



2022 Municipal Election

FAQ Memo #1 Issued July 21, 2022

Q1. Am I allowed to put a "Vote For" ad in the Harrow News?

A1. Yes, as a registered candidate your campaign has begun and you can place ads if so desired. The decision as to the timing etc. of placing such ads is up to the candidate.

Q2. It is my understanding that businesses can not contribute to campaigns. With that in mind I do realize if a business gave me a discount, I have to attribute that discount to the owner of the company and obviously not the company. I have a business owner wanting to donate funds but would like to use his business account and have a receipt written to him directly as an individual and owner. My question is this allowed because they are getting a receipt written to them and not the company? The similarities are reasonable and why I am asking the question before I accept any funds this way.

A2. See recent memo ...the donation/receipt needs to come from and go to the individuals behind the non-incorporated business There have been several questions concerning donations from businesses. To sum up, corporations and unions cannot make direct donations to candidates but there is the ability to be a third-party advertiser.

A third-party advertisement is an ad that supports, promotes or opposes a candidate or a "yes" or "no" answer to a question on the ballot. The meaning of "third party" in this context means a person or entity who is not a candidate. Eligible individuals, corporations and trade unions can register to be third party advertisers. Third party advertising is separate from any candidate's campaign and must be done independently from a candidate. Third party advertisers who want to spend money on advertisements during the election must register with the municipal clerk and must file a financial statement. For more information about third party advertising rules, including eligibility, spending limits and enforcement, see [the Third Party Advertisers' Guide](#) on the Ontario website.

A business that is being operated as a sole proprietorship could donate if that donation comes from the individual person(s) who own/operate the non-incorporated business but if that business is incorporated then they cannot make a direct donation to a candidate and the only option in this case would be to be a Third-Party Advertiser.

Q3. Are donations by e-transfer okay to accept?

A3. Yes, 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 debit, credit or

electronic transfer transaction) The Municipal Elections Act does not prescribe the manner in which payments can be made (cash, cheque etc.)

- Q4. A pamphlet from the last election displays corporate resources. Is this acceptable and will the Town be proactively reminding each candidate that they are not permitted to use corporate resources in any literature?
- A4. The Prohibition on the Use of Corporate Resources Policy was provided to each candidate. The Town will continue to proactively remind candidates as and where appropriate and necessary.
- Q5. Is there a way to determine the number of votes cast at advanced polls from each ward by position given that anyone from each Ward can vote in any of the advanced polls?
- A5. VoterView does not break down the votes to that extent. We are only able to find the total number of electors voted by day and ward.
- Q6. In 2018 a letter/form was provided that permitted candidates to enter into apartment complexes. Can this form be provided in the next week to allow candidates to campaign in these buildings?
- A6. Yes. Please see attached
- Q7. If a photo was taken of a building that was not owned by the town at the time the photo was taken (specifically Harrow High School) can the photo be used for campaign purposes?
- A7. No, if the property is owned by the Town during the time the campaigning is conducted, then it would be deemed a violation of the Prohibition on the Use of Corporate Resources Policy.
- Q8. Can photos of Town facilities that are leased to a private organization be used?
- A8. No, Photos that include any Town owned facility regardless of occupancy and included as part of candidate's campaign would be considered a violation of the Use of Corporate Resources policy.
- Q9. Can the private social media accounts of candidates include pictures from the Town facilities etc. that were taken in the course of their duties while serving on Council?
- A9. No, this would be a violation

- Q10. Billboard Sign not in municipality – is this permitted? Specifically, the one that Councillor Bondy has on the Arner that is technically in Kingsville. The contract expired last February however they have not taken the sign down and she has not paid for the sign after that date.
- A10. The Town of Essex has no authority outside of its geographic boundaries.
- Q11. Are there any guidelines or literature separate from the use of corporate resources policy?
- A11. The approved by-laws, policies and such other directives that may be issued from time to time by the Municipal Clerk (as permitted by Section 12 of the Municipal Elections Act) are the governing documents.