

Oakville votes

2018 Municipal Election

Candidate Guide



Ward 1: North by Dundas Street, East by Bronte Road and Third Line, South by Lake Ontario, West by Burloak Drive

Ward 2: North by Upper Middle Road West, East by Sixteen Mile Creek, South by Lake Ontario, West by Third Line and Taplow Creek

Ward 3: North by the QEW, East by Winston Churchill Boulevard, South by Lake Ontario, West by Sixteen Mile Creek

Ward 4: North by Dundas Street, East by Sixteen Mile Creek and Taplow Creek, South by the QEW, West by Bronte Road

Ward 5: North by Dundas Street, East by Trafalgar Road, South by the QEW, West by Sixteen Mile Creek

Ward 6: North by the northern boundary of the Town, East by the eastern boundary of the Town, South by the QEW, West by Trafalgar Road and Eighth Line

Ward 7: North by the northern boundary of the Town, East by Eighth Line, South by Dundas Street, West by Tremaine Road

For a full description of the ward boundaries refer to By-law 2016-109.

TABLE OF CONTENTS

Introduction

Clerks Department Election Team..... 1
Introduction 1
Schedule of Dates.....2

Council Roles

Municipal Offices to be Elected 7
Council Responsibilities 8
Council and Standing Committee Meetings 9
Remuneration 9

Nomination Process

Time for filing..... 11
Filing Fee 11
Nomination Paper 11
Endorsements 12
Withdrawal of Nominations 12
Certification of Nominations 12
Qualifications 13

Campaigning

Campaign Period 15
Scrutineers 18
Media Advertising.....20
Telecommunications..... 20
Election Signs 21
Prohibition of Campaigning in Voting Places on Voting and Advance Voting Days 21
Candidate Access to premises 22

INTRODUCTION

Voter Qualifications

Voting Day	23
Elector Qualifications	23
Elector Prohibitions	23
Residence	23
Voter notification.....	24
Voting places.....	25
Voters' list.....	25
Languages/assistance to vote.....	26
Proxy voting	27
How to Mark the Ballot	27
Identification at the voting location	28
Advance voting	28

Further Information

Purchase of Materials for Election Purposes	29
Publications.....	29
Contacts.....	30

Appendices

- Appendix 1 – Contribution Rebate Program (By-law 2017-063)
- Appendix 2 – Candidate Request for Information
- Appendix 3 – Use of Corporate Resources during a Municipal Election Procedure
- Appendix 4 – By-law 2018-047 (Election Signs)
- Appendix 5 – Notice of Penalties

CLERKS DEPARTMENT ELECTION TEAM

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This guide has been prepared by the Town of Oakville Clerk's department as a supplement to the 2018 Candidates' guide for Ontario municipal council and school board elections, published by the Province of Ontario. The Province's guide provides information relating to the electoral process as well as information for candidates and voters. This guide provides additional information that is pertinent to candidates running for office in the 2018 municipal election. The guide also reflects amendments made to the *Municipal Elections Act, 1996*, as amended, herein referred to as the *Act*.

It is important to note that the contents of this document are intended to be used as a guide only and may not recite all applicable statutory references.

Prospective candidates must satisfy themselves through their own determination that they have complied with election financing regulations and that they are not disqualified by law to seek elected office.

For further assistance on any of the information contained in this guide, please call 905-815-6015. Alternatively, you may attend the Clerk's department, Town Hall, 1225 Trafalgar Road, and speak to a member of the election team.

SCHEDULE OF DATES

<p>March 2018</p>	<p>Voterlookup.ca Owned and managed by the Municipal Property Assessment Corporation (MPAC), Voterlookup.ca is an easy way for electors to confirm they are on the list to vote for the upcoming municipal and school board elections and make updates if required.</p> <p>To login, residents need their property address or assessment roll number, full name, and date of birth.</p>
<p>Tuesday, May 1, 2018 to Friday, July 27, 2018</p>	<p>Nomination Period Nominations may be filed by candidates prior to nomination day, at any time when the Clerk's department is open (Monday to Friday, 8:30 a.m. to 4:30 p.m.). <i>Nomination day is July 27, 2018</i> (9:00 a.m. to 2:00 p.m.).</p>
<p>Tuesday, May 1, 2018 to Monday, December 31, 2018</p>	<p>Campaign Period The campaign period begins when a candidate files a nomination paper, and ends on December 31, 2018, or the date in which the candidate files their financial statement (candidates may choose to file any time after voting day, in accordance with s.88.24).</p> <p>Alternate time periods are imposed if the candidate withdraws the nomination, the Clerk rejects the nomination, or the candidate is continuing his or her campaign to erase a deficit.</p>
<p>Friday, July 27, 2018 9:00 a.m. – 2:00 p.m.</p>	<p>Nomination Day Last day for filing nominations, unless Section 33(5) applies, is July 27, 2018. Nominations may be filed only between the hours of 9:00 a.m. to 2:00 p.m. on July 27, 2018.</p>
<p>Friday, July 27, 2018</p>	<p>Withdrawal of Nomination Papers Nominations may be withdrawn by the candidate, or his/her agent, by filing the withdrawal <i>in writing</i> with the Clerk before 2:00 p.m. If the withdrawal is filed by the agent, then written authorization must be provided by the candidate.</p>
<p>Monday, July 30, 2018</p>	<p>Certification of Nomination Papers The Clerk shall certify validly filed nomination papers before 4:00 p.m. Candidates will be contacted to reconfirm the information in their nomination papers prior to this date.</p>

INTRODUCTION

<p>Monday, July 30, 2018</p>	<p>Acclamation The Clerk shall immediately after 4:00 p.m. declare any acclaimed eligible candidate(s) to be duly elected.</p>
<p>August 2018</p>	<p>Candidate Information Session An information session will be held for candidates to provide an overview of election sign requirements, rules, regulations and procedures relating to voting locations, scrutineers and election results. A question & answer period will follow. Live streaming of this session will be made available.</p> <p>Date to be provided to all registered candidates.</p>
<p>Tuesday, September 4, 2018</p>	<p>Voters' list The Town Clerk shall make the list of voters available for election purposes only. In order to protect personal information, public viewing of the voters' list must be supervised.</p> <p>Upon written request from a candidate, the Town Clerk shall provide a copy of the part of the voters' list that contains the names of the electors who are entitled to vote for that office.</p>
<p>Tuesday, September 4, 2018 after 4pm to Monday, October 22, 2018</p>	<p>Proxy Vote Certificates Electors appointed as voting proxies must apply for their proxy voting certificates in the Clerk's department during normal hours of operation. On each day of an advance vote, the Clerk's Department shall be open from 12:00 noon to 5:00 p.m. for the purpose of issuing proxy voting certificates.</p>
<p>Tuesday, September 4, 2018 to Monday, October 22, 2018</p>	<p>Revision Period - Application to Remove, Add, or Amend Elector's Own Name An individual may make a written application to the Clerk to remove, add, or amend an elector's name on the voters' list. Eligible electors whose names are not on the voters' list or whose names were shown incorrectly on the list may be added or have the information amended by filing an application with the Clerk's department, or at the voting place on voting day. All changes require ID from applicant.</p>
<p>Friday, September 7, 2018</p>	<p>Election signs Election signs must not be erected sooner than 45 days prior to voting day. A sign deposit must be paid prior to erecting any signs.</p>

