



R i v e r D i s t r i c t

O W E N S O U N D

**River District Board of Management
Candidate Information Package**

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Website: www.owensound.ca/riverdistrictelection

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1. Important Dates

Second (2nd) Friday in September
(September 9, 2022)

Last Friday in September
(September 30, 2022)

First (1st) Friday in October
(October 7, 2022)

Monday following Nomination Day
(October 10, 2022)

Second (2nd) Friday in October
(October 14, 2022)

Fourth (4th) Friday in October
(October 28, 2022)

Monday following Nomination Day Extension
(October 31, 2022)

Saturday preceding Voting Day
(November 12, 2022)

Second (2nd) Monday in November
(November 14, 2022)

Nominations may be filed

Voters' List approved by the
Election Manager

Revision period begins for Members

Nomination Day – last day to file
nominations from 9:00 a.m. to
2:00 p.m.

Nominations or withdrawals cannot
be accepted after 2:00 p.m.

Nominations to be certified or
rejected by the Election Manager
by 4:00 p.m.

Acclamations after 4:00 p.m.

Voter Information Cards sent via
Canada Post Lettermail

Nomination Day Extension – last
day to file nominations from 9:00
a.m. to 2:00 p.m. if not enough
nominations received by
Nomination Day

Nominations or withdrawals cannot
be accepted after 2:00 p.m.

Nominations to be certified or
rejected by the Election Manager
by 4:00 p.m.

Acclamations after 4:00 p.m.

Advance Voting Day
3:00 p.m. – 6:30 p.m.

Voting Day (Election Day)
8:30 a.m. – 8:00 p.m.

Note: All appointments to the River District Board of Management (the "Board") are subject to Council approval. Directors approved by Council shall be appointed by by-law.

2. Forms

All forms that are to be completed by candidates will be available on the election website at www.owensound.ca/riverdistrictelection.

3. Elected Offices

Board Directors will be elected by Members of the River District [area defined in Schedule A of the [River District Constitution](#) (the "Constitution")] for the period commencing from the time of their appointment by City Council until the expiration of the term of the Council that appointed them but continues until a successor is appointed. There are nine (9) Director offices, seven (7) of which are elected at large by the Members. Each of the seven (7) Directors is eligible for reappointment to the Board for subsequent terms.

4. Qualifications

4.1 Director

A person is qualified to hold office as a Director if they are at least 18 years of age and are:

- (a) the owner or tenant of land in the City; or
- (b) an employee of a corporation operating in the River District.

4.2 Member

A person is entitled to be a Member for a Board election if, on Voting Day, they:

- (a) are assessed, on the last returned assessment roll, with respect to rateable property in the River District that is in a commercial property class prescribed by the City and tenants of such property; and
- (b) are at least 18 years old.

In determining whether a person is a tenant or not, the Clerk or designate may accept a list provided under Section 210(2)(b) of the *Municipal Act, 2001* S.O. 2001, c. 25 (the "Act") or the declaration of a person that the person is a tenant, and the determination of the Clerk or designate is final.

Every Member has one vote regardless of the number of properties that the Member may own or lease in the River District.

Every Member that is a legal entity other than an individual has one vote regardless of the number of shareholders or partners that the Member has. The

legal entity must nominate in writing one delegate to vote on its behalf by completing the "Nomination of Delegate on Behalf of Corporation" Form RD14. This form shall be submitted by the delegate at the time the ballot for that Member is requested.

4.3 Resignation and Termination of a Director

A Director is deemed to have resigned when:

- (a) the Director delivers a written notice of resignation to the Administrator;
or
- (b) the Director is absent from three (3) consecutive Board meetings, without obtaining consent from the Board.

A Director can be terminated from office for just cause, including conduct in breach of the City of Owen Sound's Code of Conduct for Members of Council, Local Boards and Committees CrS-C42, by a two-thirds (2/3) vote of the whole of the Board.

4.4 Disqualification of a Director

A Director is disqualified from holding office if, at any time during the term of office, they are not the owner or tenant of land in the City or are not an employee of a corporation operating in the River District.

