council may, by resolution, alter the time, day or place of any Council and/or committee of Council Meeting.

4.5. Postponement of Meetings

Any regular meetings of the Council may be postponed to a day named in:

4.5.1. A notice by the Mayor or the Deputy Mayor given through the Clerk's Office no less than forty-eight (48) hours in advance of the regular meeting;

4.5.2. A resolution of Council passed by a majority of all members; or,

4.5.3. A notice by the Clerk or Mayor upon verbal request to the Clerk or Mayor by a majority of all members on the day of the meeting, due to inclement weather or emergency.

4.6. Regular Meetings

4.6.1. Regular meetings of Council shall be held on the first and third Tuesdays of each month at 7:30 pm.

4.6.2. Regular meetings of Council shall stand adjourned at 10:30 pm, unless extended by resolution adopted unanimously in either open or closed session

4.6.3. When the Regular Meeting falls on a Public Holiday, Council shall meet on the next business day at the prescribed time and location.

4.7. Special Meetings

4.7.1. The Head of Council may at any time call a Special Meeting of Council with adequate notice to the members of Council.

4.7.2. Upon receipt of the petition of a majority of all members, the Clerk shall call a Special Meeting for the purpose and at the time named in the petition.

4.7.3. Notice of all Special Meetings of Council shall be given to members through the Clerk's office. The only business to be dealt with at a Special Meeting is that which is listed in the notice of the meeting.

4.8. Statutory Public Meetings

Statutory Public Meetings shall convene during Regular Meetings of Council, unless otherwise specified in the notice of meeting.

4.9. Accessibility

The Municipality will attempt to remove any barriers for members of Council, staff and the public, for access to the meetings and audio and visual needs, upon request.

5. DEPUTY MAYOR SELECTION

5.1. The member elected at large to the position of Councillor with the greatest number of votes in the last regular election shall be appointed as Deputy Mayor and sworn in as such at the inaugural meeting of Council.

5.2. Should the member described in 5.1 not wish to assume the position of Deputy Mayor, all members of Council shall be eligible for the position, excluding the Mayor, and the position shall be filled by secret write in ballot in accordance with the following procedure.

5.2.1. The Chair shall call for nominations from the floor. Any member of Council may nominate any other excluding themselves. No second is required.

5.2.2. A vote shall be conducted by the Clerk by secret write in ballot. Ballots will be received from all members of council.

5.2.3. In the event of a tie vote, the ballot will be chosen by lot. The first name drawn by the Clerk shall be the member to be appointed to the position of Deputy Mayor.

5.2.4. A motion of council to confirm the appointment is required.

6. PUBLIC NOTICE OF MEETINGS AND AGENDAS

6.1. Where notice is required to be given under the municipality's Notice By-law, no business shall be brought before Council without first providing the prescribed form of notice.

6.2. The published Agenda shall be considered as adequate notice of regular meetings of Council, special meetings of Council, and committees of Council, except for meetings held on a day or at a time other than as provided for by this by-law.

- 6.3. The Agenda and corresponding information for regular and special meetings shall be published and made available to Council and the public not later than forty-eight (48) hours prior to the meeting.
- 6.4. Notwithstanding any other provision of this by-law, an Emergency Meeting may be held without written notice to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk to notify the members about the meeting as soon as possible and in the most expedient manner available.
- 6.5. No business except the business that contained in the Notice or Agenda shall be addressed at any Emergency Meeting.
- 6.6. Failure to receive the Notice or Agenda by any member shall not affect the validity of any meeting, or any action taken thereat.
- 6.7. The Agenda for any meeting shall be deemed to be published upon being posted to the municipal website.
- 6.8. Agendas, including all public attachments, shall be made available through the Clerk's Office upon request in either standard or alternative formats.

7. COMMUNICATIONS AND PETITIONS

- 7.1. Every communication or petition intended for presentation to Council or a committee thereof shall be legibly written or printed and shall be signed by at least one person, giving their address, and filed with the Clerk or Recording Secretary.
- 7.2. The deadline for receipt of communications or petitions by the Clerk for inclusion on the Agenda shall be noon on the Thursday prior to the Regular Meeting of Council.
- 7.3. Communications and petitions addressed to the Mayor and or Council shall be included in the agenda of the next regular meeting as items of correspondence.
- 7.4. All resolutions received from other municipalities shall be included in the agenda of the next regular meeting as items for information.
- 7.5. Any member of Council may ask the Clerk to place any communication, petition or resolution on the next agenda for the next regular meeting of Council.
- 7.6. Communications or petitions containing obscene or defamatory language shall not be listed on the agenda but shall be held by the Clerk and may be directed to the police for investigation upon direction of the Mayor.

8. DEPUTATIONS

- 8.1. For the purpose of advancing the business of Council, persons desiring to verbally present new information on matters of fact or make a request of Council shall contact the Clerk to make a timed deputation at Council, subject to the provisions outlined herein.
- 8.2. A written brief outlining the subject matter of the presentation, as well as any supplementary information or handouts that will be relied upon, shall be provided to the Clerk at the time of the request to appear and shall clearly state the nature of the business to be discussed, by noon on the Thursday prior to the meeting. Any subject matter or materials not provided as described herein may be deemed inadmissible at the discretion of Council.
- 8.3. Deputations appearing before Council at statutory public meetings are exempt from the requirements of 8.1 and 8.2. All other provisions in section 8 apply.
- 8.4. Deputations shall be limited in speaking to not more than ten (10) minutes in total per person, group organization. A delegation consisting of five or more members will be limited to two (2) speakers.

- 8.5. Deputations not providing sufficient notice may be heard at the discretion of a majority of members of Council present.
- 8.6. Council may refuse to hear deputations when, in the opinion of Council, the subject of the presentation is beyond the jurisdiction of the Municipality.
- 8.7. No person will be permitted to address Council with respect to a specific personal issue, nor will a brief respecting such issue be listed on a Council agenda. A written brief by any person with respect to personal issues may be forwarded to the Clerk for consideration in closed session.
- 8.8. No person will be permitted to address Council regarding any matters related to pending or current litigation to which the Municipality may be a party.
- 8.9. Council may solicit comments from the gallery on specific issues through the Chair at any time provided no other member has the floor.

9. CLOSED MEETINGS:

- 9.1. A meeting or part of a meeting may be closed to the public, in accordance with Section 239 of The Act, if the subject matter being considered is;
 - 9.1.1. the security of the property of the municipality or local board;
 - 9.1.2. personal matters about an identifiable individual, including municipal or local board employees;
 - 9.1.3. a proposed or pending acquisition or disposition of land by the municipality or local board;
 - 9.1.4. labour relations or employee negotiations;
 - 9.1.5. litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - 9.1.6. advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - 9.1.7. a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - 9.1.8. information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - 9.1.9. a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - 9.1.10. a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
 - 9.1.11. a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

- 9.2. A meeting or part of a meeting shall be closed to the public if the subject matter being considered is;
 - 9.2.1. a request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
 - 9.2.2. an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) of the Act, or the investigator referred to in subsection 239.2 (1) of the Act.
- 9.3. A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
 - 9.3.1. The meeting is held for the purpose of educating or training the members; and
 - 9.3.2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- 9.4. Before holding a meeting or part of a meeting that is to be closed to the public, Council shall state by resolution;
 - 9.4.1. the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
 - 9.4.2. in the case of a meeting under 9.3, the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that subsection.
- 9.5. A meeting shall not be closed to the public during the taking of a vote unless;
 - 9.5.1. 9.1 or 9.2 permit or require the meeting to be closed to the public; and
 - 9.5.2. the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.
- 9.6. For the purposes of Section 9.3 above, the following actions are considered **to** materially advance the business or decision making of the Council, Board or committee:
 - 9.6.1. Structured or unstructured debate
 - 9.6.2. Adoption of recommendations or options.
- 9.7. For the purposes of section 9.3 above, the following actions are considered **to not** materially advance the business or decision making of the Council, Board or committee:
 - 9.7.1. Brainstorming and listing of potential options for consideration by staff and Council
 - 9.7.2. Conducting group problem identification and analysis
 - 9.7.3. Receiving staff or council member briefings on new or emerging topics
 - 9.7.4. A technical briefing to provide generalized background information necessary to assist in future decision making.

- 9.8. All deliberations while in Closed Session shall remain confidential unless otherwise approved by Council in Open Session. The Mayor or Chair will report out the time that the closed portion of the meeting ended, and any results at the conclusion of the closed portion of the meeting, including if any directions or instructions were given to officers, employees or agents of the Municipality.
- 9.9. Whenever a majority of the members present decide that Council should convene in closed session, the Chair shall continue to preside and maintain order during the in closed session portion of the Council meeting.
- 9.10. Council shall consider, in closed session, all matters contained in closed session reports of the standing committees included in the proceedings of the Council meeting, unless otherwise decided by a majority vote of the Council.
- 9.11. No Recorded Vote shall be permitted in closed session;
- 9.12. A motion to put the question shall not be permitted in closed session;
- 9.13. A motion to adjourn shall not be permitted in closed session
- 9.14. Any direction to staff or an agent at a closed meeting shall be included in a resolution, duly moved and seconded, and passed by a majority of the members present.
- 9.15. The Minutes of the closed session shall be recorded as outlined in Section 10.2 of this by-law.
- 9.16. The general nature of any business transacted in closed session shall be reported by the Chair upon the reconvening of open session.
- 9.17. A person may request that an investigation of whether Council or local board has complied with Section 239 of the Act or this by-law in respect of a meeting or part of a meeting that was closed to the public, be undertaken by the Closed Meeting Investigator as appointed by the Municipality.

10. ORDER OF PROCEEDINGS, AGENDAS & MINUTES

10.1. Council Agendas:

10.1.1. The Clerk or designate shall prepare the Agenda for all Regular Council Meetings consisting of the following Order of Business:

1. Call to order
2. Adoption of agenda, including any amendments thereto
3. Disclosures of pecuniary interest & the general nature thereof
4. Approval/amendment of the public regular and special Council meeting minutes
5. Approval of accounts
6. Public meetings and deputations
7. Staff reports
8. Business
9. Councillor and committee reports
10. Correspondence, minutes of local boards or committees, items for information
11. New business
12. By-laws and agreements

13. Closed session
14. Confirming By-Law
15. Adjournment

- 10.1.2. At each duly constituted regular meeting of Council, the minutes of the preceding regular meeting, public meeting and special meeting shall, unless otherwise decided by Council, be submitted for adoption. Following their adoption by a majority of members present subject to any amendments being noted they shall be signed by the Mayor and Clerk.
- 10.1.3. The business of each meeting shall be taken up in the order in which it stands in the agenda, unless otherwise decided by a majority vote of the members present.
- 10.1.4. The Mayor may change the order of business, if required, to accommodate any timing issues.