INTRODUCTION

<p>On or before Tuesday, September 25, 2018</p>	<p>Certificate of Maximum Campaign Spending Limits and Penalties The Clerk shall issue the certificate of maximum campaign spending limits to all certified candidates along with a copy of penalties.</p>
<p>October 2018</p>	<p>Advance Voting Days Electors may vote at any advance voting location on the dates and times as determined by the Clerk. All advance voting locations and details will be listed on the town website no later than September 2018. All locations will be physically accessible.</p>
<p>Monday, October 22, 2018</p>	<p>VOTING DAY Voting places will be open from 10:00 a.m. to 8:00 p.m.</p>
<p>Thursday, October 25, 2018</p>	<p>Official Results The Town Clerk shall declare the candidate who received the highest number of votes for each office to be elected.</p>
<p>November 2018</p>	<p>Orientation for Councillors Elect Orientation for the Councillors Elect date(s) to be determined. Notification to be provided after the election.</p>
<p>Monday, December 3, 2018</p>	<p>Inaugural meeting of Council - Term of Office Commences The elected member shall take the declaration of office prior to taking his or her seat.</p>
<p>Monday, December 31, 2018</p>	<p>End of Campaign Period Candidates may not raise funds or incur expenditures beyond this day, unless the candidate is continuing his or her campaign to address a deficit and has filed the appropriate documentation to do so. See below.</p>
<p>Monday, December 31, 2018</p>	<p>Notice to extend campaign period Candidates incurring a campaign deficit may extend their campaign period by submitting the legislated form to the Clerk's department no later than 4:30 p.m. on Monday, December 31, 2018.</p>

INTRODUCTION

Thursday, March 28, 2019	Extension of Campaign (Ontario Court of Justice) This is the last day, before 2 p.m., for a candidate to file with the Ontario Court of Justice to extend the time to file. Court may grant no more than 90 days.
Friday March 29, 2019 2:00 p.m.	Deadline for Filing of Financial Statements All candidates must file their financial statements by 2 p.m. even if the nomination was withdrawn or the campaign period extended.
April 2019	Nomination Fee Refund Nomination fee will be refunded to all candidates that filed a financial statement with the legislated time period.
Thursday, June 27, 2019	Rebate Program All applications for rebate (contributor copy 'white copy' of rebate receipt) must be submitted to the Town Clerk no later than 4:30 p.m. June 27, 2019, unless the receipt is from the candidate's extended campaign period.
Thursday, June 27, 2019	Compliance Audit Deadline Application deadline to file a compliance audit on financial statements filed on or before March 29, 2019.

MUNICIPAL OFFICES TO BE ELECTED

On Monday, October 22, 2018, eligible voters in the Town of Oakville will elect candidates to the following municipal and school board offices:

Mayor of the Town of Oakville

One (1) to be elected at large.

Councillor for the Town of Oakville

Seven (7) to be elected, one in each ward.

Councillor, Town of Oakville and Halton Region

Seven (7) to be elected, one in each ward.

Member (Trustee) of Halton District School Board

Four (4) to be elected in total. One for Wards 1 & 2 combined, one for Ward 3 & 6, one for Ward 4, and one for Wards 5 & 7 combined.

Member (Trustee) of Halton Catholic District School Board

Three (3) to be elected at large.

Member (Trustee) of Conseil scolaire Viamonde - French Public School Board

One (1) to be elected by all voters within the geographic area of the Regional Municipality of Hamilton-Wentworth, Regional Municipality of Halton, County of Brant.

(Nomination papers to be filed with the City of Hamilton)

Member (Trustee) of Conseil scolaire catholique MonAvenir - French Catholic School Board

One (1) to be elected by all voters within the Region of Halton geographic area.

Chair of the Region of Halton

One (1) to be elected by all voters of the Municipalities of the Region of Halton, being Oakville, Burlington, Milton, and Halton Hills. *(Nomination papers to be filed with the Region of Halton)*

Highlights

Term of council starts
December 3, 2018

Remuneration rates are fully
taxable and may be subject to
revision prior to December 1,
2018.

COUNCIL ROLES

The *Municipal Act, 2001*, Part VI – Practices and Procedures Section 224 and 225 states as follows:

Section 224, It is the role of council:

- to represent the public and to consider the well-being and interests of the municipality;
- to develop and evaluate the policies and programs of the municipality;
- to determine which services the municipality provides;
- to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- to maintain the financial integrity of the municipality; and
- to carry out the duties of council under this or any other Act.

Section 225, It is the role of the head of council:

- to act as chief executive officer of the municipality;
- to preside over council meetings so that its business can be carried out efficiently and effectively;
- to provide leadership to the council;
- without limiting above clause, to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1);
- to represent the municipality at official functions; and
- to carry out the duties of the head of council under this or any other Act.

COUNCIL RESPONSIBILITIES

Town of Oakville Council	Region of Halton Council
<ul style="list-style-type: none">• Local planning and zoning• Local storm sewers• Local roads, streets and sidewalks• Local transit services• Libraries• Local museums• Fire protection• Local parks and recreation services• Collection of taxes	<ul style="list-style-type: none">• Region planning• Water & Waste water• Solid waste• Regional roads and storm sewers• Police services & Emergency planning• Social & Public Health services• Debt financing• Regional Museum• Tourism promotion

COUNCIL AND STANDING COMMITTEE MEETINGS

The Town of Oakville typically holds Council and Standing Committee meetings during evening hours. The 2018 Council and Committee meeting schedule can be found on the Town website at oakville.ca. These meeting dates may be changed by council resolution.

REMUNERATION

Current remuneration rates for elected officials as of January 1, 2018, excluding benefits, are:

Mayor	\$ 127,920
Region of Halton and Town Councillor	\$ 49,775 + 51,152 respectively
Town of Oakville Councillor	\$ 51,152
Regional Chair	\$ 183,148
School Board Trustees	Honorariums are based on a formula in the <i>Education Act</i> and differ based on the size of the school board. For honorarium amounts please contact the applicable school board.

The above remuneration rates are fully taxable.

All rates may be subject to revision prior to December 1, 2018.

TIME FOR FILING

Nominations for the 2018 municipal election may be filed in the Town of Oakville Clerk's department, 1225 Trafalgar Road on or after May 1, 2018 during normal office hours (8:30 a.m. to 4:30 p.m.). The last day nominations will be accepted is nomination day, July 27, 2018 (nominations only accepted this day between the hours of 9 a.m. and 2 p.m.).

An individual must be qualified as a candidate at the time of filing the nomination.

FILING FEE

Each nomination paper filed must be accompanied by the prescribed filing fee, in the form of cash, debit, credit card, certified cheque, or money order, payable to the Town of Oakville, in the amount of \$200.00 for the office of Mayor, or in the amount of \$100.00 for all other offices. This fee is refunded if the candidate's financial statement and auditor's report are filed on time, or if he/she withdraws their nomination paper within the legislated time frame.

NOMINATION PAPER

The candidate's name should be typed or printed as it is to appear on the ballot, surname (last name) followed by given name (first name). **No** reference to a candidate's occupation, degree, title, honour, or decoration shall appear on the ballot, but a nickname or any other name by which the candidate is commonly known may be used if the Clerk determines it appropriate. Candidates will be required to show government issued, photo identification containing the candidate's full qualifying address within the municipality.

The nomination paper must be signed in front of the Town Clerk or designate, unless submitted by an agent. When a nomination paper is submitted by an agent, a letter of authorization must be provided from the candidate, as well as identification for both the candidate and agent.

The additional Town of Oakville Declaration of Qualification form must be signed by the candidate in front of the Town Clerk or designate prior to nomination day.