5. Nomination as a Candidate

5.1 Nomination Period and Procedure

Nominations must be filed in person:

- by scheduling an appointment with the Election Manager, on a date, time, and location mutually agreed upon between the two parties, during the period of the second Friday in September to the first Thursday in October, or at the City Hall Service Counter on the first Friday in October between 9:00 a.m. and 2:00 p.m. (Nomination Day),
- by the nominee or the nominee's agent,
- using the "Nomination Paper" Form RD1, and
- with proof of identity as prescribed in O. Reg. 304/13 and proof of ownership or tenancy satisfactory to the Election Manager.

Candidates can schedule an appointment with the Election Manager to submit their nomination papers by emailing riverdistrictelection@owensound.ca or by calling 519-376-4440 ext. 1229.

5.2 Nomination – Additional Materials to be provided by Candidate

The nomination process will include completion by the candidate of the following:

- “Release of Campaign Information” Form RD2,
- “Voters’ List Request and Declaration” Form RD3,
- “Nomination Checklist” Form RD4 confirming submission of nomination materials and receipt of additional materials listed below, and
- any other information required.

5.3 Nomination – Additional Materials to be provided to Candidate

The nomination process will include the candidate receiving the following:

- A blank “Withdrawal of Nomination” Form RD5,
- A blank “Appointment of Scrutineer by Candidate” Form RD7,
- A copy of the River District Board of Management Election Voting Procedures,
- A copy of the City’s Code of Conduct for Members of Council, Local Boards and Committees CrS-C42, and
- A copy of the Constitution.

5.4 Campaign Contact Information

During the nomination process, candidates will be asked to consent to the Election Manager releasing the following campaign contact information online:

- phone number,
- email address, and
- website.

If the candidate does not consent to providing this information, only their name will be provided online. Contact information provided may be personal or campaign specific, however only one phone number, email, or website will be provided for each candidate and the candidate is responsible for updating this information. No pictures, biographies or platforms will be provided.

5.5 Unofficial List of Candidates

The Election Manager shall provide notice of the unofficial list of candidates by posting on the election website an unofficial list of candidates which will be updated as each Nomination Paper is filed.

5.6 Withdrawal of Nominations

Candidates may withdraw their nomination in person or by an agent by filing a "Withdrawal of Nomination" Form RD5 with their original signature with the Election Manager prior to 2:00 p.m. on Nomination Day (the first Friday in October). When a nomination is withdrawn, the Election Manager will provide notice as follows:

- to all Certified Candidates by email, and
- to the public by updating the unofficial list of candidates.

5.7 Certification or Rejection of Nomination Papers

On or before the Monday following Nomination Day (the first Friday in October) at 4:00 p.m., the Election Manager will examine each nomination filed. The Election Manager will certify the nomination by signing the Nomination Paper if satisfied that the person being nominated is qualified and the nomination complies with Sections 5.1 and 5.2 above.

The Election Manager will reject a nomination if the person being nominated is not qualified to be nominated or the nomination does not comply with Sections 5.1 and 5.2 above. Notice of a rejected nomination will be provided as follows:

- a "Notice of Rejection of Nomination" Form RD6 sent to the person being nominated by email, and
- notice to all Certified Candidates by email.

In determining whether to certify or reject a nomination, the Election Manager may request further documentation from the person being nominated respecting their qualifications.

The Election Manager's decision to certify or reject a nomination is final.

5.8 Official List of Candidates

The final list of Certified Candidates will be posted on the election website on or before the Monday following Nomination Day using "List of Certified Candidates" Form RD10.

5.9 Declaration and Notice of Election

If at 4:00 p.m. on Nomination Day, the number of Certified Candidates is more than the number of Directors to be elected, the Election Manager will declare an election to be conducted and provide notice to the Certified Candidates and Members of:

- the Board election and the way Members will cast their ballot, and
- the date, time, and location of the Board election.

5.10 Acclamations

If at 4:00 p.m. on Nomination Day, the number of Certified Candidates is the same as or less than the number of Directors to be elected, the Election Manager will declare the Certified Candidate(s) elected by acclamation by posting a "Declaration of Acclamation to Office" Form RD9 on the election website and providing notice to the Certified Candidate(s) and Members. There is no election for Director offices that have been acclaimed.

