



# Candidate Information Package

Township of Georgian Bluffs Municipal Election 2018

**VotetheBluffs2018**



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## Township of Georgian Bluffs Municipal Election 2018

### Introduction

This guide has been prepared for the purpose of supplying information to persons intending to run for elected office. This guide is available electronically on the Township of Georgian Bluffs website – [www.georgianbluffs.ca](http://www.georgianbluffs.ca)

This guide is only intended to provide candidates with information regarding running for office. Candidates are responsible for ensuring they are familiar with the requirements of the *Municipal Elections Act, 1996* and should consult the Act for complete information and legislative requirements. The *Municipal Elections Act, 1996* is available online at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)

Candidates must comply with all the requirements relating to election campaign financing. The Ministry of Municipal Affairs produces a guide for candidates that outlines the financial reporting requirements under the act. A copy has been uploaded to the Township of Georgian Bluffs website and is also available in hardcopy from the Clerk's Department.

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

It is the responsibility of prospective candidates to ensure through their own determination that they have complied with the election financing regulations and that they are in fact qualified and not disqualified by law. In all cases of filing times (i.e. 2:00 p.m. nomination cut-off), the time displayed by the Clerk's Department shall prevail.

### Key Contacts

Wendi Hunter, Clerk  
519 376 2729 x. 243 | [whunter@georgianbluffs.on.ca](mailto:whunter@georgianbluffs.on.ca)

Brittany Drury, Legislative Services Assistant  
519 376 2729 x. 244 | [bdrury@georgianbluffs.on.ca](mailto:bdrury@georgianbluffs.on.ca)

Christine Fraser – McDonald, Building and Planning Assistant  
519 376 2729 x. 226 | [cfraser@georgianbluffs.on.ca](mailto:cfraser@georgianbluffs.on.ca)



## Township of Georgian Bluffs Municipal Election 2018

### Important Dates

As set out in the *Municipal Elections Act, 1996*.

### 2018

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Tuesday, May 1

- First day for candidates to file a Nomination paper for the office of mayor, councillor or school board trustee
  - Nomination papers must be filed at the Township Administration Office
- First day for an individual, corporation or trade union to file a notice of registration as a third party advertiser
  - Registration papers must be filed at the Township Administration Office
- Campaign period begins once a Nomination paper or notice of registration is filed
- Preliminary expense limit and other legislative documentation will be provided to candidates and third party advertisers on the day they file

Friday, July 27

- Nomination Day – last day to file Nomination papers
- 9:00 a.m. to 2:00 p.m. – Nominations or withdrawal cannot be accepted beyond 2:00 p.m.

Monday, July 30

- Certification of nomination papers to be completed by 4:00 p.m.
- Declaration of acclamation provided after 4:00 p.m.

Tuesday, September 4

- Voter's List available to certified candidates

Tuesday, September 25

- Final expense limits provided to candidates and third party advertisers

Friday, October 12

- 10:00 a.m. – Online and telephone voting opens
- Continuous voting period 24/7 until Monday, October 22 at 8:00 p.m.

Friday, October 19

- Last day for an individual, corporation or trade union to file a notice of registration as a third party advertiser



## Township of Georgian Bluffs Municipal Election 2018

Monday, October 22

- VotetheBluffs2018 – Voting Day, voting closes at 8:00 p.m.

Wednesday, December 5

- Inaugural Council meeting

Monday, December 31

- Campaign period ends for candidates and registered third parties
- Last day for candidate or registered third parties to file an extension of campaign period

## 2019

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Wednesday, February 27

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

Thursday, March 28

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

Friday, March 29 – By 2:00 p.m.

- Last day to file financial statement for reporting period ending December 31, 2018 – applies to all candidates and registered third parties
- Last day for candidate or registered third party to notify the Clerk of filing extension received from the Superior Court of Justice

After 2:00 p.m.