10.2. Minutes

- 10.2.1. The municipality, local board or a committee shall have recorded without note or comment all resolutions, decisions and other proceedings at a meeting of the body, whether it is closed to the public or not. The record shall be made by the Clerk, in the case of the meeting of council, or an appropriate officer in the case of a meeting of a local board or committee.
- 10.2.2. Minutes of the Council or committee, whether it is closed to the public or not, shall record:
 - 10.2.2.1. The date of the meeting;
 - 10.2.2.2. The record of the attendance of the members;
 - 10.2.2.3. Disclosures of pecuniary interest and the general nature thereof;
 - 10.2.2.4. the reading, if requested, correction and adoption of the minutes of prior meetings;
 - 10.2.2.5. All resolutions and decisions;
 - 10.2.2.6. All the other proceedings of the meeting without note or comment;
 - 10.2.2.7. Time of call to order, time of adjournment and time in and out of closed session or committee meeting;
 - 10.2.2.8. A list of other business items discussed.

11. ELECTRONIC PARTICIPATION

- 11.1. Council may authorize the electronic participation by telephone or electronic equipment of any member. Such member shall not be counted in determining whether or not a quorum of members is present at any point in time and shall not participate in a meeting or portion thereof which is closed to the public.
- 11.2. The member wishing to participate electronically must submit a request to the Clerk in writing or by email prior to the meeting.
- 11.3. Approval of electronic participation shall be left to the discretion of the Clerk and/or Mayor.
- 11.4. No more than two members may participate by electronic means, at any one time.

- 11.5. In the event that more than two members request participation by electronic means, approval for such shall be granted to the first two members to submit a request as determined by the date and time of the request.
- 11.6. A verbal roll call shall be taken at the call to order any meeting where a member is participating electronically to confirm attendance.
- 11.7. Any vote at a meeting where any member is participating electronically must be conducted by roll call. A roll call vote in such circumstances shall not be considered a Recorded Vote.
- 11.8. Notwithstanding sections 11.1 through 11.5, during any period where an emergency has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, a member of a council, of a local board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time and may participate electronically in a meeting that is closed to the public.

12. COMMENCEMENT OF MEETINGS

- 12.1. As soon after the scheduled time for a meeting as a quorum is present, the meeting shall be called to order by the Chair.
- 12.2. If there is no quorum present within fifteen (15) minutes after the scheduled time for the meeting, the meeting shall stand adjourned until the date and time of the next regular or special meeting and the Clerk shall record the names of the members present upon such adjournment.
- 12.3. The Mayor, if present, shall act as Chair at all meetings.
- 12.4. In the absence of the Mayor, the Deputy Mayor shall act as Chair for the duration of the meeting or until the arrival of the Mayor.
- 12.5. In the absence of both the Mayor and the Deputy Mayor, the Clerk shall call the Meeting to order fifteen (15) minutes after the hour appointed for the Meeting, and the members shall appoint a member by resolution to act as Chair during the Meeting or until the arrival of the Mayor or the Deputy Mayor.
- 12.6. If at any meeting the number of members is reduced to less than a quorum during the course of the meeting, the meeting shall stand adjourned.
- 12.7. Any member shall notify the Clerk if they are unable to attend a meeting of Council or a committee thereof.

13. DUTIES OF THE CHAIR

- 13.1. When presiding over any meeting, the Chair:
 - 13.1.1. Shall open the meeting by calling the members to order;
 - 13.1.2. Shall announce the business before the assembly and the order in which it is to be acted upon;
 - 13.1.3. Shall receive and submit, in the proper manner, all motions presented by the members;
 - 13.1.4. Shall put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, noting a yes or no, and announce the result;
 - 13.1.5. Shall decline to put to vote motions that infringe the rules of procedure;

- 13.1.6. May, but is not obliged to, vote in a circumstance their vote will affect the result;
- 13.1.7. Shall restrain the members, within the rules of order, when engaged in debate;
- 13.1.8. Shall enforce on all occasions the observance of order and decorum among the members;
- 13.1.9. Shall call by name any member persisting in breach of the rules of order of the Council, thereby ordering the member to vacate the Council Chamber;
- 13.1.10. May expel from the Council Chamber any person or persons causing a disturbance or engaging in improper behavior;
- 13.1.11. Shall receive all messages and other communications and announce them to the Council;
- 13.1.12. Shall authenticate, by signature when necessary, all by-laws, resolutions, and minutes of Council;
- 13.1.13. Shall inform Council, when necessary or when referred to for the purpose, on a point of order or usage;
- 13.1.14. Shall represent and support Council, declaring its will, and implicitly obeying its decision in all things;
- 13.1.15. Shall ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the Council;
- 13.1.16. Shall adjourn the meeting when the business is concluded;
- 13.1.17. Shall adjourn the meeting without question, in the case of grave disorder arising in the Council Chamber.

14. HURON COUNTY COUNCIL

- 14.1. The Mayor, as Head of Council, shall represent the municipality as a member of the Huron County Council by virtue of holding that office.
- 14.2. A member can be named as an 'Alternate Member of Huron County Council' to represent the Municipality on Huron County Council in the absence of the Mayor, pursuant to the following criteria:
 - 14.2.1. That the member is duly appointed by Council of the Municipality;
 - 14.2.2. That the member is properly sworn in to act as a County Councillor prior to attendance at a County meeting;
 - 14.2.3. That the Municipality provides a certificate to the County of Huron that that member has been duly appointed as an alternate;
 - 14.2.4. That Council does not appoint more than one member during the term of Council as alternate;
- 14.3. If the seat of the member who has been appointed as an alternate member becomes vacant, Council may appoint another member as an alternate for the remainder of the term of Council;

15. RULES OF CONDUCT

- 15.1. No member shall:
- 15.1.1. Speak disrespectfully of the reigning sovereign, or any of the Royal Family, or of the Governor-General, the Lieutenant Governor, or any person administering the government of the Dominion of Canada, the Province of Ontario or of The Corporation of the Municipality of Morris-Turnberry;
 - 15.1.2. Use indecent, offensive or insulting language;
 - 15.1.3. Speak on any subject matter other than the subject in debate;
 - 15.1.4. Disobey the rules of the Council Code of Conduct or a decision of the Chair or of Council on questions of order or practice or upon the interpretation of the rules of Council;
 - 15.1.5. Leave their seat or make any noise or disturbance while a vote is being taken until the result of the vote is announced;
 - 15.1.6. Disturb Council by any disorderly conduct;
 - 15.1.7. Interrupt a member who is speaking, except to raise a point of order or a question of privilege;
 - 15.1.8. Use municipal property, services and other resources unless specifically authorized to do so;
 - 15.1.9. Interfere with the work of staff or department heads regarding day to day operations of the Municipality;
 - 15.1.10. Work in conjunction with lobbyists.
- 15.2. All members shall:
- 15.2.1. Provide for disclosure of gifts and benefits received by submission of a written statement, as set out in Schedule 'A', attached hereto;
 - 15.2.2. Maintain confidentiality of information;
 - 15.2.3. Adhere to the harassment and violence policies of the municipality;
 - 15.2.4. Adhere to all council policies and procedures.
- 15.3. In the event that a member persists in a breach of the rules of this by-law after having being called to order by the Chair, the Chair shall put the question "Shall the member be ordered to leave their seat for the duration of the Meeting?" Such question shall not be debatable.
- 15.4. If the Council decides the question set out in Section 1653 of this by-law in the affirmative by a majority vote of the members present, the Chair shall order the member to leave their seat for the duration of the Meeting.
- 15.5. If the ejected member offers an apology, the Chair, with the approval of Council, may permit the member to resume their seat.

16. RULES OF DEBATE

- 16.1. The Chair shall preside over the conduct of the meeting including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal to Council.

- 16.2. Where procedural matters of Council or committees of Council are not governed by the Municipal Act, Municipal Conflict of Interest Act or provisions of this bylaw, resort should be had to the current edition of 'Roberts's Rules of Order Newly Revised' for guidance on the question.
- 16.3. The Chair may answer questions and comments in a general way without leaving the Chair, but if they wish to make a motion or to speak on a motion taking a definite position and endeavoring to persuade Council to support a position, then they shall first leave the Chair and address Council from the podium. The Chair shall address deputations and if any member wishes to address a presenter, they must speak through the Chair.
- 16.4. If the Mayor desires to leave the Chair for the purpose of taking part in the debate or for any other reasons, the Deputy Mayor will sit in their place until they resume the Chair.
- 16.5. Before a member may speak to any matter, they shall first be recognized by the Chair.
- 16.6. When two or more members indicate simultaneously that they wish to speak, the Chair shall name the member who is to speak first.
- 16.7. When a member is speaking to a motion, they shall confine their remarks to the motion and in speaking shall be limited to a maximum of five (5) minutes, unless otherwise decided by a majority vote of the members present.
- 16.8. A member shall not speak more than twice to any motion unless otherwise decided by a majority vote of the members present, except the member who made the motion who shall be allowed to reply for a maximum of five (5) minutes.
- 16.9. When a motion is under debate, a member may ask a concisely worded question of another member or a staff member through the Chair for clarification, prior to the motion being put to a vote by the Chair.
- 16.10. A member may request that the motion under debate be read at any time during the debate, provided no other member has the floor.
- 16.11. No member shall speak more than once on an item of business until every member who desires to speak, has spoken.

17. QUESTIONS OF PRIVILEGE AND ORDER

- 17.1. If a member believes that their rights, privileges or integrity or those of the members collectively have been prejudicially affected, they shall ask leave of the Chair to raise a question of privilege which shall take precedence over all other matters, but they shall not be permitted to enter into any argument or introduce any motion related to the question of privilege. When any point of personal privilege arises, it shall be taken into consideration immediately.
- 17.2. When a member wishes to rise on a point of order, the member shall ask leave of the Chair to raise on a point of order, and after leave is granted, shall state the point of order to the Chair. The Chair shall then state and decide the point of order.
 - 17.2.1. Thereafter, a member shall only address the Chair for the purpose of appealing the decision of the Chair to Council.
 - 17.2.2. If no member appeals immediately, the decision of the Chair shall be final.
 - 17.2.3. Council, if appealed to, shall decide the question without debate and its decision shall be final.

- 17.3. When the Chair calls a member to order, that member shall cease speaking until the point of order is dealt with and that member shall not speak again to the matter under discussion without the permission of the Chair unless to appeal the ruling of the Chair.

