



Town of Ajax
2018 Municipal Election

Candidate's Guide

Town of Ajax 2018 Municipal Election Candidate’s Guide

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1.0 INTRODUCTION

This guide has been prepared for candidates seeking candidacy in the 2018 Municipal Election for the Town of Ajax. Although the content of this document highlights many of the electoral processes involved in the upcoming election, candidates are urged to refer directly to the *Municipal Elections Act, 1996, as amended, (MEA)* (available at www.e-laws.gov.on.ca) in order to fully understand all legislative requirements. It is imperative that candidates satisfy themselves, through their own determination, or with the assistance of legal counsel, of the various legal and financial requirements relating to their candidacy.

Over the course of the next few months, candidates will be receiving information periodically from Election Staff, therefore, it is important that your current contact information is on file with the Town Clerk (including a valid e-mail address). Updates and pertinent information will also be made available via the Town's website at www.ajax.ca. If you have any questions or concerns please do not hesitate to contact one of the numbers provided below.

Regardless of the outcome of your candidacy, we hope that it proves to be a worthwhile and enjoyable experience. Thank you and good luck.



Nicole Cooper
Town Clerk/Returning Officer

2.0 CONTACT INFORMATION

Town of Ajax
2018 Municipal Election
Returning Office

Town Hall
65 Harwood Ave. S
Ajax, ON L1S 2H9
905-619-2529 x 8683
election@ajax.ca

Nicole Cooper, Town Clerk/Returning Officer
nicole.cooper@ajax.ca

905-619-2529 x 3336

Alexander Harras, Deputy Clerk/Deputy Returning Officer
alexander.harras@ajax.ca

905-619-2529 x 3342

Brenda Kriz, Election Support
brenda.kriz@ajax.ca

905-619-2529 x 3343

Sarah Moore, Election Support
sarah.moore@ajax.ca

905-619-2529 x 3347

Lorraine Billings, Election Support
lorraine.billings@ajax.ca

905-619-2529 x 3314

3.0 SCHEDULE OF KEY DATES

Nomination Period: May 1, 2018 – July 27, 2018

Nominations may be filed by candidates between Monday and Friday, 8:30 a.m. to 4:30 p.m. at Town Hall (excluding statutory holidays), and on July 27, 2018 from 9:00 a.m. until 2:00 p.m.

Campaign Period: When Nomination is Filed - December 31, 2018

The campaign period begins whenever a candidate files a nomination paper and ends on December 31, 2018 (unless the candidate withdraws the nomination, the Town Clerk rejects the nomination, or the candidate files to extend their campaign to erase a deficit). Candidates shall not receive contributions or incur campaign expenses outside of their campaign period.

Certificate of Maximum Campaign Spending, Self-Contributions, and Parties/Expressions of Gratitude Limits: Nomination Filing

The Clerk will provide preliminary notice of the maximum limits for campaign expenses, candidate self-contributions, and expenses on parties and expressions of gratitude to all candidates that have filed their nominations. These preliminary limits are calculated using formulas prescribed by the province, based in part on the number of electors appearing on the voters' list as of nomination day in the 2014 Municipal Election. On September 24, 2018 the Town Clerk will determine final limits by applying the above noted formula to the number of voters appearing on the voters' list as of September 15, 2018. The greater of the two limits shall apply.

Nomination Day: July 27, 2018

Last day in which nominations may be filed by candidates at Town Hall (between the hours of 9:00 a.m. and 2:00 p.m.). Nominations will not be accepted after 2:00 p.m. However, persons present at the clerk's office at 2:00 p.m. that have not yet filed a nomination may do so as soon as possible after 2:00 p.m.

Withdrawal of Nomination: July 27, 2018

Last day to withdraw nominations. The prescribed form must be submitted to the Clerk's Department by a candidate or their agent in person and in writing before 2:00 p.m.

Certification of Nomination: July 30, 2018

The Town Clerk will certify nomination papers before 4:00 p.m. When the Clerk rejects a nomination, they shall, as soon as possible, give notice of the fact to the person who sought to be nominated and to all candidates for the office.

Acclamation of Candidates: July 30, 2018

After 4:00 p.m., the Town Clerk will declare all candidates to be duly elected if they are the only qualified individuals seeking candidacy for a respective office.

Voters' List: September 4, 2018

The Voters' List will be made available to all registered candidates who complete a declaration form acknowledging their understanding of the proper use of the voters' list.

Voters' List Revision Period: September 4, 2018 - October 22, 2018

Eligible voters whose names do not appear on the voters' list or are identified incorrectly may file a revision application with the Town Clerk using the prescribed form.

Removal of Deceased Person's Name from Voters' List:

September 4, 2018 – October 22, 2018

The Town Clerk may remove a deceased person's name from the voters' list if satisfied that the person has died. Individuals may make application to the Town Clerk to remove a deceased person from the voters' list on the prescribed form (Section 25, *MEA*).

Interim List of Changes: September 24, 2018

An interim list of changes made to the voters' list with respect to the removal or amendment of names will be available to candidates.

Voting Period: October 15, 2018 – October 22, 2018

Online and telephone voting will be available from 10:00 a.m. on October 15, 2018, and will be available 24 hours a day until the close of polls at 8:00 p.m. on October 22, 2018. In-person Voter Assistance Centres will be made available during the Voting Period.

Final Day of Voting Period: October 22, 2018

Votes will be accepted through the online and telephone voting system, either in person at a Voter Assistance Centre or by any internet connected device or by telephone, until 8:00 p.m. on October 22, 2018. Voters in line at a physical location prior to 8:00 p.m. will be allowed to vote; no electors that arrive at a Voter Assistance Centre after 8:00 p.m. will be allowed to vote. Users cannot log into the online or telephone voting system after 8:00 p.m. on October 22, 2018; users already logged in before 8:00 p.m. will have until 8:05 p.m. to complete and submit their ballot.

Official Results: Declared as Soon as Possible

The Clerk typically declares unofficial results following the generation of results report(s) from the voting system, shortly after the close of the voting period. Official results are typically posted by the Wednesday following voting day (October 24, 2018).

End of Campaign Period: December 31, 2018

This is the last day a candidate can raise funds for their campaign unless the candidate has notified the Clerk of an extension to their campaign period using the prescribed form (the campaign period begins when a nomination is filed). The end of a campaign period can also occur on the date in which a candidate withdraws their nomination or on the day it is rejected by the Clerk.