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

Monday, April 29

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

Thursday, June 27

- End of Supplementary campaign period



## Township of Georgian Bluffs Municipal Election 2018

Wednesday, August 28

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

Thursday, September 26

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

Friday, September 27 – By 2:00 p.m.

- Last day to file financial statement for reporting period ending July 2, 2019 – only applies to those who filed to extend the campaign period
- Last day for candidate or registered third party to notify the Clerk of filing extension (for supplementary campaign period) received from the Superior Court of Justice

After 2:00 p.m.

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

Monday, October 28

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

Friday, December 27

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



## Township of Georgian Bluffs Municipal Election 2018

### Offices to be Elected

On Monday, October 22, 2018 voters in the Township of Georgian Bluffs will elect candidates to the following municipal offices and school boards:

**Mayor** - 1 to be elected

**Deputy Mayor** - 1 to be elected

**Councillors** - 5 to be elected

The role of Council and the role of the Head of Council can be found and defined in sections 224 to 226 of the *Municipal Act, 2001*.

**English-language Separate School Board Trustee** - 1 to be elected (Bruce-Grey Catholic District School Board)

**English-language Public School Board Trustee** - 1 to be elected (Bluewater District School Board)

**French-language Public School Board Trustee** - 1 to be elected (Conseil Scolaire Viamonde)

**French-language Separate School Board Trustee** – 1 to be elected (Conseil Scolaire Catholique Providence)

Sections 169.1 and 170 of the *Education Act*, establish the duties and powers of school boards.





## Township of Georgian Bluffs Municipal Election 2018

### Qualification of Candidates

#### Member of Council – Mayor, Deputy Mayor, Councillor

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

In order to run for office in the Township of Georgian Bluffs, a person must be:

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

#### Ineligibility

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

1. An employee of the Township of Georgian Bluffs, except during an authorized leave of absence (the leave of absence must begin upon filing the Nomination Form);
2. A person who is not an employee of the municipality, but who is the Clerk, Treasurer, Integrity Commissioner, Auditor General, Ombudsman or registrar, or who holds any administrative position of the municipality
3. A judge of any court
4. A member of the Assembly as provided in the Legislative Assembly Act, 1990 of the Senate or House of Commons of Canada
5. A person who is serving a sentence of imprisonment in a penal or correctional institution.
6. A person who was convicted of the corrupt practice described in subsection 90 (3) of the Municipal Elections Act, if voting day in the current election is less than five years after voting day in the election in respect of which he or she was convicted.



## Township of Georgian Bluffs Municipal Election 2018

### School Board Trustee

**Be Informed!** Consult the *Education Act, 1990* for additional information.

A person is eligible to run for office as a School Board Trustee, if that person:

1. is qualified to vote for members of that district school board or that school authority and is resident in its area of jurisdiction;
2. if qualified under 1. above, may be elected as a member of a district school board or school authority for any geographic area in the district school board's area of jurisdiction, regardless of which positions on that district school board or school authority the person may be qualified to vote for.

### Ineligibility

A person is ineligible to be elected or to act as a member of a district school board or school authority if the person is:

1. An employee of any district school board or school authority;
2. The Clerk or Treasurer or Deputy Clerk or Deputy Treasurer of a municipality or an upper-tier municipality, all or part of which is included in the area of jurisdiction of the district school board or school authority;
3. A member of the Assembly or of the Senate or House of Commons of Canada;  
or
4. Otherwise ineligible or disqualified under the *Education Act, 1990* or any other Act.

The Township of Georgian Bluffs will be receiving Nominations for the Office of School Board Trustee for the **Blue Water District School Board**, which Trustee will represent the Townships of Georgian Bluffs and Chatsworth.

- For the **Bruce-Grey Catholic District School Board**, the responsible municipality is the Town of Saugeen Shores.
- For the French Public School Board (**Conseil scolaire Viamonde**) the responsible municipality is the City of Barrie.
- For the French Separate School Board (**Conseil scolaire Catholique Providence**) the responsible municipality is the Town of Woodstock.



