



**2022 Oshawa Election Guide
Third Party Advertisers Edition**

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Introduction

The City Clerk is responsible for the proper legislative and administrative conduct of municipal elections in Oshawa. In accordance with the *Municipal Elections Act*, 1996, as amended, the Clerk is authorized to establish procedures and provide information to ensure the delivery of election services.

This Guide has been prepared in accordance with this mandate. The Guide provides general information for Third Party Advertisers concerning the 2022 Municipal and School Board Elections in the City of Oshawa. Additional information may be found on the City's Election Website at www.voteoshawa.ca throughout 2022 or by contacting City Clerk Services. This Guide is provided in conjunction with the Municipal Elections 2022 Guide published by the Ministry of Municipal Affairs. Third Party Advertisers are urged to review the provincial guide carefully as it provides additional information relating to qualifications, financial responsibilities, contributions, expenses, and financial reporting.

It is important to note that the contents of this document are intended only as a guide. Prospective candidates must satisfy themselves through their own determination that they have complied with all legislated requirements to run for election and hold office.

Assistance and Staff Resources

City Clerk Services staff will be pleased to assist you with any questions you may have concerning the 2022 Municipal Election. Contacts include the following:

Adam Foran, Elections Officer 905-436-3311, Ext. 2310
E-mail: AForan@oshawa.ca

Laura Davis, Deputy City Clerk 905-436-3311, Ext. 2475
E-mail: LDavis@oshawa.ca

Mary Medeiros, City Clerk 905-436-3311, Ext. 2239
E-mail: MMedeiros@oshawa.ca

Key Dates

Date	Event
<p>Monday, May 2, 2022 to Friday, August 19, 2022 until 2:00 p.m.</p>	<p>Nomination Period</p> <p>Nomination papers may be filed by candidates or an agent commencing May 2, 2022 through to August 19, 2022 at City Clerk Services, 5th Floor, Rundle Tower, 50 Centre Street South, Oshawa. Nominations may be filed from Monday to Friday between the hours of 8:30 a.m. to 4:00 p.m. and on August 19, 2022 between the hours of 9:00 a.m. and 2:00 p.m.</p>
<p>Monday, May 2, 2022 to Tuesday, January 3, 2023</p>	<p>Campaign Period</p> <p>A candidate's campaign period begins from the date they file their nomination paper with the City Clerk and ends January 3, 2023 (unless the candidate withdraws the nomination, the City Clerk rejects the nomination, or the candidate is continuing their campaign to erase a deficit). <u>A candidate must file a nomination paper before any campaign activity is commenced; this includes raising campaign funds or incurring any campaign-related expenses.</u></p>
<p>Friday, August 12, 2022 until Monday, September 12, 2022</p>	<p>Request to Vote by Mail</p> <p>Voters may request to vote by mail beginning on Friday, August 12 until Monday September 12, 2022.</p>
<p>Friday, August 19, 2022 until 2:00 p.m.</p>	<p>Nomination Day</p> <p>Last day for filing nominations. Nominations may be filed between the hours of 9:00 a.m. and 2:00 p.m. at the Office of the City Clerk.</p> <p>Nominations may be withdrawn in writing before 2:00 p.m.</p>

Date	Event
Monday, August 22 to Monday, October 24, 2022	<p>Appointment of Voting Proxies</p> <p>A person may be appointed as a voting proxy for in-person voting. Application to appoint a voting proxy for in-person voting may be made up to and including Voting Day at City Clerk Services.</p>
Thursday, September 1, 2022	<p>Voters' List Available</p> <p>On or before September 1, 2022, the City Clerk will provide the Voters' List to registered candidates. The Voters' List will also be made available to the general public for supervised viewing only.</p>
Thursday, September 1, 2022	<p>Revision Period Begins</p> <p>Eligible voters whose names are not on the Voters' List or where their information is shown incorrectly may be added or have their information amended on the Voters' List by completing an application with City Clerk Services or at the voting place. Application may also be made to remove another elector's name from the Voters' List until Monday, October 24, 2022.</p>
Monday, September 12, 2022	<p>First Day to Erect Election Signs</p> <p>Municipal election signs can be erected, placed, maintained or displayed starting on Monday, September 12, 2022.</p>
Tuesday, September 26, 2022	<p>Certificate of Maximum Permitted Expenses</p> <p>The City Clerk will provide each candidate with a Final Certificate of maximum permitted expenses for their campaign. Candidates cannot exceed this amount (or the amount provided on the Preliminary Certificate of Maximum Permitted Expenses provided to each candidate when they filed their nomination paper, whichever is greater).</p>