18. MOTIONS

- 18.1. All main motions shall be submitted orally or in writing. Written motions will be signed by the mover and seconder and filed with the Clerk. Oral motions shall be restated by the Chair or the Clerk before debate or a vote.
- 18.2. Any member of Council may give notice of intent that he or she will introduce a motion the next or a subsequent meeting of Council. The giving of notice requires no seconder and is not debatable.
- 18.3. All Notices of Motion shall be in writing, signed by the mover and filed with the Clerk.
- 18.4. Notices of Motions filed with the Clerk shall be directed to the next regular meeting of Council unless otherwise noted.
- 18.5. Any motion may be introduced without notice if two-thirds of members present agree to its introduction.
- 18.6. Motions shall be seconded before being debated or put to a vote.
- 18.7. Every motion shall be deemed to be in the possession of Council for debate after it is accepted by the Chair, but may, with the permission of Council, be withdrawn at the joint request of the mover and seconder at any time before the motion is disposed of.
- 18.8. When a motion is under debate, no other motion shall be in order except a motion:
- 18.8.1. To adjourn;
 - 18.8.2. To table;
 - 18.8.3. To call the question (close the debate);
 - 18.8.4. To postpone to a certain time (defer);
 - 18.8.5. To refer;
 - 18.8.6. To amend.
- 18.9. A motion to adjourn shall:
- 18.9.1. Not be amended;
 - 18.9.2. Not be debated;
 - 18.9.3. Not include qualifications or additional statements; and,
 - 18.9.4. Always be in order except when a member is speaking, or the members are voting or when made in Committee-of-the-Whole.
- 18.10. When a motion to adjourn has been decided in the negative, no further motion to adjourn shall be made until after material progress in business or debate on other business has taken place.
- 18.11. Council shall adjourn when there is no business before them.

- 18.12. A motion to table shall:
 - 18.12.1. Not be amended;
 - 18.12.2. Not be debated;
 - 18.12.3. Apply to the main motion and any amendments thereto under debate at a time when the motion to table was made;
 - 18.12.4. Not include qualifications or additional statements.
- 18.13. If a motion to table is decided in the affirmative by a majority vote of the members present, then the main motion and any amendments thereto shall be removed from Council's consideration until such time as a notice of motion to lift the matter from the table is filed with the Clerk. A motion to take from the table is not debatable or amendable.
- 18.14. A motion to call the question (close the debate) shall:
 - 18.14.1. Not be amended;
 - 18.14.2. Not be debated;
 - 18.14.3. Apply to the motion or amendment under debate at the time when the motion to put the question is made;
 - 18.14.4. Not be received in any committee;
 - 18.14.5. Be moved using the words "That the question now be called."
- 18.15. If a motion to call the question is decided in the affirmative by a majority vote of the members present, then the preceding motion or amendment shall be voted on immediately without further debate or comment.
- 18.16. A motion to refer a matter under consideration to a committee, staff or elsewhere shall:
 - 18.16.1. Be open to debate;
 - 18.16.2. Be amendable; and,
 - 18.16.3. Preclude amendment or debate of the preceding motion, unless the motion to refer is resolved in the negative, in which case the preceding motion shall be open to debate and amendment.
- 18.17. A motion to amend shall:
 - 18.17.1. Be open to debate;
 - 18.17.2. Not propose a direct negative to the main motion;
 - 18.17.3. Be relevant to the main motion; and
 - 18.17.4. Not be further amended more than once.
- 18.18. A motion to postpone to a certain time (defer) shall:
 - 18.18.1. Be open to debate;
 - 18.18.2. Be amendable; and
 - 18.18.3. Preclude amendment or debate of the preceding motion, unless the motion to postpone to a certain time is resolved in the negative, in which case the preceding motion shall be open to debate and amendment.

19. VOTING PROCEDURES

- 19.1. Voting on a main motion and amending motions shall be conducted in the following order:
 - 19.1.1. A motion to amend a motion to amend the main motion;
 - 19.1.2. A motion (as amended or not) to amend the main motion;
 - 19.1.3. The main motion (as amended or not).
- 19.2. When the motion under consideration contains two distinct propositions, upon the request of any member, the Chair shall divide the question and the vote upon each proposal shall be taken separately.
- 19.3. A motion shall be put to a vote by the Chair immediately after all members desiring to speak on the motion have spoken in accordance with section 16 of this by-law.
- 19.4. After a motion is put to a vote by the Chair, no member shall speak on that motion, with the exception of the Chair who may speak following a recorded vote or upon breaking a tie, after the result of the vote is announced by the Chair. No other motion shall be made until after the result of the vote is announced.
- 19.5. Every member of Council present at a Council meeting, when a question is put shall vote thereon, except where they are prohibited by statute from voting, ineligible to vote by reason of a conflict of or pecuniary interest, or is absent from the Council Chamber when the question is put.
- 19.6. Every member of Council who is not disqualified from voting by reasons of a declared pecuniary interest, shall be deemed to be voting against the motion if they decline or abstains from voting.
- 19.7. All votes shall be by show of hands, except when a Recorded Vote is requested. The manner of determining the decision of the Council on a motion shall not be by secret ballot or by any other method of secret voting.
- 19.8. Notwithstanding 19.7, during a meeting with electronic participation votes shall be conducted by roll call.
- 19.9. The Chair shall announce the result of every vote after it is taken. Upon the taking of any vote, if all of the members present when the vote is taken vote unanimously, the Chair may direct the Clerk to make note of such in the record.
- 19.10. If a member disagrees with the number of votes for and against a motion as announced by the Chair, they may object immediately to the Chair's declaration and, with the consent of the Council, the vote shall be re-taken.
- 19.11. When there is a tie vote on any motion, it shall be deemed to have been decided in the negative.
- 19.12. Any member may call for a Recorded Vote immediately prior to or immediately after the taking of the vote. A member may request a recorded vote on any question. When a member requests a recorded vote, each member present unless otherwise prohibited by statute, including the Chair shall announce their vote openly and individually in favour of or against the question.
- 19.13. When called for by any member or when required by law, a Recorded Vote shall be taken by the Clerk.
- 19.14. The order in which the Clerk shall record the vote shall be random, until all members have voted. After completion of the vote, the Clerk shall announce the results.
- 19.15. If during the recorded vote, any member present refuses to vote or fails to vote, they shall be deemed and recorded as voting against the question.

- 19.16. When a Recorded Vote is taken, the names of those who voted for and against the motion shall be entered in the Minutes.
- 19.17. In any vote required of the whole of Council, the number of members constituting the Council shall be determined by excluding:
 - 19.17.1. the number of members who are present at the meeting but who are excluded by voting by reasons of The Municipal Conflict of Interest Act;
 - 19.17.2. the number of Council seats that are vacant by reasons of Section 259 of The Municipal Act.

20. RECONSIDERATION:

- 20.1. A motion to reconsider a decided matter shall only be introduced by a member who voted with the majority on the original motion. Before accepting a motion to reconsider, the Chair may ask the member to confirm that they voted with the majority on the issue in question.
- 20.2. A motion to reconsider a decided matter shall require the approval of at least two-thirds of the whole of Council.
- 20.3. No motion for reconsideration of any decided matter shall be permitted more than once during a period of twelve months following the date on which the question was decided.
- 20.4. If a motion to reconsider is decided in the affirmative, then consideration of the original matter shall become the next order of business.
- 20.5. No debate on a motion to reconsider a decided matter shall be permitted; however, the mover of a motion to reconsider may make a brief and concise statement outlining the reasons for proposing such reconsideration.

21. ENACTMENT OF BY-LAWS

- 21.1. The Clerk shall specify the title of all the by-laws to be introduced. Every by-law when introduced shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with provisions of any statute and shall be complete with the exception of the number and date.
- 21.2. Every by-law shall receive three readings before being passed.
- 21.3. The first reading of a by-law shall be decided without amendment or debate.
- 21.4. A by-law may be given all three readings at the same meeting, except when requested otherwise by motion passed by the majority of the members present or as otherwise provided for by statute.
- 21.5. Every by-law enacted by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation, signed by the Mayor and the Clerk.

22. COMMITTEES

- 22.1. A committee will conform to the rules governing protocol and procedures prescribed by this by-law unless otherwise stated in this section.
- 22.2. Establishment and Appointment:
 - 22.2.1. Council may establish Local Boards and committees of Council as required by statute or at their own discretion.

- 22.2.2. The names of members required to serve on the committees of Council, Boards, Commissions or other bodies to which Council is required or empowered to appoint persons, may be determined by Council at any inaugural, regular or special meeting.
- 22.2.3. Council may appoint members to any Local Boards or committees of Council to act in the place of any member thereof who, by reason of illness or absence from the Municipality, are unable to attend a meeting or who resign before their term of office has expired.
- 22.2.4. Members of Local Boards are appointed by Council by by-law and/or statute to fulfill their obligations under the same.
- 22.3. The duties of Advisory Committees, which may be created by Council, shall be to report and to make recommendations to Council on all matters relating to their terms of reference or that have been referred to them. Advisory Committees will generally have one representative appointed from Council.
- 22.4. Ad Hoc Committees shall be appointed by the Mayor and confirmed by Council by by-law or resolution and shall report to Council on any matters relating to their terms of reference or that have been referred to them.
- 22.5. Mayor-Ex-officio:
 - 22.5.1. The Mayor is an ex-officio member of every committee of Council. Where a committee of Council is established by reference to a particular number of members without specifically providing for the membership of the Mayor, such number is automatically increased by one, being the Mayor, as provided under this section.
 - 22.5.2. The Mayor may vote and otherwise participate without any restriction in the business of the committee on the same basis as any other committee member.
- 22.6. Subject to the provision of any statute, in establishing any committee, Council shall set forth terms of reference and such other provisions as Council deems proper.
- 22.7. Council may consider any matter without referring it to a committee or may refer it to one or more committees and may withdraw a matter from a committee regardless of whether or not the committee has entered into consideration of the matter.
- 22.8. A majority of the members of a Local Board or committee of Council shall be a quorum. The Mayor acting in an ex-officio capacity may be counted to achieve quorum.
- 22.9. Annually, each committee at its first meeting will appoint a committee Chair and committee Vice-Chair from among its members. Each committee will have the authority to alter the time of its meetings and to hold special meetings so that where possible they will not conflict with meetings of Council.
- 22.10. Members of Council may attend meetings of any Advisory Committee of which they are not members but shall not have the privilege of voting and may not address the committee without the permission of the Chair.
- 22.11. Notwithstanding the provisions of section 6 of this by-law, the published Agenda shall be considered as adequate notice for committees of Council and Local Boards and shall be circulated not later than forty-eight (48) hours prior to the meeting. The complete paperless agenda package will be available not less than forty-eight (48) hours prior to the meeting, by email to committee members, each municipal council member, and posted on the Municipal public website.

