



CANDIDATE GUIDE

TO

MUNICIPAL ELECTION

Administration of Municipal Election

Returning Officer

The municipal official (Deputy City Clerk, Mona Lewis) who is responsible for administering the election is the Returning Officer. In addition to the Returning Officer, council shall appoint an alternate Returning Officer to perform the duties of the Returning Officer in the event the Returning Officer cannot perform these duties. The alternate Returning Officer for the 2017 election is the Director of Corporate Services, Jason Silver.

The Returning Officer is responsible for the administration of the election and is the person who will be able to give candidates all necessary information about the election.

Polls

The City of Mount Pearl does not have a ward system (i.e. a geographic area that an elected councillor would represent) but rather council members are elected at large. Mount Pearl is divided into 30 polls which are assigned to specific polling stations.

Poll Officials

The Returning Officer appoints a deputy returning officer and a poll clerk for each poll.

The deputy returning officer is responsible for the management of the polling station on voting day. The poll clerk is responsible for keeping the written records of the voting.

Becoming a Candidate for Council

What are the Qualifications to Run for Council?

In order to run for council (mayor or councillor) you must:

- Be eligible to vote in the municipal election
- Not be in arrears of taxes or other charges payable to the City
- Be ordinarily resident for a period of 30 days before the commencement of nomination day

Disqualifications – Council

A person is not qualified to be nominated as a candidate for council:

- While he or she holds an office under the council to which a salary or remuneration payable out of the funds of the municipality is attached.
- While he or she is employed by the council.
- Where he or she is the chief administrative officer of an agency or body established by the council and that agency or body has an annual operating budget that must be approved by the council for which that officer seeks nomination as a candidate.
- If he or she was dismissed as a councillor.
- If his or her seat as a councillor was declared vacant under subsection 20(2) of the *City of Mount Pearl Act* where that election is held not more than 2 years after the date on which that person was dismissed as a councillor or his or her seat was vacated or declared vacant.
- If he or she is a member of the House of Commons, the Senate of Canada, or House of Assembly.
- If he or she is a judge of the Supreme Court or the Provincial Court of the province.

Requirements to Pay Taxes and Liens

To qualify for nomination to council, you must ensure that all municipal charges, taxes and liens that are due have been fully paid prior to nomination day.

When Do I File My Nomination Paper for Council?

Nomination day is Thursday, August 31, 2017, between 8:00 am and 8:00 pm, City Hall, **by appointment with the Returning Officer. Contact Mona Lewis at 709-748-1032.**

A candidate shall be nominated by persons eligible to vote in Mount Pearl. The nomination shall be writing and in the required form, and signed by the proposer and seconder, both of whom shall be present together with the candidate who shall also sign signifying his or her acceptance.

If a candidate is unable to attend his or her nomination, the Returning Officer may accept, in the required form, a declaration to that effect from one of the candidate's nominators together with a declaration from the nominator that the candidate possesses the qualifications required by the Municipal Elections Act and accepts the nomination.

A fee, in the amount of \$50, is required at the time of nomination and is not refundable.

As soon as the nomination paper is filed, the information about your candidacy becomes public information.

Can I Change My Mind About Running for Council?

A person who has been nominated may withdraw his or her nomination by filing with the Returning Officer a written withdrawal and the nomination fee is forfeited.

The List of Electors

Electors (Voters)

A Canadian citizen who is 18 years of age or older is qualified to vote at an election where he or she has been ordinarily resident for the 30 days immediately before election day.

When Can I Get the List of Electors?

Once your nomination papers are filed, the Returning Officer will provide you with the list of electors.

What Are My Responsibilities for the List of Electors?

The list of electors can be used for electoral purposes only. This means that you can use the list for campaigning for election, persons working on your campaign, and your agents in the polling stations can also use it.

While the list of electors is in your possession, it cannot be open for inspection (except for an electoral purpose), disposed of or sold.

What Happens if an Elector's Name is Not on the List of Electors?

An elector whose name is not on the final list of electors can be added to the list:

- Up until 4:00 pm on Friday, August 25, 2017 an elector can obtain (in person) an "Oath or Affirmation of Voter" form from the Returning Officer. When the "oath" has been issued, the name of the elector is then deemed to be on the final list of electors.
- A person whose name has been omitted from the list of voters and is qualified to vote may vote on election day upon taking an oath or affirmation in the required form.

