

# Municipal Services Offices Provincial Update

September 22, 2022

# Important Notice

- Municipalities are responsible for making local decisions, including complying with any applicable statutes or regulations.
- This presentation is for information purposes only and is not a substitute for legal or other professional advice in connection with any particular matter. This presentation deals with complicated issues and concepts in a highly summarized fashion, and key details may not be included. The inclusion of municipal or other local examples in this presentation does not imply an endorsement by the ministry.
- Users should verify the information that has been included from other sources prior to making decisions or acting upon it.

# Presentation Outline

- Updates
  - Local Government
  - Finance
- Municipal Services Offices Contacts and Information

# Local Government

# Municipal Building Official Internships

- In response to a request from associations representing municipal building officials in Ontario and City of Toronto's building department, Ontario amended the Building Code in April 2022 to provide an additional way for municipalities to design and administer their own local programs for hiring building official interns.
- Interns will be supervised by a qualified building inspector or Chief Building Official and will have to pass Ministry technical and legal exams before being able to practice independently as building officials.
- Municipal internships support the recruitment and retention of building officials by helping to address current and future labour supply shortages due to anticipated retirements and accelerated construction.
- The ministry will provide more information and supporting material about the new process for municipal building official internships in the coming months.
- Municipalities that need to hire a Chief Building Official or a building inspector can also contact the Ontario Building Officials Association (OBOA) by visiting their website at <https://www.oboa.on.ca/job-bank>, for further information.

# Upcoming Election Activities

Date	Action/Section
September 15-25, 2022	<ul style="list-style-type: none"> <li>• Clerk to prepare and distribute an interim list of the approved changes to the voters' list (MEA, s. 27(1))</li> </ul>
September 23, 2022	<ul style="list-style-type: none"> <li>• Last day to revoke a by-law authorizing a question on the ballot if no offices are being elected (MEA, s. 8.1(1))</li> <li>• First day on which an advance vote can be held (MEA, s. 43(2))</li> </ul>
September 26, 2022	<ul style="list-style-type: none"> <li>• Final spending limits to be provided to candidates and third party advertisers (MEA, ss. 88.9.1(4) and 88.21 <del>88,24</del>(15))</li> <li>• Final self-contribution limit to be provided to candidates (MEA, s. 88.9.1(4))</li> </ul>
October 1, 2022	<ul style="list-style-type: none"> <li>• Last day to establish a compliance audit committee (MEA, s. 88.37)</li> </ul>
October 8, 2022	<ul style="list-style-type: none"> <li>• Last day to request space for a voting place without charge (MEA, s. 45(4))</li> </ul>

# Upcoming Election Activities

Date	Action/Section
October 21, 2022	<p>Last day to:</p> <ul style="list-style-type: none"><li>• Provide notice to candidates of the penalties under subsections 88.23 (2) and 92 (1) related to election campaign finances and the circumstances under which a candidate may be entitled to receive a refund of the nomination filing fee (MEA, s. 33.1)</li><li>• Prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and make the plan available to the public (MEA, s. 12.1(2))</li></ul>
October 24, 2022	<p>Voting day</p> <ul style="list-style-type: none"><li>• Voting locations open at 10am and close at 8pm (unless earlier opening times have been established by the clerk) (MEA, s. 46(1))</li><li>• Restricted acts period calculation if less than <math>\frac{3}{4}</math> of existing council is re-elected (MEA, s. 275)</li></ul>

# Upcoming Election Activities

Date	Action/Section
October 25, 2022	<ul style="list-style-type: none"> <li>• Clerk to declare election results as soon as possible after voting day (MEA, s. 55(4))</li> <li>• Clerk shall make available on a website or in another electronic format: <ul style="list-style-type: none"> <li>• the number of votes for each candidate</li> <li>• the number of declined or rejected ballots</li> <li>• the number of affirmative and negative votes on any question on the ballot (MEA, s. 55(4.1))</li> </ul> </li> </ul>
November 7, 2022	<ul style="list-style-type: none"> <li>• First day on which council can implement the results of any question on the ballot (MEA, s. 8.3(1))</li> </ul>
November 15, 2022	<ul style="list-style-type: none"> <li>• Term of new council begins (MEA, s. 6(1))</li> </ul>
November 23, 2022	<ul style="list-style-type: none"> <li>• Clerk to prepare a final list of the approved changes to the voters' list and provide it to MPAC (MEA, s. 27(2))</li> </ul>
December 31, 2022	<ul style="list-style-type: none"> <li>• Campaign periods end (MEA, ss. 88.24(1) and 88.28)</li> </ul>



# Upcoming Election Activities

Date	Action/Section
January 23, 2023	<p>Last day:</p> <ul style="list-style-type: none"> <li>• for an elected person to disclaim office (MEA, s. 84(1))</li> <li>• for an elector to commence an application to determine if the election as a whole or the election of any person is valid (MEA, s. 83(2))</li> </ul>
February 22, 2023	<ul style="list-style-type: none"> <li>• Ballots shall be destroyed unless an application contesting the election has been filed (MEA, s. 88(2))</li> </ul>
March 1, 2023	<ul style="list-style-type: none"> <li>• Clerk to provide notice of filing requirements to candidates and registered third party advertisers (MEA, s. 88.25(9))</li> </ul>
March 30, 2023	<ul style="list-style-type: none"> <li>• Last day for candidates and registered third party advertisers to apply to the Superior Court of Justice for an extension to the filing deadline (MEA, s. 88.23(6) and 88.27(3))</li> </ul>
March 31, 2023	<ul style="list-style-type: none"> <li>• Candidates and registered third party financial statement and auditors report are due by 2pm (MEA, ss. 88.25 and 88.29)</li> <li>• Clerk to provide notice to any candidates and registered third parties of any defaults in their filings (MEA, ss. 88.23(3) and 88.27(2))</li> </ul>