- 22.12. A meeting of a committee or Local Board dealing directly with an emergency or extraordinary situation shall be transacted as an Emergency Meeting. Notice shall be delivered to the committee members and Council members and posted on the Municipal Website not later than 2 (2) hours prior to the meeting.

23. DISCLOSURES OF PECUNIARY INTEREST

- 23.1. If a member of Council or a committee has any pecuniary interest, direct or indirect, in any matter in which Council is concerned and if they are present at a Meeting at which the matter is the subject of consideration, they shall disclose their interest and the general nature thereof and shall not take part in the consideration or the discussion of the matter nor vote on any motion in regard to the matter. They shall leave their chair and may sit in the gallery for an Open session of Council and shall leave the Council Chamber for a closed session of Council. If a member is not present and has any pecuniary interest, they shall disclose their interest at the next meeting at which they are in attendance.
- 23.2. Notwithstanding the quorum requirements of this by-law, when a majority of the members have disclosed an interest in accordance with Section 24 .1 of this by-law or any related statute, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two.

24. CONFIRMATORY BY-LAW

- 24.1. The proceedings at every regular and special meeting shall be confirmed by by-law so that every decision and resolution of Council at that meeting shall have the same force and effect as if each had been individually enacted by by-law.

25. RECORDING EQUIPMENT

- 25.1. At any meeting of Council , a committee, or Local Board, the use of cameras, electric lighting equipment, flash bulbs, recording equipment, television cameras and any other device of a mechanical, electronic or similar nature used for transcribing or recording proceedings by auditory or visual means by the members of the public, including accredited and other representatives of any news whatsoever, may be permitted and shall be disclosed and be subject to the approval of Council and/or the Chair, unless otherwise decided by the Council or a committee, at the call to order of the meeting.

26. COMMUNICATION DEVICES

- 26.1. At the meetings of Council, the use of cellular phones, audible pagers or any other similar communication devise is only permitted in the gallery section of the Council Chambers.
- 26.2. All members of council shall turn off or silence all electronic devices and shall not operate such devices at the council table during a meeting, with the exception those devices required during the meeting.

27. REPEAL PREVIOUS BY-LAWS

- 27.1. By-law 19-2018, 63-2019 and all previous by-laws, resolutions and policies and parts of by-laws, resolutions and policies inconsistent with the provisions of this by-law regarding the procedure for governing the calling, place and proceedings of meetings of Council, committees of Council and boards of the Municipality of Morris-Turnberry are hereby repealed.

28. ENACTMENT

28.1. This by-law shall come into full force and effect upon the passing thereof.

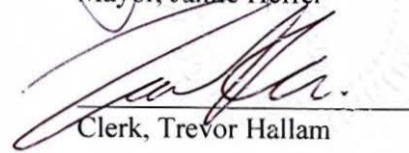
Read a FIRST and SECOND time this 1st day of April 2020.

Read a THIRD time and FINALLY PASSED this 1st day of April 2020.



Handwritten signature of Jamie Heffer in black ink, written over a horizontal line.

Mayor, Jamie Heffer



Handwritten signature of Trevor Hallam in black ink, written over a horizontal line.

Clerk, Trevor Hallam

Schedule 'A' – By-law 13- 2020

DISCLOSURE OF GIFTS AND BENEFITS

Description of Gift or Benefit	Donor	Recipient	Value

Signature of Council member

Dated



CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY

BY-LAW NO. 34-2020

Being a By-Law to amend By-Law 13-2020, being a by-law to adopt a procedure for governing the calling, place and proceedings of meetings of council, committees of Council and boards of council of The Corporation of the Municipality of Morris-Turnberry.

WHEREAS Bill 197 has received Royal Assent on July 21, 2020;

AND WHEREAS Section 238 (2) of the Municipal Act, 2001, requires every municipality and local board to pass a procedure by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS Subsection 238 (3.3) of the Municipal Act, 2001 provides that the applicable procedure by-law may provide that a member of a council, or a local board or of a committee or either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum or members is present at any point in time, and that a member of a council, or a local board or of a committee of either of them can participate electronically in a meeting that is open or closed to the public;

AND WHEREAS Subsection 238 (3.1) of the Municipal Act, 2001 provides that the applicable procedure by-law may provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting to the extent and in the manner set out in the by-law;

NOW THEREFORE, The Council of the Corporation of the Municipality of Morris-Turnberry enacts as follows:

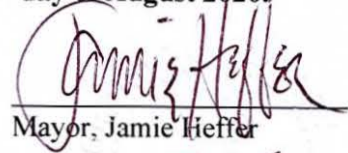
1. That By-Law 13-2020 is hereby amended by deleting section 11 in its entirety and inserting the following:

11. ELECTRONIC PARTICIPATION

- 11.1. Council may authorize all or some of its members to participate electronically in any regular, special or emergency meeting thereof.
- 11.2. If the meeting is not being conducted by electronic means only, a member wishing to participate electronically must submit a request to the Clerk in writing or by email prior to the meeting.
- 11.3. Approval of electronic participation shall be left to the discretion of the Clerk and/or Mayor.
- 11.4. A verbal roll call may be taken at the call to order of any meeting where a member is participating electronically to confirm attendance.
- 11.5. Any vote at a meeting where any member is participating electronically shall be conducted by roll call. A roll call vote in such circumstances shall not be considered a Recorded Vote.
- 11.6. Any member of a council, of a local board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time and may participate electronically in a meeting that is closed to the public.

Read a FIRST and SECOND time this 18th day of August 2020.

Read a THIRD time and FINALLY PASSED this 18th day of August 2020.



Mayor, Jamie Heffer



Clerk, Trevor Hallam



THE CORPORATION OF THE
MUNICIPALITY OF MORRIS-TURNBERRY

BY-LAW No. 19– 2019

Being a by-law to adopt the Council Code of Conduct Policy for the
Municipality of Morris-Turnberry

WHEREAS, Section 223. 2 (1) of the Ontario Municipal Act, 2001 S.O. 2001 C. 25 as amended, states that;

‘Section 9, 10 and 11 of the Municipal Act, authorize the municipality to establish codes of conduct for members of the council of the municipality and of local boards of the municipality’.

AND WHEREAS, the Council of the Municipality of Morris-Turnberry deems it necessary and desirable to enact a Code of Conduct for the Municipality of Morris-Turnberry ;

AND WHEREAS, the Corporation of the Municipality of Morris-Turnberry enacts as follows:

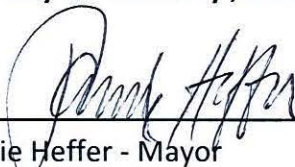
1. That the Morris-Turnberry Code of Conduct is hereby attached as Schedule ‘A’ of this by-law;
2. That the Mayor and Clerk are hereby authorized to sign and execute the by-law and Code of Conduct, effective March 1, 2019;
3. That By-law No. 49-2014, passed on the 22nd day of July, 2014, is hereby rescinded and repealed;

Read a FIRST and SECOND time this

19th day of February, 2019

Read a THIRD time and FINALLY PASSED this

19th day of February , 2019



Jamie Heffer - Mayor



Nancy Michie- Administrator Clerk-Treasurer



Schedule 'A' to By-law No. 19-2019

**THE CORPORATION OF THE
MUNICIPALITY OF MORRIS-TURNBERRY
CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND
LOCAL BOARDS**

1.0 Application & Purpose

- 1.1 This Code of Conduct applies to all Members of the Council of the Municipality of Morris-Turnberry including the Mayor and, unless specifically provided, with necessary modifications to all Municipality committees, agencies, boards and commissions, which are defined as local boards in subsection 1(1) and section 223.1 of the *Municipal Act, 2001*.
- 1.2 The purpose of this Code of Conduct is to establish a general standard to ensure that all Members share a common basis for acceptable conduct, and to which all Members are expected to adhere to and comply with. This Code of Conduct augments other laws which Members are governed by and which requires Members to follow the Procedural By-law and other sources of applicable law, including but not limited to:
- *Municipal Act, 2001*
 - *Municipal Conflict of Interest Act*
 - *Municipal Elections Act, 1996*
 - *Municipal Freedom of Information and Protection of Privacy Act*
 - *Human Rights Code*
 - *Occupational Health and Safety Act*
 - *Provincial Offences Act*
 - *Criminal Code*

2.0 Statement of Principles

- 2.1 This Code of Conduct is intended to set a high standard of conduct for Members in order to provide good governance and a high level of public confidence in the administration of the Municipality by its Members as duly elected public representatives to ensure that they each operate from a foundation of integrity, transparency, justice, truth, honesty and courtesy.
- 2.2 The following key statements of principle are intended to guide Members and assist with the interpretation of the Code of Conduct:
- Members shall serve and be seen to serve the public in a conscientious and diligent manner;
 - Members shall observe and act with the highest standard of ethical conduct and integrity;
 - Members shall avoid the improper use of the influence of their office and act without self-interest;
 - Members shall act and are expected to perform their functions with honesty, integrity, accountability and transparency;

- Members shall perform their duties and arrange their private affairs in a manner that promotes public confidence and that will bear close public scrutiny;
- Members shall be cognizant that they are at all times representatives of the Municipality and of Council, recognize the importance of their duties and responsibilities, take into account the public character of their function, and maintain and promote the public trust in the Municipality; and
- Members shall uphold the spirit and the letter of the laws of Canada, Ontario and the laws and policies adopted by Council.

The above statements are key principles that are intended to facilitate an understanding, application and interpretation of the Code of Conduct – the principles are *not* operative provisions of the Code of Conduct and are not intended to be enforced independently as such.