Election Campaigns

Are There Rules about Campaigning in an Election?

You can begin campaigning at any time.

You can campaign on election day, however, a candidate or his or her agents cannot campaign or distribute campaign materials (physically or electronically, i.e. social media) at the polling station or within 30 metres of the entrance to the polling station and must remain respectful to all voters, the electoral process, the Returning Officer and all other election officials. This includes not distributing election results until the results are officially declared by the Returning Officer.

What about Election Advertising?

Signage

Municipal election signs are not to be erected earlier than 30 days before the date of the election (signs are not permitted to be placed before August 26). Prior to placing any election sign within the City, a candidate is required to make application and obtain one permit (\$250 deposit required). All signs must be removed within seven days following the election (removed by October 3.) If Council is not satisfied that the signs are effectively removed within the seven day time period, the candidate's \$250 deposit will be forfeited to the City. Any costs incurred by the City over and above the \$250 deposit shall be the responsibility of the candidate and the candidate will be invoiced accordingly. If the signs are removed at the time of the City's inspection, the deposit will be returned to the candidate within 20 days of the date of the election.

What about Financing My Election Campaign?

Many candidates will receive contributions toward the cost of mounting an election campaign. Within 90 days of the election, an elected candidate must file with the Returning Officer an "Oath or Affirmation of Campaign Contributions Disclosure" form. All contributions of money, goods, or services received by a candidate with a value of over \$100 must be declared by the candidate when reporting on campaign contributions received. To value any goods or services received, one must use the equivalent lowest market value of the goods or services received as if they were sold.

Once filed, the disclosure statements become an official record of the municipality, and must be made available for public inspection upon request.

Voting Procedures

Who Can Be At The Polls?

- Election Officials
- Candidates
- Agents (authorized in writing, not exceeding one agent for each candidate)
- Voter (actually engaged in voting)

What Are The Voting Days And Times?

An Advance Poll will be held on September 16, 2017 between 8:00 am and 8:00 pm, City Hall.

September 26, 2017 is voting day between 8:00 am and 8:00 pm, various polling stations.

What If An Elector Cannot Vote On Any Of The Polling Days?

A voter who cannot vote at the Advance Poll or on Voting Day can authorize another person who is a qualified voter to vote on his or her behalf. An application (in person) must be made to the Returning Officer in the required form no later than 4:00 pm on Monday, September 25, 2017. **A proxy vote cannot be used at an advance poll. It can only be used on election day.**

Candidate's Agents

Agents who represent candidates in an election shall be authorized by the Returning Officer before the date of the election. Application (in person) must be made to the Returning Officer prior to 4:00 pm, Friday, September 22, 2017.

When Will I know the Official Results of the Election?

The election results released on election night are the **unofficial results**. You and/or your agent(s) are welcome to be present at City Hall at the close of polls (8:00 pm) to obtain these results.

The **official results** will be declared by the Returning Officer no later than 12:00 noon of the following day, giving the names of the elected candidates in descending order from the largest number of votes received. This public notice will also indicate the number of votes received by all candidates in the election.

What if I want to Challenge the Result of an Election?

Where a candidate in an election is defeated by 50 votes or less, the Returning Officer must upon the request of any candidate conduct a recount of the ballots cast. The cost of this recount is borne by the municipality. A request for such a recount must be made by a candidate to the Returning Officer within three days after the date of the election and be commenced by the Returning Officer within three days of the receipt of the request.

Post-Election Responsibilities

Within 7 days of election day, a candidate must remove all election advertising material.

Within 90 days of election day, a candidate must file an “Oath or Affirmation of Campaign Contributions Disclosure” statement.

Am I Entitled to a Return of My Deposit?

Nomination Fee Non-refundable

Sign Deposit Refundable subject to signs being removed within 7 days of the election

Further information is available by contacting the Returning Officer, Mona Lewis, 748-1032

And

Municipal Elections Act (<http://assembly.nl.ca/Legislation/sr/statutes/m20-2.htm>)