# Municipal Election Reminders: Restricted Acts Overview

## ***Municipal Act, 2001, Section 275***

- Acts can be restricted during two separate time periods:
  1. After nomination day
  2. After voting day
- Examples of the three quarter ( $\frac{3}{4}$ ) rule :
  - 5 members of council –  $\frac{3}{4}$  is 4
  - 7 members of council –  $\frac{3}{4}$  is 6
  - 9 members of council –  $\frac{3}{4}$  is 7

# Voter Eligibility – Persons Under Remand

- Persons serving a sentence of imprisonment in a penal or correctional institution are ineligible to vote (*Municipal Elections Act, 1996, s.17*).
- Persons in custody (remanded) but who are not yet convicted or sentenced (i.e. awaiting trial or sentencing) remain eligible to vote if otherwise qualified.
- Clerks have a responsibility to ensure that electors from their municipality who are in custody but not serving a sentence of imprisonment are given the opportunity to vote. This can be accomplished through:
  - The use of proxies in traditional ballot elections (or where alternative voting procedures permit this option),
  - The use of alternative voting methods that do not require the elector to attend at the voting place, or
  - Making appropriate arrangement for a ballot box at the custodial institution.

# Municipal Election Resources

[Elections Guides](#)

[Election Forms](#)

[Municipal Elections Act](#)

[Municipal Act, 2001](#)

# Finance



# Financial Information Return (FIR) Template Update

- The FIR Template is the province's primary tool dedicated to the collection of municipal financial information
- MMAH and other ministries are major users of this information for policy development, evaluation, and monitoring purposes. FIR data is also used by academics, consultants, and municipal associations, among other stakeholders, for research and advocacy.
- The FIR template is undergoing an update to maintain its alignment with evolving Public Sector Accounting Board standards, provincial legislation, municipal service delivery, and information needs.

## Preliminary Project Timeline (subject to change)



# Financial Indicator Reviews

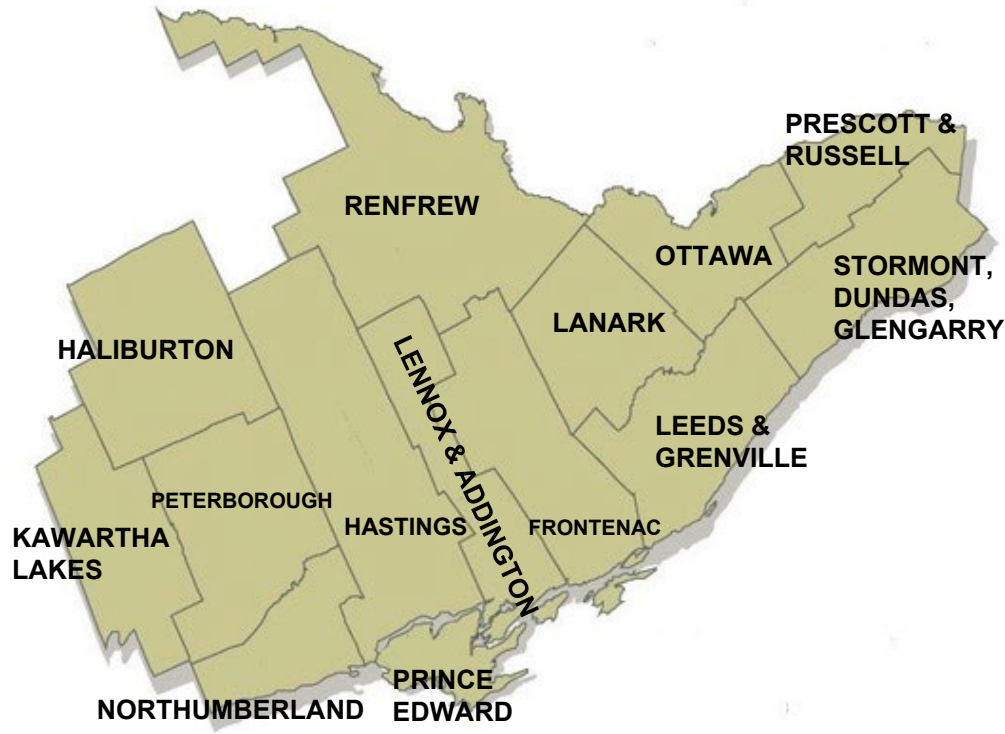
- **Financial Indicators (7):** On an annual basis, MMAH calculates and reviews select financial indicators for each municipality.
  1. Total Taxes Receivable Less Allowance for Uncollectible as a Percentage of Total Taxes Levied;
  2. Net Financial Assets or Net Debt as a Percentage of Own Source Revenue;
  3. Total Reserves and Discretionary Reserve Funds as a Percentage of Operating Expenses;
  4. Cash Ratio – Total Cash and Cash Equivalents as a Percentage of Current Liabilities;
  5. Debt Servicing Cost as a Percentage of Total Operating Revenue;
  6. Asset Consumption Ratio – Closing Amortization Balance as a Percentage of Total Cost of Capital Assets;
  7. Annual Surplus/Deficit as a Percentage of Own Source Revenues.

# **Municipal Services Office Contact Information**





# Municipal Services Office – East



## 114 Municipalities

- 11 Upper Tiers
- 13 Single Tiers
- 90 Lower Tiers

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