3.0 Definitions

3.1 The following terms shall have the following meanings in this Code of Conduct:

- (a) “Administrator/Clerk-Treasurer” means the Administrator/Clerk-Treasurer or the CAO/Clerk of the Municipality;
- (b) “child” means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;
- (c) “confidential information” means information or records that are in the possession, in the custody or under the control of the Municipality that the Municipality is either precluded from disclosing under the *Municipal Act, 2001* or other applicable legislation, its Procedural By-law or any of its other by-laws, policies, rules or procedures, or that it is required to refuse to disclose under the *Municipal Freedom of Information and Protection of Privacy Act* or other legislation;
- (d) “conflict of interest” means a situation in which a Member has competing interests or loyalties between the Member’s personal or private interests and his or her public interests as an elected representative such that it might influence his or her decision in a particular a matter;
- (e) “Council” means the council for the Municipality and includes, as the context may require and with all necessary modifications, any Municipality committee, agency, board or commission, which are defined as local boards in the *Municipal Act, 2001*;
- (f) “fiduciary” means the obligation of a person in a position of authority to act on behalf of another, assuming a duty to act in good faith and with care, candour and loyalty in fulfilling this obligation;
- (g) “frivolous” means of little or no weight, worth, importance or any need of serious notice;
- (h) “local board” means any Municipality committee, agency, board or commission, which is a local board as defined in subsection 1(1) and section 223.1 of the *Municipal Act, 2001* and includes a joint board;
- (i) “Mayor” means the head of Council for the Municipality;
- (j) “meeting” means a regular, special or other meeting of Council or a committee of Council where:
 - (i) a quorum of Members is present, and

- (ii) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council;
- (k) "Member" means a Member of the Council for the Municipality or a member of a local board, including a member of a joint board if appointed by the Council;
- (l) "Municipality" means The Corporation of the Municipality of Morris-Turnberry;
- (m) "non-pecuniary interest" means a private or personal interest that a Member may have that is non-financial in nature and that would be considered by a reasonable person, apprised of all the circumstances, as being likely to influence the Member's decision in any matter in which the non-pecuniary interest arises, and may include, but is not limited to, an interest that arises from a relationship with a person or entity;
- (n) "parent" means a person who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child;
- (o) "spouse" means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage;
- (p) "staff" means the Administrator/Clerk-Treasurer or CAO/Clerk and all officers, directors, managers, supervisors and all non-union and union staff, whether full-time, part-time, contract, seasonal or volunteer, as well as agents and consultants acting in furtherance of the Municipality's business and interest; and
- (q) "vexatious" means troublesome or annoying in the case of being instituted without sufficient grounds and serving only to cause irritation and aggravation to the person being complained of.

4.0 General Obligations

4.1 In all respects, a Member shall:

- (a) make every effort to act with good faith and care;
- (b) conduct themselves with integrity, courtesy and respectability at all meetings of the Council or any committee and in accordance with the Municipality's Procedural By-law or other applicable procedural rules and policies;
- (c) seek to advance the public interest with honesty;
- (d) seek to serve their constituents in a conscientious and diligent manner;
- (e) respect the individual rights, values, beliefs and personality traits of any other person, recognizing that all persons are entitled to be treated equally with dignity and respect for their personal status regarding gender, sexual orientation, race, creed, religion, ability and spirituality;
- (f) refrain from making statements known to be false or with the intent to mislead Council or the public;
- (g) recognize that they are representatives of the Municipality and that they owe a duty of loyalty to the residents of the Municipality at all times;
- (h) accurately communicate the decisions of Council and respect Council's decision-making process even if they disagree with Council's ultimate determinations and rulings; and

- (i) refrain from making disparaging comments about another Member or unfounded accusations about the motives of another Member.

5.0 The Role of Staff

- 5.1 Council as a whole approves the budget, policies and governance of the Municipality through its by-laws and resolutions. An individual Member does not direct nor oversee the functions of the staff of the Municipality.
- 5.2 The Municipality's staff serve Council and work for the Municipality as a body corporate under the direction of the Administrator/Clerk-Treasurer. Inquiries of staff from Members should be directed to the Administrator/Clerk-Treasurer or to the appropriate senior staff as directed by the Administrator/Clerk-Treasurer.
- 5.3 A Member shall comply with the Municipality's Council and Staff Relationship Policy.
- 5.4 A Member shall not publicly criticize staff. If a Member has any issue with respect to any staff member, such issue shall be referred to the Administrator/Clerk-Treasurer who will direct the matter to the particular staff member's appropriate superior.
- 5.5 A Member shall respect the role of staff in the administration of the business and governmental affairs of the Municipality, and acknowledge and appreciate that staff:
 - (a) provide advice and make policy recommendations in accordance with their professional ethics, expertise and obligations and that a Member must not falsely or maliciously injure the reputation of staff members whether professional or ethical or otherwise;
 - (b) work within the administration of justice and that a Member must not make requests, statements or take actions which may be construed as an attempt to influence the independent administration of justice and, therefore, a Member shall not attempt to intimidate, threaten, or influence any staff member from carrying out that person's duties, including any duty to disclose improper activity; and
 - (c) carry out their duties based on political neutrality and without undue influence from any individual Member and, therefore, a Member must not invite or pressure any member of staff to engage in partisan political activities or be subjected to discrimination or reprisal for refusing to engage in such activities.

6.0 Municipality Property

- 6.1 Council is the custodian of the assets of the Municipality. The community places its trust in Council and those it appoints to make decisions for the public good in relation to these assets.
- 6.2 By virtue of their office or appointment, a Member must not use or permit the use of the Municipality's land, facilities, equipment, supplies, services, staff or other resources for activities other than the business of the Municipality. No Member shall seek financial gain for themselves, family or friends from the use or sale of Municipality-owned intellectual property, computer programs, technological innovations, or other patent, trademarks or copyright held by the Municipality.

7.0 Gifts and Benefits

- 7.1 Any gift to a Member risks the appearance of improper influence. Gifts may improperly induce influence or create an incentive for a Member to make decisions on the basis of relationships rather than in the best interests of the Municipality. A Member shall not accept a fee, advance, gift, gift certificate, cash, hospitality or any form of personal benefit connected directly or indirectly with the performance of his or her duties except as provided in Section 7.2. A gift, benefit or hospitality provided with the Member's knowledge to a Member's spouse, child, or parent, or to a Member's staff that is connected directly or indirectly to the performance of the Member's duties is deemed to be a gift to that Member. Any doubt concerning the propriety of the gift should be resolved by the Member not accepting or keeping it.
- 7.2 For greater clarity, despite Section 7.1, a Member is entitled to accept any compensation, remuneration or benefits authorized by law but shall not accept any gift or benefit other than in the following circumstances:
- (a) such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
 - (b) a political contribution otherwise reported by law, in the case of a Member running for office;
 - (c) services provided without compensation by persons volunteering their time;
 - (d) nominal tokens, mementos or souvenirs received as an incident of protocol or social obligation that normally accompanies the responsibilities of elected office or at a function honouring the Member;
 - (e) food, lodging, transportation and entertainment provided by provincial, regional and local governments or any agencies or subdivisions of them or by the federal government or by a foreign government within a foreign country, or by a conference, seminar or event organizer where the Member is either speaking or attending in an official capacity as a representative of the Municipality;
 - (f) entrance fees or food and beverages consumed at banquets, receptions or similar events, if:
 - (i) attendance serves a legitimate municipal business purpose related to the normal business of the Municipality,
 - (ii) the person extending the invitation or a representative of the organization is in attendance, and
 - (iii) the value is reasonable and the invitations are infrequent;
 - (g) gifts not having a value greater than \$300;
 - (h) benefits received as a door prize, raffle or similar draw at an event, conference or seminar attended by the Member; and
 - (i) any gift or benefit, if the Integrity Commissioner is of the opinion, before the gift or personal benefit has been accepted, that it is unlikely that receipt of the gift or benefit gives rise to a reasonable presumption that the gift or benefit was given in order to influence the Member in the performance of his or her duties.
- 7.3 A Member who has received and accepted a gift or benefit pursuant to Section 7.2 shall file a disclosure of the gift or benefit indicating the person, body or entity from which it was received together with the estimated value of the gift or benefit in accordance with the Disclosure Statement set out in Appendix "A". The list shall be provided to the Administrator/Clerk-Treasurer or CAO/Clerk on an annual basis commencing on March 31 of every year and shall be a matter of public record.

7.4 A Member shall not seek or obtain by reason of his or her office any personal privilege or advantage with respect to municipal services not otherwise available to the general public and not connected directly or indirectly to the performance of the Member's duties.

8.0 Confidential Information

8.1 Members receive confidential information from a number of sources as part of their work as elected officials. This includes information received in confidence by the Municipality that falls under the privacy provisions of the *Municipal Freedom of Information and Protection of Privacy Act* and other applicable privacy laws and information received during closed meetings of Council. Examples of types of information that a Member must keep confidential, unless expressly authorized by Council or as required by law, include, but are not limited to:

- (a) matters related to ongoing litigation or negotiation, or that is the subject of solicitor-client privilege;
- (b) information provided in confidence, for example the identity of a complainant where a complaint is made in confidence;
- (c) price schedules in contract tender or Request for Proposal submissions if so specified;
- (d) personnel matters about an identifiable individual;
- (e) "personal information" as defined in the *Municipal Freedom of Information and Protection of Privacy Act*; and
- (f) any census or assessment data that is deemed confidential.

8.2 A Member shall not disclose the content of any confidential information, or the substance of deliberations, of a closed meeting. A Member has a duty to hold any information received at closed meetings in strict confidence for as long and as broadly as the confidence applies. All confidential documents received at a closed meeting are to be turned into the Administrator/Clerk-Treasurer at the end of the closed meeting. A Member shall not, either directly or indirectly, release, make public or in any way divulge any such information or any confidential aspect of the closed deliberations to anyone, unless authorized by Council or as required by law.

8.3 A Member shall not disclose, use or release confidential information in contravention of applicable privacy laws. Members are only entitled to information in the possession of the Municipality that is relevant to matters before the Council, or a committee. Otherwise, Members enjoy the same access rights to information as any other member of the community or resident of the Municipality and must follow the same processes as any private citizen to obtain such information.

8.4 A Member shall not misuse confidential information in any way or manner such that it may cause detriment to the Municipality, Council or any other person, or for financial or other gain for themselves or others.

8.5 A Member shall respect the right to confidentiality and privacy of all clients, volunteers and staff, and should be aware of their responsibilities under applicable legislation, Municipality policies, procedures and rules, ethical standards and, where appropriate, professional standards.

8.6 A Member shall not disclose any confidential information received by virtue of his or her office, even if the Member ceases to be a Member.

9.0 Discrimination and Harassment

- 9.1 A Member shall treat all members of the public, one another and staff with respect and without abuse, bullying or intimidation and ensure that their work environment is free from discrimination and harassment.
- 9.2 A Member shall not use indecent, abusive or insulting words, phrases or expressions toward any member of the public, another Member or staff. A Member shall not make comments or conduct themselves in any manner that is discriminatory to any individual based on the individual's race, colour, ancestry, citizenship, ethnic origin, place of origin, creed or religion, gender, sexual orientation, marital status, family status, disability, age or record of offences for which a pardon has not been granted.
- 9.3 A Member shall comply with the Municipality's workplace harassment and violence policy.

10.0 Improper Use of Influence

- 10.1 A Member shall not use the influence of their office or appointment for any purpose other than the exercise of his or her official duties in the public interest.
- 10.2 A Member shall not use the status of their position to influence the decision of another person to the private advantage or non-pecuniary interest of themselves, their parents, children or grandchildren, spouse, or friends or associates, or for the purpose of creating a disadvantage to another person or for providing an advantage to themselves.