New for 2018

**Nomination day is
July 27, 2018**

**Candidate must include 25
endorsements with their
nomination papers**

What is an endorsement?

The nomination of a person for an office on a council must be endorsed by at least 25 persons, and they may endorse more than one nomination. The endorser must be an eligible voter the day the endorsement is made.

ENDORSEMENTS

The nomination of a person for an office on council must be endorsed by at least 25 persons. Persons endorsing a nomination must be eligible to vote in an election for an office within Oakville, on the date in which the endorsement is signed, and may endorse more than one nomination.

The prescribed nomination paper and required declaration of qualification form are available on the Town of Oakville website at elections.oakville.ca or from the Town of Oakville Clerk's department. Photocopies, faxes, or e-mailed versions of a signature on any of the forms required to file a nomination are not acceptable.

Please note: If the candidate has filed an earlier nomination for an office in the same election, the first nomination shall be deemed to have been withdrawn at the time the second nomination is filed. If the person is nominated for more than one office (anywhere in Ontario) and the person's name appears on more than one ballot, and the candidate is elected to any one or more of the offices, the candidate's election is void and the office is vacant. (*Municipal Act, 2001, Section 261*).

WITHDRAWAL OF NOMINATIONS

A person nominated for any office may withdraw his or her nomination by submitting a written withdrawal to the Town Clerk before 2 p.m. on Friday, July 27, 2018. If an agent files a written withdrawal on behalf of a candidate, the candidate must provide the agent with an original signed letter authorizing him/her to file the withdrawal. Financial statements are still required to be filed should a candidate withdraw their nomination.

CERTIFICATION OF NOMINATIONS

Certification of nomination papers will occur by 4 p.m. on **Monday, July 30, 2018**. The Clerk's decision to certify or reject a nomination is final. Once a candidate is certified, his or her name will be placed on the ballot, unless the candidate's name is removed by Court order, death, or ineligibility prior to any ballots being printed. Nomination papers are public documents and are available for inspection in the Town of Oakville Clerk's department.

It is the candidate's responsibility to ensure he or she fulfills all the requirements of the *Act*. If you move or change any information provided upon nomination, or if eligibility changes, changes must be provided in writing to the Clerk's department, in person, with identification.

QUALIFICATIONS

Qualifications for election as a member of council or local board are governed by provisions of the *Municipal Act, 2001*, the *Municipal Elections Act, 1996*, and the *Education Act, R.S.O. 1990*.

Qualified at Time of Nomination

A person must be qualified at the time of filing the nomination as provided in Section 29(1) of the *Act*. A person may be nominated for an office only if, as of the day the person is nominated,

- he or she is qualified to hold that office under the *Act* that creates it; and
- he or she is not ineligible under the *Act* or otherwise prohibited by law to be nominated for or to hold the office.

Notwithstanding the above provision, some persons otherwise disqualified at the time of filing the nomination are entitled to file in accordance with Sections 29(1.1) and (1.2) and 30(1) of the *Act*.

For complete qualifications and disqualifications for a council and school board positions, refer to the Declaration of Qualification form or the appropriate legislation.

CAMPAIGN PERIOD

The candidate's campaign period commences at the time the nomination paper is filed with the Town Clerk, and ends on December 31, 2018 (or the date in which financial statement is filed, which may be any time after voting day).

Candidates must not spend or receive funds for their election campaign until their nomination paper is filed with the Town Clerk.

Financial Responsibilities of Candidates

All candidates, including those not elected, those who withdraw their nomination, or those whose nomination is rejected by the Town Clerk, must disclose and report their contributions and expenses, using the prescribed form, no later than **Friday, March 29, 2019**. It is recommended that you file prior to this date, to enable revisions if required.

Candidates should consult the *2018 Candidates' guide for Ontario municipal council and school board elections*, published by the Province of Ontario, as well as the *Act*, for detailed information relating to financial responsibilities, campaign contributions, campaign expenses, and financial reporting.

Campaign Spending Limits

Please note: campaign spending limits are calculated using the following formulas:

- \$7,500 plus \$0.85 cents per elector for office of Mayor
- \$5,000 plus \$0.85 cents per elector for office of councillor

Things to know:

1. Once you have registered as a candidate, open a separate bank account specifically for the campaign. Do not use your personal bank account for campaign purposes. Open the account prior to accepting any contributions or spending any money other than the payment of the nomination filing fee.

Highlights

- The campaign period commences at the time nomination papers are filed and ends December 31, 2018, or the date in which required financial forms are filed.
- Financial filing form due no later than Friday, March 29, 2019, but may be filed as soon as candidate chooses to do so, following the election.
- Estimated guide of campaign spending limits based on a formula outlined in the *Act*. Finals to be provided to certified candidates in September.

Note: The nomination fee is considered to be a personal expense and not a campaign expense.

2. If required, obtain a line of credit or bank loan (deposited directly into the campaign account) to fund your account, prior to obtaining contributions;
3. Contributions of money by a candidate and his/her spouse or partner are contributions, a receipt must be issued (note: these contributions are not eligible for a rebate), and are subject to maximum limits;
4. Deposit all contributions intact into the campaign account. Contributions that have not been deposited may not be used to pay off debts or to pay for purchases, without being properly documented through your account;
5. Contributions of \$25 or more must be made by cheque/money order, electronic funds transfer, or credit card;
6. Issue receipts for all contributions, upon receipt of the contribution;
7. Pay all expenses by cheque or money order from the campaign account other than the nomination filing fee (do not use your own funds);
8. Consider establishing a petty cash fund for small purchases. Set up petty cash with funds from your campaign account;
9. Keep proper records of contributions and expenses. Records must be kept until after the next regular election; and
10. When closing your campaign account make sure:
 - all bills have been paid;
 - all cheques have cleared the bank;
 - all bank charges have been paid; and
 - if you have a surplus, that you have a certified cheque, bank draft or money order payable to the Town of Oakville.

All financial records are to be kept by the candidate until December 1, 2022.

Maximum contributions to a candidate's own election campaign

In accordance with Section 88.9.1(1) 'A candidate for an office on a council and his or her spouse shall not make contributions to the candidate's own election campaign that, combined, exceed an amount equal to the lesser of,

- (a) the amount calculated by adding,
 - i. in the case of a candidates for the office of head of council of a municipality, \$7,500 plus 20 cents for each elector entitled to vote for the office, or

- ii. in the case of a candidate for an office on a council of a municipality other than the office of head of council, \$5,000 plus 20 cents for each elector entitled to vote for the office; and
- (b) \$25,000.

Campaign spending limits for parties and expressions of appreciation

The spending limit for expenses related to holding parties and other expressions of appreciation after the close of voting is calculated as ten percent of the amount of your general spending limit.

Campaign contribution rebate program

A campaign contribution rebate program, applicable to contributions to candidates for a position on council, was approved by By-law 2017-063 [**Appendix 1**] on September 25, 2017.

For complete details regarding the rebate program, please refer to By-law 2017-063 and the rebate guidelines for the contribution rebate program provided in the candidate nomination package.

Candidate Requests for Information

To better serve those running for office, an election procedure has been established, whereby the Town of Oakville will be compiling a list of Frequently Asked Questions and/or requests for information by candidates (during the election process) that will be easily accessible for public review at elections.oakville.ca. Should you have questions or inquiries about anything related to Town of Oakville services and/or operations, where such information is not addressed on the town website, simply fill out the required form and submit it to the Strategy, Policy, and Communications department [**Appendix 2**].