## **Nomination Procedures**

### **Filing Nomination Papers**

Every person who proposes to be a candidate must file a Nomination prior to receiving any campaign contributions and/or spending any funds on a campaign. A candidate may file their Nomination as of May 1, 2018 at the Township Administration Office during regular business hours (9:00 a.m. to 4:30 p.m.). Blank Nomination forms are available from the Clerk's Department and posted on the Township website.

Nominations must be submitted in person to the Township Clerk at the Township of Georgian Bluffs Administration Office – 177964 Grey Road 18, R.R. #3, Owen Sound. Candidates are required to complete their Nomination forms, including a Declaration of Qualification which must be taken before a Commissioner of Oaths. Commissioners of Oaths in the Clerk's Department can administer this Declaration. The candidate will be required to show photo identification, including the candidate's signature. Please note that Nominations submitted by fax or mail will not be accepted.

The Nomination of a candidate for an office on Council (Mayor, Deputy Mayor, Councillor) must be endorsed by at least 25 persons. The person endorsing the Nomination must be eligible to vote in an election for an office within the Township if a regular election was held on the day that the person endorses the Nomination. **To mitigate the consequences of a challenge to the qualification of a person endorsing your candidacy, we would suggest you obtain a few extra endorsements beyond the required 25.**

Nominations for School Board Candidates do not need to be endorsed.

The Nomination must be accompanied by the prescribed nomination fee. The prescribed fee is \$200 for Mayor, \$100 for Deputy Mayor and \$100 for Councillors and School Board Trustees, and can be paid by cash, certified cheque or debit at the Township of Georgian Bluffs Administration Office. Credit cards and uncertified cheques will not be accepted.

The final day for filing for the 2018 municipal election is Nomination Day, Friday, July 27, 2018 – 9:00 a.m. to 2:00 p.m. Any candidate in the Township Administration Office at 2:00 p.m. will be permitted to file their Nomination.

If an agent is filing the Nomination on behalf of a candidate, the candidate's Declaration of Qualification must be witnessed by a Commissioner for taking affidavits, before the agent files the Nomination with the Township. The agent must provide a copy of the candidate's identification as well as providing their own identification.

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



## Township of Georgian Bluffs Municipal Election 2018

### **Public Information and Information on the Township Website**

Nomination forms and the information contained on them are public information. Any person wishing to look at a candidate's nomination may do so in person at the Township Administration Office during regular office hours.

Nominated candidates will be asked to identify, and sign a consent form, regarding what information they want posted with the list of candidates on the Township website. At the least, the candidate's name, and office they are running for, will be posted. Other possible information:

- address
- telephone (contact) number
- email address
- website

### **Withdrawal of Nominations**

A candidate may withdraw their nomination by filing a written withdrawal with the Clerks Department before 2:00 p.m. on July 27, 2018. The candidate will be asked for identification when filing their withdrawal.

### **Examination and Certification of Nominations by Clerk**

Before 4:00 p.m. on the Monday following Nomination Day – July 30, 2018 – the Clerk shall examine each nomination that has been filed to accept (certify) or reject the nomination.

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

Any additional nominations filed under the *Municipal Elections Act, 1996*, Section 33 (5) shall be examined before 4:00 p.m. on the Thursday following Nomination Day – August 2, 2018.

### **Acclamations**

If, at 4:00 p.m. on July 30, 2018 the number of certified candidates for an office is the same as or less than the number to be elected, the Clerk shall immediately declare the candidate or candidates as elected by acclamation.



## **Township of Georgian Bluffs**

### **Municipal Election 2018**

#### **Exception for Additional Nominations**

If the number of nominations certified for an office is less than the number of persons to be elected to an office, additional nominations may be filed between 9:00 a.m. and 2:00 p.m. on the Wednesday following Nomination Day – August 1, 2018.

#### **Refund of Nomination Filing Fee**

A candidate is entitled to receive a refund of the nomination filing fee if they file their financial statements with the Township Clerk by the filing date, being before 2:00 p.m. on March 29, 2019.

