

Questions from 2018 Newmarket Municipal Election Information Session for Prospective Candidates

The following questions were asked during the Information Session held on July 11, 2018. Where possible, excerpts from the Municipal Elections Act (“the Act”) have been included for reference purposes.

1. Are campaign contributions permitted via e-transfers?

Yes, provided that the e-transfer can be traced to the contributor’s name and account.

Reference in the Act:

88.12 (8) A contribution of money that exceeds \$25 shall not be contributed in the form of cash and shall be contributed in a manner that associates the contributor’s name and account with the payment or by a money order signed by the contributor.

2. Will the \$25 Election Sign By-law removal fee be charged once or twice per sign?

The removal fee will only be charged once per sign.

3. What are the differences between a Voter Assistance Centre, a special voting location and the library?

The Town will establish 2 Voter Assistance Centres between October 19 and October 22, which are primarily for voters to get in-person help with voting or to correct their information on their Voter Instruction Letter. Voters can also get help over the phone during the voting days by calling 905-953-5121.

As in past Municipal Elections, all special voting locations (i.e., Southlake Regional Health Centre, long term care facilities) will be visited by election staff to assist them with voting.

The library has a computer lab that is available for voters to use if they don’t have access to the internet at home. Library staff will also be able to answer some voting related questions.

4. When can election signs be erected?

Candidates that have applied for an election sign permit may begin erecting election signs beginning at 10:00 AM on September 24, 2018.

This document is for reference only. For legal advice, please consult legal counsel.

5. How should goods, such as signs and stakes from previous elections be accounted for in a candidate's 2018 financial statements?

In accordance with Table 4 of the [Form 4](#) (Financial Statement) goods from previous elections that are being re-used during the 2018 Newmarket Municipal Election should be recorded at their current market value.

6. Will there be voting assistance provided at retirement residences?

Yes, election officials will be visiting all of the same high density locations as in previous elections.

7. Will the candidates receive a list of addresses for all of the special voting locations?

Yes, a list will be provided to candidates.

8. When will updates to the Voters' List reflect who has voted prior to October 22, 2018?

Yes, starting on October 14, 2018 a list of who voted the previous day will be provided by 12:00 PM each day.

Reference in the Act:

43(5) On each day of the advance vote ...

(a) ...

(b) as soon as possible after the close of voting,

(i) prepare a list showing the name of each person who has voted on that day and identifying his or her voting place, and...

9. Can voters change their vote after successfully submitting a ballot?

No, once has been submitted, a voter does not have another opportunity to vote again. The process of "submitting a ballot" is similar to a voter placing their paper ballot in the box; it cannot be retrieved.

10. How can a candidate have a deficit with their campaign?

If a candidate has incurred more expenses than contributions received, they may run a deficit with their campaign.

- 11. Why is the Community Centre not a Voter Assistance Centre location?**
The 2 Voter Assistance Centres are located on major transit routes and are accessible locations. The Community Centre is located close to the Library, which has a computer lab in it, providing the same access to technology as the Voter Assistance Centres.
- 12. What happens once nominations are closed?**
The Clerk will undertake a process in verifying all of the nominations, and certifying them. A list of certified candidates will be made available by July 30, 2018. Only certified candidates will be listed on the ballot.
- 13. When would the Clerk reject a nomination?**
If the information provided in the nomination papers was incorrect or the candidate had moved out of the Town of Newmarket, e.g., the individual became an ineligible voter. It should be noted that the Clerk will rely on the 25 endorsements provided by all municipal council candidates, as per the Act.

Reference in the Act:
33 (1.3) The clerk is entitled to rely upon the information filed by the candidate under clause (2) (a.1), and a nomination certified by the clerk under section 35 is conclusive evidence that all conditions precedent under subsection (1.1) have been complied with.
- 14. Who is responsible for the collection of and eligibility of the endorsements?**
Candidates are responsible for communicating that any person signing the form must be an eligible voter at the time of the endorsement.
- 15. Should the fee for an audit of campaign finances be included in the financial statement?**
Candidates should refer this question to the Ministry of Municipal Affairs. The Ministry is hosting a webinar regarding campaign finances on August 14, September 6 & September 12. You can access the webinars through our website.
- 16. What information is included on the Voters' List?**
The voter's name, address, and ward will be included.

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17. What should a candidate do if their total contributions received and total expenses incurred in their election campaign exceed \$10,000?

The candidate is required to have an auditor licensed under the Public Accounting Act audit his/her financial statement.

Reference in the Act:

88.25 (7) An auditor's report shall be prepared by an auditor licensed under the Public Accounting Act, 2004.

- (8) No auditor's report is required if the total contributions received and total expenses incurred in the election campaign up to the end of the relevant period are each equal to or less than \$10,000.

18. How does the Compliance Audit Committee process work?

An eligible elector may apply to the Town Clerk for a compliance audit of a candidate's campaign finances. The Town Clerk forwards the application to the York Region Joint Compliance Audit Committee. The Committee considers the application and makes a decision within 30 days whether to accept or reject the application.

The decision of the Committee to grant or reject an application for a compliance audit may be appealed to the Ontario Court of Justice. If an audit is approved and conducted, the Committee may commence legal proceedings against a Candidate for any apparent contraventions of the Act.

The application for a compliance audit will be made available on the Town's website in Q1 2019.

19. How does online voting work?

All eligible electors on the Voters' List, will receive a Voter Instruction Letter in the fall, which will contain a unique PIN needed to cast a ballot online or by phone. Between 10:00 AM on October 13, 2018 and 8:00 PM on October 22, 2018, eligible electors will visit the web address or call the telephone number indicated on the letter to access their ballot.

Electors will need to enter their unique PIN and date of birth to begin the voting process.

Voters will also have an opportunity to leave a race, or all races blank, or to decline their ballot in its entirety.

Paper ballots are not available for the 2018 Newmarket Municipal Election.