Use of Corporate Resources during a Municipal Election

The use of corporate resources during an election period shall be in accordance with **Use of Corporate Resources during a Municipal Election Procedure G-ELE-001-001** which contains specific restrictions regarding candidate use of corporate resources during an election. For example, no candidate shall use the corporate logo or any form of corporate resource in any campaign literature, advertising, etc. [**Appendix 3**].

SCRUTINEERS

Appointment

Candidates may appoint scrutineers in writing to represent them at voting places. Scrutineers must be a minimum of 16 years of age. Scrutineers must show their written appointment to election officials upon entering a voting place. Scrutineer appointment forms will be made available to candidates after nomination day.

Only one scrutineer per candidate will be allowed for each voting location. Candidates who enter the voting place as observers are considered to be scrutineers, and their scrutineer must leave the voting place during the period of time the candidate is in attendance. A candidate who has been declared to be elected by acclamation may only enter a voting place to vote and may not be there for any other purpose unless appointed as a scrutineer for another candidate.

Rights

Candidates and scrutineers have the right to:

- be present when materials and documents related to the election are delivered to the Town Clerk at the end of each voting day;
- enter the voting place 15 minutes before it opens and to inspect the vote tabulator stand, the ballots and all other forms and documents relating to the vote (but not so as to delay the timely opening of the voting place);
- place his or her seal (which may not in any way identify the candidate) on the ballot box immediately before the opening of the voting place, so that ballots can be deposited in the box and cannot be withdrawn without breaking the seal;
- place his or her own seal (which may not in any way identify the candidate) on the ballot bag immediately after the close of voting on each day of an advance vote and on voting day, so that ballots cannot be deposited or withdrawn without breaking the seal;
- object to an elector receiving a ballot on the grounds that the issuance of the ballot does not comply with the prescribed rules (objection to be decided by the deputy returning officer); and
- sign the statement of ballots cast of an election, printed at the close of voting.

Prohibitions / Voting place behaviour

The role of candidates and scrutineers in the voting place is to scrutinize the integrity of the process. It is not a communicative role. Candidates and scrutineers must follow certain rules and regulations.

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 (including buttons, pins, and clothing) in a voting place;

Every person who is present in a voting place or at the counting of the votes shall help to maintain the secrecy of voting; and

No person shall:

- a) interfere or attempt to interfere with an elector who is marking a ballot;
- b) obtain or attempt to obtain, at a voting place, information about how an elector intends to vote or has voted; and/or
- c) communicate any information obtained at a voting place about how an elector intends to vote or has voted.

Election staff will monitor the behaviour of candidates and scrutineers in the voting place to ensure appropriate behaviour is maintained.

No photographs shall be taken at a voting location and the use of electronic devices is prohibited.

Should an elector require the assistance of an interpreter, the elector must make his or her own arrangements to provide the interpreter. Candidates and scrutineers will not be permitted to serve as an interpreter for such an elector.

If an elector requires assistance to vote for any reason other than language, the election staff will provide such assistance.

Registered third party advertisers may not be appointed as a scrutineer for a candidate.

MEDIA ADVERTISING

Advertisements are considered an election expense and are subject to maximum expense limits. Candidates may produce pamphlets and media advertisements other than signs once they have registered.

Organizations such as the Canadian Radio-television and Telecommunications Commission have guidelines that broadcasters must follow to ensure that candidates are given equitable treatment with regard to on-air time during a campaign.

The media may not charge more or less than its normal rates for advertising. If less is charged, the difference is deemed to be a contribution. Free radio and TV time is not counted as a contribution if all candidates are offered the same service.

YourTV (formerly TVCogeco)

Cogeco (YourTV, Channel 700) intends to offer airtime at no charge to candidates running for office in the 2018 municipal election, during the four week period before voting day.

YourTV Burlington/Oakville

950 Syscon Road, Burlington, ON L7R 4S6

www.yourtv.tv

Contact: Stu Aker, Manager, Programming and Community Relations
Telephone: 289-337-7028
Email: stuart.aker@cogeco.com

TELECOMMUNICATIONS

Electoral candidates who are not affiliated with a registered political party are exempt from the National 'Do Not Call List' Rules. (*Telecom Regulatory Policy CRTC 2009-200*). Therefore, 'robo calls' are permitted if paid for in accordance with campaign expense regulations.

ELECTION SIGNS

Election signs may **not be posted before** Friday, September 7, 2018. Candidates must submit a \$200 deposit to the Municipal Enforcement Services department prior to posting any signs. Candidates must conform to the rules and regulations found in the town's Sign By-law, as amended, as well as the Use of Corporate Resources during a Municipal Election Procedure G-ELE-001-001 (with regard to not using the Town Crest or other corporate identifiers on election material).

Candidates must ensure that all election campaign signs and other advertising identify that they are responsible for the signs and advertisements they display. This is so that people seeing the sign or advertisement can tell that it is from the candidate's campaign, rather than from a third party advertiser.

The Town of Oakville Sign By-law, as amended, establishes specific regulations with regard to signs on public and private property. Refer to By-law 2018-047 **[Appendix 4]** for information on election signs, as well as the sign information contained in the nomination package. Any questions related to election signs should be directed to the Town's Municipal Enforcement Services department (905-845-6601).

PROHIBITION OF CAMPAIGNING IN VOTING PLACES ON VOTING AND ADVANCE VOTING DAYS

Voting place means that area designated by the Town Clerk where voting occurs. No campaigning shall be conducted in any voting place on any advance voting or voting day. As a minimum, a voting place is deemed to include the entire building and the property on which it is located.

The *Act*, provides that while an elector is in a voting place, no one shall attempt, directly or indirectly, to influence how the elector votes, and that no one shall display a candidate's campaign material or literature in a voting place.

Election officials will remove, or have removed, all campaign material or literature found in a voting place. This material includes campaign buttons, pins, and persons wearing campaign clothing or any other advertising material. Candidates who are providing rides to constituents should ensure that their vehicles do not display election campaign material if they are entering the voting location property.

CANDIDATE ACCESS TO PREMISES

Access to Rented Premises by Candidates or their Authorized Representatives

Excerpt from the *Residential Tenancies Act, 2006*, Section 28, **Entry by canvassers:**

“No landlord shall restrict reasonable access to a residential complex by candidates for election to any office at the federal, provincial or municipal level, or their authorized representatives, if they are seeking access for the purpose of canvassing or distributing election material.”

Access to Condominiums by Candidates or their Authorized Representatives

Excerpt from the *Condominium Act, 1998*, Section 118, **Entry by canvassers:**

“No corporation or employee or agent of a corporation shall restrict reasonable access to the property by candidates, or their authorized representatives, for election to the House of Commons, the Legislative Assembly or an office in a municipal government or school board if access is necessary for the purpose of canvassing or distributing election material.”

Access to Co-operative housing units by Candidates or their Authorized Representatives

Excerpt from the *Co-operative Corporations Act, 1990*, section 171.24, **Entry by canvassers:**

“No non-profit housing co-operative or servant or agent of such a co- operative shall restrict reasonable access to the housing units of the co- operative by candidates, or their authorized representatives, for election to the House of Commons, the Legislative Assembly, any office in a municipal government or a school board for the purpose of canvassing or distributing election material.”

Despite these legislative provisions, candidates may experience difficulty in gaining access to certain premises. If this occurs, candidates should contact the owner of the rental building or the board of directors of the condominium or the housing co-operative representative.

Please note: The Town Clerk will not act or intervene on behalf of any candidate to secure access to any buildings for the purpose of canvassing or distributing election material.

