



THE CORPORATION OF THE TOWN OF IROQUOIS FALLS

2022 Municipal Election Information for Candidates

TABLE OF CONTENTS

Introduction	2
Important Dates	2
Municipal Office to Be Elected.....	4
Qualification of Candidates	5
Member of Council	5
Ineligibility.....	5
Nomination Procedures.....	5
Filing Nomination Papers.....	5
Exception for Additional Nominations	6
Refund of Nomination Deposit.....	6
Examination and Certification of Nominations by Clerk	6
Withdrawal of Nominations	6
Acclamations	6
Campaign Information.....	6
Campaign Expense Limits.....	7
Filing Financial Statements.....	7
Scrutineers (Candidates' Agents).....	8
Election Campaign Advertisement.....	9
Election Signs.....	9
Prohibition of Canvassing in Voting Places	9
Access to Apartment Buildings, Condominiums, etc. by Candidates.....	10
General Voter Information	10
Voter Qualifications	10
Persons Prohibited from Voting	10
Definition of Residence.....	11
Voters' List.....	11
Revision of the Voters' List	12
Proxy Voting	12
Advance Voting Days	12
Voter Notification and Voting Places	12
Voting Procedure.....	13
Voting Method	14
Voter's Absence from Work.....	14
Reminders to Candidates.....	14

Introduction

This guide has been prepared for the purpose of supplying information to persons intending to stand for elected office. This guide is available electronically on the municipal website, www.iroquoisfalls.com.

This guide is only intended to provide candidates with information on running for office. Candidates are responsible for ensuring they are familiar with the requirements of the *Municipal Elections Act* and should consult the Act for complete information and legislative requirements. A copy of the *Municipal Elections Act, 1996* is available for candidates from the Clerk and it is also available online at www.e-laws.gov.on.ca.

Candidates must comply with all the requirements relating to election campaign financing. The Ministry of Municipal Affairs produces a guide for candidates that outlines the financial reporting requirements under the Act. This guide is available online from the Ministry website, the municipal website, and in hardcopy from the Clerk.

This guide may be updated periodically. Please notify the Clerk of any changes to your mailing and/or email address.

It is the responsibility of prospective candidates to ensure through their own determination that they have complied with the election financing regulations and that they are in fact qualified and not disqualified by law.

KEY CONTACTS:

Kim Lauzon, Clerk and Deputy CAO(705) 232-6357
Osei Bosompem, CAO and Deputy Clerk(705) 232-5700

Important Dates

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

2022

Monday, May 2

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

Friday, August 19

- Nomination Day; last day to file nomination papers from 9:00 am to 2:00 pm; nominations or withdrawals cannot be accepted beyond 2:00 pm

Monday, August 22

- Certification of nomination papers to be completed by 4:00 pm

- Declaration of acclamation provided after 4:00 pm

Thursday, September 1

- Voters' List available to certified candidates

Monday, September 26

- Final expense limits provided to candidates and third party advertisers

Friday, October 21

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

Monday, October 24

- Voting Day, 10:00 am to 8:00 pm

Monday, November 15

- Term of Office commences

2023

Tuesday, January 3

- Campaign period ends for candidates and registered third parties
- Last day for candidates or registered third parties to file an Extension of Campaign Period (Form 6)

Wednesday, March 1

- Last day for Clerk to provide notice of financial filing requirements and penalties, and refund of nomination filing fee (where applicable) to candidates and registered third parties

Thursday, March 30

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

Friday, March 31

By 2:00 pm:

- Last day to file financial statement for reporting period ending January 3; applies to all candidates and registered third parties
- Last day for candidate or registered third party to notify Clerk of filing extension received from the Superior Court of Justice

After 2:00 pm:

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

Monday, May 1

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

Thursday, June 29

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

Friday, June 30

- Last day of the extended campaign period (due to deficit)

Wednesday, August 30

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

Thursday, September 28

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

Friday, September 29

By 2:00 pm:

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

After 2:00 pm:

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

Monday, October 30

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

Municipal Office to Be Elected

On Monday, October 24, 2022, voters in the municipality of the Town of Iroquois Falls will elect members for the following offices:

Mayor

(One to be elected by all electors of the municipality)

Municipal Councillors

(Six to be elected by all electors in the municipality)

District School Board Ontario North East

(One to be elected by public school electors of the municipality)

Northeastern Catholic District School Board

One to be elected by separate school electors of the municipality)

Conseil scolaire public du Nord-Est de l'Ontario

(One to be elected by French language school electors of the municipality)

Qualification of Candidates

Member of Council

Qualifications for members of Council are set out in Section 256 of the *Municipal Act, 2001*, and Section 17 of the *Municipal Elections Act, 1996*.

To run for office in the municipality of the Corporation of the Town of Iroquois Falls a person must be:

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

Ineligibility

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

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

Nomination Procedures

Filing Nomination Papers

Every person who proposes to be a candidate must file nomination papers prior to receiving any campaign contributions and/or expending any funds on a campaign. A candidate may file his or her nomination papers as of May 2, 2022, during regular business hours. Nomination papers are available from the Clerk (or designate).

Please note that nomination papers submitted by fax, email, or mail will not be accepted. Forms must be filed **in person** at the Town Hall, 253 Main Street, Iroquois Falls. It is the candidate's responsibility to file a complete and accurate nomination paper, including the declaration of qualification. Photo identification containing the candidate's signature is required at time of filing. Please make an appointment with the Clerk (or designate) to file your nomination.

The final day for filing nomination papers is Nomination Day; Friday, August 19, 2022, from 9:00 am to 2:00 pm.

The nomination must be accompanied by the prescribed nomination filing fee. The prescribed fee is \$200 for the head of council and \$100 for all other offices, and can be paid by cash, debit, certified cheque, or money order payable to "Town of Iroquois Falls".

If an agent is filing the nomination on behalf of a candidate, the agent must provide a copy of the candidate's identification, as well as providing their own identification.

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

Exception for Additional Nominations

If the number of nominations filed for an office is less than the number of persons to be elected to an office, additional nominations may be filed between 9:00 am and 2 pm on the Wednesday following Nomination Day.

Refund of Nomination Deposit

A candidate is entitled to receive a refund of the nomination filing fee if he or she files their financial statements with the Clerk by the filing date. For the 2022 municipal election, the filing date is before 2:00 pm on March 31, 2023.

Examination and Certification of Nominations by Clerk

The Clerk shall examine each nomination that has been filed before 4:00 pm on the Monday following Nomination Day. Any additional nominations filed shall be examined before 4:00 pm on the Thursday following Nomination Day

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

Withdrawal of Nominations

A person may withdraw his or her nomination by filing a written withdrawal with the Clerk before 2:00 p.m. on August 19, 2022.

Acclamations

If, at 4:00 pm on August 19, 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 or candidates elected by acclamation.

Campaign Information

Candidates are advised to refer to the Province of Ontario's Candidates Guide for information on campaign contributions and fund raising and on campaign expenses. The provincial guide is available online from the Ministry of Municipal Affairs, the municipal website, and the Clerk.

The *Municipal Elections Act, 1996* does not contain restrictions on when a candidate may or may not advertise but does regulate the amount a candidate can spend on their campaign. The candidate must have filed their nomination form before spending any money on advertising, and the amount they spend on their campaign is regulated as explained in the restrictions below.

Campaign Expense Limits

There are limits on the amount that a registered candidate may spend on a campaign. The campaign period begins the day the candidate files a nomination paper and ends on January 3, 2022. The limit on campaign expenses is based on a formula related to the number of electors entitled to vote for the office.

Once an individual files their nomination paper, they will be given a preliminary Certificate of Maximum Campaign Expense Limit based on the Voters' List from the 2018 municipal election. Each candidate will be provided with a final certificate on or before September 26, 2022, which is calculated using the greatest number of electors on the Voters' List as of the 2018 municipal election or September 15, 2022, whichever provides the highest maximum limit.

