

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 61-82

BEING A BY-LAW TO LIMIT ELECTION EXPENDITURES
AND TO REQUIRE DISCLOSURE OF ELECTION CONTRI-
BUTIONS.

WHEREAS Section 121 of the Municipal Elections Act, R.S.O. 1980, Chapter 308, as amended, authorizes the council of a municipality to provide for limitations on election expenditures and disclosure of election contributions.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. (a) "Candidate" means a person who is duly nominated for election to office in accordance with the Municipal Elections Act, and whose name appears on the ballot for alderman or the ballot for mayor.
- (b) "City Clerk" means the City Clerk of The Corporation of the City of North Bay.
- (c) "City Council" means the Council of The Corporation of the City of North Bay.
- (d) "Commercial Value of goods or services donated or provided" means
 - (i) where the person by whom the goods or services are donated or provided at less than their commercial value is in the business of supplying such goods and services, the lowest amount charged by him for an equivalent amount of the same goods or services at or about the time they are so donated or provided, or
 - (ii) where the person by whom the goods or services are donated or provided at less than their commercial value is not in the business of supplying such goods or services, the lowest amount charged for an equivalent amount of the same goods or services at or about that time by any other person providing those goods or services on a commercial basis, if that amount is greater than one hundred (\$100.00) dollars, and if that amount charged is one hundred (\$100.00) dollars or less, nil,
- (e) "election contributions" means contributions in the form of money and goods and services and includes:
 - (i) money paid
 - (ii) the commercial value of goods and services donated or provided other than volunteer labour.
- (f) "election expenditures" means,
 - (i) money paid,
 - (ii) liabilities incurred,
 - (iii) the commercial value of goods and services donated or provided other than volunteer labour, and

(iv) amounts that represent the differences between amounts paid and liabilities incurred for goods and services, other than volunteer labour, and the commercial value of the goods and services provided, and

all of which are incurred for the purpose of promoting or opposing the election of a particular candidate, or for election purposes, regardless of whether they are incurred before or after nomination day, and without limiting the generality of the foregoing, includes

(v) the expenditure for the acquisition of the right to,

(A) the use of time on the facilities of broadcasting undertaking as defined in Section 2 of the Broadcasting Act, R.S.C. 1970, Chapter B-11, or

(B) the publication of an advertisement in any paper, magazine or periodical containing events, or any remarks or observations thereon, printed for sale and published periodically, as in parts or numbers, and

(vi) the expenditure for the acquisition of meeting space, for the provision of light refreshments, and for the acquisition and distribution of mailing objects, material or devices of a promotional nature, but this does not include the provision of rooms, at no charge,

(A) in private residences, or

(B) that are available to tenants for meeting space at no additional charge,

but does not include expenditures for a party which may be given to election workers after the polls have closed.

(g) "volunteer labour" includes unpaid labour by a person who offers himself for work without any express or implied promise of remuneration.


2. No candidate for the office of Mayor of the City, directly or through any person acting on behalf of such candidate, shall incur election expenditures on account of or in respect of the conduct or management of the election that exceed Twenty Thousand (\$20,000.00) Dollars.
3. No candidate for the office of alderman in the City, directly or through any person acting on behalf of such candidate, shall incur election expenditures on account of or in respect of the conduct or management of the election that exceed four thousand (\$4,000.00) dollars.
4. Every candidate for an office shall:
 - (a) disclose all election contributions to the campaign of such candidate in excess of One Hundred (\$100.00) dollars in the form of money and goods and services by filing, with the City Clerk, a sworn declaration indicating the name of each contributor contributing over one hundred (\$100.00) dollars in the form of money and goods and services and the amount of the contribution, or
 - (b) file a sworn declaration with the City Clerk that no election contributions were made to the campaign of such candidate in excess of One Hundred (\$100.00) Dollars in the form of money and goods and services; within sixty (60) days from the date on which the poll is taken or held.

5. The declaration filed pursuant to Section 4 hereof shall be a public record.
6. The City Clerk, within fourteen (14) days from the expiration of the time for filing prescribed by Section 4 hereof, shall report to the Council of the City with respect to every candidate's compliance with the provisions of Section 4 hereof, and his compliance with the provisions of this by-law.
7. Any person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction is liable to a fine of not more than Two Thousand (\$2,000.00) Dollars, exclusive of costs.
8. This by-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 13th DAY OF April , 1982.

READ A SECOND TIME IN OPEN COUNCIL THE 10TH DAY OF MAY , 1982.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 10TH DAY OF MAY , 1982.


MAYOR


CITY CLERK