Notification to Extend a Campaign Period: December 31, 2018

Last day for candidates to provide notification, using the prescribed form, in order to extend their campaign in order to reduce a deficit.

Deadline for Filing Financial Statements: March 29, 2019

Candidates must file their financial statements in person at the Clerk's Office by no later than 2:00 p.m. Penalties will apply immediately following March 29 if a financial statement has not been submitted. Before March 29, 2019 but after December 31, 2018, a candidate may apply to the Superior Court of Justice to request an extension of the time to file their financial statement. The Court may grant an extension of no more than 90 days.

If a candidate has failed to file the required documents by March 29 and is subject to penalties, they may submit all of the necessary documentation up to 30 days after the deadline, provided that they pay a late filing fee of \$500 to the Clerk, at which point the

penalties will cease. The \$500 late filing fee is the property of the municipality and will not be refunded.

Deadline for Compliance Audit Requests: June 27, 2019

Last day for a compliance audit request to be submitted with respect to a financial statement that was submitted by the March 29, 2019 deadline. If a candidate has submitted their financial statement during the late filing period along with the \$500 late filing period fee, compliance audit requests may be submitted up to 90 days after the date on which the candidate submitted their financial statement.

End of Supplementary Reporting Period: June 30, 2019

A supplementary reporting period is permitted only if a candidate has submitted proper notification to extend his/her campaign by December 31, 2018.

Deadline for Filing Financial Statements for the Supplementary Reporting Period: September 27, 2019

Candidates who extended their campaign must file their financial statements in person at the Clerk's Office by no later than 2:00 p.m. Penalties will apply immediately following September 27 if the necessary documents have not been submitted.

Deadline for Compliance Audit Requests for Supplementary Reporting Period: December 26, 2019

Last day for a compliance audit request to be submitted with respect to a reporting period that ended on June 30, 2019.

4.0 GENERAL INFORMATION & CANDIDATE QUALIFICATION

4.1 Offices for Election

Eligible electors in the Town of Ajax may vote for the following candidates to serve a four year term effective December, 2018 until November, 2022:

- Mayor
- Regional Councillor, Ward 1
- Regional Councillor, Ward 2
- Regional Councillor, Ward 3
- Local Councillor, Ward 1
- Local Councillor, Ward 2
- Local Councillor, Ward 3
- Regional Chair – Durham Regional Council
- 2 Trustees, Durham District School Board
- 2 Trustees, Durham Catholic District School Board
- 1 Trustee, Conseil scolaire Viamonde
- 1 Trustee, Conseil scolaire catholique MonAvenir

4.2 Questions and Bylaws on the Ballot

There are no questions or by-laws on the ballot for the 2018 Municipal Election.

4.3 Qualifications of Candidates

The qualifications of an elector or candidate for municipal office in the Town of Ajax are set out by the *Municipal Act* and the *MEA*. A person is qualified to be a candidate in the 2018 Municipal Election if they are entitled to be an elector in the Town of Ajax and is not disqualified from holding office for any other reason. A person is qualified for the office of Regional Chair if they are entitled to be an elector in a local municipality within Durham Region, and is not disqualified from holding office for any other reason.

4.4 Qualifications of Electors

A person is entitled to be an elector in the 2018 Municipal Election if, on voting day, they are:

- A Canadian citizen
- At least 18 years of age
- A resident of the Town of Ajax or an owner or tenant of land in the Town of Ajax, or the spouse of such owner or tenant
- Not disqualified from voting for the reasons listed below

4.5 Prohibited From Voting

The following are **prohibited** from voting in the 2018 Municipal Election:

- A person who is serving a sentence of imprisonment in a penal or correctional institution
- A corporation
- A person acting as executor/trustee or in any other representative capacity, except as a voting proxy as per Section 44 of the *MEA* (please note that the Town of Ajax does not allow for proxy voting)
- A person who was convicted of a corrupt practice described in subsection 90(3) of the *MEA*, if voting day in the current election is less than five years after voting day in the election in respect of which they were convicted

4.6 Disqualification from Seeking Election

The following are **disqualified** from being elected and/or holding office as a Member of Council:

- A judge of any court
- Employees of the municipality except during an authorized leave of absence (see Section 30 of the *MEA*)
- A member of the Provincial Legislature, Senate or House of Commons of Canada (although a member of such a body *may* file for nomination but must resign as a member of such a body **on or before** nomination day)
- Specially restricted public servants within the meaning of the *Public Service of Ontario Act*, except in accordance with Part V of that Act
- A candidate who failed to file the necessary financial statements in the last municipal election or by-election (relative to **any** office in which the *MEA* applies)

An elected Member of Council must maintain their qualifications throughout the entire term of nomination/office, otherwise, their seat may be deemed to be vacant.

4.7 Additional Qualifications for School Board Trustee Candidates

In addition to the qualifications noted above, a candidate for a member of a school board must reside within the area of jurisdiction of the school board. The area of jurisdiction for all school boards in Ajax extend beyond the boundaries of the Town of Ajax. Further information with respect to these boundaries can be provided by contacting the respective School Board or the Clerk's Department and/or referring to section 219 of the *Education Act, 1990*.

Employees of any Board of Education are subject to Section 30 of the *MEA*, which requires the Board to give employees a leave of absence, upon request. Such leave **must** begin prior to the day the individual is nominated and carry through to voting day. The person is deemed to have resigned if they are elected and take office. School Board candidates must also not be, at the time of filing their nomination paper, a Clerk, Treasurer, Deputy Clerk or Deputy Treasurer of a municipality within the area of jurisdiction of the district Board unless they take an unpaid leave of absence prior to nomination day.

4.8 Definition of "Resident"

Under the *MEA*, a person's residence is the permanent lodging place to which, whenever absent, they intend to return. This will usually be the place where a person's family resides, unless they move elsewhere with the intention of changing their permanent lodging place. It may also be the place where they occupy a room or part of a room and/or a residence to which they habitually return.

If a person does not have a permanent lodging place, their residence is generally considered to be the place in which they most frequently return to sleep or eat. A person may only have one residence at a time within a single municipality, however, they may have residences in two or more local municipalities at the same time. The *MEA* permits this exception if they live in one residence for the purpose of attending an educational institution but not with the intention of changing their permanent lodging place and if the person's permanent lodging place is in the other local municipality.