VOTING DAY

Voting day is **Monday, October 22, 2018**. Voting places will be open from 10 a.m. to 8 p.m.

ELECTOR QUALIFICATIONS

A person is entitled to be an elector at an election held in a local municipality if, on voting day, he or she:

- resides in the local municipality or is the owner or tenant of land there, or the spouse of such owner or tenant;
- is a Canadian citizen;
- is at least 18 years old; and
- is not prohibited from voting by law under the prohibitions listed below, or otherwise by law.

Highlights

- If a voter owns more than one property in Oakville they may only vote once and must be in the ward of their primary residence.
- Unable to vote October 22? Refer to advance voting dates.

ELECTOR PROHIBITIONS

The following are prohibited from voting:

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

RESIDENCE

Under section 2(1) of the *Act*, a person's "residence" is the permanent lodging place to which, whenever absent, he or she intends to return.

VOTER INFORMATION

Under subsection 2(2) of the *Act*, 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 his or her residence, unless he/she moves elsewhere with the intention of changing his/her permanent lodging place.
3. If a person has no other permanent lodging place, the place where he/she occupies a room or part of a room as a regular lodger or to which he/she habitually returns is his/her residence.

2(2.1) Despite the above, a person may have residences in two local municipalities at the same time if,

- (a) 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
- (b) the person's permanent lodging place is in the other local municipality.

A "tenant" includes an occupant and a person in possession other than the owner.

A "time share contract" means a contract by which a person acquires the right to use a property for residential purposes:

- a) a period of time each year, or other interval; and
- b) as part of a plan that provides for the use of the property to circulate among persons participating in the plan.

A voter is only entitled to vote once in a municipality (in the ward of their primary residence) even though he or she may have more than one qualifying property address within the municipality.

VOTER NOTIFICATION

The Town Clerk shall give notice advising of the date and time of voting, including advance voting, and the locations of the voting places at which an eligible elector may choose to vote. This notification will be provided by mail late September.

VOTING PLACES

The Town Clerk will establish locations for voting for the election. All voting locations will be physically accessible. A list of voting places will be available for candidates on or before September 4, 2018. In the event that any voting place is subsequently changed due to circumstances beyond the Town Clerk's control, a notice of the change will be provided to the affected candidates by email.

VOTERS' LIST

The voters' list is based on electoral information provided to the Town Clerk from the Municipal Property Assessment Corporation (MPAC). For further information on the enumeration process you can visit MPAC's web site mpac.ca or voterlookup.ca

If an elector wants to find out if they are on the voters' list, they may contact MPAC at:

Municipal Property Assessment Corporation

1-866-296-MPAC (6722) (Toll Free)

1-877-889-6722 (TTY)

Monday to Friday, 8 a.m. to 5 p.m.

www.mpac.ca

The Town Clerk shall make the voters' list available on or before September 4, 2018 in accordance with the prescribed regulations. All candidates will be provided with access to the voters' list, upon written request. The list provided shall contain the names of electors entitled to vote for the candidates' office and will be provided through a secure on-line portal. Paper copies will be available for purchase (refer to following section for applicable fees).

Revision of voters' list

Applications for amendments to the voters' list will be accepted by the Town Clerk commencing on September 4, 2018, during regular business hours, and ending at 8 p.m. on voting day (October 22, 2018).

Eligible electors will be included on the voters' list for the municipal election if the elector is listed on the preliminary list of electors provided to the Town Clerk by the Municipal Property Assessment Corporation (MPAC). If not included, or information is incorrect, the elector may complete an application to amend the list:

VOTER INFORMATION

1. The elector may complete an application, to add, amend or delete their own information to/from the voters' list from September 4, 2018, up to voting day, October 22, 2018. Electors requesting amendments to the voters' list must provide identification. The voters' list will be revised upon approval of the completed application.
2. The elector may apply to be added to the voters' list at the voting place in accordance with the procedure below.

Application for addition of name on voters' list at the voting place

All qualified electors attending at a voting place are entitled to vote. Where the qualified elector's name does not appear on the voters' list, the deputy returning officer or designate at the voting location will issue the elector an application to amend the voters' list. The deputy returning officer or designate will require the person to complete the application, provide proof of identification and qualifying address to verify qualifications.

Once the application to amend the voters' list is completed and accepted, the deputy returning officer or designate will add the voters' name to the list and issue the voter a ballot. *NOTE:* Candidates are encouraged to advise eligible electors that are not on the voters' list to get their name added to the list prior to voting day to avoid line-ups and delays in the voting process. Information on the application process will be available at elections.oakville.ca.

LANGUAGES/ASSISTANCE TO VOTE

Should an elector require the assistance of an interpreter, the elector must make his or her own arrangements to provide the interpreter. Candidates and scrutineers will not be permitted to serve as an interpreter for an elector. Interpreters will be required to take an oral oath at the voting place.

If an elector requires assistance for any reason other than language, the election staff will be able to provide such assistance. Candidates and scrutineers will not be permitted to provide assistance at a voting location.

PROXY VOTING

A person who is entitled to be an elector in the municipality may appoint another qualified elector within the municipality as his or her voting proxy, using the prescribed form. The Clerk will require proof of identity of the elector appointed, before certifying the proxy.

A person shall not:

- appoint more than one voting proxy;
- act as a voting proxy for more than one other person (this restriction does not apply if the appointed proxy is the parent, grandparent, child, grandchild, brother, sister or spouse of the appointee).

The voting proxy is entitled to vote in his or her own right. A voting proxy may act for one other person or the specified family members, but not both.

A person who has been appointed a voting proxy shall complete an application in the prescribed form, including a statutory declaration that he or she is the person appointed as a voting proxy, and present the application and the appointing document to the Town Clerk, or designate, in person at the Clerk's department.

For the purpose of issuing proxy voting certificates, the Town of Oakville Clerk's department will be open starting September 4, 2018, during regular business hours, until October 22, 2018. Advance Voting Days - between the hours of noon to 5 p.m.

A person may vote as a voting proxy only if he/she submits the appointing document with the Clerk's Certificate to the deputy returning officer at the voting location and takes the prescribed oath.

HOW TO MARK THE BALLOT

Electors are to vote by marking an 'X' on the ballot, in the box to the right of the name of the candidate of their choice, with the pen provided. It is suggested that candidates may wish to include this illustration in their campaign literature to assist electors. The candidates' names will be shown in the order of given (first) name then surname and are listed on the ballot in alphabetical order according to surname.



IDENTIFICATION AT THE VOTING LOCATION

The *Act*, requires that voters whose names appear on the voters' list must show identification at the voting place showing qualifying address and name.

Candidates may wish to include these requirements in their campaign literature to assist in educating electors. Acceptable forms of identification include:

- Driver's licence
- Ontario photo card
- Current utility bill
- Current bank or credit card statement
- Current insurance policy

Visit the [Ministry of Municipal Affairs website](#) for a full list of acceptable voter identification.

ADVANCE VOTING

Electors will be able to vote at any of the advance voting dates listed below, regardless of where they reside in the municipality. Advance voting locations will be made available by September 2018.

Date	Time
Saturday, October 6, 2018	10 a.m. to 5 p.m.
Tuesday, October 9, 2018	10 a.m. to 5 p.m.
Wednesday, October 10, 2018	10 a.m. to 8 p.m.
Thursday, October 11, 2018	10 a.m. to 5 p.m.
Friday, October 12, 2018	10 a.m. to 5 p.m.
Monday, October 15, 2018	10 a.m. to 5 p.m.
Tuesday, October 16, 2018	10 a.m. to 5 p.m.

