



MUNICIPALITY OF DYSART ET AL

2010 MUNICIPAL ELECTION

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Candidates - Preliminary Information Package

Serving the public as an elected official requires a considerable commitment of time and energy. If you are a first time candidate, you will find running for office to be a challenging and exciting experience.

The *Municipal Elections Act* sets out in detail, the requirements to be met by candidates for office. These requirements have been summarized for your convenience. Please note that the *Municipal Elections Act, 1996* was amended in December 2009 and significant changes were implemented as a result. We urge you to obtain your own updated copy of the *Municipal Elections Act, 1996*, which can be downloaded from the Ministry's web site at www.e-laws.gov.on.ca or purchased from the Ontario Government Bookstore.

This guide has been prepared for the purpose of providing information that will be of assistance to persons intending to stand for elected office. It is most important to note that the contents of this document are intended only as a guide to certain provisions of relevant legislation and do not purport to recite all applicable statutory references.

Prospective candidates must satisfy themselves through their own determination that they have complied with the election financing regulations and that they are in fact qualified to be elected.

As this election year progresses, additional information will be available regarding the specifics of the election process. We will be providing you with this information as soon as it becomes available, or at the appropriate time in the process. You are advised to read the enclosed material carefully. It is important that you are aware of your responsibilities as a candidate. Please do not hesitate to contact me with any questions you may have about the election process. Best wishes for a successful campaign!

Tammy McKelvey,
CAO/Clerk



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GENERAL INFORMATION

Election Day:

Monday, October 25, 2010

Voting Deadline:

Up to Monday, October 25, 2010 at 8:00 p.m.

Voting Method:

An alternative voting method pursuant to S.42 (1)(b) of the *Municipal Elections Act, 1996* has been chosen which involves the use of a mail-in ballot.

Offices to be elected:

Reeve - One (1) to be elected at large

Deputy-Reeve – One (1) to be elected at large

Councillors - One (1) to be elected for each of the 5 wards

Trustees

The distribution has not yet been determined for the 2010 election but will be forwarded to all candidates as soon as the determination has been made.

Annual Remuneration:

Reeve - \$24,400

Deputy-Reeve - \$16,100

Councillor - \$13,800

Term of Office:

December 1, 2010 - November 30, 2014

Nomination Period:

January 4, 2010 to September 10, 2010

Nomination Day:

September 10, 2010 – 2:00 p.m.

Nomination Procedures:

On any day, preceding Nomination Day, a nomination paper may be filed at the Office of the Clerk between 8:30 a.m. - 4:30 p.m., Monday to Friday.



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On Nomination Day (September 10, 2010), forms may be filed between 9:00 a.m. - 2:00 p.m.

Persons who propose to be candidates in the municipal election must submit their nomination paper to the Office of the Clerk prior to accepting or soliciting funds for their campaign.

Either the candidate or agent of the candidate must file the nomination paper in person. Faxed nominations will **NOT** be accepted as an original signature is required on all election documents filed with the Clerk.

All registered candidates are required to pay a filing fee of either \$200.00 (Reeve candidates) or \$100.00 (Deputy-Reeve, Councillor and School Board Trustee candidates). The fee must be paid in cash, certified cheque or debit card. Proof of identification will be required, i.e. driver's licence, birth certificate, passport, etc.

Revision Period:

The Revision Period gives electors the opportunity to make corrections, additions or deletions to any of the information/data in the Voters' List. Electors may make corrections, additions or deletions to personal information relating to them between:

September 7 and October 25 (Election Day)

Electors may submit an application to the Clerk requesting that another person's name be removed from the Voters' List between:

September 7 and September 10 (Nomination Day)

The Voters' List can be viewed at the Office of the Clerk during regular office hours between:

September 7 and October 25 (Election Day)

Scrutineers:

Each candidate may appoint, in writing, scrutineers to act as their representatives during the removal of Ballots from the Secrecy Envelopes and the counting of votes, including a recount. Scrutineers may also be present for the opening of the Return Envelopes during the dates and hours that will be designated for such opening, for the names to be recorded as having voted on the voter's list.