Date	Event
Wednesday, September 27, 2022 until October 10, 2022	<p>Vote by Mail – Canada Post Return Option</p> <p>Voters who requested a vote by mail ballot may return their ballot through regular mail via Canada Post. If returning through the mail, voters should ensure they post their pre-paid return envelope prior to October 10 to ensure it is received prior to Voting Day.</p>
Wednesday, September 27, 2022 until 12:00 p.m. October 20, 2022	<p>Vote by Mail – Drop Off Return Option</p> <p>Voters who requested a vote by mail ballot may return their ballot by placing the return envelope in any secure Vote Oshawa drop box at designated locations throughout the City prior to 12:00 p.m. on October 20, 2022.</p>
October 6-8, 11, 13, 15-16, 2022	<p>Advance Voting</p> <p>Advance voting locations will be open throughout the City to allow voters to cast their ballot prior to Voting Day.</p>
Monday, October 24, 2022	<p>Voting Day</p> <p>Voting places open at 10:00 a.m. and close promptly at 8:00 p.m.</p>
Monday, October 31, 2022	<p>Last Day to Remove Election Signs</p> <p>Election signs must be removed on or prior to this date.</p>
Tuesday, November 15, 2022	<p>Term of Office Commences</p> <p>The 4 year Term of Office commences for elected members.</p>

Date	Event
Tuesday, November 15, 2022	<p>Inaugural Meeting of Council</p> <p>Elected members to take the Oath of Office prior to taking their seat.</p>
Tuesday, January 3, 2023	<p>End of Campaign Period</p> <p>This is the end of a candidate's campaign period, unless they withdrew their nomination, the nomination was rejected by the City Clerk or the candidate is continuing their campaign to erase a deficit. Candidates may not raise funds or incur expenditures beyond this day unless they have a deficit and have notified the City Clerk in writing of their intent to extend their campaign period.</p>
Friday, March 31, 2023 until 2:00 p.m.	<p>Deadline for Filing of Financial Statements</p> <p>Final date on which all nominated candidates must file their financial statements. Late filing will be accepted until May 1, 2023 with a \$500 fee. Financial statements are to be filed with the City Clerk, 5th Floor, Rundle Tower, 50 Centre Street South, Oshawa prior to 2:00 p.m. The nomination filing fee will be refunded to the candidate only after the candidate files the financial statement.</p>
Friday, September 29, 2023	<p>Supplementary Filing Date</p> <p>Final date on which all nominated candidates must file their financial statements for the reporting period ending June 30, 2023.</p>

Elected Offices

On October 24, 2022, voters in the City of Oshawa will elect candidates to the following offices:

Position	Number to be elected
Regional Chair	One to be elected by all electors in the Region of Durham.
Mayor	One to be elected by all electors in the City of Oshawa.
Regional and City Councillor	Five to be elected, one from each of the five wards in the City of Oshawa, by electors in the respective wards.
City Councillor	Five to be elected, one from each of the five wards in the City of Oshawa, by electors in the respective wards.
Trustee, Durham District School Board	Three to be elected by all English Public School electors in the City of Oshawa.
Trustee, Durham Catholic District School Board	Two to be elected by all English Catholic School electors in the City of Oshawa.
Conseiller(ère), Conseil scolaire Viamonde	One to be elected by all French Public electors in the areas of the Region of Durham, County of Haliburton, County of Northumberland, County of Peterborough, City of Peterborough, City of Kawartha Lakes and City of Quinte West.
Conseiller(ère), Conseil scolaire catholique MonAvenir	One to be elected by all French Catholic electors in the Regional Municipality of Durham, Counties of Northumberland and Peterborough and Cities of Kawartha Lakes, Peterborough and Quinte West.

Third Party Advertisements

Definition

A third party advertisement is one which, regardless of medium, has the purpose of promoting, supporting, or opposing a candidate(s) or a “yes” or “no” answer to a question on the ballot.