PURCHASE OF MATERIALS FOR ELECTION PURPOSES

Where available, candidates may purchase the following materials from the Clerk's Department:

- Printed voters' list/ward \$100.00 per ward
- Additional detailed map sets \$100.00 per ward
- Additional documentation \$0.50 per copy

PUBLICATIONS

2018 Candidates' Guide for Ontario Municipal and School Board Elections - published by the Ministry of Municipal Affairs

Accessible Campaign Information and Communication – published by the Ministry of Community & Social Services.

Municipal Elections Act 1996, as amended

Government of Ontario Book Store
880 Bay Street, Toronto, ON
416-326-5300
Or e-laws website:
www.ontario.ca/laws

The following publications relate to municipal elections and are available through Municipal World Inc. (municipalworld.com):

- Municipal Election Law 2018
- How to Campaign for Elected Office
- Run & Win – A guide to succeeding in municipal elections

Additional websites containing information and or publications relating to municipal elections:

- Town of Oakville election website: elections.oakville.ca
- Ministry of Municipal Affairs website: www.mah.gov.on.ca
- Government of Ontario website: www.gov.on.ca
- Association of Municipalities Ontario website: www.amo.on.ca

CONTACTS

The Region of Halton, the Halton District School Board, the Halton Catholic District School Board, the Conseil scolaire Viamonde, and the Conseil scolaire Catholique MonAvenir can provide additional information to candidates, upon request, about their duties and responsibilities.

Region of Halton
Graham Milne, Regional Clerk
905-825-6000 ext. 7110
graham.milne@halton.ca

Halton District School Board
Stuart Miller, Director of Education
905-335-3665 ext. 3354
millers@hdsb.ca

Halton Catholic District School Board
Paula Dawson, Director of Education
905-632-6314 ext. 115
dawsonp@hcdsb.org

Conseil scolaire Viamonde
M. Martin Bertrand, Director of Education
416-614-5929
bertrandm@csviamonde.ca

Conseil scolaire Catholique MonAvenir
André Blais, Director of Education and Secretary Treasurer
416-397-6564
ablais@csdccc.edu.on.ca



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2017-063

A by-law to authorize the payment of rebates to eligible individuals who made contributions to candidates for office on the municipal council for the 2018 Municipal Election.

WHEREAS section 88.11(1) of the *Municipal Elections Act, 1996, as amended (Act)* permits a municipality to enact a by-law, providing for the payment of rebates to individuals who made contributions to candidates for office on the municipal council, hereafter referred to as a “contribution rebate program”;

WHEREAS section 88.11(3) of the *Act* provides that the by-law shall establish the conditions under which an individual is entitled to a rebate; and

WHEREAS section 88.11(4) of the *Act* provides that the by-law may provide for the payment of different amounts to different individuals on any basis.

THEREFORE COUNCIL ENACTS AS FOLLOWS:

That a contribution rebate program providing for the payment of rebates to individuals residing in the Town of Oakville, who make contributions to candidates for an office on Oakville municipal council, for the 2018 Municipal Election is hereby authorized under the following conditions;

1. Participation in the contribution rebate program is optional and any candidate participating in the program shall comply with the provisions set out in this by-law;
2. An eligible elector who is a resident of the Town of Oakville may, in accordance with this by-law, apply to the Town Clerk for a rebate for a contribution made to a candidate for an office on Town Council within the required timelines.
3. Contributions must not be in the form of cash.
4. Only contributions made in a manner that associate the contributor’s name and account with the payment or made by a money order signed by the contributor, will be eligible for a campaign contribution rebate.

5. Amounts charged for admission to a fundraising function are not eligible for a rebate.
6. The following shall not be eligible to receive a rebate under the program;
 - a. a corporation or trade union;
 - b. non-resident eligible electors; and
 - c. in regard to his/her own campaign, a candidate or their family member.
7. In this by-law,
“Family member” means a parent, spouse, or child of a member, as defined in the *Municipal Conflict of Interest Act* and shall also include a grandparent, grandchild, brother, sister, uncle, aunt, nephew or niece, whether related by blood, marriage or adoption.
8. An application for a rebate may be submitted to the Town Clerk upon receipt from the candidate, but must be received by the Clerk on or before June 27, 2019, unless the candidate’s campaign period is extended under section 88.24(1) of the *Act*. If a candidate’s campaign period is extended and a contribution is made during the extended campaign period, the application for rebate shall be submitted within 90 days after the date the receipt is issued.
9. The application for rebate shall:
 - a. be in the form of a receipt established for that purpose by the Clerk;
 - b. be provided to participating candidates by the Clerk;
 - c. be signed by, or on behalf of, the candidate, at the time of issuance to a contributor; and
 - d. be issued to the contributor immediately upon receipt of any eligible contribution.
10. A candidate for an office on the municipal council who participates in the rebate program:
 - a. shall notify their intention to participate in the program to the Clerk no later than 2 p.m. on nomination day, July 27, 2018;
 - b. shall file a financial statement in accordance with section 88.25 of the *Act*; and
 - c. shall include with the documents filed under section 88.25 of the *Act*, as the case may be, a copy of the receipt issued for the contribution; and
 - d. shall pay any campaign surplus to the Corporation of the Town of Oakville, in accordance with the *Act*.

11. The Clerk shall compare the receipt filed by the applicant and the copy filed by the candidate to ensure consistency.

12. The Clerk shall pay the applicant a rebate in accordance with Section 13 of this by-law, if the following conditions are met:
 - a. the application complies with the provisions of this by-law;
 - b. the candidate has complied with the provisions of the *Act* and this by-law;
 - c. the Clerk is satisfied that the receipt filed by the applicant and the copy filed by the candidate are consistent;
 - d. the Clerk is satisfied that the candidate has filed the documents required by section 88.25 of the *Act* by the relevant filing date, and that no such document shows on its face that the candidate has incurred expenses exceeding what is permitted under section 88.8 of the *Act*;
 - e. the Clerk is satisfied that the candidate has paid any campaign surplus to the Corporation;
 - f. in the case of a contribution made on or before December 31, 2018, the time for an application for a compliance audit under section 88.33 of the *Act* has expired; and
 - g. in the case of a contribution made after December 31, 2018 to a candidate whose election campaign period continues beyond that date, the time for an application for a compliance audit under section 88.33 of the *Act* has expired.

13. The rebate shall be calculated as follows:
 - a. the minimum contribution qualifying for a rebate shall be \$100; and
 - b. each contribution of \$100 or more shall be eligible for a rebate of 50% of the total contribution.

PASSED this 25th day of September, 2017.

Rob Burton

Mayor

Vicki Tytaneck

Town Clerk

Request for Information from Election Candidates

Voting day is October 22, 2018

To better serve those running for office, an election procedure has been established by the Town Clerk, whereby the Town of Oakville will be compiling a list of Frequently Asked Questions (FAQs) and/or requests for information by candidates (during the election process) that will be easily accessible for public review at elections.oakville.ca.