5.11 Additional Nominations

If at 4:00 p.m. on Nomination Day, the number of Certified Candidates is fewer than the number of Directors to be elected, the Election Manager will post a notice of additional nominations on the election website and accept further nominations until the fourth Friday in October to fill the remaining Director offices. Nominations must be filed in person by scheduling an appointment with the Election Manager, on a date, time, and location mutually agreed upon between the two parties, or between 9:00 a.m. and 2:00 p.m. on the fourth Friday in October at City Hall.

Withdrawal of additional nominations must take place prior to 2:00 p.m. on the fourth Friday in October, following the Withdrawal of Nominations procedure above.

On or before 4:00 p.m. on the Monday following the fourth Friday in October, the Election Manager will certify or reject any additional Nomination Papers that have been filed, following the Certification or Rejection of Nomination Papers procedure above.

After 4:00 p.m. on the Monday following the fourth Friday in October, the Election Manager will:

- declare the additional Certified Candidate(s) elected by acclamation, following the Acclamations procedure above, if the number of Certified Candidates still does not exceed the remaining number of vacancies of Directors to be elected, or
- declare an election to be conducted with the Certified Candidates who are not acclaimed, following the Declaration and Notice of Election procedure above, if the number of additional Certified Candidates is more than the number of Directors to be elected.

If the number of Certified Candidates is less than the number of Directors to be elected, but forms a quorum, the vacancy or vacancies will be addressed in accordance with the Act and Sections 3.12 through 3.14 of the Constitution.

6. Scrutineers (Candidates' Agents)

6.1 Where and when they may represent

Each Certified Candidate may appoint a scrutineer in writing, using the "Appointment of Scrutineer by Candidate" Form RD7, to represent them at the Voting Place during:

- the opening of voting,
- Advance Voting Day,
- Voting Day,
- the count of votes,
- the announcement of voting results, and
- a recount and announcement of recount results.

Scrutineers must show proof of their appointment to the Election Manager or an Assistant Election Officer.

6.2 Prohibitions

Scrutineers and Certified Candidates are prohibited from the following at the Voting Place:

- (a) attempting, directly or indirectly, to interfere with how a Member votes, and attempting to campaign or persuade a Member to vote for a particular Certified Candidate;
- (b) displaying a Certified Candidate's election campaign material;
- (c) compromising the confidentiality of the voting process;
- (d) interfering or attempting to interfere with a Member who is voting;
- (e) obtaining or attempting to obtain, any information about how a Member intends to vote or has voted; and
- (f) communicating any information obtained about how a Member intends to vote or has voted.

7. Election Advertising

Information in advertisements and campaign material is the responsibility of the Certified Candidate and any questions or concerns should be directed to the Certified Candidate. The Election Manager, the River District Board of Management or its City staff support take no responsibility for the accuracy of information provided in campaign materials.

The City's Election Sign By-law No. 2022-027 applies to all regular municipal, provincial, federal, and school board elections, including any by-election, and thus, election campaign signs are **not permitted** to be erected for the River District Board election.

8. Voting Place

No campaign material or literature of any nature relating to any Certified Candidate shall be displayed within the area of the Voting Place. The Voting Place includes the physical location, property, structure, or space on a property that the Election Manager has designated for the purposes of voting in the election. Campaign material includes campaign clothing or buttons, signs, or any other advertising material.

9. Voters' List

This list of eligible Members is prepared by the City's Tax Collector and contains the names and addresses of each individual who is listed in the data and meets the qualifications of a Member.

Beginning on the last Friday in September and until 8:00 p.m. on Voting Day, eligible Members will be permitted to schedule an appointment with the Election Manager, on a date, time and location mutually agreed upon between the two parties, to determine if they are on the Voters' List. If an eligible Member wishes to attend the Voting Place on Advance Voting Day or Voting Day to revise the Voters' List, then an appointment with the Election Manager does not need to be made.

An individual presenting satisfactory identification in accordance with the Instructions for Voters' List Revisions, may file an application with the Election Manager or an Assistant Election Officer requesting that the individual's name be added or removed from the Voters' List, or that information on the Voters' List relating to the individual be amended. All applications require an original signature and proof of identification from the applicant.

10. Voting Process

The River District Election will be conducted using a paper ballot method. Members will be required to attend the Voting Place in person to cast their ballot or appoint a voting proxy to cast their ballot on their behalf.