5.0 NOMINATIONS

5.1 Timing

Nomination day is **Friday, July 27, 2018**. Nominations may be filed on that day, between the hours of 9:00 a.m. and 2:00 p.m., at the Clerk's Office, Town Hall, 65 Harwood Avenue South. They may also be filed during normal office hours (8:30 a.m. - 4:30 p.m.) at the same location between May 1, 2018 and July 26, 2018.

5.2 Process

Candidates must submit the prescribed nomination form in order to formally declare their candidacy. By signature of the prescribed form, an individual declares that they are legally qualified to become a candidate as of the date on which the nomination form is filed. It is the responsibility of candidates to satisfy themselves that they are qualified to be elected to office. The candidate's declaration of qualification must be taken before a Commissioner of Oaths (several staff in the Clerk's office are able to administer this oath). All candidates, including incumbents, will be asked to present current and valid

identification to validate their identity and qualifying address. An individual will not be permitted to file for nomination without any such identification.

Candidates for Council offices only must submit endorsements from at least 25 eligible electors in the Town of Ajax. All endorsements from electors must be on the prescribed endorsement declaration form. There is no limit on the number of candidates that an elector may endorse for office. The Town Clerk may rely upon the information provided on each endorsement declaration form for the purposes of ensuring compliance with the *MEA*, and is not required to verify the veracity of the endorsements prior to certification of candidate nominations. Candidates for school board trustee positions do not need to provide endorsements from electors.

If the person was previously nominated for an office on the same council in the same election and at that time filed a nomination with the necessary 25 endorsements, the endorsements transfer over to the new office and need not be re-collected.

Either the candidate or an agent of the candidate must file the nomination paper and endorsements in the Clerk's Office in person. Faxed nomination papers and endorsements will not be accepted, as an original signature of the candidate is required. When a candidate files a nomination, they will also be asked to complete a Candidate Information and FOI Release Form at the same time. This form is used to collect information for publication to the Town's election website. The Clerk will certify nomination papers by 4:00 p.m. on Monday, July 30, 2018.

5.3 Filing Fee

At the time of filing, each candidate must also submit a filing fee of either \$200 for the office of Mayor, or \$100 for all other offices. The nomination filing fee is payable to the "Town of Ajax" by cash, debit, cheque or money order (credit cards will not be accepted). The filing fee will be refunded if the candidate submits their financial statement on or before 2 p.m. on the filing date for filing their financial statement.

A candidate must first file a nomination paper and pay the nomination fee prior to raising campaign funds or incurring election related expenses.

5.4 Withdrawal or Transfer of Candidacy

Any candidate wanting to withdraw their nomination or transfer their nomination to a different office must notify the Town Clerk **by 2:00 p.m. on Friday, July 27, 2018**. Either the candidate or an agent of the candidate must file the appropriate form in person at Town Hall (fax or e-mail copies will **not** be accepted). If an agent is filing such forms on behalf of a candidate, the candidate must also provide the agent with a signed letter providing authorization for him or her to submit a withdrawal or transfer/new nomination form on their behalf.

If a Candidate is switching the office that they intend to run for, and therefore filing a new nomination, the previous nomination is deemed withdrawn and the candidate does not need to fill out a withdrawal form. The nomination fee is only transferred to a new office if the candidate is switching from Regional Councillor to Ward Councillor, or vice versa, within the same ward. Otherwise, the nominee must file a new filing fee in addition to the one already collected. No filing fee shall be returned until the necessary Financial Statement is filed.

A withdrawn candidate will still be required to submit a financial statement covering all financial transactions up to the time of the withdrawal.

6.0 CANDIDATES & SCRUTINEERS AT VOTING PLACES

6.1 Appointment of Scrutineers

A candidate may appoint a scrutineer for each voting place to act as their agent. To appoint a scrutineer, a candidate must submit a completed Appointment of Scrutineer by Candidate form to the Town Clerk. One form per scrutineer is required.

For the purposes of the election, voting places include Voter Assistance Centres and any special polling opportunities during the Town of Ajax 2018 municipal election. Only one individual per candidate (whether that is the candidate themselves or their scrutineer) will be permitted in a voting place at any time. A scrutineer, prior to being admitted to a voting place, will be asked by an Election Official to produce a copy of their form as well as complete an Oath of Secrecy. Scrutineers are required to have their appointment form on their person **at all times** within a voting place.

The only role of candidates and scrutineers in the voting place is to scrutinize the integrity of the voting process. It is not a communicative role. There is to be **no communication** between a scrutineer or candidate and an elector in a voting place. Should the elector require the assistance of an interpreter, they must make their own arrangements for this provision. Candidates and scrutineers will not be permitted to serve as an interpreter for an elector under any circumstances. If a voter requires assistance to vote for any reason other than language, an Election Official will be able to provide assistance.

6.2 Candidate & Scrutineer Rights at Voter Assistance Centres

Election Officials are instructed that, if a candidate or their scrutineer is present at a voting place, they must be allowed to observe the process of voting and should be permitted to hear any conversation between an elector and Election Official(s). If the Election Official determines that a scrutineer or candidate is interfering with the electoral process, they will instruct the individual to immediately vacate the voting place (a voting place is considered to be not only the room in which ballots are being cast, but also the surrounding area including any external areas such as the parking lot). The following is a summary of rights extended to candidates and scrutineers:

- Candidates and scrutineers may enter the voting place 15 minutes prior to opening in order to inspect any voting equipment and election documents but not so as to delay the opening of the voting place.
- Results of the vote will be announced at Town Hall shortly after the close of voting (8:00 p.m.) on voting day. Candidates and scrutineers may be present during the announcement of results. Scrutineers are always required to have their appointment form (signed by the candidate) on their person at all times. As the tabulation of votes is done instantly and electronically on off-site servers, candidates and scrutineers will not be able to observe the tabulation process.

