

Candidate Q&A - 2022

The following questions have been submitted by candidates that have filed with the City of Stratford for the 2022 Municipal and School Board Election. For the awareness of all candidates, responses to these questions are shared below:

Voters' List and MPAC

Concern was received with respect to the accuracy of the voters' list, specifically as it relates to eligible electors who are renters. A request was made to declare an emergency due to the disenfranchisement of renters in the City.

Answer - [Voterlookup.ca](https://voterlookup.ca) is one of the ways the Municipal Property Assessment Corporation (MPAC) collects Ontario residents' information to inform the preliminary list of electors. This helps ensure that each municipality has the most accurate information possible for the 2022 Municipal and School Board Elections. This is available until the end of August, 2022. Both MPAC and Ontario municipalities help to educate eligible electors on the availability of [VoterLookup.ca](https://voterlookup.ca) and to check to make sure they are on the list. The City will continue to advertise this information until MPAC begins redirecting eligible electors from [VoterLookup.ca](https://voterlookup.ca) to local municipalities. Candidates can also help play a role by communicating the availability of this tool when speaking with eligible electors. Each candidate binder contains a VoterLookUp buckslip that can be shared or shown to those wondering if they are on the voters' list.

In accordance with the Municipal Elections Act, beginning September 1st and ending at the close of voting on voting day (Monday, October 24, 2022, at 8:00pm), the Clerk may accept an Application to Amend the Voters' List (Form EL15) from an eligible elector.

As the Assessment Act provides that it is the responsibility of MPAC to conduct enumerations used to create the voters' list during a municipal election the City is following the process outlined in this piece of legislation and in the Municipal Elections Act. At this time, it is not felt that the issue constitutes an emergency given the options that remain available to eligible electors to add or update their information on the list.

After years of advocating for reform by election administrations and municipal associations, legislative amendments are being made starting in 2024 to create one list of electors for municipal and provincial elections. This list will be overseen by Elections Ontario and apply to the 2026 municipal and school board election.

MFOI Release Forms

A question was received with respect to how new MFOI Release Forms are to be submitted and if an appointment is required.

Answer - Appointments are not required at our office to submit a new MFOI Release Form. We do however require that the original form be provided so it will need to be submitted in person. Please be reminded as well that any new MFOI Release Form submitted will replace any previously submitted form and only the information contained on the new form will appear on the City's website.

Candidate Financial Statements - 2010 and 2014

A question was received with respect to reviewing Candidate financial statements from the 2010 and 2014 Stratford Municipal and School Board election.

Answer – The Municipal Elections Act requires municipal clerks to retain candidate financial statements until the members of the council or local board elected at the next regular election have taken office. Staff are reviewing whether the candidate financial statements from the 2010 and 2014 municipal election are available and will provide further information on a process to review those records, if located.

Voting Proxy Appointment

A question was received with respect to whether there will be voting by proxy permitted in the 2022 Stratford Municipal Election, and if so, that the details be provided.

Answer – As outlined in Section 9 of the Election Procedures, available in Tab 5 of your Candidate Package, the municipality has chosen to use an alternative voting method and proxy voting will not be utilized. The City's By-law 86-2021, to authorize the use of internet and telephone voting as an alternative voting method for the 2022 Municipal and School Board Election, does not provide a provision for proxies, and it is therefore not applicable in accordance with the Act.

Campaign Finances

Questions were received with respect to:

- Can a candidate use a personal credit card for campaign expenses?
- Can e-transfers or interact transfers be used to pay for goods and services?
- Can donations be received through those same e-payment methods?

Answer – The 2022 Candidates Guide developed by the Ministry of Municipal Affairs and Housing provides the following information in relation to the questions posed about campaign finances:

- On Page 21: “Expenses must be paid from your campaign bank account. If you use a credit card to pay for purchases you should make sure that you keep clear records showing that the expense on the credit card was reimbursed from the campaign account.”
- On Page 17: “Campaign contributions are any money, goods or services that are given to you for use in your campaign, including money and goods that you contribute to yourself.”
- On Page 20: “Only a contribution that is \$25 or less can be made in cash. All contributions above \$25 must be made by cheque, money order or by a method that clearly shows where the funds came from (such as certain debit, credit or electronic transfer transactions).”

