



**CANDIDATES PACKAGE
2023 MUNICIPAL BY-ELECTION
Ward 1 – Bastard and South Burgess**

CONTENTS:

1. Introductory Letter
2. Nomination Paper – Form 1
3. Endorsement of Nomination – Form 2
4. Information regarding Campaign Contributions & Expenses
5. Notice of Penalties (Form EL35)
6. Consent to Release Personal Information (Form EL52)
7. Declaration of Proper Use of Voters' List (Form EL14)

VOTING DAY – MONDAY, May 15, 2023
--

VOTING PERIOD – May 9 – May 15, 2023

CHECKLIST FOR CANDIDATE

Forms to be returned in person to Clerk/Returning officer or designate.
Personal identification will be required.

- Nomination Paper - Form 1
- Endorsement of Nomination – Form 2
- Consent to Release of Personal Information (Form EL52)
- Declaration – Proper Use of Voters' List (Form EL14)

Township of Rideau Lakes Contact Information:

Mary Ellen Truelove
Clerk/Returning Officer
Extension 293
mtruelove@rideaulakes.ca

Ginny Okum
Deputy Returning Officer
gokum@rideaulakes.ca

1439 County Road 8
Delta, ON K0E 1G0
1-800-928-2250
Fax 613-928-3097
rideaulakes.ca



Rideau Lakes

1439 County Road 8, Delta, ON K0E 1G0
T. 613.928.2251 | 1.800.928.2250 | F. 613.928.3097
rideaulakes.ca

February 2023

2023 MUNICIPAL BY-ELECTION: Councillor – Ward 1 Bastard & South Burgess CANDIDATES – INTRODUCTORY LETTER

Dear Potential Candidate;

Welcome to the 2023 Municipal By-Election for Ward 1. While running for elected office is a big decision, it can certainly be a rewarding one. With the ever-changing landscape in municipal government, the role of an elected official is critical; you can make a difference in your community if you get involved. This package has been prepared for the purpose of supplying information which may be of assistance to you as you contemplate running for elected office.

Nominations:

Nominations may be filed in person with the Municipal Clerk or designate starting on Tuesday, February 7, 2023 until Thursday March 30, 2023 (8:30-4:00) and on Friday, March 31, 2023 (Nomination Day) between 9:00 a.m. and 2:00 p.m. using the prescribed forms.

In accordance with the *Municipal Elections Act*, nominations must be filed using the prescribed forms, accompanied by the prescribed nomination filing fee and nominations for an office on a council must be endorsed by at least 25 persons. The filing fee is \$100.00 for the office of Councillor. The filing fee is payable by cash, debit, certified cheque or money order.

If a nomination for a candidate is filed by an agent, a letter must be submitted at the time of filing which authorizes the agent to file on behalf of the candidate. The letter must be signed by the candidate and commissioned or notarized by a person authorized under the Commissioners for *Taking Affidavits Act* or *Notaries Act*. In addition to this letter, an agent must also provide a copy of the candidate's ID to be retained on file.

To run for office, you must be eligible to vote in the election. On the day you file your nomination, you must be a Canadian citizen aged 18 or older, qualify as a resident or non-resident elector, and not ineligible under the *Municipal Election Act* or any other Act or otherwise prohibited by law to be nominated for or to hold the office.

Campaign Period:

The campaign period begins once a candidate has filed their Nomination Paper and ends on June 29, 2023.

No person who proposes to be a candidate may solicit or accept contributions for election purposes or incur campaign expenses until their Nomination Paper has been filed with the Clerk or designate.

Candidates must open a bank account before incurring any expenses or accepting any contributions of money (including contributions from themselves or their spouse). There is no requirement for a bank account if the candidate does not spend any money or accept any contributions.

Campaign Advertising:

Like campaign expenses and revenues, the placement of campaign signs and advertising shall not commence until after a candidate's Nomination Paper has been filed with the Clerk or designate.

The Municipality currently has a Policy for Private Signs on Township property (By-Law #2005-11). This includes Election signs as follows:

- *Election signs are permitted and must be removed by the candidate within two weeks after the election.*
- *All signs permitted on the right-of-way shall conform to the following conditions:*
 - *All signs shall be maintained in good condition by the owner of the sign;*
 - *No sign shall be installed in a location which obscures visions for vehicles along the road;*
 - *No private sign shall be attached to a sign post installed by Township Public Works Department or a public utility pole without written consent of the operating or road authority.*

Election campaign advertisements purchased by or under the direction of a candidate shall identify the candidate.