#### **Refund of Nomination Filing Fee**

A candidate is entitled to receive a refund of the nomination filing fee if they file their Financial Statement with the Township Clerk by the filing date, being before 2:00 p.m. on March 29, 2019.



## **Campaign Information**

Candidates are advised to refer to the Province of Ontario's 2018 Candidate's Guide for information regarding campaign contributions, fund raising and campaign expenses. A copy of the Provincial guide is posted on the Township website and is available in hardcopy from the Clerk's Department.

## **Campaign Expense Limits**

There are limits on the amount that a candidate may spend on a campaign. The campaign period begins the day the candidate files Nomination Papers and ends on December 31, 2018. The limit on campaign expenses is based on a formula related to the number of electors entitled to vote for the office.

Once a candidate files their Nomination, they will be given a Preliminary Certificate of Maximum Campaign Expenses based on the Voters' List from the 2014 election. Each certified candidate will be provided a final Certificate on or before September 25, 2018. The final maximum expense limit is calculated using the number of electors on the Voter's List as of the 2014 municipal election or September 15, 2018, whichever provides the highest maximum limit.

The following is the formula used to calculate the limits:

|  |   |
|--|---|
| <b>Head of Council (Mayor)</b>   | \$7500 plus 85 cents for each elector entitled to vote for the office |
| <b>Candidate for another office (Deputy Mayor, Councillors, School Board Trustees)</b> | \$5000 plus 85 cents for each elector entitled to vote for the office |

## **Filing Financial Statements**

All nominated candidates, including those not elected, those who withdrew their Nominations and those whose Nominations were rejected by the Clerk, file their Financial Statement (Provincial Form 4) on or before March 29, 2019 by 2:00 p.m., which details their contributions and expenses as of December 31, 2018 in accordance with the following:

- All candidates are required to file a Financial Statement on the prescribed form, even if they neither received nor spent any funds.



## Township of Georgian Bluffs Municipal Election 2018

- Candidates must have their Financial Statement audited and submit the auditor's report to the Clerk along with their Financial Statement if their income or expenses exceed \$10,000.

A candidate must file a separate Financial Statement for each office they were nominated for during the election period, unless the offices are all on the same council or school board. In other words, for Georgian Bluffs, only one Financial Statement is required, unless the candidate was nominated for Council first, then School Board, or vice versa.

The Financial Statement must be filed by March 29, 2019. Candidates' Financial Statement are filed with the Clerk and are public documents which will be available at no charge for viewing by the public on the Township website. The Clerk will advise at least 30 days prior to the March 29, 2019 filing deadline of all the filing requirements of the Act, and the penalties for not complying with those requirements.

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

Please refer to the Provincial Municipal Elections Guide of the *Municipal Elections Act, 1996* for detailed information with respect to:

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

### Help Centres

The Township will be establishing two voter Help Centres – one at the Township Administration Office and one at the Shallow Lake Community Centre – to assist voters with the voting process. At the Help Centres, voters will have the ability to have their names added to the Voters' List, receive a new Voter Information Letter, and vote, if they wish. For more information regarding Help Centres and Voting Procedures, please see the document **Internet/Telephone Voting Procedures** available on the Township website or in hard copy from the Clerk.

### Scrutineers (Candidates' Agents)

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

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



## Township of Georgian Bluffs Municipal Election 2018

Only one scrutineer per candidate may be in the Help Centre. If a candidate enters the Help Centre they are considered to be a scrutineer.

Candidates and scrutineers have the right to:

- Enter the Help Centre; and
- Object to an elector if they believe the elector is not qualified.

If you are appointing scrutineers, please note the following:

- The appointment must be made in writing;
- Scrutineers must take an Oath of Secrecy (available at the help centre);
- Scrutineers may not interfere with the activity of the vote or the counting process
- Candidates are entitled to be represented at the Help Centre, either personally or by scrutineer. It should be noted that acclaimed candidates are not entitled to be at a voting place unless appointed as a scrutineer by another candidate;
- Campaigning is not permitted within the Help Centre.