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No more than **one** scrutineer representing a candidate may be present at any given time. Forms will be available from the Office of the Clerk closer to Election Day.

Campaign Period:

The election campaign period for candidates begins the day the nomination paper is filed and ends on December 31, 2010. A candidate **cannot** accept campaign contributions before he/she has filed a nomination paper.

Filing Financial Statements:

All candidates are required to file financial statements for all contributions and expenses incurred for their campaign. The deadline for filing financial statements is 2:00 p.m. on Friday, March 25, 2011 and must be filed with the Office of the Clerk. (*Note: this is a firm deadline – the penalties for non-compliance will apply immediately unless the candidate has applied for a court ordered extension.*)

Estimate of Maximum Campaign Expenses:

An estimate of the maximum amount of campaign expenses that may be incurred will be given to each candidate when they file their nomination papers.

In accordance with legislation, a determination of the maximum amount of campaign expenses that may be incurred will be given to all registered candidates by September 20, 2010.

The final spending limit will be the greater amount of the above or as calculated based on the Voters' List from the current election.

Maximum Campaign Contributions:

The maximum contribution to an individual candidate remains at \$750, however a contributor shall not make contributions exceeding a total of \$5,000 to two or more candidates for office on the same council or local board. Contributions to political campaigns at the municipal level are not tax deductible.

Compliance Audit Committee:

Each Council and local board is now required to establish a Compliance Audit Committee (before October 1, 2010) made up of citizens. The Committee is not to include employees, officers of a municipality or members of the Council or local board or any persons who are a candidate in the election for which the Committee is established. The Committee must have a minimum of 3 members and a maximum of 7 members and serves for a four-year term. The Clerk or board secretary acts as an officer of the Committee.



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QUALIFICATIONS FOR MUNICIPAL COUNCIL

A candidate for municipal office must, upon nomination, be a qualified municipal elector and fulfill all of the following requirements:

- a resident of the Municipality, a non-resident owner or tenant of land in the Municipality or the spouse of such an owner or tenant;
- a Canadian Citizen;
- at least 18 years old;
- not legally prohibited from voting; and
- not disqualified by any legislation from holding municipal office.

Note: A candidate, if nominated, must remain qualified throughout the election and, if elected, throughout the term of office.

DISQUALIFICATIONS FOR MUNICIPAL COUNCIL

1. The following are not eligible to be elected to the Municipal Council or to hold office as a member of the Municipal Council:

- except during a leave of absence granted under (2) below, an employee of the Municipality or of a local board;
- a judge of any court;
- a member of the Assembly or of the Senate or House of Commons of Canada;
- a Crown employee who is a deputy minister or who is in a position designated in the regulations made under the *Public Services Act, R.S.O. 1990, c.P47* for the purposes of section 11 thereof;
- a person who is serving a sentence of imprisonment in a penal or correctional institution on voting day;
- a corporation;
- a person acting as executor or trustee or in any other representative capacity;



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- a person who was convicted of a corrupt practice described in subsection 90(3) of the *Municipal Elections Act, 1996*, if voting day in the current election is less than four (4) years after voting day in the election in respect of which he or she was convicted;
 - a candidate 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 with respect to a municipal election if the Voting Day in that election is less than eight years prior to Monday, October 25, 2010;
 - a person who is disqualified from being elected to or holding office by reason of any violations of the election campaign financial requirements or violations for not filing the financial statement pursuant to the *Municipal Elections Act, 1996*.
2. Any employee of the Municipality or a local board is eligible to be a candidate for and to be elected as a member of the Municipal Council if he or she takes an unpaid leave of absence beginning not later than nomination day and ending on voting day. An employee of ANY school board is disqualified from seeking election to a school board, unless he or she takes an unpaid leave of absence beginning not later than nomination day and ending on voting day.
3. If the employee mentioned in (2) above is elected, he/she shall forthwith resign his/her position as such employee.
4. A person is not ineligible to be elected or to hold office as a member of the Municipal Council only by reason of being a volunteer fire fighter (*Municipal Election Act, 1996, s.30*).

