



2010 MUNICIPAL ELECTION ✓

Information for Candidates

The following information can be found in the 2010 Municipal Election Candidate's Guide (available in the Municipal Clerk's office) which provides a comprehensive overview of the roles and responsibilities associated with candidacy in the 2010 Municipal Election. The Ministry of Municipal Affairs and Housing has also published a Candidate's Guide as well as other information resources for potential candidates. This webpage provides summary information, however, a full review of both of these guides will provide for a better comprehension of the many responsibilities associated with candidacy.

Additionally, potential candidates are urged to refer directly to the Municipal Elections Act, 1996 to satisfy themselves, through their own determination or with support from a professional, of the various legal and financial requirements relating to their candidacy. The onus of responsibility is on the candidate to ensure that he or she is in full compliance with all related statutory obligations.

If you wish to file papers to run in the 2010 municipal election, please pick up a candidates package at the office of the municipal Clerk.

Bill 212 Changes to the Municipal Elections Act:

Bill 212, The Good Government Act, received Royal Assent on December 15, 2009. This omnibus bill made several revisions to the Municipal Elections Act. The following summary of the major amendments which will be in effect for the 2010 Municipal Election have also been incorporated into the 2010 Municipal Election Candidate's Guide:

- Voting day is moved to the fourth Monday of October (October 25, 2010)
- Nomination day is moved to the second Friday in September (September 10, 2010)
- Electors must provide proof of identity and residence in order to receive a ballot
Voting places must be accessible to voters with disabilities and a report regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities must be submitted to council within 90 days after voting day.
- A contributor is unable to make contributions in excess of \$5,000 for two or more candidates running for office on the same council (\$750 individual limit still applies).
- Only a one time, 6-month supplementary reporting period is available for candidates who require an extension of their campaign for the purpose of paying down a deficit.
- Municipalities must establish and appoint a campaign finance compliance audit committee.
- In an attempt to improve the accuracy of the voters' list, MPAC is now able to access information from the records in the office of the Registrar General regarding the registration of births, deaths, and changes of name made under the Vital Statistics Act and the Change of Name Act.
- The campaign expense limits are changed to \$7,500 + 85 cents per elector for Mayoral candidates and \$5,000 + 85 cents per elector for all other candidates.
- The campaign expense limits will be provided to candidates at the time they file for nomination based on an elector count for their respective office from nomination day of the previous election (if this amount is higher than that calculated as of nomination day of the current election, then it shall apply).
- The nomination filing fee and interest on loans are now included in the maximum campaign expense limits, but expenses incurred as a result of a disability and/or the compliance audit process are not.
- The definition of a fund-raising function has been changed to "an event or activity held by or on behalf of a candidate for the purpose of raising funds for his or her election campaign" – this does not include costs related to "events or activities that are organized for the purpose of promoting public awareness of a candidate and at which the soliciting of contributions is incidental as well as promotional materials in which the soliciting of contributions is incidental".
- Penalties for contraventions to the Act have been strengthened and may result in the immediate removal from office as well as the immediate application of fines if convicted.

Nominations:

Nomination day is Friday, September 10, 2010. Nominations may be filed on that day, between the hours of 9:00 a.m. and 2:00 p.m., at the Clerk's Office, 35 Alice Street, Brighton.

They may also be filed during normal office hours (8:30 a.m. - 4:30 p.m.) at the same location between Monday, January 4, 2010 and Thursday, September 9, 2010. Faxed nomination papers will not be accepted, as an original signature of the candidate is required.

Candidates must submit the prescribed nomination form, candidate's declaration of qualification, as well as a Candidate Information and FOI release. At the time of filing, each candidate must also submit a filing fee of either \$200 for the office of Mayor, or \$100 for all other offices.

The nomination filing fee is payable to the "Municipality of Brighton" by either cash, debit, certified cheque or money order (credit cards will not be accepted). The filing fee will be refunded if the candidate is elected, withdraws his or her nomination, or receives more than 2% of the votes cast for that office.

The Clerk will certify nomination papers by 4:00 p.m. on Monday, September 13, 2010.

Candidate Qualifications:

In order to become a candidate in the 2010 Municipal Election, an individual must be a qualified elector in the Municipality of Brighton as of the day in which his or her nomination form is filed. An elector is:

- A Canadian citizen; and,
- At least 18 years of age; and,
- A resident of the Municipality of Brighton or an owner or tenant of land (as assessed under the Assessment Act) in the Municipality of Brighton, or the spouse of such owner or tenant; and, - Is not prohibited from voting (see below)

The following are prohibited from voting in the 2010 Municipal Election:

- A person who is serving a sentence of imprisonment in a penal or correctional institution,
- A corporation,
- A person acting as executor/trustee or in any other representative capacity, except as a voting proxy as per Section 44 of the MEA,
- A person who was convicted of a corrupt practice (Subsection 90(3), MEA)

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

- A judge of any court
- Employees of the municipality or one of its local boards except during an authorized leave of absence (see Section 30, MEA)
- A member of the Provincial Legislature, Senate or House of Commons of Canada (although a member of such a body may file for nomination but must resign as a member of such a body on or before nomination day)
- Crown employees who are deputy ministers or in designated classifications under the Public Service Act
- A candidate who failed to file the necessary financial statements in the last municipal Election.

Additional Qualifications for School Board Candidates:

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

Contact Information:

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