Scrutineers and candidates are prohibited from the following:

- Campaigning at the Help Centre,
- Attempting, directly or indirectly, to interfere with an elector,
- Displaying a candidate's election material (including buttons, pins, etc.) in a Help Centre,
- Compromising the secrecy of voting,
- Obtain or attempt to obtain, in a Help Centre, any information about how an elector intends to vote or has voted,
- Park a vehicle displaying campaign material in the parking lot of a Help Centre.

### **Election Signs**

The Township of Georgian Bluffs regulates the placement of election signs. Signs are not permitted until at least 60 days before Election Day.

The Sign By-law is attached to this Guide for your information.

### **Prohibition of Canvassing in Voting Places**

The Help Centres are considered voting places.

Section 48 of the *Municipal Elections Act, 1996* states:

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





## **Township of Georgian Bluffs**

### **Municipal Election 2018**

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

Election Officials are instructed to immediately remove from any Help Centre material or literature of any nature which may be deposited in and around a Help Centre. Candidates or their agents and scrutineers must not engage electors in conversations at Help Centres and they may not wear campaign buttons or distribute material of any kind in and around a Help Centre.

**We ask you for your cooperation in this regard.**

### **Access to Apartment Buildings, Condominiums, etc. by Candidates (or their authorized representative)**

Campaign provisions have been clarified through recent amendments to the *Municipal Elections Act, 1996* to allow candidates to campaign in apartment buildings, condominiums and non-profit housing co-ops or gated communities from 9:00 a.m. to 9:00 p.m. Landlords and condominium corporations may not prohibit tenants or owners from displaying campaign signs in their windows.



## **General Voter Information**

### **Voter Qualifications**

A person is qualified to be a voter in the Township of Georgian Bluffs if on Voting Day, the person:

1. Resides in the Township of Georgian Bluffs or is the owner or tenant of land in the Township, or the spouse of such owner or tenant;
2. Is a Canadian citizen;
3. Is at least 18 years old; and
4. Is not prohibited from voting as outlined in the *Municipal Elections Act, 1996* or any other act.

### **Persons Prohibited from Voting**

The following are prohibited from voting:

1. A person who is serving a sentence of imprisonment in a penal correctional institution;
2. A corporation;
3. A person acting as executor or trustee in any other representative capacity, except as a voting proxy in accordance with section 44; and
4. 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.

For additional information, reference the *Municipal Elections Act, 1996*.

### **Definition of Residence**

For the purpose of the *Municipal Elections Act, 1996*, a person's residence is the permanent lodging place to which, whenever absent, they intend to return. These provisions exist to allow for the homeless to be enumerated and to vote. The following rules apply in determining a person's residence:

1. A person may only have one residence at a time;
2. The place where a person's family resides is also their residence, unless they move elsewhere with the intention of changing their permanent lodging place;



## **Township of Georgian Bluffs**

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3. If a person has no other permanent lodging place, the place where they habitually return is their residence.

Despite paragraph 1 subsection (2), a person may have residence in two local municipalities at the same time, if:

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

### **Voters' List**

The 2018 Voters' List for the Township of Georgian Bluffs is initially prepared by the Municipal Property Assessment Corporation (MPAC). The Voters' List contains the names, addresses and school support of each person who meets the qualifications of a voter.

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

Candidates are entitled to receive one copy of the Voters' List, either electronic or hardcopy, free of charge. The Clerk will correspond with nominated candidates regarding when and how the Voters' List will be made available.

### **Revisions to the Voters' List**

The Voters' List will be available by Tuesday, September 4, 2018. Applications for amendments to the list will be accepted by the Clerk from Tuesday, September 4, 2018 to the close of voting of Voting Day – October 22, 2018.