A copy of the 2022 Candidates Guide was placed in the Candidates Package and is available on the City’s website at the following link:

<https://www.ontario.ca/files/2022-03/mmah-2022-candidates-guide-en-2022-03-31.pdf>

Candidate Financial Statements - 2010 and 2014

A question was previously received with respect to reviewing Candidate financial statements from the 2010 and 2014 Stratford Municipal and School Board election.

Answer – A search has been completed and a copy of the Candidate Financial Statements from 2010 and 2014 were located. These statements can be reviewed in the Clerk’s Office by appointment. Please email elections@stratford.ca to schedule an appointment. Please note copies of these documents cannot be made and will not be provided.

Bank Account Identification

A question was received with respect to whether a candidate’s bank account has to be identified as “Candidate”.

Answer - Page 17 of the 2022 Candidates Guide, prepared by the Ministry of Municipal Affairs and Housing, and which is available on the City's website, provides the following regarding setting up a candidate bank account:

"Bank account

You must open a bank account exclusively for your campaign if you accept any contributions of money (including contributions from yourself or your spouse) or incur any expenses. You do not have to open a campaign bank account if you do not spend any money and do not receive any contributions of money. If you receive contributions of goods or services, but no contributions of money, you do not have to open a campaign bank account. You cannot use your personal bank account for campaign finances, even if you are planning a very small campaign. All contributions – including contributions you make to yourself – must be deposited into the campaign bank account. All expenses must be paid for from the campaign account. The nomination fee is considered to be a personal expense, not a campaign expense. You do not need to have a campaign bank account in order to pay the nomination fee."

The bank account must be separate from a candidates personal account but we do not believe there is a requirement to identify it as "Candidates Name – Candidate," for example. Once a person has filed their nomination with the Clerk, they can then proceed to set up a bank account for their campaign and the financial institution setting up the account may provide additional direction on how that account appears.

Donations and Information to be Collected

A question was received with respect to whether an individual can make a donation but request their business mailing address to be noted in the record.

Answer – The 2022 Candidates Guide prepared by the Ministry of Municipal Affairs and Housing provides the following information in relation to the question posed about contributions and information to be collected:

- Page 18: "You can accept contributions only from individuals who are residents of Ontario. Corporations and trade unions are not permitted to make contributions to candidates."

-
- Page 20: "You are required to list the names and addresses of every contributor who gives more than \$100 total to your campaign in your financial statement. You should keep a record of the names and addresses of every contributor, regardless of the value of their contribution, because the same contributor may make multiple contributions that end up totalling more than \$100."

As Corporations and trade unions are not permitted to make a contribution to a candidate, the information provided by the contributor should be their personal information and not their business information.

Voting Proxies and Appointment of Scrutineers

Questions were received in relation to voting proxies and the appointment of scrutineers as follows:

1. Why are voting proxies not applicable in the 2022 Stratford Municipal and School Board Election?
2. How are scrutineers appointed when internet and telephone voting is being used?

Answer – With respect to the first question about voting proxies, the Municipal Elections Act provides:

"Effect of by-law on advance votes and voting proxies

(5) When a by-law authorizing the use of an alternative voting method is in effect, sections 43 (advance votes) and 44 (voting proxies) apply only if the by-law so specifies; if the by-law specifies that section 44 applies, it may also establish additional criteria that a person must meet to be entitled to vote by proxy. 1996, c. 32, Sched., s. 42 (5)."

The City's By-law 86-2021, to authorize the use of internet and telephone voting as an alternative voting method for the 2022 Municipal and School Board Election, does not provide a provision for proxies, and it is therefore not applicable in accordance with the Act. This was the same in the previous election as proxies were also not provided for in 2018.