6.3 Prohibited Activities at Voter Assistance Centres

The role of candidates and scrutineers in a voting place is to observe the election process - not participate in it. If, at any time, the following prohibitions are not respected by a candidate or scrutineer, an Election Official may order that individual to vacate the voting place and not return. If ordered to vacate the voting place, the candidate or scrutineer is not permitted to remain anywhere on the premises. Candidates and scrutineers are prohibited from the following:

- Attempting, directly or indirectly, to interfere with how a voter votes
- Displaying a candidate's election campaign material (including buttons, pins, etc.) at a voting place
- Compromising the secrecy of the voting process
- Interfering or attempting to interfere with a voter who is casting their vote
- Obtaining or attempting to obtain, in a voting place, any information about how a voter intends to vote or has voted
- Communicating any information obtained at a voting place about how a voter intends to vote or has voted
- Sitting directly at any tables provided for the Election Officials (as such, candidates may wish to provide scrutineers with a clipboard)
- Be immediately present when a designated Election Official assists an incapacitated voter with voting.
- Communicate or attempt to communicate with voters on any matter

7.0 CANVASSING

7.1 Canvassing Prohibited on Municipal Property & Voter Assistance Centres

The Town Clerk designates all facilities to be used as Voter Assistance Centres (a list of which will be made available to candidates before September 1, 2018). All Town property and voting places are to be free from any form of electioneering. This includes anything that is considered to be election signage and/or communications for the purpose of soliciting electors. This prohibition is extended to both the internal and external areas associated with the property of the Town. The *MEA* mandates that while a voter is in a voting place, no one shall attempt to directly or indirectly influence how an elector votes, and that no campaign material or literature may be displayed. Election Officials and By-Law Officers have been instructed to remove all campaign materials (including buttons, pamphlets, posters, signs, vehicles, etc.) from all Town Facilities and designated voting places.

Vehicles adorned with campaign materials are not permitted on any property owned, managed, or under the control of the Town of Ajax or at any voting place, or on any highway abutting, in front of, or within 25 metres of any property line of an active voter assistance centre or polling station. This includes vehicle wraps, magnets, and any other means of displaying campaign materials on a vehicle.

7.2 Public Canvassing

Candidates and their campaign representatives are permitted to engage in public canvassing as part of their campaign. All candidates and their campaign representatives are reminded to be respectful of private property when engaging in electioneering and canvassing activities.

Candidates and their campaign representatives are reminded that they are prohibited from influencing how an elector votes when an elector is in the act of casting their ballot. Candidates and/or campaign representatives should not under any circumstances assist electors in completing their on-line or telephone ballots. If electors require assistance in casting their ballot using the on-line or telephone voting system, they may receive assistance from Election Officials by contacting the Election Help Line or by attending a Voter Assistance Centre. Candidates and campaign representatives are not authorized to provide this assistance to electors and may be violating the *Municipal Elections Act* if doing so.

7.3 School Policies

Candidates should be made aware that School Boards typically maintain policies that prohibit election canvassing or advertising in any school, prior to the voting period, without the written approval of the Director of Education.

7.4 Access to Condominiums, Gated Communities, Housing Co-operatives, and Apartment Buildings

Under the *MEA*, *Tenant Protection Act*, and the *Condominium Act*, candidates and their campaign representatives have the authority to enter into condominiums, gated communities, housing co-operatives, and apartment buildings for the purpose of canvassing and/or distributing election materials.

Despite these legislative provisions, candidates may at times experience difficulty in gaining access to private residential complexes. If this occurs, candidates should contact the rental agency, owner of the building or other relevant authority to request that they instruct their staff of the legislative right of candidates to have access to these buildings for canvassing purposes.

The Town Clerk does not have the authority to intervene on behalf of any candidate in order to grant them access to a privately owned building for the purpose of canvassing and/or distributing election material.

8.0 ELECTION SIGNS

8.1 Election Sign Restrictions

Municipal election signs are governed and controlled by Town of Ajax Election Sign By-law, and Durham Region Temporary Sign By-law, as may be amended from time to time. Town of Ajax By-law staff will, at their discretion, enforce provisions contained therein. Where an election sign has been erected or displayed in contravention of these provisions, an Officer may remove the sign immediately without notice. Candidates are strongly urged to review these by-laws as they relate to election signs prior to posting election signs within the Town.

The following are general restrictions which apply to **all** Election signs:

- The candidate to whom the Election sign relates shall be ultimately responsible for the erection or display of the Election sign, and its compliance with applicable laws.
- Election signs are only permitted beginning on the first Tuesday after Labour Day (September 4, 2018) until voting day (October 22, 2018) and must be removed within 48 hours of the close of voting.
- An Election sign shall not be permitted within 25 metres of another election sign for the same candidate along Town roads, and within 500m of another election sign for the same candidate along Regional Roads.
- No portable sign shall be used for the purposes of an Election sign.
- Every person using rebar or any type of reinforcing steel or metal, shall ensure that all ends, not including the end inserted into the ground, has safety caps securely covering the ends of the steel or metal; and that it is not inserted into the ground, on any Town road allowance, deeper than 40cm.
- An Election sign shall not be placed:
 - on any centre median or traffic island;
 - within 25 metres of any property line of a voting location

Refer to the Town of Ajax Election Sign By-law #005-2018 and the Region of Durham's Temporary Sign By-law for details regarding permitted locations, size, distancing and setbacks for election signs in Ajax.

Signs erected contrary to the Municipal and Regional Sign By-laws may be removed without notice. For further clarification, contact the Legislative and Information Services Department, By-law Services, (905) 619-2529, extension 3370.

9.0 VOTER INFORMATION

9.1 General

An eligible elector is able to add their name to the voters' list for the 2018 Municipal Election by submitting a completed Application to Amend the Voters' List. These forms will be available from the Town's website and the Legislative and Information Services Department at Town Hall during the Election Revision Period (September 4, 2018 to October 22, 2018). Revision forms will also be available for completion at voting places during the advance voting period and on voting day. Qualified persons are strongly encouraged to visit www.voterlookup.ca to ensure that their information is correct with MPAC. This is the best way for persons to ensure that their information appears correctly on the Voters' List.

9.2 Voters' List

The Municipal Property Assessment Corporation (MPAC) will provide the Town Clerk with the Preliminary List of Electors containing the names and addresses of all electors eligible to vote in the Municipal Election. The Town Clerk will make corrections to obvious errors and reproduce the Official List of Electors which is made available to all registered candidates on September 4, 2018. According to Section 23(4), *MEA*, only the section of the Voters' List pertaining to the office for which a candidate is running is to be made available.

9.3 Adding a name to the Voters' List

Qualified individuals not appearing on the Voters' List can add their names during the revision period. This can be done in person by visiting the Town Clerk's Department (Town Hall, 65 Harwood Avenue South), or at one of the Town's "pop-up" Revision Centres, a schedule of which will be made available in early Fall. Proper identification verifying both the individual's identity and qualifying address must be presented along with a completed revision form. Subject to presenting an acceptable form of identification, an individual may also add his or her name to the Voters' List at a voting place during the advance voting period or on voting day.