11.0 Conflicts of Interest

- 11.1 A Member shall seek to avoid conflicts of interest, both pecuniary and non-pecuniary. A Member shall comply with the requirements of the *Municipal Conflict of Interest Act* with respect to obligations relating to pecuniary interests. A Member shall take proactive steps to mitigate any non-pecuniary conflicts of interest in order to maintain public confidence in the Municipality and its elected officials.
- 11.2 Members are encouraged to seek guidance from the Integrity Commissioner when they become aware that they may have a conflict between their responsibilities to the public as a Member and any other interest, pecuniary or non-pecuniary.

12.0 Council Policies and Procedures

- 12.1 A Member shall observe and adhere to the policies, procedures and rules established from time to time by Council.

13.0 Election Activity

- 13.1 A Member is required to conduct themselves in accordance with the *Municipal Elections Act, 1996* and any Municipality policies pertaining to elections. The use of the Municipality's resources, both property and staff time, for any election-related activity is strictly prohibited. Election-related activity applies to the Member's campaign and any other election campaigns for municipal, provincial or federal office.

14.0 Respect for the Code of Conduct

- 14.1 A Member shall respect the process for complaints made under the Code of Conduct or through any process for complaints adopted by the Municipality. A Member shall not act in reprisal or threaten reprisal against a person who makes a complaint or provides information to the Integrity Commissioner during an investigation. A Member shall interact courteously and respectfully with the Integrity Commissioner and with any person acting under the direction of the Integrity Commissioner.
- 14.2 A Member shall cooperate with requests for information during any investigations or inquiries under the Code of Conduct. A Member shall not destroy or damage documents or erase electronic communications or refuse to respond to the Integrity Commissioner where a complaint has been filed under the Code of Conduct or any process for complaints adopted by the Municipality.

15.0 Penalties for Non-Compliance with the Code of Conduct

- 15.1 Where Council receives a report from the Integrity Commissioner that there has been a violation of the Code of Conduct by a Member, Council may impose the following penalties on the Member:
- (a) a reprimand; or
 - (b) a suspension of the remuneration paid to the Member in respect of his or her services as a Member for a period up to 90 days.
- 15.2 Council may, on the basis of a recommendation from the Integrity Commissioner, also take any or all of the following corrective or remedial actions, and require that the Member:
- (a) provide a written or verbal apology;
 - (b) return property or make reimbursement of its value or of money spent;
 - (c) be removed from or not be appointed to the membership on a committee of Council;
 - (d) be removed from or not be appointed as chair of a committee of Council; and
 - (e) comply with any other remedial or corrective action or measure deemed appropriate by the Integrity Commissioner.

16.0 Legal Fees

- 16.1 A Member of Council is responsible for his or her own legal costs if he or she retains a lawyer or paralegal to provide counsel, advice or representation on any matter related to the Code of Conduct, including, but not limited to, an investigation and the imposition of penalties or remedial or corrective measures or actions by the Integrity Commissioner.

17.0 Complaint Protocol

- 17.1 The Complaint Protocol – Code of Conduct is Appendix “B” to the Code of Conduct.

APPENDIX "A"

DISCLOSURE STATEMENT FOR GIFTS OR BENEFITS

Member's Name: _____

Gift Received or Nature of Benefit: _____

Received From: _____

Date of Receipt: _____ Value or Estimate of Gift: _____

Please describe the circumstances under which the Gift or Benefit was received:

Please describe your intentions with respect to the Gift or Benefit:

Do you anticipate transferring the Gift or Benefit described above to the municipality or the local board?

Yes, immediately _____ Yes, eventually _____ No _____

Member's Signature

Date

APPENDIX "B"

COMPLAINT PROTOCOL

PART A - INFORMAL COMPLAINT PROCEDURE

1. Any individual who identifies or witnesses behaviour or activity by a Member that they believe contravenes the Code of Conduct may seek to address the prohibited behaviour or activity themselves in the following manner by following the Informal Complaint Procedure:
 - (a) document the incident(s) where the Member may have contravened the Code of Conduct including dates, times, locations, other persons present, and any other relevant information;
 - (b) advise a third party about the concerns regarding the Member's actions;
 - (c) advise the Member that the behaviour or activity appears to contravene the Code of Conduct;
 - (d) identify to the Member the specific provision(s) of the Code of Conduct that may have been contravened;
 - (e) encourage the Member to acknowledge and agree to stop the prohibited behaviour or activity and to undertake to refrain from future occurrences of the prohibited behaviour or activity;
 - (f) request the Integrity Commissioner to assist in informal discussion of the alleged complaint with the Member in an attempt to settle or resolve the issue;
 - (g) if applicable:
 - (i) confirm to the Member that his or her response is satisfactory, or
 - (ii) advise the Member that his or her response is unsatisfactory;
 - (h) consider the need to pursue the matter in accordance with the Formal Complaint Procedure set out in Part B, or in accordance with any other applicable judicial or quasi-judicial process or complaint procedure.
2. Individuals are strongly encouraged to pursue the Informal Complaint Procedure as the first means of remedying behaviour or activity of a Member that they believe violates the Code of Conduct.
3. With the consent of both the complaining individual and the Member, the Integrity Commissioner may participate in any informal process. The parties involved are encouraged to take advantage of the Integrity Commissioner's potential role as a mediator/conciliator of issues relating to a complaint.
4. The Informal Complaint Procedure is not a precondition or a prerequisite to pursuing the Formal Complaint Procedure related to the Code of Conduct set out in Part B.

PART B - FORMAL COMPLAINT PROCEDURE

Formal Complaints

- 1.(1) Any individual who identifies or witnesses behaviour or activity by a Member that they reasonably believe contravenes the Code of Conduct may file a formal complaint to request an inquiry by the Integrity Commissioner as to whether a Member has contravened the Code of Conduct in accordance with the following requirements:
 - (a) all complaints shall be in writing on the prescribed form (Formal Complaint Form # 1) and shall be dated and signed by an identifiable individual;
 - (b) the complaint must set out reasonable and probable grounds for the allegation that the Member has contravened the Code of Conduct must be accompanied by a supporting sworn affidavit setting out the evidence in full in support of the allegation; and

- (c) Council may also file a complaint against any of its Members of an alleged contravention of the Code of Conduct by passing a resolution requesting the Integrity Commissioner to undertake an inquiry.
- (2) An elector, as defined in section 1 of the *Municipal Conflict of Interest Act*, or a person demonstrably acting in the public interest (collectively, a “complainant”) may file a formal request that the Integrity Commissioner carry out an inquiry concerning an alleged contravention of section 5, 5.1 or 5.2 of that Act by a Member in accordance with the following requirements:
- (a) all requests (also referred to as “complaints”) shall be in writing on the prescribed form (Formal Complaint Form # 2) dated and signed by an identifiable individual;
 - (b) the request shall include a statutory declaration attesting to the fact that:
 - (i) the complainant became aware of the contravention not more than six (6) weeks before the date of the complaint, or
 - (ii) in the case where the complainant became aware of the alleged contravention during the period of time described in paragraph 1 of subsection 223.4.1(5) of the *Municipal Act, 2001*, that the complainant became aware of the alleged contravention during that period of time;
 - (c) Council may also pass a resolution requesting the Integrity Commissioner to undertake an inquiry respecting an alleged contravention of sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* by a Member and provide a statutory declaration as required by Section 1(2).
- (3) Individuals, electors or persons demonstrably acting in the public interest who file a formal complaint under Sections 1(1) or 1(2) must provide a full and complete record of evidence to the Integrity Commissioner who is under no obligation whatsoever to, but may, seek additional information to supplement or complete the evidentiary record to substantiate or support the allegations set out in the complaint or request.

Filing of Complaint and Classification by Integrity Commissioner

- 2.(1) The complaint may be filed with the Administrator/Clerk-Treasurer by hard copy or directly with Integrity Commissioner by a sealed hard copy or by e-mail to the email address(es) set out on the Municipality’s website.
- (2) The Integrity Commissioner shall initially classify the complaint to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code of Conduct and not covered by other legislation or other Council procedures, policies or rules as set out in Section 3 or whether it is a request under sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act*.

Complaints Outside Integrity Commissioner’s Jurisdiction

- 3. If the complaint, including the supporting affidavit, is not, on its face, a complaint with respect to non-compliance with the Code of Conduct or the complaint relates to matters addressed by other legislation under another Municipality procedure, policy or rule or request in relation to sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act*, the Integrity Commissioner shall advise the complainant in writing as follows:

Criminal Matter

- (a) if the complaint is, on its face, an allegation of a criminal nature consistent with the *Criminal Code*, the complainant shall be advised that:
 - (i) the Integrity Commissioner will refer it to the appropriate police service, or
 - (ii) the complainant may pursue it with the appropriate police service if the complainant wishes to pursue any such allegation;

Municipal Freedom of Information and Protection of Privacy Act

- (b) if the complaint is more appropriately addressed under the *Municipal Freedom of Information and Protection of Privacy Act*, the complainant shall be advised that the matter must be referred to the Administrator/Clerk-Treasurer to deal with under its access and privacy policies under that statute;

Other Procedure, Policy or Rule Applies

- (c) if the complaint appears to fall within the scope of another procedure, policy or rule of the Municipality, the complainant shall be advised to pursue the matter under such procedure, policy or rule with the appropriate Municipality official or staff member;

Lack of Jurisdiction

- (d) if the complaint is, for any other reason not within the jurisdiction of the Integrity Commissioner (for example, it relates to a decision of Council or a local board as a whole and not one or more individual Members), the complainant shall be so advised and provided with any additional reasons and referrals as the Integrity Commissioner considers appropriate;

Matter Already Pending

- (e) if the complaint is in relation to a matter which is subject to an outstanding complaint under another process such as a court proceeding, a human rights or workplace harassment complaint or similar process, or to a civil matter that is pending before the courts, the Integrity Commissioner may, in his/her sole discretion, suspend any investigation, in whole or in part, pending the result of the other process;

Similar Matter Already Pending

- (f) if the complaint is in relation to a similar matter which is subject to an outstanding complaint before the Integrity Commissioner, the Integrity Commissioner may, in his/her sole discretion, consider the matter in conjunction with the similar matter or deal with it separately, including not undertaking an inquiry if the matter can be adequately addressed in any report and/or recommendations made with respect to the complaint in the similar matter; and

Other Ethical Code or Policy Applies

- (g) if the complaint is in relation to a matter which is governed by a code of conduct, ethical code or similar procedure or policy of another body or entity which also governs the Members (for example, another board, body or committee to which the Member has been appointed), the Integrity Commissioner shall consider the most appropriate forum for the complaint and may, in his/her sole discretion, defer consideration of the matter pending any determination made by the other body or entity and shall so advise the complainant and, if necessary, the Member.