NOTE: County and Private roads are not under the jurisdiction of Township of Rideau Lakes. Please contact the United Counties of Leeds and Grenville or the applicable Private Road Association for their policies/procedures regarding placement of election signs.

This information has been provided to you for information purposes. References should always be made to the relevant legislation and regulations. Any necessary changes will be provided to registered candidates and posted to the Township website.

Once registered as a candidate, there will be contact with you throughout the Election period. For any questions that are asked by one candidate, the answer will be relayed to all candidates.

If you require further assistance, please do not hesitate to contact the office.

Sincerely,

A handwritten signature in cursive script that reads "ME Truelove".

Mary Ellen Truelove
Clerk/Returning Officer
1-800-928-2250 Extension 293
mtruelove@rideaulakes.ca

Ginny Okum
Deputy Returning Officer
gokum@rideaulakes.ca



Nomination Paper - Form 1

Municipal Elections Act, 1996 (Sections 33, 35)

Instructions

A nomination paper may only be filed in person or by an agent; it may not be faxed or emailed. It is the responsibility of the person being nominated to file a complete and accurate nomination paper. Please print or type information (except signatures).

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

Nominated for the office of | Ward name or no. (if any)

Nominee's name as it is to appear on the ballot paper (subject to agreement of the municipal clerk) | Last Name or Single Name | Given Name(s)

Nominee's full qualifying address within municipality | Suite/Unit No. | Street No. | Street Name

Municipality | Province | Postal Code

Mailing Address | Suite/Unit No. | Street No. | Street Name | Same as qualifying address

Municipality | Province | Postal Code

If nominated for school board, full address of residence within its jurisdiction | Suite/Unit No. | Street No. | Street Name

Municipality | Province | Postal Code

Email Address | Telephone No. (including area code) | Telephone No.2 (including area code)

Declaration of Qualification

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

Signature of Nominee

Date (yyyy/mm/dd)

Date Filed (yyyy/mm/dd) | Time Filed | Initial of Nominee or Agent | Signature of Clerk or Designate

Certification by Clerk or Designate

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

Signature

Date Certified (yyyy/mm/dd)

Instructions

- Complete additional forms as needed to obtain 25 signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.

Name of person seeking nomination

Last Name or Single Name

Given Name(s)

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

in the year _____

Name of person providing endorsement

Last Name or Single Name

Given Name(s)

Qualifying Address

Suite/Unit No.

Street No.

Street Name

Municipality

Province

Postal Code

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

Signature

Date (yyyy/mm/dd)

Name of person providing endorsement

Last Name or Single Name

Given Name(s)

Qualifying Address

Suite/Unit No.

Street No.

Street Name

Municipality

Province

Postal Code

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

Signature

Date (yyyy/mm/dd)

Instructions

- Complete additional forms as needed to obtain 25 signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.

Name of person providing endorsement			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit No.	Street No.	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

Name of person providing endorsement			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit No.	Street No.	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

Name of person providing endorsement			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit No.	Street No.	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	



Information for Candidates Campaign Contributions & Expenses 2023 B Y-ELECTION

A candidate cannot raise or spend money on their election campaign until such time as their Nomination Paper has been filed and a bank account has been opened exclusively for the purposes of their election campaign. A candidate is responsible for keeping records of their financial activities related to the election campaign and is required to retain those records until such time as the next council or school board takes office (i.e. until November 15, 2026).

The following is a brief summary of key information respecting a candidate's campaign finances. For more detailed information, please refer to the Campaign Finance section on the Ministry of Municipal Affairs website [here](#).

Campaign Period

A candidate's Campaign Period begins once their Nomination Paper has been filed and ends on June 29, 2023 (45 days following the By-Election) when the campaign automatically closes. A candidate cannot accept any election contributions or incur any election expense after that date (please see section below on Campaign Deficit).

Campaign Contributions

Campaign contributions are any money, goods or services that are given to a candidate to use in their campaign, including money and goods that a candidate contributes to their own campaign. Contributions greater than \$25 may not be made in cash. All contributions greater than \$25 must be made by cheque, money order or by a method that clearly shows where the funds come from.

Candidates **must**:

- issue a receipt for every contribution received that shows who made the contribution, the date and the value of the contribution; and
- inform each of their contributors about contribution limits.

Please refer to the "Campaign Finance Information for Municipal Council Candidates" for information on who can and cannot contribute to a candidate's election campaign.

Campaign Contribution Limits

Individuals may contribute a maximum of \$1,200 to a single candidate. This includes the value of any goods or services donated to the campaign. Individuals may not contribute more than \$5,000 in total to candidates running for offices on the same council or school board. Any contribution must come directly from the contributor.