9.4 Revisions to the Voters' List

The revision period also provides an opportunity for electors to ensure the accuracy of their voter information on the Voters' List. Common corrections to the Voters' List relate to changes of an elector's name, qualifying address and school support. Revision forms requesting a change in voter information must be completed using the prescribed form. Beginning, Tuesday, September 4, 2018 completed revision forms can be mailed c/o:

Ajax 2018 Election
Town Hall
65 Harwood Ave. S
Ajax ON, L1S 2H9

Completed revision forms can also be dropped off in person at the Town's Legislative and Information Services Department during regular office hours (8:30 a.m. to 4:30 p.m.) or in the Night Deposit Box after hours. Election Officials located at each designated voting place during the advance voting period and on voting day will also process

revision forms. Revisions will also be accepted at the Town's "pop-up" Revision Centres, a schedule of which will be made available in early Fall.

9.5 Voter Information Letters

Electors appearing on the Voters' List will receive a Voter Information Letter providing instructions for the use of internet or telephone voting. For the best possible experience, electors should be encouraged to use the internet and telephone voting options made available. If assistance is required, Voter Assistance Centres will be available for in-person voting (including on Voting Day), and a list of such dates and locations provided on the Voter Information Letter will be advertised by the Town in early Fall. Electors will be reminded to bring their Voter Information Letter with them to the Voter Assistance Centre. If a person does not have a Voter Information Letter and plans to attend a Voter Assistance Centre to vote, they are asked to also bring an acceptable form of identification in order to be issued their voting PIN. Electors who do not have a Voter Information Letter or those who add themselves to the Voters' List at the Voter Assistance Centre are still permitted to vote if their identity can be verified to the satisfaction of an election official.

9.6 Identification

Electors who receive a Voter Information Letter in the mail are deemed to be rightfully on the Voters' List, and can proceed with voting by internet or telephone provided that they can produce the necessary credentials to do so (e.g., PIN and date of birth), thereby allowing the system to verify their identity. Persons who receive a Voter Information Letter at their address for another elector may not utilize the letter to vote, as to do so would constitute an act of fraud.

Individuals who are not on the Voters' List will be required to present an acceptable form of identification prior to being added. Individuals who are unable to produce an acceptable form of identity will be required to complete an application and sign a declaration to confirm and swear their identity, qualifying address, and eligibility.

Persons should be aware that to fraudulently swear a declaration of eligibility or falsify information related to voter eligibility constitutes an offense under Section 89 of the MEA. A person who commits such an act is subject to legal ramifications, and the imposition of any or all penalties identified within the Act.

9.7 Proxy Voting

Given the forms of remote voting available to electors during an 8-day voting period, and the provisions for voter assistance, Proxy Voting is not permitted in Town of Ajax municipal elections.

9.8 Assistance to Vote

Electors are entitled to receive assistance with casting their ballot, whether doing so remotely using the internet or telephone, or in-person at a Voter Assistance Centre. If an Elector attends a Voter Assistance Centre, they may receive assistance from an Election Official or from a designated "friend" that they have brought with them. A "friend" can be any individual except a candidate or scrutineer. The "friend" must first take an Oath of Secrecy before assisting the Elector in casting their ballot. All Election Officials assisting

Electors at a Voter Assistance Centre are also required to take an Oath of Secrecy before assisting electors.

If an Elector is voting remotely using the internet or telephone voting system with the assistance of a "friend", the "friend" is not required to complete or submit an Oath of Secrecy. In such cases, "friends" are reminded that they must not influence the choices of the Elector, they must record the Elector's ballot choices faithfully, and they must maintain the secrecy of the Elector's ballot. Candidates and scrutineers cannot act as "friends" to assist with casting remote ballots and are reminded that they are prohibited from influencing how an elector votes when an elector is in the act of casting their ballot. Candidates and/or campaign representatives should not under any circumstances assist electors in completing on-line or telephone ballots.

An elector must make their own arrangements for the provision of an interpreter if one is required. Candidates and/or scrutineers are not permitted to serve as an interpreter for an elector. If an elector requires assistance for any reason other than language, an Election Official is permitted to provide such assistance.

9.9 Voting Methods, Processes, Places, and Dates

The voting period during which eligible electors may vote using the internet or telephone will be open from October 15 at 10:00 a.m. until October 22 at 8:00 p.m. On October 22, Voter Assistance Centres will be available throughout the Town where electors can vote by internet in-person using publically provided computers. Additional Voter Assistance Centres will be provided between October 18 and 20. **Paper ballots will not be available to electors at any Voter Assistance Centre or elsewhere.** Details pertaining to the Voter Assistance Centre locations and times will be made available to candidates and electors as soon as they are determined.

10.0 FINANCIAL RESPONSIBILITIES

10.1 General

The following section provides an overview of the various financial responsibilities of a candidate, however, as noted earlier, all candidates are urged to refer directly to the *Municipal Elections Act, 1996* (www.e-laws.gov.on.ca) in order to fully determine the legislative requirements regarding their financial responsibilities. The onus of responsibility is on candidates to satisfy themselves, through their own determination, or with professional assistance, of the various legal and financial requirements relating to their candidacy. The Town Clerk and/or Election Staff may assist by pointing candidates to pertinent provisions within the *MEA*, but are not obliged to interpret the provisions of the *MEA* regarding these matters.

10.2 Contributions

Pursuant to Section 88.15 (1) of the *MEA*, money, goods or services given to a candidate for use in their campaign, including money, goods and services that the candidate gives themselves. Contributions include:

- 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.

10.3 Goods & Services Deemed not to be Contributions

The following are deemed **not** to be contributions:

- 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.
- For a person referred to in subsection (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.

10.4 Timing of Contributions

Contributions can be solicited by or accepted on behalf of a person seeking local municipal office, if that person has been duly nominated as a candidate. Contributions may only be accepted during a candidate's campaign period (in the event of a campaign that was not extended this occurs from the time with which the nomination is filed up until December 31, 2018). Any contributions received outside the campaign period that cannot be returned to the contributor including any anonymous contributions must be turned over to the Town Clerk. Candidates must make reasonable efforts to satisfy themselves that a contributor is entitled to make contributions.