Limitation Period

- 4.(1) The Integrity Commissioner shall not accept a complaint under the Code of Conduct for which the event giving rise to the complaint occurred or came to the attention of the complainant more than six (6) months prior to the date of the filing of the complaint. The complainant must establish that the event giving rise to the complaint occurred and/or came to the complainant's attention within six (6) months of the complaint being filed in accordance with Section 2.
- (2) The Integrity Commissioner shall not accept a request relating to sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* except in accordance with the requirements of subsections 8(2)-(6) of that statute and section 223.4.1 of the *Municipal Act, 2001*.

Refusal to Conduct Investigation

5. The Integrity Commissioner has a discretion as to whether to carry out an investigation. If the Integrity Commissioner is satisfied, after considering the information contained in the complaint, that a complaint:
- (a) is frivolous or vexatious,
 - (b) is not made in good faith,
 - (c) constitutes an abuse of process,
 - (d) discloses no grounds or insufficient grounds for an investigation, or
 - (e) does not warrant a full investigation,

the Integrity Commissioner shall not be required to conduct an investigation and may summarily dismiss the complaint, and, where this becomes apparent during the course of an investigation, the Integrity Commissioner shall terminate the inquiry and provide notice to the complainant and, if necessary, to the Member.

Opportunities for Resolution

6. Following receipt and review of a formal complaint or at any time during the investigation where the Integrity Commissioner, in his or her discretion, believes that an opportunity to resolve the matter may be successfully pursued without a formal investigation, and both the complainant and the Member agree, efforts may be pursued to achieve an informal resolution.

Investigation

- 7.(1) The Integrity Commissioner may proceed as follows, except where the Integrity Commissioner has a full factual record and believes, in his or her sole discretion, that no additional information is required, or where otherwise required by the *Public Inquiries Act, 2009*, or where the Integrity Commissioner has not otherwise terminated the inquiry:
- (a) provide the Member with an outline of the complaint with sufficient particularity to allow the Member to understand the complaint against him or her but the Integrity Commissioner shall not have any obligation to disclose:
 - (i) the identity of the complainant, or
 - (ii) the identity of any witnesses set out in the complaint or persons that are questioned/interviewed by the Integrity Commissioner,unless it is essential for the Member to adequately respond to the complaint, which determination shall be made in the Integrity Commissioner's sole and absolute discretion;
 - (b) request that the Member provide a written response to the allegations in the complaint to the Integrity Commissioner within ten (10) business days;
 - (c) provide a copy of the Member's response to the complainant with a request that any written reply be provided by the complainant to the Integrity Commissioner within ten (10) business days; and
 - (d) extend the timelines set out above if the Integrity Commissioner deems it necessary to do so in his or her sole and absolute discretion.
- (2) If necessary, after reviewing the submitted materials, the Integrity Commissioner may contact and speak to or correspond with any other persons, access and examine any other documents or electronic materials, including any materials on the Municipality's computers and servers, and may enter any Municipality work location relevant to the complaint for the purpose of investigation and potential resolution.
- (3) The Integrity Commissioner may, but is under no obligation, to provide the Member with a draft of the proposed draft report on the complaint.

- (4) The Integrity Commissioner shall not issue a report finding a violation of the Code of Conduct on the part of any Member unless the Member has had an opportunity either in person or in writing to comment to the Integrity Commissioner on any preliminary or proposed finding(s).
- (5) The Integrity Commissioner may, but is under no obligation, to advise either the Member or the complainant of any proposed sanction or recommendation the Integrity Commissioner may include in the report to Council.
- (6) The Integrity Commissioner may make interim reports to Council where necessary and as required to address any instances of interference, obstruction, intimidation, delay, reprisal or retaliation by the Member or by any other person encountered during the formal complaint investigation.
- (7) The Integrity Commissioner is entitled to make such additional inquiries and provide such additional reports to Council where necessary and as required to address any instances of non-compliance with any decision of Council including the failure to comply with any penalties or corrective measure or actions imposed by Council.
- (8) The Integrity Commissioner shall retain all records related to the complaint and investigation but may provide copies of certain records, in confidence, to Municipality administrative staff who are required to ensure that any such records are securely and confidentially retained.

No Complaint Prior to Municipal Election

- 8.(1) Notwithstanding any other provision of this Complaint Protocol, no complaint may be filed with the Integrity Commissioner, no report shall be made by the Integrity Commissioner to Council during the period of time starting on nomination day for a regular municipal election year, as set out in section 31 of the *Municipal Elections Act, 1996* and ending on the voting day in a regular election as set out in section 5 of the *Municipal Elections Act, 1996*.
- (2) If the Integrity Commissioner has received a complaint and has commenced an inquiry but has not completed the inquiry before nomination day in a regular municipal election year, the Integrity Commissioner shall terminate the inquiry on nomination day but may commence an inquiry in respect of the same complaint if within six (6) weeks after the voting day in a regular municipal election the individual who made the request makes a written request to the Integrity Commissioner in accordance with subsection 223.4(8) of the *Municipal Act, 2001*.

Advice Provided to Member by Integrity Commissioner

- 9.(1) Subject to Section 9(2), a Member is entitled to rely upon any written advice given by the Integrity Commissioner to the Member respecting the Code of Conduct in any subsequent consideration of the conduct of the Member in the same matter provided that the Member fully disclosed in writing all relevant facts known to him or her to the Integrity Commissioner and acted in accordance with the written advice provided by the Integrity Commissioner.
- (2) If the Integrity Commissioner applies to a judge under section 8 of the *Municipal Conflict of Interest Act* for a determination as to whether the Member contravened section 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act*, the Member is entitled to advise the judge of any written advice given by the Integrity Commissioner provided that the Member fully disclosed in writing all relevant facts known to him or her to the Integrity Commissioner and acted in accordance with the written advice provided by the Integrity Commissioner.
- (3) A Member under investigation by the Integrity Commissioner shall not request advice from the Integrity Commissioner as to the Member's rights under the Code of Conduct, the *Municipal Conflict of Interest Act* or generally at law with respect to any matter that the Integrity Commissioner is investigating or reviewing with respect to the Member, nor is the Member entitled to rely upon any statement(s) made by the Integrity Commissioner during the course of any investigation or review that may impact the Member's rights under the Code of Conduct, the *Municipal Conflict of Interest Act* or generally at law.

Authority to Abridge or Extend

- 10.(1) Notwithstanding any requirement, obligation or timeline, set out in the Code of Conduct or this Complaint Protocol, the Integrity Commissioner shall retain the right to abridge or extend any provision therein in the public interest.

Investigation Report

- 11.(1) The Integrity Commissioner shall report to the complainant and the Member no later than ninety (90) days after the official receipt of any complaint under the Code of Conduct. If the investigation process is anticipated to or takes more than ninety (90) days, the Integrity Commissioner shall provide an interim report to Council and must advise the parties of the approximate date the report will be available. The Integrity Commissioner may also, at his or her discretion, advise any witnesses or other persons of the approximate date the report will be available.
- (2) Where the complaint is sustained in whole or in part, the Integrity Commissioner shall report to Council outlining the findings, the terms of any settlement and/or any recommended remedial or corrective measure or action.
- (3) The Integrity Commissioner may provide a copy of the report to the complainant and the Member whose conduct has been investigated in advance of the public release of the report, in strict confidence until the report is publicly released. The Member shall have the right to address the report if it considered by Council.
- (4) Where the complaint is not sustained, the Integrity Commissioner is not obligated to report to Council on the result of the investigation or any findings but may do so at his/her discretion and may also include such information as he/she deems necessary in a report or as part of an annual or other periodic report by the Integrity Commissioner.
- (5) The Integrity Commissioner shall complete the investigation under the *Municipal Conflict of Interest Act* no later than one hundred eighty (180) days after the official receipt of any complaint validly made under Section 1(2) of this Part.

Findings

- 12.(1) If the Integrity Commissioner determines that:
- (a) there has been no contravention of the Code of Conduct, or section 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act*, or
 - (b) a contravention occurred but:
 - (i) the Member took all reasonable measures to prevent it, including having sought and followed the advice of the Integrity Commissioner;
 - (ii) it was trivial,
 - (iii) it was committed through inadvertence, or
 - (iv) it resulted from an error in judgment made in good faith,

the Integrity Commissioner may so state in the report and may make appropriate recommendations pursuant to the *Municipal Act, 2001*, including but not limited to, a recommendation of no penalty.

- (2) If the Integrity Commissioner considers it appropriate, once he or she has concluded the investigation under Section 1(2) of this Part, he or she may apply to a judge under section 8 of the *Municipal Conflict of Interest Act* for a determination as to whether the Member has contravened section 5, 5.1 or 5.2 of that statute. If the Integrity Commissioner does not proceed with an application to the judge, he or she shall so advise the complainant.

Report to Council

13. Upon receipt of a report from the Integrity Commissioner with respect to the Code of Conduct, the Administrator/Clerk-Treasurer shall place the report on the next regular agenda of Council for consideration by Council and Council must consider the report at that meeting and may accept or refuse the recommendations set out in the report and accept, refuse or vary any penalties or sanctions contained in the report. A report from the Integrity Commissioner may also be considered by Council in advance of its next regular meeting should Council agree to hold a special or other meeting before its next regular meeting to consider the report.

Duty of Council

14. Council shall consider and make a determination on the Integrity Commissioner's report at the same meeting at which the report is tabled.

Public Disclosure

15. (1) The Integrity Commissioner and every person acting under his or her jurisdiction shall preserve confidentiality where appropriate and where it does not interfere with the course of any investigation, except as required by law and as required by this Complaint Protocol.
- (2) The Integrity Commissioner shall retain all records related to the complaint and investigation although copies may be provided to the Municipality's administrative staff, subject to the duty of confidentiality under subsection 223.5 of the *Municipal Act, 2001*.
- (3) The identity of the Member who is the subject of the complaint shall not be treated as confidential information in the Integrity Commissioner's report to Council. The identity of the complainant and of any other person, including witnesses, may be disclosed if deemed appropriate and necessary by the Integrity Commissioner or if consented to by the complainant.
- (4) All reports from the Integrity Commissioner to Council shall be made available to the public by the Administrator/Clerk-Treasurer.

Delegation by Integrity Commissioner

16. The Integrity Commissioner may delegate in writing to any person, other than a Member of Council, any of the Integrity Commissioner's powers and duties under Part V.1 of the *Municipal Act, 2001*.

Code of Conduct — Formal Complaint Form # 1

AFFIDAVIT

I, _____ (first and last name), of the

Municipality of _____ in the Province of Ontario.