It does not include an advertisement:

- That is by and under the direction of a candidate
- That does not cost money to create, post or broadcast
- That is given or transmitted by an individual to employees by a corporation to its shareholders, directors, members or employees or by a trade union to its members or employees
- That advertises an issue, rather than a candidate

Third Party Advertisers

To advertise for the municipal election, third party advertisers must register with the City.

Qualification

The qualifications to be eligible to register as a third party advertiser in the City of Oshawa are established by the *Municipal Elections Act, 1996*.

To be eligible as a third party advertiser, at the time of being registered they must be:

- An individual who is normally resident in Ontario;
- A corporation that carries on business in Ontario; or,
- A trade union that holds bargaining right for employees in Ontario.

Disqualification

The following are not eligible to register as a third party advertiser:

- Municipal election candidates;
- Federal and Provincial political parties, constituency associations, registered candidates and leadership contestants; or,
- Federal and Provincial governments, a municipality or local board.

Registration

Third Party Information Package

Third Party Advertiser Information Packages can be obtained from City Clerk Services. The package contains all required forms and information to assist potential third party advertisers. In addition, City Clerk Services election staff can answer any questions or assist with other election matters. Registration forms, notices and other resources such can be found on the City’s Election Website at www.voteoshawa.ca as they become available.

Registration documents are public records and are available for inspection by the public at City Clerk Services. A list of registered third party advertisers will also be made available on the election website.

Registration Period

The registration period commences on Monday, May 2, 2022 and continues until **October 24, 2022**. Registration forms may be filed at City Clerk Services, 5th Floor, Rundle Tower, City Hall, 50 Centre Street South between the hours of 8:30 a.m. and 4:00 p.m. Monday to Friday.

It is preferred that interested third party advertisers book an appointment to register by contacting City Clerk Services at clerks@oshawa.ca or by telephone at 905-436-3311.

Registration Forms

Third party advertisers must file their registration on the prescribed registration form (Form 7). Registration forms and related information are part of the Third Party Advertiser Information Package available at Service Oshawa or on the City's Election Website at www.voteoshawa.ca.

If third party advertisers wish to advertise in other municipalities within the Region of Durham (i.e. for the Regional Chair), they are required to register in each lower-tier municipality they wish to advertise in.

Filing the Registration Form

An agent of the third party advertiser must file the registration form in person. **Faxed, mailed or emailed registration forms are not accepted.** The agent chosen to file on behalf of the third party advertiser must provide proof that they are authorized to act on the corporation or trade union's behalf.

The City Clerk or designate will examine the registration and if deemed compliant, will certify the registration. The Clerk's decision to certify or reject a notice of registration is final.

Once registered, the third party advertiser may promote or oppose any candidate that the electors in the municipality can vote for (council, school board, Regional Chair). When registering, the third party advertiser is not required to identify what candidate they are supporting or opposing.

Becoming a Candidate

If a third party advertiser chooses to run as a candidate at any point during the nomination period (May 2 – August 19, 2022), they will cease to become a third party advertiser once nomination papers are filed with the City Clerk. Any advertising or promotions that were incurred by the third party advertiser must be removed.

Further information on running as a candidate may be found in the 2022 Oshawa Election Guide – Candidates Edition located on the election website (www.voteoshawa.ca).

Campaign Activities

Election Signs

Municipal election signs can be erected, placed, maintained or displayed **starting on Monday, September 12, 2022 and must be removed on or before October 31, 2022.**

Candidates are responsible for maintaining their election signs in the proper condition. This includes replacing signs that have fallen over or are damaged. Removing election signs, damaging them, or knocking them over are crimes of mischief under the Criminal Code. Anyone unlawfully caught with an election sign may be charged with possession of stolen property.

Copies of the City of Oshawa's Election Sign By-Law and Region of Durham's Election Sign By-Law are included in the Candidate's Information Package and available on the City's Election website at www.voteoshawa.ca.

Advertising and Promotion

Once a third party advertiser has registered, there are no restrictions on when or through what media a candidate or third party advertiser may or may not advertise, however there are mandatory content requirements.

Third party advertisements must contain the following:

1. The name of the registered third party advertiser
2. The municipality where the third party advertiser is registered
3. A telephone number, mailing address or email address where the third party advertiser can be contacted.

If the advertisement is going to be broadcast or published, third party advertisers must also provide this information to broadcasters or publishers.