A **candidate and/or their spouse** may contribute to the candidate's own campaign.

There is a contribution limit that is based on the number of eligible electors in the previous regular election plus a base rate for each office as follows:

Councillor - \$5,000 plus 20 cents per elector to a maximum of \$25,000.

Candidates will be provided with an estimate of their contribution limit when they file their nomination papers.

Campaign Expense Limits

Campaign expenses are costs incurred for goods and services used in a candidate's campaign. The expense limit covers costs incurred between the beginning of a candidate's campaign and Voting Day (May 15, 2023). Expenses incurred between the day after Voting Day (May 16, 2023) and the end of the campaign (June 29, 2023) are not subject to the campaign expense limit.

A candidate's expense limit is based on the number of electors who are eligible to vote for each office and the following formula:

Councillor - \$5,000 plus 85 cents per eligible elector.

Candidates will be provided with an estimate of their expense limit when they file their Nomination Paper.

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

Financial Statements / Auditor's Report

Candidates are responsible for filing a complete and accurate Financial Statement by **Thursday, June 29, 2023 at 2:00 p.m.** The Financial Statement must cover the period from the day the candidate filed their Nomination Paper until the campaign ends..

Any candidate who filed a Nomination Paper must file a Financial Statement. This includes candidates who withdrew their nomination, candidates who were not certified, and candidates who were acclaimed.

If a candidate's campaign contributions or expenses total more than \$10,000, the candidate must have an auditor review their Financial Statement and provide an Auditor's Report.

A candidate who extends their campaign (see Campaign Deficit below) must file their Supplementary Financial Statement by **Friday, September 29, 2023 at 2:00 p.m.** The Supplementary Financial Statement must cover the period from the day the candidate filed their Nomination Paper until June 29, 2023.

A candidate may apply to the Superior Court of Justice to extend the time for the filing of the required Financial Statement(s). The candidate must notify the Clerk in writing of any application for a Court extension by 2:00 p.m. on the last day for filing the Financial Statement.

NOTE: A candidate will NOT receive a refund of their Nomination Fee unless they file their Financial Statement(s) by the deadline(s).

Campaign Surplus

If, at the end of the election campaign, a candidate's election contributions exceed their election expenses, their campaign will be in a surplus. Any surplus **must** be paid to the Clerk when the candidate files their Financial Statement.

Campaign Deficit

If, at the end of the election campaign, a candidate's election expenses exceed their election contributions, their campaign will be in a deficit. The candidate may apply to extend their campaign period for an additional six months to try to erase the deficit. To extend the campaign period, the candidate must file the appropriate notice in person with the Clerk **before June 29, 2023**. The campaign period will continue until the **earliest** of the following:

- the deficit is erased;
- the candidate runs for another office in a subsequent election or by-election;
- the candidate notifies the Clerk they are no longer accepting any contributions; and
- six months from the 45th day after Voting Day in the case of a by-election.

Penalties

The *Municipal Elections Act* includes provisions for penalties for candidates for offences related to campaign finances that include fines, imprisonment, ineligibility to vote or run for office in the next regular election and forfeiture of office. The Ministry of Municipal Affairs and Housing website provides further information related to penalties [here](#).



NOTICE TO CANDIDATES OF PENALTIES 2023 By-Election

Under the *Municipal Elections Act, 1996*

Effect of Default by Candidate

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

88.23 (2) Subject to section (7), in the case of 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.

Notice of Default

88.23 (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 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.

Clerk's report re filing requirements

88.23 (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.

Same

88.23 (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

Application to court

88.23 (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.

Notice to Clerk

88.23 (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.

Effect of extension

88.23 (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.

Cessation of penalty

88.23 (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.

Late filing fee

88.23 (10) The late filing fee is the property of the municipality.

Offences by Candidate

92 (1) A candidate is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under the *Municipal Elections Act*, is subject to the penalties described in subsection 88.23 (2);

- a) if the candidate incurs expenses that exceed the amount determined for the office under section 88.20;
- b) if the candidate files a document under section 88.25 or 88.32 that is incorrect or otherwise does not comply with that section.

Exception, action in good faith

92 (2) However, if the presiding judge finds that the candidate, acting in good faith, committed the offence inadvertently or because of an error in judgement, the penalties described in subsection 88.23 (2) do not apply

Additional penalty, candidates

92 (3) If the expenses incurred by or under the direction of a candidate exceed the amount determined for the office under section 88.20, the candidate is liable to a fine equal to the excess, in addition to any other penalty provided for in the *Act*.