MAKE OATH AND SAY (or AFFIRM):

1. I have reasonable and probable grounds to believe that:

_____ (specify name of Member),

a member of the Council of The Corporation of the Municipality of Morris-Turnberry or a local board of the Municipality, has contravened section(s) _____ of the Code of Conduct of the Municipality of Morris-Turnberry. The particulars of which are attached hereto.

2. Facts constituting the alleged contravention (use separate page if required)

This affidavit is made for the purpose of requesting that this matter be reviewed and/or investigated by the Municipality of Morris Turnberry's Integrity Commissioner and for no other improper purpose.

SWORN (or AFFIRMED) before me at the)
the _____ of _____ on)
_____ (date))
_____)

(Signature)

A Commissioner for taking affidavits etc.

Please note that signing a false affidavit may expose you to prosecution under ss. 131 and 132 or 134 of the *Criminal Code*, R.S.C. 1985, c. C-46 and also to civil liability for defamation.

Municipal Conflict of Interest Act— Formal Complaint Form # 2

STATUTORY DECLARATION

I, _____ (first and last name), of the

Municipality of _____ in the Province of Ontario.

I SOLEMNLY DECLARE THAT:

1. I have reasonable and probable grounds to believe that:

_____ (specify name of Member),
a member of the Council of The Corporation of the Municipality of Morris-Turnberry or a local board of the Municipality, has contravened section(s) _____ of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50. The particulars of which are attached hereto.

2. I became aware of the facts constituting the alleged contravention not more than six (6) weeks ago and they comprise the following: (use separate page if required)

This declaration is made for the purpose of requesting that this matter be investigated by the Municipality of Morris Turnberry's Integrity Commissioner and for no other improper purpose.

DECLARED before me at the _____)
the _____ of _____ on _____)
_____ (date))
_____)

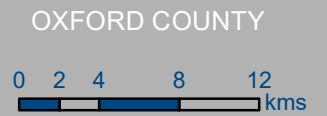
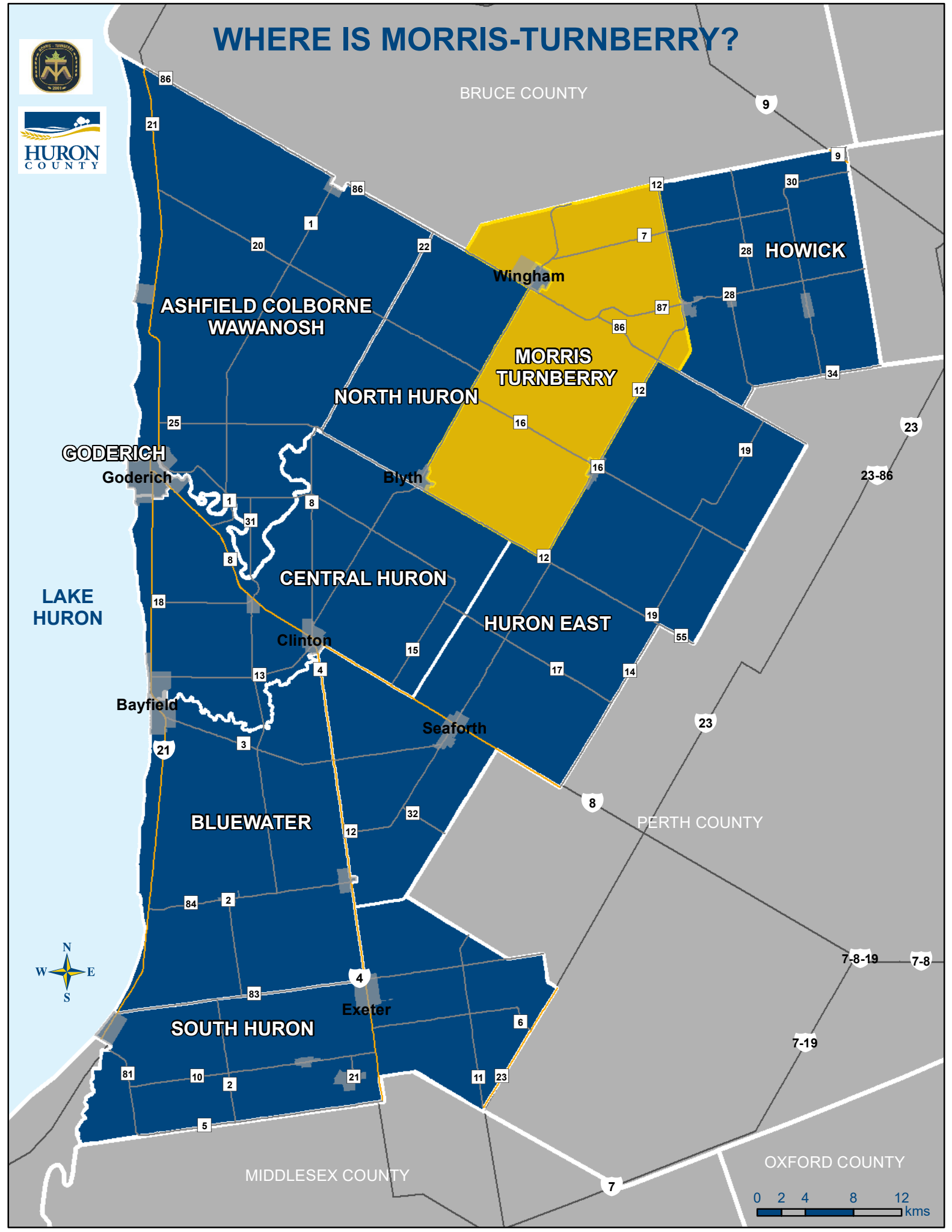
(Signature)

A Commissioner for taking affidavits etc.

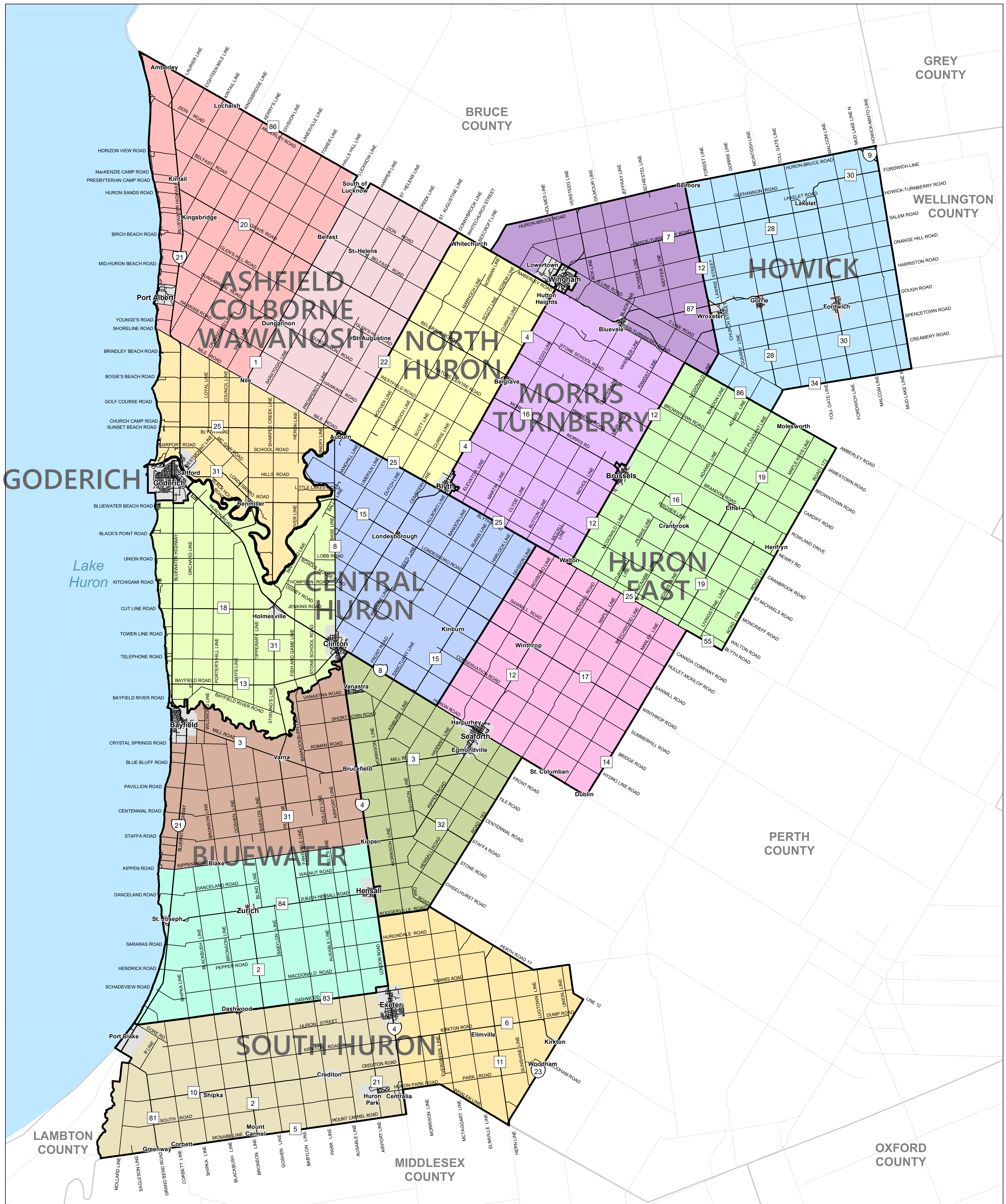
Please note that signing a false affidavit may expose you to prosecution under ss. 131 and 132 or 134 of the *Criminal Code*, R.S.C. 1985, c. C-46 and also to civil liability for defamation.

WHERE IS MORRIS-TURNBERRY?

BRUCE COUNTY

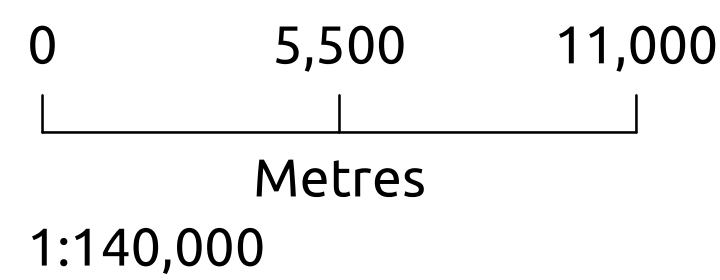


Huron County Wards



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Last Modified 8/19/2021



Ward Name	
■	ASHFIELD
■	COLBORNE
■	EAST WAWANOSH
■	GODERICH
■	GREY
■	HAY
■	HOWICK
■	HULLETT
■	MORRIS
■	MCKILLOP
■	STANLEY
■	STEPHEN
■	TUCKERSMITH
■	TURNBERRY
■	USBORNE
■	WEST WAWANOSH