Voting Day (Election Day) will be the second (2nd) Monday in November from 8:30 a.m. to 8:00 p.m. at the Voting Place designated by the Election Manager.

An Advance Voting Day may also be provided and if provided, will be held on the Saturday preceding Voting Day from 3:00 p.m. to 6:30 p.m. at the Voting Place designated by the Election Manager.

For information on the voting process, please see the River District Board of Management Election Voting Procedures, which will be provided upon nomination and are also available on the election website, www.owensound.ca/riverdistrictelection.

11. Board Information

11.1 General

It is important that candidates understand their responsibilities and time commitment. Once elected, Directors will receive orientation training at the first Board meeting. Candidates are encouraged to contact the Election Manager if they have questions about their role.

11.2 Remuneration

As per Sections 3.15 through 3.17 of the Constitution:

- No Director of the Board shall receive remuneration in payment for services carried out in that capacity.
- Board Directors may be reimbursed for all reasonable expenses relating to their functions as Board Directors, provided any such expenses are budgeted for or pre-approved by Board resolution and provided that receipts for any such expenses are submitted prior to reimbursement.
- Board Directors may be hired to perform a service or provide goods for the River District, provided that the City's Procurement By-law and related policies are followed, and the Board Director declares a conflict of interest and abstains from participating in debate(s) and vote(s) on the matter.

11.3 Purpose

The purpose of the River District under the Act is:

- (a) to promote the commercial area of the River District as a business and shopping area; and
- (b) to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures within the boundaries of the River District, beyond that provided at the expense of the municipality generally.

11.4 Vision

A vibrant, safe, and fun downtown.

11.5 Mission

Develop a vibrant and sustainable business, cultural, and residential community by supporting initiatives aimed at improving, beautifying, and promoting the River District on behalf of its Members.

11.6 Duties of the Board

Sections 5.1 through 5.3 of the Constitution describe the duties of the Board.

The Board as a whole is responsible for:

- making decisions on policy affecting itself and the River District, and
- managing the affairs of itself and the River District.

Every Director of the Board shall:

- exercise the powers and discharge the duties of the office honestly, in good faith, and in the best interests of the River District,
- exercise the degree of care, diligence, and skill that a reasonable and prudent person would exercise in comparable circumstances,
- follow the City's Code of Conduct,
- declare interests in accordance with the City's Procedural By-law,
- observe the laws, policies, and practices governing all matters related to confidentiality, privacy, and access to information, and
- act in accordance with applicable City policies including but not limited to the City's Purchasing By-law, Records Management By-law, Indemnification By-law, and Procedural By-law.

11.7 Board Executive

Sections 6.1 through 6.8 of the Constitution outline the Board Executive, which includes a Chair, Vice Chair, and Treasurer, and the duties of each of those Executive Officers.

The Board may appoint additional positions to the Executive only if approved by resolution of the Board and presented to Council as an amendment to the Constitution outlining the responsibilities of the position.

11.8 Time Commitment

The Board holds a minimum of six (6) meetings per year on a bi-monthly basis starting in January, on the second Wednesday of the month beginning at 5:30 p.m. Meetings generally last between one and two hours and all Directors are expected to attend to ensure quorum. Special Meetings of the Board are called as required and in accordance with the City's Procedural By-law.

Directors can expect to spend time reviewing reports, emails, and correspondence for discussion at meetings. Directors must be able to commit the time to read, understand, and get clarification on the information, so they can be ready to comfortably speak to issues.

11.9 Directing Staff

The Board provides direction to staff as a group by passing resolutions during Board meetings. Staff contacts for the Board are the Staff Liaison and the Administrator.

The duties of the Staff Liaison and the Administrator are described in Sections 10.3 and 10.4 of the Constitution.

12. Resources

Visit the election website at www.owensound.ca/riverdistrictelection to find up to date election information and materials.

13. Election Questions

Candidates and/or Members who have questions pertaining to all matters related to the election process, including the voting process and how to get on the Voters' List, shall be directed to the Election Manager:

Email: riverdistrictelection@owensound.ca

Phone: 519-376-4440 ext. 1229

All inquiries related to the Board's administration and operation should be directed to the Election Manager at the above contact information. Answers to questions posed by Certified Candidates will be shared with all Certified Candidates by email within two weeks, without identifying the source of the query.