The following is the formula used to calculate the limits:

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

Filing Financial Statements

All nominated candidates, including those not elected, those who withdrew their nomination, and those whose nomination was rejected by the Clerk, must disclose and report on or before March 31, 2023, by 2:00 p.m. their contributions and expenses as of January 3, 2023, in accordance with the following:

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

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

The financial statement must be filed by March 31, 2023. Candidates' financial statements are filed with the Clerk and are public documents, which are to be available at no charge for viewing by the public on the municipal website. The Clerk will advise at least 30 days prior to March 31, 2023, filing deadline of all the filing requirements of the Act. The Clerk is not required to give additional notice for each supplementary filing date.

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

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

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

Scrutineers (Candidates' Agents)

Each candidate may appoint, in writing, any number of persons necessary to act as scrutineers to represent them at the polls, and to be present during the counting of the votes.

Scrutineers must show proof of their appointment to the election upon request.

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

Candidates and scrutineers have the following rights:

- To be present when ballot boxes, materials related to the advance polls and the ballot boxes, and statement of the results are being delivered to the Clerk;
- To enter the voting place 15 minutes before it opens and to inspect the ballot boxes and the ballots, and all other election documents, but not to delay the opening of the voting place;
- To place their own seal on the ballot box before the opening of the voting place;
- To sign the statement of the results of an election;
- To place their own seal on the ballot box after the counting of the votes so that ballots cannot be taken out or deposited.

If you are appointing scrutineers, please note the following:

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

Scrutineers and candidates are prohibited from the following:

- Engaging electors in conversation while in a voting place or location;
- Attempting directly or indirectly, to interfere with how an elector votes;
- Attempting to campaign or persuade an elector to vote for a particular candidate;
- Displaying a candidate's election campaign material in a voting place;
- Compromising the secrecy of the voting;
- Interfering or attempting to interfere with an elector who is marking a ballot;
- Obtaining or attempting to obtain, in a voting place, any information about how an elector intends to vote or has voted;
- Communicating any information obtained at a voting place about how an elector intends to vote or has voted.

Election Campaign Advertisements

An election campaign advertisement is an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a candidate.

An election campaign advertisement purchased by or under the direction of a candidate shall identify the candidate.

A candidate shall not cause an election campaign advertisement to appear unless he or she provides the following information to the broadcaster or publisher in writing:

1. The name of the candidate.
2. The name, business address, and telephone number of the individual who deals with the broadcaster or publisher under the direction of the candidate.

Election Signs By-Law

The municipality regulates the placement of election signs on road allowances and other public property. Please refer to By-Law No. 3097/10.

Prohibition of Canvassing in Voting Places

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

Section 48 of the Act provides as follows:

“While an elector is in a voting place, no person shall attempt, directly or indirectly, to influence how the elector votes. No person shall display a candidate's election campaign material or literature in a voting place.

For the purpose of this section, 'Voting Place' includes any place in the immediate vicinity of the voting place designated by the Clerk."

Election Officials are instructed to immediately remove from any voting place material or literature of any nature which may be deposited in and around a voting place. Candidates or their agents and scrutineers must not engage electors in conversations at voting places and they may not wear campaign buttons or distribute material of any kind in and around a voting place. **We ask for your cooperation in this regard.**

Access to Apartment Buildings, Condominiums, Etc. by Candidates (or their Authorized Representative)

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

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

General Voter Information

Voter Qualifications

A person is qualified to be a voter in the municipality of the Corporation of the Town of Iroquois Falls, if on Voting Day they:

1. Reside in the municipality or is the owner or tenant of land in the municipality, or the spouse of such owner or tenant;
2. Is a Canadian citizen;
3. Is at least 18 years old; and
4. Is not prohibited from voting as outlined in the *Municipal Elections Act* or any other law.