Individuals will be able to review their information as it appears on the Voters' List via a link to be posted on the Township's website and by visiting the Township municipal offices during the hours of 9:00 a.m. to 4:30 p.m., Monday to Friday.

### **Voter Information Notices**

A notice will be mailed by the Clerk to each voter, advertising the dates and time of the voting period, locations and operating times of the Help Centres and the methods of voting. The Voter Information Notices will contain information specific to each voter to allow the voter to cast their vote online or by telephone.



## **Township of Georgian Bluffs**

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#### **Voting Method**

The Township of Georgian Bluffs will be employing both internet (online) and telephone voting in the 2018 municipal election. Mail-in and paper ballots will not be used.

With online and telephone voting, electors will have the opportunity to cast their ballots wherever phone or internet service is available. The Township will offer Help Centres throughout the voting period (October 12 – 22), to ensure all voters have the opportunity to participate.

Voting procedures are available on the Township website and will be provided to candidates upon filing Nomination papers.



## Township of Georgian Bluffs Municipal Election 2018

### Reminders to Candidates

- You must be an eligible elector for the office being sought
- You must file your Nomination forms in person or by agent
- You cannot be nominated for more than one office
- You must pay a filing fee of \$100 or \$200 by cash, debit or certified cheque at the Township Administration Office
- You cannot accept donations or spend any funds on a campaign until such time as you have filed a Nomination Paper with the Clerk
- You are responsible for keeping records of the financial activities related to your campaign. Remember to issue receipts for all donations, including donations of goods or services; obtain receipts for expenses incurred; keep copies of all receipts.
- Keep receipts for all expenditures and a record of the value of all contributions which are not money (ie. Sign stakes, paper, printing services, etc)
- It is the responsibility of the candidate to file a complete and accurate Financial Statement on time. Candidates should completely familiarize themselves with the appropriate sections of the *Municipal Elections Act, 1996*.

### Useful Resources

*Municipal Act, 2001* – <https://www.ontario.ca/laws/statute/01m25>

*Municipal Elections Act, 1996* – <https://www.ontario.ca/laws/statute/96m32>

*Education Act, 1990* – <https://www.ontario.ca/laws/statute/90e02>

Ministry of Municipal Affairs Candidates' Guide –  
<http://www.mah.gov.on.ca/Page18735.aspx>

Township of Georgian Bluffs Bylaw 2017-016 – Alternative Voting Methods



## Election Sign By-law

# The Corporation of the Township of Georgian Bluffs

## By-law Number 2018-033

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**Being a by-law to regulate the placement of Election Signs and to amend By-law 81-2012.**

**Whereas** paragraph 7 of section 11(3) of the *Municipal Act*, S.O. 2001, as amended, authorizes municipalities to enact by-laws respecting structures, including fences and signs; and

**Whereas** the Council of the Corporation of the Township of Georgian Bluffs deems it expedient to regulate the placement of election signs within the Township of Georgian Bluffs;

**Now Therefore** the Council of the Corporation of the Township of Georgian Bluffs enacts as follows:

### 1. Definitions

**“Boulevard”** means that portion of a highway which may be paved, unpaved, grassed or landscaped with other materials between the Township property line and the curb line but does not include the sidewalk and any centre median strip or island separating two (2) roadways;

**“By-law Enforcement Officer”** means a by-law enforcement officer appointed by Council of The Corporation of the Township of Georgian Bluffs;

**“Campaign Office”** means a building or portion of a building which is used by a candidate or an agent of a candidate as part of an election campaign and where a candidate’s campaign staff are normally present and the public may enter to obtain information about the candidate;

**“Candidate”** shall have the same meaning as in the *Canada Elections Act, 2000* the *Election Act* or the *Municipal Elections Act, 1996*, as amended, as applicable;

**“Clerk”** shall mean the Clerk of the Township of Georgian Bluffs;

**“Daylighting Triangle”** shall mean, on a corner lot, the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being nine (9) metres measured along the street line from the point of intersection of the street lines. Where the two street



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lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines (the intersection of the tangents to the street lines).