With respect to the second question related to appointment of scrutineers, Section 12 of the Elections Procedures, available in Tab 5 of the Candidates Package, provides information on the appointment of scrutineers in the 2022 Stratford Municipal and School Board Election.

Municipal Conflict of Interest Act

A question has been received with respect to a member of Council's obligations under the Municipal Conflict of Interest Act (MCIA).

Answer - The MCIA requires Members of Council to declare any direct or indirect pecuniary interest in relation to a matter under consideration. Staff do not provide legal advice on the interpretation or application of this piece of legislation to members of Council, local boards or advisory committees as applicable. As the City's Integrity Commissioner investigates complaints related to possible contraventions of the MCIA, members of Council, local boards and advisory committees can seek advice from the Integrity Commissioner or through their own independent legal counsel.

Changing your mind – running for a different office

A question was received as to the process involved with choosing to run for a different office if you've already filed a nomination for another office.

Answer – Starting on page 7 of the 2022 Candidates' Guide, prepared by the Ministry of Municipal Affairs and Housing, and which is available on the City's website, information is available which outlines changing your mind and running for a different office. The following has been copied here from this section of the Guide:

"You can only run for one office at a time. If you decide to run for a different office, your first nomination is deemed to be withdrawn when you file your second nomination.

If you decide to run for a different office on the same council or school board, and both offices are elected at large (for example, an office such as the mayor, which everyone in the municipality may vote for), everything (contributions, expenses, etc.) from your first campaign is simply transferred to your second campaign.

Several case examples of changing your mind and running for a different office are available in the 2022 Candidates' Guide should you wish to review this further.

Election Signs

Several questions were submitted with respect to election signs under the Sign By-law as it relates to signs at Campaign Headquarters, sign size, and sign content.

Answer - While section 21.1(h) iii of the by-law does currently read "Notwithstanding section (h) iii...", the intent of the section is to be notwithstanding of the previous section, being (h) ii. This is to be interpreted to provide that, regardless of (h) ii, Campaign Headquarters Election Signs may be placed once a Candidate has filed their nomination papers with the City Clerk and paid the required filing fee. Section (h) ii remains as follows: "No person shall affix, erect or otherwise display an Election Sign for a municipal election earlier than the day that the Candidate has been nominated or appointed or the third party advertiser has registered with the City Clerk and no earlier than:

1. 45 days prior to Election Day in the year of a regular election; or
2. Nomination Day for a by-election."

For further clarification regarding signage for campaign headquarters, the by-law defines campaign headquarters as "a building or structure, or part of a building or structure thereof, where a registered candidate or third party advertiser has set up an office to conduct an election campaign, in a zone permitted in accordance with the City's Zoning By-law, as amended, one per candidate'.

The by-law also notes that an election which is a fascia sign may be affixed to the face of the building or building unit which is used as a candidate's campaign headquarters provided such fascia sign complies with the provisions of the By-law for a fascia sign.

With respect to the physical characteristics of election signs, please be reminded that section 21 (f) provides the following:

- i. No person shall affix, erect or otherwise display an Election Sign that:
 1. Is illuminated;
 2. Exceeds a maximum sign area of 3.7 m² (40 ft.²), with the exception of those placed on billboard signs.
- ii. No Election Sign shall be in a state of disrepair and every person shall ensure that the Election Signs remains in a state of repair.



Lastly, when it comes to sign content, page 10 of the 2022 Candidates' Guide, prepared by the Ministry of Municipal Affairs and Housing, and which is available on the City's website, provides the following regarding Campaigning – Signs: "All of your campaign signs and other advertising must identify that you are responsible for the sign. This is so that people seeing the sign or advertisement can tell that it is from your campaign, rather than from a third party advertiser."

Map of the City

It was questioned if maps of the City are available.

Answer - Maps of Stratford and Perth County, printed by Destination Stratford, are available for pickup at the Clerk's Office for anyone who is interested.



Office of the City Clerk
1 Wellington Street, Stratford, ON, N6A 6W1
Phone: 519-271-0250 extension 5237
stratford.ca/elections