Voting Day, October 24, 2022

The City Clerk establishes a number of voting places within the City. Voting Places are generally distributed in such a way as to reduce the distance voters need to travel in order to cast their ballot. Voting Places are located in local schools, community centres or other familiar locations that are easily identified and accessible to all voters. All Voting Places open at 10:00 a.m. and close at 8:00 p.m. except for certain Special Voting Places as listed below. Voters who have entered the Voting Place prior to 8:00 p.m. will be allowed to vote. No voter is allowed to enter the Voting Place after 8:00 p.m.

Third party advertisers may not have campaign material in a voting place. This includes the entire property of a building that has a voting place inside it, including the parking lot.

After Voting Day, third party advertisers must remove any advertisements, including online advertisements.

Special Voting Places

Special Voting Places are established to assist certain citizens who may not be able to travel to a Voting Place to vote. Special Voting Places are typically set up in facilities such as retirement homes. A complete list of Special Voting Places will be determined posted to the election website when available.

Financial Responsibilities

Third party advertisers must adhere to a number of requirements with respect to the raising of funds and incurring expenses. The requirements are set out in the *Municipal Elections Act, 1996*. All third party advertisers must disclose and report their expenses, using the prescribed Form 8 (Financial Statement - Auditor's Report - Third Party), no later than **2:00 p.m. on March 31, 2023**.

Third party advertisers may continue to raise funds and incur expenses related to their advertising campaign until the end of the Campaign Period on January 3, 2022. If the third party advertiser has a deficit at this time or becomes involved in a compliance audit after the campaign period, they may notify the City Clerk on or before this date to extend the campaign period. Notification that the campaign has been recommenced must be received in writing.

If the campaign period has recommenced, the third party advertiser may incur expenses and accept contributions until June 30, 2023. A second financial statement that includes the information from the primary statement as well as financial information from the extended campaign must be filed with the Clerk by 2:00 p.m. on September 29, 2023.

If the third party advertising campaign has a surplus after they have refunded contributions made by the third party advertiser (or in the case of an individual, a spouse), the third party advertiser must pay the remaining surplus to the City Clerk when filing their financial statement. The surplus will be held in trust, and the third party can use it if they incur expenses related to a compliance audit. If not needed for this purpose it becomes the property of the municipality.

Third party advertisers should consult the 2022 Guide for Third Party Advertisers - Ontario Municipal Council and School Board Elections published by the Ministry of Municipal Affairs for detailed information relating to financial responsibilities, campaign contributions, campaign expenses, and financial reporting.

Additional Information

City of Oshawa – Maps

Copies of wall maps can be purchased for \$15.00 each (Ward Map) and \$30.00 each (City Map) at:

Service Oshawa
City of Oshawa
50 Centre Street South
5th Floor
Oshawa, ON L1H 3Z7
905-436-3311 or toll free 1-800-667-4292
service@oshawa.ca

City of Oshawa – Election Website

The City of Oshawa's Election Website is continuously updated to reflect the most recent developments and information. Visit the site for an up-to-date list of candidates and other important messages or events throughout the election year.

www.voteoshawa.ca

City of Oshawa – City Clerk Services

City Clerk Services is located at City Hall on the 5th Floor, Rundle Tower, 50 Centre Street South, Oshawa. City Clerk Services staff can answer questions you may have about running for office or the election in general. See Section 2 for additional contact information.

Ministry of Municipal Affairs and Housing – Election Website

This website contains information about municipal elections as well as the Province of Ontario 2022 Municipal Elections Candidates Guide. This guide details a number of the requirements candidates must adhere to when running for office.

www.ontario.ca/page/municipal-elections

Municipal World – Publications

Municipal World provides a number of publications to assist candidates with their election activities. Publications include: Candidates and Electors, Guide to Good Municipal Governance, How To Campaign for Municipal Elected Office, Municipal Election Law, Run & Win: A Guide to Succeeding in Municipal Elections.

Municipal World Inc.

42860 Sparta Line
Union, ON
N0L 2L0
1-888-368-6125

www.municipalworld.com

Service Ontario – e-Laws

This website contains all current statutes including the *Municipal Act*, *Education Act* and *Municipal Elections Act*.

<https://www.ontario.ca/laws>

Association of Municipalities Ontario

A non-profit association representing Ontario's municipalities whose website contains information, training, and other resources for the municipal election.

www.amo.on.ca