**“Election Sign”** means:

- i.* any sign advertising or promoting a candidate in a federal, provincial or municipal election including an election for a local board or commission;
- ii.* any sign intended to influence persons to vote for or against any candidate in any election, or any question or by law submitted to the electors in accordance with the *Municipal Elections Act 1996*; or
- iii.* a vehicle where a large or predominant portion of the vehicle is used for purposes of campaigning;

**“Height”** means the vertical distance measured from the lowest grade level at the base of the sign to the highest point of the same sign;

**“Highway”** includes a common and public highway, street, avenue, parkway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

**“Illuminated”** means lighted by any means whatsoever including direct, indirect, internal and external sources of illumination;

**“Mobile Sign”** means any sign mounted on a trailer or other freestanding structure, which is designed in such a manner so as to facilitate its movement from place to place, but does not include a sign attached to a motorized vehicle where the principal use of the vehicle is for the transportation of people, goods or other materials;

**“Owner”** means the registered owner of the lands and includes any person, firm, partnership, corporation, institution, religious or philanthropic organization government or governmental agency controlling maintaining or occupying the lands upon which a sign is or will be erected or displayed;

**“Public Buildings”** shall mean buildings that are owned by or are under the control of the Township of Georgian Bluffs, the County of Grey, the Province of Ontario or the Government of Canada, or any of their agencies, boards, or commissions;

**“Public Property”** shall mean property that is owned by or is under the control of the Township of Georgian Bluffs, the County of Grey, the Province of Ontario



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or the Government of Canada, or any of their agencies, boards, or commissions and includes public highways and road allowances;

**“Registered Third Party”** means an individual, corporation or trade union which intends to incur expenses for advertising in support of or in opposition to a candidate or question on a ballot, and that is registered under section 88.6 of the *Municipal Elections Act, 1996*, as amended.

**“Road Allowance”** means the part of the highway located between the shoulder of the highway and the lateral property line of the abutting property;

**“Rotating Sign”** means any sign or portion of a sign which rotates on an axis;

**“Sign”** shall mean any device object or thing which creates a design or conveys a message or which is designed to convey a message and which is erected, located or fixed on any real property for the purposes of conveying any type of message and shall include a flag and/or a vehicle and includes any identification, notice, description, illustration or advertising device which is:

- i.* illuminated or non-illuminated;
- ii.* visible from any street;
- iii.* located on any property; or
- iv.* exposed to the public;

**“Sign Area”** means the area of the sign within the perimeter which forms the outside shape and:

- i.* where the sign consists of two sides, the area of one side of the sign; or
- ii.* where the sign consists of more than two sides, the total of the areas of each side of the sign

**“Township”** means The Corporation of the Township of Georgian Bluffs;

**“Third Party Advertisement”** means an Election Sign that has the purpose of promoting, supporting or opposing,

- i.* a candidate, or
- ii.* a “yes” or “no” answer to a question or by-law submitted in accordance with the *Municipal Elections Act, 1996*, as amended,





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**“Voting Location”** means the entire property where voting occurs and all boundaries associated with it when such voting location is located within public premises and shall mean all the common elements when the voting location is located on private premises, but does not include a residence.

### 2. General

- 2.1 No person shall erect, attach, place or display an Election Sign except in accordance with the provisions of this by-law.
- 2.2 Only Candidates, Registered Third Parties, or their agents are permitted to erect Election Signs.
- 2.3 No person shall erect, place or display an Election Sign on private property without the permission of the property owner or tenant.
- 2.4 No permits shall be required from the Township prior to the erection of Election Signs with a maximum Sign Area of 2 square metres (21.5 square feet), and with a maximum Height of 2.5 metres.
- 2.5 Persons erecting Election Signs shall require a Township permit, issued in accordance with Sign By-law 81-2012 or its successor, for signs:
  - 2.5.1 with a Sign Area over 2 square metres (21.5 square feet), or
  - 2.5.2 with a Height greater than 2.5 metres
  - 2.5.3 affixed to a building, and/or
  - 2.5.4 identifying a Campaign Office.
- 2.6 No person shall erect an Election Sign which:
  - 2.6.1 is attached to trees or utility poles;
  - 2.6.2 has flashing lights or rotating parts;
  - 2.6.3 is illuminated; or,
  - 2.6.4 simulates any traffic control device.
- 2.7 No person shall deface or willfully cause damage to a lawfully erected Election Sign.
- 2.8 No person shall erect a Mobile Sign as an Election Sign.



