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**TOWNSHIP OF EDWARDSBURGH CARDINAL  
ACTION ITEM**

**Committee:** Administration & Finance  
**Date:** May 13, 2019  
**Department:** Administration  
**Topic:** Election Compliance Report – Financial Statements

Background

In accordance with Section 88.25 of the Municipal Elections Act, 1996, on or before 2pm of March 29, 2019 each candidate shall file the financial statement and auditor report (if required) to the Clerk of the municipality. March 29 at 2pm is a firm deadline unless the candidate informs the Clerk in writing that a court-ordered extension has been granted. Candidates who did not file their financial statement/campaign expenses with the Clerk by the prescribed deadline were issued a Notice of Default form and letter from the Clerk's Department mailed on April 1, 2019.

Under Section 88.23 of the Municipal Elections Act, 1996, in the case of a default with respect to the filing of election campaign expenses the Clerk shall notify the candidate in writing that the default has occurred and outline the penalties. In the case of default if the candidate was elected to office, the candidate would be required to forfeit the office to which he/she was elected and the office is then deemed to be vacant. If the candidate was not elected to office, in the case of default; until the next regular election has taken place, the candidate is ineligible to be elected.

However, in accordance with S.88.23(9), the penalties set out do not take effect if, no later than 2pm on the day that is 30 days after (April 29, 2019) the applicable day for filing the document, the candidate files the relevant document as required under S88.25 and pays the Clerk a late filing fee of \$500.

The following candidates did not submit their financial statements by April 29, 2019: Phil Parent, Dwane Crawford, Drew Lefebvre, and John Piper. These individuals will not be eligible for nomination until after the regular municipal election in 2022.

Compliance

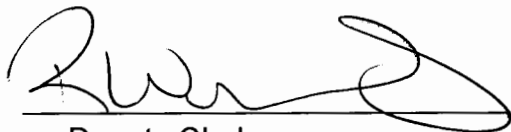
The Clerk's Department hereby confirms, under section 88.34 of the Municipal Elections Act, 1996, that the contributions reported on the financial statements submitted by the candidates have been reviewed. The Clerk's Department can hereby confirm that all candidates who submitted their financial statements (in accordance with section 88.23 and/or 88.25) were within the limits allowed.

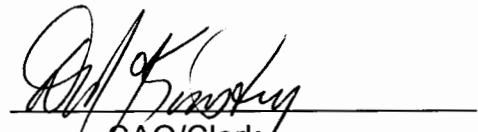
Financial

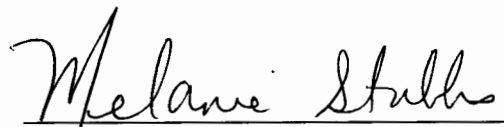
One candidate filed after March 29 but in advance of the April 29 deadline and remitted the required \$500 filing fee. All five individuals have forfeited their nomination fees by failing to file the documents required by March 29. Therefore, there is a total of \$1,100 remaining in the liability account Nomination Deposits.

Recommendation

That the amount of \$1,100 be transferred from the Nomination Deposits account (01-2405) to the Election Reserve account (01-3513).

  
Deputy Clerk

  
CAO/Clerk

  
Treasurer