Should you have questions or inquiries about anything related to Town of Oakville services and/or operations, where such information is not addressed on the town website (oakville.ca), simply fill out the form on the reverse of this page and submit to the Strategy, Policy and Communications department:

Candidate Information Request

Town of Oakville

c/o Corporate Communications, 2nd Floor

1225 Trafalgar Road

Oakville, ON L6H 0H3

Email: communications@oakville.ca

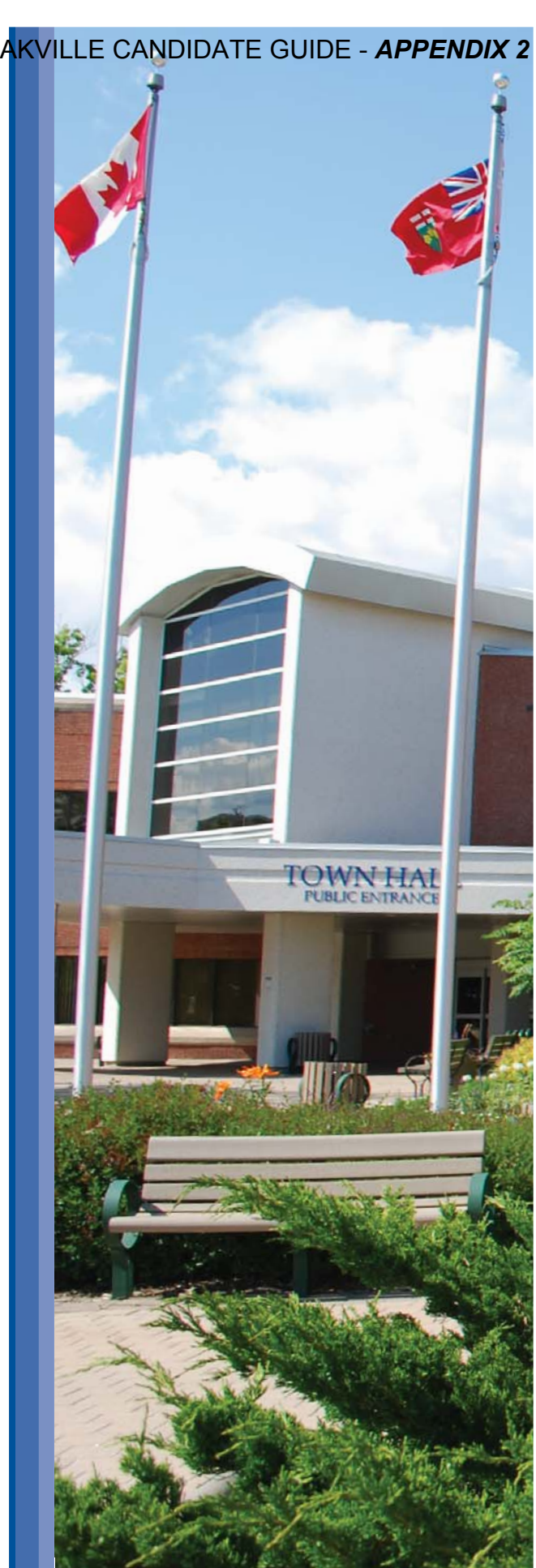
Fax: 905-338-4259


Website: elections.oakville.ca

Please note, this form must be completed before a response is issued. This form eliminates duplication, maximizes efficient use of staff resources and ensures that all candidates are granted access to the same information. All materials provided will be logged and posted on the town website for public review.

Given the staff time required for some information requests, the requester will be advised, where appropriate and applicable, of any **required fees for research and photocopies** (\$30/hr and 50 cents per photocopy). Payment is required prior to receipt of information.

If the information requested is not a public record, the request will be denied and the requester may determine whether to proceed with a request under the *Municipal Freedom of Information and Protection of Privacy Act*.



 The Corporation of the Town of Oakville PROCEDURE Use of Corporate Resources During Municipal Elections	Procedure Number G-ELE-001-001	Page: 1 of 4
	Parent Policy No.: G-ELE-001 Author: Clerk's Department Authority: Council	
Section: Governance Sub-Section: Elections	Effective Date: 2005 Dec 19 Review by Date: 2023	Modified: 2008 Dec 15 2012 Jul 09 2018 Apr 03

Purpose statement

The *Municipal Elections Act, 1996*, as amended, prohibits municipalities from making campaign contributions to municipal candidates or registered third parties. As a campaign contribution may take the form of money, goods or services, this procedure provides a fair and consistent approach on how municipal corporate resources can and cannot be used during a municipal election. This procedure supports compliance with the *Municipal Elections Act, 1996*, as amended, the Code of Conduct for Members of Council and Local Board Members, and the Employee Code of Conduct.

Scope

This procedure applies to all Members of Council, municipal staff, registered election candidates, registered third parties, and members of the public.

Procedure

Corporate resources, assets or funding may not be used for any election-related purposes, except as identified in this procedure.

1. Election campaigning

- a. Election campaign activities are not permitted at Town Hall (located at 1225 Trafalgar Road).
- b. Election campaign materials may not be displayed at town facilities, unless otherwise outlined in this procedure.

Procedure G-ELE-001-001, Use of Corporate Resources during Municipal Elections

- c. Municipally owned or run assets and facilities, excluding Town Hall, may be rented in accordance with municipal agreements and current rates and fees for election campaign activities providing that the rental is available to all candidates and third parties. Use of rentals are subject to the following conditions:
 - i. all election campaign materials must only be displayed within the allotted rental period in the allotted rented area designated in the rental agreement; and
 - ii. rentals for campaign related activities are not permitted from the first date of advance voting to the day after voting day.
- d. Election signs on town property are only permitted in compliance with the town's current Sign By-law.
- e. Candidates and registered third parties may attend town organized or funded events during a campaign period, but may not display or distribute any campaign materials.

2. Use of corporate identifiers and resources

- a. The corporate logo, crest, coat of arms, slogan or other corporate identifiers is permitted for use by The Corporation of the Town of Oakville only and shall not be used by any other body or person for any election campaign-related purposes.
- b. Corporate resources shall not be used for:
 - i. the printing or distribution of any material that illustrates that a member of Council or any other individual is registered or intends to run for office; or
 - ii. the printing or distribution of any campaign material that makes reference to, or contains the names or photographs, or identifies registered candidates for municipal office.
- c. No town consumable materials, such as toner and paper, associated with computer systems shall be used for election campaign-related purposes.
- d. In accordance with the Online Communications policy, the town will not publish any material used to promote individual political opinions or campaigns.

3. Town staff

- a. In accordance with the Employee Code of Conduct, municipal staff, including any contractor providing services to the town shall not canvass or actively work for any candidate or registered third party during hours in which the staff/contractor is receiving compensation from the town.

Procedure G-ELE-001-001, Use of Corporate Resources during Municipal Elections

4. Town services

- a. The following town based services shall be discontinued for Members of Council as of nomination day:
 - i. all forms of advertising, including advertising in town publications; and
 - ii. all printing, photocopying and distribution, including printing and general distribution of newsletters unless so directed and approved by Council.
- b. Corporate resources (such as town issued phones and email addresses) shall be provided to current members of council for council related purposes and to serve their constituents and shall not be used to support an election campaign.

5. Technology related provisions

- a. Any links to external personal sites from an individual Member of Council's landing page on the oakville.ca website will be removed the date nomination papers are filed during a municipal election year. These links may include election-related web sites, social media links or domain names.
- b. Websites, domain names, emails, or other corporate systems that are funded by the town shall not include any election-related campaign material or links to sites that feature election-related campaign material. The exception being the official Town of Oakville election website where links to external election campaign websites will be posted during the election period.
- c. Candidates and Members of Council may not use the town website, domain names, and other corporate systems, for campaigning or display of any election-related materials. Links to the town's website are permitted from a candidate's election website for the purpose of obtaining information about the election or sharing program/service information.