10.5 Eligible Contributors

Pursuant to Section 88.8 (3) of the *MEA*, only the following may make contributions to candidates:

- An individual who is normally a resident in Ontario
- A candidate and their spouse (subject to Section 88.8 (5) of the *MEA*, if not normally a resident in Ontario, a candidate and their spouse may make contributions only to the candidate's election campaign)

Corporations that carry on business in Ontario and trade unions that hold bargaining rights for employees in Ontario are no longer eligible campaign contributors and are not permitted to make campaign contributions to municipal candidates under the *MEA*.

10.6 Contribution Limits

Pursuant to Section 88.9 (1) of the *MEA*, a contributor shall not make contributions exceeding a total of **\$1,200** to any one candidate in an election. This limit is never to be exceeded regardless of the number of offices a candidate may have been nominated for during an election period. In addition to this, a contributor shall not make contributions exceeding a total of **\$5,000** to multiple candidates for office on the same council or local board. It is also important to note that cash contributions over \$25 are not to be accepted by or on behalf of a candidate – any contribution that exceeds \$25 shall be contributed in a manner that associates the contributor's name and account with the payment or by a money order signed by the contributor (see section 88.8 (8) of the *MEA*).

10.7 Contributions by a Candidate to their Own Campaign

Contributions by a candidate for an office on a municipal council and/or their spouse are subject to the limit specified in Section 88.9.1 of the *MEA*. **There are no self-contribution limits for school board trustee candidates.** The limit for contributions by a candidate for municipal council or their spouse to their own campaign is calculated based on the number of electors for the particular municipal race, similar to the candidate's expense limit. The Town Clerk will provide each candidate with a preliminary estimate of their self-contribution limit and a final self-contribution limit at the same time as they are provided with their preliminary and final campaign expense limits, respectively. Candidate self-contribution limits are calculated in the following manner:

- The lesser of:
 - for head of council (mayor):
 - \$7,500 plus \$0.20 per eligible elector; or
 - \$25,000
 - for any other council seat:
 - \$5,000 plus \$0.20 per eligible elector; or
 - \$25,000

The preliminary self-contribution limits are as follows:

Office	Self-Contribution Limit
Mayor	\$ 22,392.80
Regional Councillor, Ward 1	\$ 10,637.60
Regional Councillor, Ward 2	\$ 8,714.20
Regional Councillor, Ward 3	\$ 10,541.00
Local Councillor, Ward 1	\$ 10,637.60
Local Councillor, Ward 2	\$ 8,714.20
Local Councillor, Ward 3	\$ 10,541.00
Regional Chair, Region of Durham	*contact Region of Durham for this info.

Pursuant to Section 88.31 (4) of the *MEA*, if a candidate has a surplus and they and/or their spouse have contributed to their own campaign, the candidate may, after the election campaign period ends but before filing the financial statement or supplementary financial statement, refund to himself or herself, or to their spouse, an amount that does not exceed the lesser of their own contributions or the surplus. The remaining surplus following any such refunds and/or any appropriate expenditures with respect to campaign extensions becomes the property of the Town.

It is important that candidates fully reference the relevant sections of the *MEA*. Although this guide provides a summary of some relevant provisions, it does not account for all of the financial responsibilities associated with candidacy.

10.8 Ineligible Contributors

Pursuant to Section 88.8 (4) of the *MEA*, the following shall **not** contribute to a campaign:

- A federal political party registered under the *Canada Elections Act* or any federal constituency association or registered candidate in a federal election
- 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

10.9 Contribution Refunds

Where the candidate learns a contribution has been made or accepted in contravention to any provision of the Act, the candidate must immediately return the contribution. If this is not possible, any such contribution should be paid to the Town Clerk. The following are examples of a contribution which must be returned or paid to the Town Clerk:

- Issued/received outside a candidate's campaign period
- Issued/received from anonymous sources (except for cash donations less than \$25)
- Issued/received from ineligible sources (e.g. individuals not residents of Ontario)
- Issued/received in excess of the \$1,200 per contributor limit
- Issued/received a cash contribution in excess of \$25
- Issued/received from funds not belonging to the contributor

10.10 Contribution Disclosure

Notice of all contributions received by the candidate must be submitted to the Town Clerk upon completion of their campaign period, in the prescribed form and manner, as a part of their financial statement.

10.11 Frequently Asked Questions Regarding Campaign Contributions

How can contributions of cash be made?

Cash contributions may only be accepted up to \$25.

What is the definition of contributions of goods and services?

All contributions of goods or services the candidate receives are considered contributions and should be supported by an invoice from the contributor of the good or service. The contribution must be recorded just as if it were money. If part of the agreed upon fee for the purchase of a good or service is considered by a supplier to be a contribution, the supplier should render an account for the total amount and indicate on the statement of account the amount which they consider a contribution. If a supplier charges the candidate less than the market value for the purchase of a good or service, the difference between the amount charged and the market value is a contribution. If suppliers of goods or services are not paid or have agreed not to accept payment, such non-payment will constitute a contribution of a good or service and must be receipted as such.

Who can accept campaign contributions?

Only the candidate and those persons authorized by the candidate can accept campaign contributions. Contributions can only be accepted during the campaign period and only from a person or entity entitled to make a contribution.

How are anonymous contributions handled?

An anonymous contribution cannot be accepted. The only exception to this rule is a donation received at a fund-raising function held on behalf of a candidate (e.g. "pass-the-hat" donations). Each of these donations must be \$25 or less. However, the total revenue from any such donation source must be reported as part of the candidate's financial statement. Any anonymous contribution received that cannot be returned must be paid to the Town Clerk.