Financial Statement – Auditors Report Candidate – Form 4

Candidates may access the prescribed Form 4 by following this [link](#) to the Ontario Central Forms Repository:



CONSENT TO RELEASE PERSONAL INFORMATION 2023 BY-ELECTION

(Municipal Freedom of Information and Protection of Privacy Act)

Personal information on the Nomination Paper is collected under the authority of the *Municipal Elections Act* and will be used to assist the Clerk in the administration of the 2022 Municipal Elections.

Questions regarding this collection should be forwarded to the Clerk, Mary Ellen Truelove at mtruelove@rideaulakes.ca or 1-800-928-2250 Ext. 293 or Ginny Okum, Deputy Returning Officer at gokum@rideaulakes.ca.

Name of Candidate: _____

Candidate for the office of Councillor in the 2023 By-Election.
Ward 1 – Bastard and South Burgess.

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

Signature of Candidate

Signature of Clerk or Designate

Dated at _____, this ____ day of _____, 2023.

CANDIDATE'S DECLARATION PROPER USE OF VOTERS' LIST 2023 BY-ELECTION

Municipal Elections Act, 1996 (s. 23(4)(5))

I, _____, being a candidate for the office of Councillor – Ward 1, Bastard and South Burgess, hereby request the Clerk to provide me with the following information when it becomes available:

- Access to the Candidate Access portal, which will host the Voters' List, all updates and associated features. This access will be provided through the e-mail address the candidate provides on their Nomination Paper (Form 1). Access to the data is only available for electors eligible to vote in my electoral race and this access will be terminated at 8:00 p.m. on Monday, May 15, 2023.

OR

- An electronic pdf file of the Voters' List arranged alphabetically by Road Name. Please note that a copy of all revisions made to the Voters' List will be provided on or before Friday, April 28, 2023 This electronic copy will be sent password protected via email.

OR

- A paper copy of the Voters' List. Please note that a copy of all revisions made to the Voters' List will be provided on or before Friday, April 28, 2023. (must be picked up at the Township of Rideau Lakes office).

I, the undersigned, do hereby agree to use the Voters' List (Candidate Access portal, electronic or printed copies) for election purposes only. I understand that I am prohibited by the *Municipal Elections Act, 1996* from using the Voters' List for commercial purposes. I shall not post it in a public place, on an internet website, or make it available on any other print or electronic medium of communication. I will not copy, distribute, resell, or use for commercial purposes, nor will I permit anyone to use the Voters' List data given to me.

Signature of Candidate: _____

Date: _____

NEW ONLINE CANDIDATE PORTAL AND VOTERS' LIST ACCESS

We are pleased to offer to all candidates of the Township of Rideau Lakes 2023 Municipal By-Election, the option to access the Voters' List via an online portal called **Candidate Access**. All of the Voters' List data will be available through this portal, as we believe that this portal offers several features that will enhance campaigning that would not be possible with a traditional paper Voters' List.

This portal will be accessible through the email address you provide on your Nomination Paper (Form 1).

Candidate Access will allow you to:

- Download a new extract of the Voters' List every 30 minutes. This means candidates will have access to live updates to the list, instead of having to wait for the Clerk's department to generate a new physical copy of the list.
- Print copies of these extracts at your leisure. Instead of the two copies normally provided by the Clerk (one initial copy, and a second updated copy at a later date), you can now create copies as often as required.
- Search for a specific elector. Instead of visually scanning the list to find an elector who, for example, asked you to reach out to them regarding a specific issue, you will now be able to search them by name.
- Check if an elector has voted. After an elector has voted, their status will be recorded as "Voted". This will not reveal the results of their vote, but could help you track your outreach, as well as electors who perhaps have not yet made a decision.

Please note, Candidates will only have access to the data for eligible electors within the Bastard and South Burgess Ward. Access to this portal will be terminated at 8:00pm on Monday, May 15, 2023 (Voting Day).

This online platform provides a level of convenience, and we hope all candidates will take advantage of the available features. In an effort to be environmentally conscious, as well as to encourage the use of this portal, we will only provide a printed copy of the Voters' List if indicated on the Candidate's Declaration – Proper Use of Voters' List form. This form is to be submitted at the time your Nomination Paper (Form 1) is filed. Processing time for a paper copy will be 2-3 days.

PLEASE SIGN AND RETURN THE ATTACHED FORM (FORM EL 14 – PROPER USE OF THE VOTERS' LIST) WITH THE OTHER REQUIRED DOCUMENTS AT THE TIME YOU SUBMIT YOUR NOMINATION PAPER.