Persons Prohibited from Voting

The following persons are prohibited from voting:

1. A person who is serving a sentence of imprisonment in a penal or correctional institution;
2. A corporation;
3. A person acting as executor or trustee or in any other representative capacity, except as a voting proxy (see section on Voting Proxies);
4. A person who was convicted of the corrupt practice described in subsection 90(3) of the *Municipal Elections Act*, 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.

Definition of Residence

For the purpose of the *Municipal Elections Act*, a person's residence is the permanent lodging place to which, whenever absent, he or she intends to return. These provisions exist to allow for the homeless to be enumerated and to vote.

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

1. A person may only have one residence at a time.
2. The place where a person's family resides is also their residence, unless they move elsewhere with the intention of changing their permanent lodging place.
3. If a person has no other permanent lodging place, the place where they occupy a room or part of a room as a regular lodger or to which they habitually return is their residence.

Despite paragraph 1 above, a person may have residences in two local municipalities at the same time if,

1. The person lives in one of the local municipalities in order to attend an educational institution but not with the intention of changing his or her permanent lodging place; and
2. The person's permanent lodging place is in the other local municipality.

If a person has no permanent lodging place as described above, the following rules apply in determining their residence:

1. The place to which the person most frequently returned to sleep or eat during the five weeks preceding the determination is their residence.
2. If the person returns with equal frequency to one place to sleep and to another to eat, the place to which they return to sleep is their residence.
3. Multiple returns to the same place during a single day, whether to eat or to sleep, shall be considered one return.
4. A person's declaration regarding the places to which they return to eat or sleep during a given time period is conclusive, in the absence of evidence to the contrary.

Voter's List

The 2022 Voters' List for the municipality of The Corporation of the Town of Iroquois Falls is initially prepared by the Municipal Property Assessment Corporation (MPAC). The Voters' List contains the names, addresses, and school support of each person who meets the qualifications of a voter.

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

Candidates are entitled to receive a copy of the list for their use and candidates may request either an electronic or paper copy of the list by completing *Form EL 14 - Candidate's Declaration - Proper Use of Voters' List*.

Revision of the Voters' List

The Voters' List will be available by September 1, 2022. Applications for amendments to the list will be accepted by the Clerk from September 1, 2022, to the close of voting, on Voting Day; October 24, 2022.

Individuals will be able to confirm their information on the Voters' List at the Town Hall, 253 Main Street, Iroquois Falls, during regular business hours.

Proxy Voting

A person who is unable to attend the voting place may appoint another person as a voting proxy to vote on their behalf. The person acting as a proxy must also be an eligible elector. No person shall appoint more than one voting proxy and no person can act as a proxy for more than one person, unless the persons they are voting on behalf of is their spouse, sibling, parent, child, grandparent, or grandchild.

Proxies can only be appointed after it is no longer possible for candidates to withdraw their nominations (withdrawals can take place up to 2:00 pm on August 19, 2022, or 2:00 pm on August 24, 2022 - see Section 36 of the Act). Voters acting as a proxy must attend the Town Hall in person and present the prescribed appointment form signed by the person appointing them. The Clerk (or designate) will approve the appointment.

A person appointed as a proxy must attend the voting place designated to the voter for whom they are voting and present the appointment form at the voting place upon arrival.

Advance Voting Day(s)

All eligible electors are encouraged to vote at one of the advance voting days.

Candidates may request a copy of the names of the electors who voted on the advance voting day(s) when filling out *Form EL14 - Candidates Declaration - Proper Use of Voters' List*.

Voter Notification and Voting Places

A notice will be issued by the Clerk advising electors of the location of voting places, the dates, and times on which the voting places will be open for voting, and the manner in which electors may use voting proxies.

In the event that any location, date, or time is changed, the Clerk will issue a notice advising electors of such change.

Candidates will be provided with a copy of any notice(s) issued.