10.12 Fundraising

Fundraising activities are to only be held for a candidate and must occur within their campaign period. The *MEA* defines a fund-raising function as "an event or activity held by or on behalf of a candidate for the purpose of raising funds for their election campaign". An account of all revenues and expenses generated from each fundraising function must be included in a candidate's financial statement. The price of admission to a fundraising function and/or any amount paid for a good or service (offered for sale in excess of fair market value) is to be considered and treated as a campaign contribution. Section 88.19 (4) provides that a fundraising function does not include costs related to:

- Events or activities that are organized for the purpose of promoting public awareness of a candidate and at which the soliciting of contributions is incidental
- Promotional materials in which the soliciting of contributions is incidental

10.13 Campaign Contribution Rebate Program

Electors qualified to vote in the 2018 Municipal Election are eligible for a campaign contribution rebate issued by the Town of Ajax. Although individuals pursuant to Section 88.8 (3) of the *MEA* are able to contribute to a campaign, only qualified electors appearing on the voters' list as of the end of voting day are eligible to receive a rebate, provided that the contribution and related application complies with all of the rules and requirements established in the Town's Rebate Program Bylaw. Rebates are paid to contributors with the exception of any candidate, any candidate's spouse, and/or any candidate's children. Only monetary contributions will be rebated, the value of goods and services are not eligible. Where a rebate application has been received by the Town,

rebates will be issued within 90 days of the submission of a candidate's financial statement, providing there is no contravention of the *MEA* by either the contributor or candidate. If the candidate extends their campaign, any associated rebates will be deferred until such time as the final financial statement is issued and the review period has ended.

Rebates can be received for multiple contributions made to more than one candidate but the total of all rebates cannot be more than the allowable maximum. For the 2018 Municipal Election, the maximum combined total rebates that a qualified elector may receive with respect to their contribution(s) is \$225. Monetary contributions made during a candidate's campaign period are eligible for a rebate. Rebates are calculated using the following formula:

- A minimum contribution of \$20 is required to be eligible for a rebate.
- The rebate shall be 75% of the contribution, up to a maximum rebate of \$225 for any one contributor.

Participation in the Town's rebate program by candidates and contributors is optional. Participating candidates will be issued three-part forms by the Town Clerk to be used for the rebate program. Candidates are responsible for the proper completion and submission of rebate forms to the Town. If information regarding the contributor is missing or inaccurate or if the contributor is not identified on the Voters' List as of the end of voting day, a rebate will not be issued.

10.14 Expenses

Any costs incurred for goods or services by or on behalf of a person wholly or partly for use in their election campaign are considered expenses (Section 88.19 of the *MEA* can be referenced for further information). Most expenses are subject to a maximum campaign expense limit, however under Section 88.20 (8) of the *MEA* the following expenses are exempt from counting towards a candidate's expense limit:

- Audit and accounting fees
- 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 recount or a proceeding under Section 83 of the *MEA* (controverted elections)
- Expenses relating to a compliance audit
- Expenses that are incurred by a candidate with a disability directly related to the disability and that would not have been incurred but for the election to which the expenses relate.

10.15 Maximum Campaign Expense Limits

The spending limit for a candidate's campaign is calculated based on the number of electors who are eligible to vote for that office. The formula to calculate the limit is:

- For head of council: \$7,500 plus \$0.85 per eligible elector
- For all other council members or school board trustees: \$5,000 plus \$0.85 per eligible elector

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Upon the filing of a nomination, each candidate will be given an estimate of their campaign expense limit. This estimate will be based on the number of electors in the last election. On September 24, 2018, following distribution of the interim list of changes to the voters' list, each candidate will be issued a final expense limit which is based on the number of electors on the voters' list for the current election.

If the expense limit estimate received by the candidate upon filing of their nomination is higher than the final spending limit received in September, then the estimate becomes the official spending limit.

The preliminary expense limits are as follows:

Office	Expense Limit
Mayor	\$ 70,794.40
Regional Councillor, Ward 1	\$ 28,959.80
Regional Councillor, Ward 2	\$ 20,785.35
Regional Councillor, Ward 3	\$ 28,549.25
Local Councillor, Ward 1	\$ 28,959.80
Local Councillor, Ward 2	\$ 20,785.35
Local Councillor, Ward 3	\$ 28,549.25
Regional Chair, Region of Durham	*contact Region of Durham for this info.
Durham District School Board Trustee (Wards 1 & 2)	\$ 35,220.90
Durham District School Board Trustee (Ward 3)	\$ 23,893.80
Durham Catholic District School Board Trustees	\$ 18,297.40
Trustee for Conseil scolaire Viamonde	*contact City of Oshawa for this info.
Trustee for Conseil scolaire catholique MonAvenir	*contact City of Oshawa for this info.

10.16 Expense Limits for Parties and other Expressions of Appreciation after Voting Day

Expenses incurred after voting day related to parties and other expressions of appreciation for a candidate's campaign volunteers and workers are permitted under the *MEA*, but are subject to a maximum limit of 10% of the candidate's expense limit.

The preliminary expense limits for parties and expressions of appreciation are as follows:

Office	Parties & gifts of appreciation Expense Limit
Mayor	\$ 7,079.44
Regional Councillor, Ward 1	\$ 2,895.98
Regional Councillor, Ward 2	\$ 2,078.54

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Office	Parties & gifts of appreciation Expense Limit
Regional Councillor, Ward 3	\$ 2,854.93
Local Councillor, Ward 1	\$ 2,895.98
Local Councillor, Ward 2	\$ 2,078.54
Local Councillor, Ward 3	\$ 2,854.93
Regional Chair, Region of Durham	*contact Region of Durham for this info.
Durham District School Board Trustee (Wards 1 & 2)	\$ 3,522.09
Durham District School Board Trustee (Ward 3)	\$ 2,389.38
Durham Catholic District School Board Trustee	\$ 1,829.74
Trustee for Conseil scolaire Viamonde	*contact City of Oshawa for this info.
Trustee for Conseil scolaire catholique MonAvenir	*contact City of Oshawa for this info.

10.17 Campaign Inventory

Campaign expenses include the value of any goods held in inventory by a candidate from a previous campaign for use in the 2018 Municipal Election campaign period (Section 88.19 of the *MEA* can be referenced for further information). The inventory of reusable campaign materials remaining on hand at the end of a campaign becomes the property of the candidate and must be valued and reported as closing inventory on their financial statement.

10.18 Extension of Campaign Period

The 2018 Municipal Election campaign period ends on December 31, 2018. Pursuant to Section 88.24(1)4. of the *MEA*, if a candidate decides to extend their campaign for the purposes of paying down a deficit, they must notify the Town Clerk using the prescribed form by 4:30 p.m. on December 31, 2018. If the notice of campaign extension is received by this time, a candidate's campaign may be extended for a period up to an additional six months (ending no later than June 30, 2019). The candidate's campaign period is deemed to have run continuously from the date of the filing of nomination until the end date specified in section 88.24(1) of the *MEA*.

It is important to fully reference Section 88.24(1)4. of the MEA, as there are various conditions not identified in the above section which may be applicable to a candidate's campaign period and/or their submission deadline.