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- 2.9 No Election Sign shall contain the Township logo, crest, coat of arms, tag line, or seal, in whole or in part.
- 2.10 No person shall erect an Election Sign in or on any Voting Location and no vehicle containing an Election Sign visible to the outside or on the outside of said vehicle (i.e. wraps) shall be parked in any Voting Location.
- 2.11 No person shall erect an Election Sign within 10 metres of any Voting Location.

### **3. Election Signs on Public Property**

- 3.1 No person shall erect an Election Sign on any Highway or Road Allowance in contravention of this by-law or any by-laws, regulations, policies or procedures established by the County of Grey or the Ministry of Transportation, Ontario, as the case may be.
- 3.2 No person shall erect an Election sign on the property of, or on the Road Allowance in front of, any Public Building.
- 3.3 No person shall erect an Election Sign within a Daylighting Triangle, a bridge, overpass, median, island, central Boulevard, or sidewalk.
- 3.4 No person shall erect an Election Sign within 3 meters of a fire hydrant, curb, driveway or the travelled portion of a Highway;
- 3.5 No person shall erect an Election Sign in such a manner that the Election Sign obstructs the visibility of pedestrian and/or vehicular traffic.

### **4. Content of Signs – Registered Third Parties**

- 4.1 A Third Party Advertisement shall include the following on all Election Sign(s) erected within the Municipality:
  - 4.1.1 the name of the Registered Third Party;
  - 4.1.2 the Municipality where the Registered Third Party is registered; and,
  - 4.1.3 a telephone number, mailing or email address where the Registered Third Party may be contacted.

### **5. Timing**



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- 5.1 No person shall erect Election Signs for a municipal election or by-election until 60 days in advance of the last voting day for a municipal election or by-election.
- 5.2 No person shall erect Election Signs for a federal or provincial election until the day the writ of the election is issued.
- 5.3 All Election Signs erected shall be removed no later than 3 days following Voting Day of the Election for which the signs were erected or installed.

### **6. Removal of Unlawful Signs**

- 6.1 Election Signs which are erected in violation of this by-law shall be removed by the By-law Enforcement Officer or other person designated by the Clerk, upon direction from the Clerk, and disposed of at the discretion of the Township.
- 6.2 The Clerk's decision to authorize the removal of an Election Sign shall be final.

### **7. Penalties**

- 7.1 Any person who contravenes any provision of this by-law is guilty of an offence and, upon conviction, is liable to the penalties specified by the *Provincial Offences Act, R.S.O. 1990*, as amended.

### **8. Amendment**

- 8.1 Section 4, subsection b) of By-law Number 81-2012 is hereby repealed and replaced with the following:
  - b) election signs erected in accordance with Election Sign By-law 2018-033,

### **9. Validity**

- 9.1 In the event that any provision, or part thereof, of this by-law is found by a court of competent jurisdiction to be *ultra vires*, such provision or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all provisions of this by-law shall remain in full force and effect.

### **10. Title**

- 10.1 This by-law may be cited as the "Election Sign By-law."



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**11. Force and Effect**

11.1 This by-law shall come into force and effect upon the date of its enactment.

**Read a first and second time this 18<sup>th</sup> day of April, 2018.**

**Read a third time and finally passed this 18<sup>th</sup> day of April, 2018.**

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Mayor – Alan Barfoot

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Clerk – Wendi Hunter