

2024 Local Government Election - Disclosure of Campaign Contributions and Expenses for Mayor and Councillor Candidates

ISSUE

Bylaw 8491, [The Campaign Disclosure and Spending Limits Bylaw, 2006](#), (Bylaw) requires that each person that was nominated in accordance with *The Local Government Election Act, 2015* (LGEA) to be a candidate in the civic election, submit a public campaign disclosure to the Returning Officer. Disclosure statements for mayoral candidates are required to be completed and submitted within four months of the date of the election and candidates for councillor within three months.

The Returning Officer is required to forward to City Council, for its information, a report summarizing campaign contributions and campaign expenses of each candidate.

BACKGROUND

The local government election was held on November 13, 2024.

CURRENT STATUS

Candidates for mayor and councillor are required to submit completed disclosure statements by the required deadlines:

- Mayoral candidates – March 13, 2025.
- Councillorship candidates – February 13, 2025.

DISCUSSION/ANALYSIS

Section 34 of the LGEA delegates authority to City Council to establish rules for disclosure requirements respecting campaign contributions and expenses and election campaign spending limits for candidates nominated in the election. The Bylaw contains those provisions.

Each candidate is required pursuant to section 5 of the Bylaw to complete and file with the Returning Officer a disclosure of campaign contributions and expenses which consists of the following:

1. Schedule A - a statutory declaration indicating total campaign contributions and total campaign expenses
2. Schedule B - a fundraising events income statement listing details of any fundraising events held, revenues received and expenses incurred
3. Schedule C - a list of cumulative campaign contributions from contributors with names and amounts for each contributor of \$100.00 or more
4. Schedule D - a statement of campaign contributions and expenses, including a statement of auditor for mayoral candidates only

Section 10 of the Bylaw requires the Returning Officer to report to City Council, a summary of the campaign contribution and campaign expenses of each candidate (Appendix 1), with a notation for any candidate who has exceeded the campaign expenses limit, and the names of candidates that have failed to file the required campaign disclosure statements in accordance with the requirements of the Bylaw. In addition, the City Clerk shall post in a conspicuous place a summary of the campaign contributions and campaign expenses with a notation for any candidate who has exceeded the campaign expense limit, and the names of any candidates who fail to file the required disclosure statements. The City Clerk shall also post on the City's website the statement of campaign contributions and expenses for all candidates, whether the candidate was elected or not.

Pursuant to section 3.1 of the Bylaw, the maximum expenses limit for mayoral candidates is \$277,809.40 and for councillor candidates is \$27,780.940. Appendix 3 shows the details of the disclosure filings by each candidate.

Candidates were informed of disclosure requirements and provided reminders in the following ways:

- Dedicated candidate information page on the City's website with a section on campaign finance.
- During the candidate information session held at Council Chambers (with option to attend virtually) on September 18, 2024.
- Individually when candidates filed their nominations during the filing period (September 23 – October 9, 2024), and a copy of the disclosure documents provided.
- Copy of the candidate information guide with specific information on obligation of candidates to file disclosure statements.
- Emails sent by the Returning Officer on November 19, 2024, and reminder emails sent on February 6, 2025.
- Registered mail with reminder sent to candidates in mid-January 2025

At the time of preparing this report, the following have been noted:

- Two (2) candidates for councillor – Ron Mantyka and Justin Wiens, filed their statements late (after February 13, 2025). They both informed the Returning Officer that they would be filing late due to personal constraints.
- One candidate for mayor – Mike Harder, did not file their campaign contribution and expense disclosure statements. The candidate did not file the Appointment of Auditor (schedule G) by the deadline (December 13, 2024).
- No candidate exceeded the maximum spending limit.

At its January 28, 2008 meeting, City Council resolved that the City Clerk be instructed to prosecute all candidates who are in breach of the Bylaw as of the day after the filing deadline. This maintains a fair and impartial process required when enforcing the Bylaw. Candidates who ran in elections following approval of the Bylaw in 2006 and either filed their campaign disclosures late or did not file were prosecuted.

Section 24 of the Bylaw states that every candidate who contravenes any provision of the Bylaw is guilty of an offence and liable on summary conviction to a fine of not more than \$5,000, which can continue on a per-day basis until compliance is achieved. Penalties are at the discretion of the court.

In addition, section 10.1 of the Bylaw provides that the deposit submitted by a candidate for councillor or mayor pursuant to section 68 of the LGEA shall not be returned to the candidate unless the candidate has complied with the provisions of the Bylaw.

FINANCIAL IMPLICATIONS

The City Clerk's Office will retain the services of an external legal counsel to prosecute under the Bylaw. As the prosecution process emerges, more details will be known about any financial implications: however, any financial implications are expected to be covered under existing budgets.

Auditor fees will be computed and reimbursed to mayoral candidates who filed disclosure statements per subsection 6(3) of the Bylaw.

OTHER IMPLICATIONS

The legal implications are addressed in the body of this report.

NEXT STEPS

The Returning Officer will initiate prosecution as indicated in the report for violations under section 24 of the Bylaw. As the Returning Officer is afforded the authority under the Bylaw, there is no action required by Council.

APPENDICES

1. Candidate Disclosures Summary
2. Candidate Disclosures Complete

Report Approval

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