10.19 Financial Statements and Disclosure

It is the responsibility of the candidate to file a complete and accurate financial statement **in person at Town Hall** by the deadline applicable to their respective campaign. All nominated candidates for the 2018 Municipal Election (including those who have withdrawn or were not elected) must disclose their contributions and expenses, using the prescribed form, no later than 2:00 p.m. on March 29, 2019.

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The prescribed form for use in the submission of a candidate's financial statement will be made available to all candidates by the Town Clerk. An auditor's report shall accompany a candidate's financial statement and be prepared by an auditor licensed under the *Public Accounting Act, 2004*, if required. No auditor's report is required if the total contributions received and total expenses incurred in a candidate's election campaign, up to the end of the relevant period, are each equal to or less than \$10,000.

At least 30 days prior to the filing date, the Town Clerk will give notice to every candidate of the date in which they are required to file as well as with respect to any penalties that may be associated with non-compliance.

Candidate's financial statements (and auditor's report, if applicable) are deemed to be public documents and will be posted to the Town's website in their entirety. The documents will be available to the public until the new council or school board takes office following the next regular election.

In the event of a campaign that was extended to June 30, 2019 pursuant to Section 88.24(1)4. of the *MEA*, the financial statement must be submitted no later than 2:00 p.m. on September 27, 2019.

If an extension to a filing deadline is required, it must be sought from the court prior to the regular or supplementary filing deadline (whichever is applicable). The court cannot extend the filing deadline by more than 90 days. If the financial statement is not filed by the deadline and no extension through the courts has been sought and obtained, the penalties (i.e. removal from office) are to take effect immediately (Section 88.23 of the *MEA* can be referenced for further information related to penalties associated with failure to meet financial filing requirements).

If a candidate notifies the Clerk of an extension to their campaign, they are still required to submit a financial statement by March 29, 2019 to account for all expenses related to their campaign period up to December 31, 2018. Additionally, they must also file a supplementary financial statement by September 27, 2019 accounting for all expenses related to their campaign period up to June 30, 2019. The supplementary statement is to cover the entire campaign period, updated to reflect changes to the candidate's election campaign finances during the extended campaign period.

10.20 Campaign Surplus and Deficits

Pursuant to Section 88.31 of the *MEA*, a candidate has a surplus if total credits exceed the total debits, and a deficit if the reverse is true. If a candidate's financial statement or supplementary financial statement shows a surplus and the election campaign period has ended at the time the statement is filed, they shall pay the surplus to the Town Clerk in trust (reduced by the amount of any refund owed – see below).

A candidate who has a surplus and has made a contribution to their campaign and/or their spouse has made a contribution, may, after the election campaign period ends but before filing the financial statement or supplementary financial statement, refund to themselves or their spouse an amount that does not exceed the lesser of the relevant contribution(s) and the surplus.

If a candidate's campaign reconvenes due to reasons provided for by various sections in the *MEA* (ie. recount, compliance audit, controverted election), the amount held in trust

by the Town Clerk shall be paid to the candidate with interest. However, when a campaign has ended and it is no longer possible to recommence the campaign period due to a recount, compliance audit or controverted election, the surplus becomes the property of the municipality.

10.21 Record Keeping/Accounting System

Consulting with an auditor (specifically one with experience in campaign financing) on an election campaign accounting system is advisable. This will ensure that a candidate's record keeping and accounting procedures are followed in a satisfactory manner, allowing any necessary audits to be carried out at minimal cost. The auditor is required to examine and to report as to whether the financial statement presents fairly the information contained in the accounting records on which the financial statement is based. Further information regarding campaign accounting requirements can be found in the *MEA*.

10.22 Compliance Audits

As per Section 88.37 of the *MEA*, a Compliance Audit Committee will be constituted for the purpose of addressing applications requesting an audit of a candidate's financial statement, and to review a report prepared by the Town Clerk identifying any suspected instances of over-contributions by campaign contributors. The Committee's term will be equal to that of the elected Council. A Terms of Reference will be established by the Town Clerk. The central role of the Committee will be to review applications and grant or reject audit requests, and to receive and review the aforementioned Clerk's report on over-contributions. Where an audit request is approved by the Committee, the Committee will appoint an auditor to review the final statement, and the Committee will decide whether legal proceedings shall be commenced based on the findings of the auditor.

This information is provided in respect to the Town's Compliance Audit Committee for offices on Municipal Council. School Boards are also required to establish a Compliance Audit Committee in regard to Trustee candidates, which are subject to some but not all of the provisions outlined above. Please refer to applicable legislation for more information.

10.23 Notice of Penalties

Pursuant to Section 33.1 of the *MEA*, the Town Clerk must provide notice of the penalties under the *MEA* to all candidates prior to voting day. The following excerpts are to be considered as the provision of notice pursuant to the Act.

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;

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- (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 they were 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.

92 (1) A candidate is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this 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; or
- (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. 2016, c. 15, s. 68 (1).

11.0 ACCESSIBILITY

11.1 Accessibility Provisions within the Municipal Elections Act

Pursuant to Section 12.1 of the *MEA*, the Town Clerk shall have regard to the needs of electors and candidates with disabilities. 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. As mandated by Section 45(2) of the *MEA*, all voting places must be accessible to electors with disabilities. Within 90 days after voting day, the Town Clerk shall submit a report to Council about the identification, removal and prevention of barriers that affect electors and candidates with disabilities.

11.2 Accessible Voting Methods

The provision of internet and telephone voting options greatly enhances the accessibility of Ajax elections. With the procured internet and telephone voting system, each screen in the voting process has been designed using basic language, simple graphics, and high contrast; additionally, the program is compatible with screen-reading technology

and other assistive devices. Electronic voting also enables persons with mobility challenges or other disabilities to vote from the comfort of their home where accessible assistive devices may already be set up, eliminating the need for travel. Further accessibility considerations are documented in the Accessible Ajax 2018 Municipal Election Accessibility Plan.

11.3 Accessibility Resources for Candidates

Candidates must also have regard to the needs of electors with disabilities. Campaign offices, election materials and canvassing should all be reviewed in order ensure that they are accessible to all electors, including those with disabilities.

The Town of Ajax also has numerous materials to educate town staff, local businesses and the general public about accessibility. For more information on the provision of service to persons with disabilities, please visit:

<http://www.ajax.ca/en/livinginajax/accessibleajax.asp>