QUALIFICATIONS FOR SCHOOL BOARD

A candidate for a school board must, upon nomination, be a qualified municipal elector and fulfill all of the following requirements:

- a resident within the jurisdiction of the board;
- a supporter of the board;
- a Canadian Citizen;



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- at least 18 years old;
- have French language rights (if running for a French language school board);
- not legally prohibited from voting; and
- not disqualified by any legislation from holding school board office.

Note: A candidate, if nominated, must remain qualified throughout the election and, if elected, throughout the term of office. School Board candidates should confirm that they have the qualifications described in section 219 of the *Education Act*.

DISQUALIFICATIONS FOR SCHOOL BOARD

1. The following are not eligible to be elected to a District School Board or to hold office as a member of a District School Board:

- An employee of a District School Board except during a leave of absence as provided for by section 219 of the *Education Act* and section 30 of the *Municipal Elections Act, 1996*;
- A Clerk or Treasurer or Deputy Clerk or Deputy Treasurer of a municipality within the area of jurisdiction of the District School Board unless he or she takes an unpaid leave of absence as provided for by section 219 of the *Education Act*;
- a member of the Assembly or of the Senate or House of Commons of Canada;
- a person who is serving a sentence of imprisonment in a penal or correctional institution on voting day;
- a corporation;
- a person acting as executor or trustee or in any other representative capacity;
- a person who was convicted of the corrupt practice described in the *Municipal Election Act, 1996*, ss.90(3) if voting day in the current election is less than four (4) years after voting day in the election in respect of which he or she was convicted;



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- a person disqualified for violations of financial requirements or violations of requirements for filing financial information;
- otherwise ineligible or disqualified under the *Education Act* or any other Act (*Municipal Act, 2001, s. 30* and *Municipal Elections Act, 1996, s17*, and the *Education Act, R.S.O., 1990*).

REASONS FOR MUNICIPAL CLERK TO REJECT A NOMINATION

Under the *Municipal Elections Act, 1996*, the Clerk is required to reject or certify nominations of candidates. The following criteria may be used by the Clerk to reject a nomination:

- candidate has refused or declined to provide proof of qualifications or identification suitable to the Clerk;
- candidate does not satisfy section 29(1) of the *Municipal Elections Act, 1996*;
- the nomination paper is not complete in its entirety;
- the prescribed filing fee has not been paid;
- the candidate's name does not appear on the Voters' List on September 13, 2010;
- the necessary financial disclosure was not filed for the previous regular election or any new election in which the individual may have been a candidate.

There may be other circumstances in which a candidate is disqualified from running for a particular office other than those identified above. It is the responsibility of each candidate to ensure he or she is not disqualified from running or being nominated for the office and the candidate is required to complete a Declaration of Qualification on the nomination paper.



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ELECTION SIGNS

Election signs are prohibited on Municipal property or road allowances adjacent thereto.

By-law No. 2009-77 being the By-law to regulate signs and other advertising devices within the Municipality of Dysart et al, provides that:

- Election signs do not require a sign permit
- Election signs must be removed within two (2) weeks after Election Day

SCHEDULE OF KEY DATES

January 4, 2010	Nominations may be filed
September 7, 2010 - October 25, 2010	Revision Period for Voters' List
September 10, 2010	Nomination Day - Nominations accepted from 9:00 a.m. to 2:00 p.m.
September 10, 2010	Date to Withdraw by 2:00 p.m.
September 13, 2010	Nominations to be certified or rejected by the Clerk List of Candidates to be posted by 4:00 p.m.
October 25, 2010	Voting Day (10:00 a.m. to 8:00 p.m.)