On advance voting day, Wednesday, October 5, 2022, a voting place shall be provided on the premises of the following locations:

- Iroquois Falls Community Centre, 548 Union Street
- Picadilly Apartments, 156 Picadilly Circle (residents only)
- Cambridge Place, 250 Cambridge Avenue (residents only)

- Riverview Villa, 471 DeTroyes Avenue (residents only)
- Golden Villa, 628 Majestic Street (residents only)

On voting day, Monday, October 24, 2022, a voting place shall be provided on the premises of the following locations:

- Iroquois Falls Community Centre, 548 Union Street
- Anson General Hospital (residents only)
- South Centennial Manor (residents only)

Voting Procedure

The following procedure shall be followed when a person enters a voting place and requests a ballot:

1. The deputy returning officer shall give the person a ballot only if,
 - a) The deputy returning officer is satisfied that the person is entitled to vote at the voting place, and
 - b) The person presents the prescribed proof of identity and residence, or completes an application in the prescribed form, including a statutory declaration that he or she is the elector shown on the voters' list.
2. If the deputy returning officer, a scrutineer, or a certified candidate objects to the person voting, the deputy returning officer shall have the fact of the objection and by whom it was made recorded on the voters' list next to the person's name.
3. When an objection has been made, the deputy returning officer shall give the person a ballot if the person takes an oath or affirmation stating that he or she is entitled to be an elector for the voting place and has not already voted in the election.
4. The deputy returning officer may permit an elector who needs assistance in voting to have such assistance as the deputy returning officer considers necessary.
5. An elector is no longer entitled to vote if, after receiving a ballot, he or she leaves the voting place without returning the ballot.

On receiving an approved application under Section 24 of the *Municipal Elections Act* to amend the voters' list, the deputy returning officer shall amend the voters' list in accordance with the application.

On receiving the ballot from the deputy returning officer, the elector shall,

- a) mark the ballot, within the space designated for the marking of the ballot to the right of the name of each candidate for whom the elector wishes to vote;
- b) hold the ballot in a manner that conceals its face; and
- c) return the ballot to the deputy returning officer.

On receiving the ballot from the elector, the deputy returning officer shall immediately deposit it in the ballot box, in the full view of the elector and any certified candidate who was not acclaimed, or their scrutineer.

If an elector returns a ballot to the deputy returning officer and indicates that he or she is declining to vote, the elector is no longer entitled to vote and the deputy returning officer shall immediately write the word “declined” upon the ballot. The deputy returning officer shall keep a record of the number of electors who indicate that they are declining to vote.

Voting Method

The municipality uses voting and vote-counting equipment, such as optical scanning vote tabulators.

The procedure for the use of vote tabulators will be provided to a candidate upon filing of nomination paper.

Voter’s Absence from Work

A voter is entitled to have three consecutive hours to vote on Voting Day (October 24, 2022). If a voter’s normal hours of employment are such that he or she would not have three consecutive hours to vote, the employer must allow the voter to be absent to attend the polls. The absence shall be timed to suit the employer’s convenience as much as possible.

Reminders to Candidates

1. Must be eligible elector for the office being sought.
2. Must file their Nomination Paper in person or by agent.
3. Cannot be nominated for more than one office.
4. Must pay a filing fee of \$100 or \$200 cash, debit, certified cheque, or money order payable to “Town of Iroquois Falls”.
5. Cannot accept donations or spend any funds on a campaign until such time as you have filed a Nomination Paper with the Clerk.
6. You are responsible for keeping records of the financial activities related to your campaign. Remember to issue receipts for all donations, including donations of goods or services; obtain receipts for expenses incurred; and keep copies of all receipts.
7. Keep receipts for all expenditures and a record of the value of all contributions which are not money (i.e., sign stakes, paper, printing services, etc.)
8. It is the responsibility of the candidate to file a complete and accurate financial statement on time.
9. Candidates should completely familiarize themselves with the appropriate sections of the Municipal Elections Act, 1996.