References and Related Documents

G-GEN-006 Code of Conduct for Members of Council and Local Boards
HR-MNG-006 Employee Code of Conduct
G-COM-001 Public Notice and Engagement policy
G-COM-001-002 Communications Procedure
G-COM-002 Online Communications Policy
A-GEN-001-004 Advertising Sales Procedure
Municipal Elections Act, 1996, as amended

Definitions

Campaign contribution: anything of value given to influence an election, may take the form of money, goods, or services.

Campaign period: in accordance with Section 88.24 of the *Municipal Elections Act, 1996*, as amended, and begins on the day in which nomination papers are filed and ends on December 31 in the case of a regular election and 45 days after voting day in the case of a by-election.

Campaign related activities: any activity by or on behalf of a candidate, registered third party, or question on a ballot meant to elicit support during the election period

Campaign materials: any materials used to solicit votes for a candidate(s) or question in an election or any materials that promote or oppose the candidacy of a person for elected office. Including but not limited to literature, banners, posters, pictures, buttons, clothing, or other paraphernalia. Campaign materials also include, but are not limited to, materials in all media, for example, print, displays, electronic radio or television, online including websites or social media. Campaign materials do not include election signs, which are governed by the town's Sign By-law.

Corporate resources: may include facilities, infrastructure, assets, equipment, supplies, services, staff or any resource that belongs to or is funded by the town.

SCHEDULE D ELECTION SIGNS

Deposit Required

1. No person shall erect, locate or display an election sign on town property unless the security specified in the annual rates and fees has been paid to the Designated Official by the sign owner or the sign owner's authorized agent.

Timing of Display

2. No person shall erect, locate or otherwise display an election sign:
 - a. in the case of a municipal election, 45 days prior to the day of the election as set out in the *Municipal Elections Act, 1996, as amended*;
 - b. in the case of a federal or provincial election, 45 days prior to the day of election or prior to the issuance of the writ for the election whichever is later;
 - c. in the case of any election, for a period greater than three (3) days immediately following the day of the election; or
 - d. on the property of a voting location 48 hours prior to voting day, any advance voting and during voting hours.

Location

3. No person shall erect, locate or display an election sign:
 - a. on or within any town property other than arterial road allowances as designated by the town's Official Plan, including major, multipurpose, minor and industrial arterial road allowances;
 - b. on or within any road allowance abutting any town owned building;
 - c. overhanging any town property other than a road allowance;
 - d. on any utility pole, official sign or official sign structure;
 - e. on any tree, tree support, or fence on town property;
 - f. at any location on town property where the election sign might obstruct any door, window, fire exit or any opening required for light, ventilation, ingress, egress or firefighting;
 - g. at any location on town property where the election sign might interfere with underground services;
 - h. at any location where the election sign could obstruct the view of any pedestrian or driver of a motor vehicle or obstruct the visibility of a traffic sign or device, or where it could interfere with vehicular traffic so that it could endanger any person; or
 - i. at any location where such election sign, in the opinion of Designated Official, constitutes a safety hazard to the general public.
 - j. No person shall erect an election sign outside of the geographical area for the office in which the candidate is running (including third party advertisers opposing or supporting a candidate).

4. No person shall erect, locate or display an election sign within a road allowance where the election sign is:
 - a. on any centre median, traffic island or centre boulevard;
 - b. within 1.5 metres (5 feet) of a fire hydrant, curb, driveway or the travelled portion of a street;
 - c. within 30 metres (100 feet) of any intersection;
 - d. within 15 metres (50 feet) of any bus stop;
 - e. on any railing, retaining wall, bridge, bench, garbage can or structure of any kind;
 - f. on town property within 100 metres (328 feet) of any property line of a voting location; or
 - g. within 10 metres of another election sign for the same candidate.

5. Notwithstanding paragraph 3 and 4 of this Schedule, an election sign may be installed on town property in accordance with the rates and rules of the advertising group/agency, where paid advertising is permitted (e.g. bus shelters). Such signs may not be displayed on the property of a voting location at any time during established voting hours.

Vehicle Signs

6. An election sign which is a vehicle sign is not subject to the provisions of section 3 or section 4. An election sign which is a vehicle sign is subject to the following provisions:
 - a. an election sign which is a vehicle sign may only be displayed during the time period permitted by section 2; and
 - b. an election sign which is a vehicle sign may not be displayed on the property of a voting location at any time during established voting hours

Election Signs Displayed in Oakville

7. The only election signs which may be displayed in Oakville are:
 - a. election signs for a candidate running to represent Oakville or a portion of Oakville;
 - b. election signs promoting a position with respect to a question on a ballot upon which eligible Oakville voters may vote; or
 - c. third party election signs in support of or in opposition to
 - i. a candidate running to represent Oakville or a portion of Oakville; or
 - ii. a question on a ballot upon which eligible Oakville voters may vote.

Method of Erecting Signs

8. No person shall erect, locate or display an election sign unless the Designated Official has approved the type of pole or support for the election sign in writing, having regard to the public safety and the potential for damage to public property or services within the road allowance.
9. No person shall erect or permit an election sign to be erected using nails, screws, tacks, staples, glue or wire.

Special Provisions – Business Improvement Areas

10. Notwithstanding paragraph 3(d) of this Schedule, any person may affix or display an election sign on a public utility pole located within the Downtown Oakville Business Improvement Area, the Bronte Business Improvement Area, or the Kerr Street Business Improvement Area, provided:
 - a. the public utility pole is not located within 15 metres (50 feet) of an intersection;
 - b. the election sign is at all places affixed flush with the surface of the utility pole;
 - c. the election sign is of light-weight construction only;
 - d. the election sign is no larger than 61 centimetres by 61 centimetres (2 feet by 2 feet); and
 - e. the election sign is not affixed with or by a fastener that penetrates, punctures or otherwise creates a hole in the surface of a public utility pole.

Seizure and Return of Election Signs

11. The Designated Official may pull down or remove any election sign erected in contravention of this by-law without notice.
12. The Designated Official shall return any election sign which has been seized to the sign owner or the sign owner's authorized agent upon payment of the fees specified in the annual rates and fees, provided:
 - a. The sign owner shall be required to contact the Designated Official on a business day of the town to make an appointment for the retrieval of the signs, which appointment shall be on the following business day of the town unless the Designated Official agrees to an earlier time; and
 - b. The sign owner or sign owner's authorized agent must present acceptable government issued identification and authorization letter, where applicable, when retrieving signs.
 - c. No election sign may be retrieved on voting day.
13. Any election sign which has been seized and is not claimed and retrieved by the sign owner or the authorized agent of the sign owner within 30 days may be destroyed by the Designated Official.

Return of Security Deposit

14. Following the election, fees incurred due to the removal of any election signs placed in contravention of this by-law or damage within the road allowance will be deducted from the security paid and/or invoiced accordingly.

Notice of penalties

In accordance with section 33.1 of the *Municipal Elections Act, 1996*, (the *Act*) as amended, each person nominated for an office shall be provided with notice of the penalties under sections 88.23 (2) and 92 (1) related to election campaign finances.

Sections 88.23 (2) and 92 (1) are provided below, in addition to additional legislative references for information purposes.

Effect of default by candidate

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

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

Penalties

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

Notice of default

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

Clerk’s report re filing requirements

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

Offences re campaign finances
Offences by candidate

92 (1) A candidate is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under 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.

Exception, action in good faith

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

Additional penalty, candidates

- (3) If the expenses incurred by or under the direction of a candidate exceed the amount determined for the office under section 88.20, the candidate is liable to a fine equal to the excess, in addition to any other penalty provided for in the Act. 2016, c. 15, s. 68 (1).

