



By-law 18-25

Being a by-law to regulate election signs in the Township of The North Shore

WHEREAS Section 11 (1) of the Municipal Act, S.O. 2001, as amended, states that the municipality may pass by-laws respecting structures, including fences and signs;

AND WHEREAS Section 99 (1) of the Municipal Act, S.O. 2001, as amended, states that the municipality shall give notice of its intention to pass the by-law;

AND WHEREAS it is necessary to have an Election Sign By-law for the Township of the North Shore to ensure public safety on our roads and highways during an election period.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF THE NORTH SHORE ENACTS AS FOLLOWS:

DEFINITIONS

- 1.1 "Candidate" shall have the same meaning as in the *Canada Elections Act*, the *Election Act (Ontario)* or the *Municipal Elections Act, 1996*, as applicable, and shall be deemed to include a person seeking to influence another person to vote for or against any question or by-law submitted to the electors under section 8 of the *Municipal Elections Act, 1996*.
- 1.2 "Sight Triangle" means the triangular shape of a lot formed by two intersecting lot lines and a line drawn from a point in one lot line across such lot to a point in the other lot line, each such point being 9 metres (32 feet) from the point of intersection of the lot lines, measured along the lot lines. Where the two lot lines do not intersect at a point, the point of intersection of the lot lines shall be deemed to be the intersection of the projection of the lot lines or the intersection of the tangent to the lot lines.
- 1.3 "Election sign" means any sign:
 - (a) advertising or promoting a candidate in a federal, provincial or municipal election or by-election;
 - (b) or other advertising device, including without limitation, posters, placards, bulletins, banners, notices, pictures or any combination thereof, which promote or relate to any federal, provincial or municipal election, including an election of a local board or commission; or
 - (c) that uses words, pictures or graphics or any combination thereof intended to influence persons to vote for or against any question or by-law submitted to electors under section 8 of the *Municipal Elections Act, 1996*.
- 1.4 "Highway" shall have the same meaning as the *Highway Traffic Act, RSO 1990 c.H.8*, and includes a common and public highway, street, roadway, avenue, gate, alley, court, crescent, boulevard, lane, trail, way, chase, road, drive, circle, mews, line, side road, parkway,

driveway, square, place, bridge, viaduct, or trestle, any part or which is intended for, or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

- 1.5 "Local Roads and Streets" provide public access to properties.
- 1.6 "Mobile Sign" means any sign mounted on a trailer or other freestanding structure, which is designed in such a matter so as to facilitate its movement from place to place, but does not include a sign attached to a motorized vehicle where the principle use of the vehicle is transportation of people, goods or other materials;
- 1.7 "Municipal By Law Enforcement Officer" shall mean a person appointed by the Council of The Corporation of the Township of the North Shore for the purposes of enforcing Township by-laws.
- 1.8 "Public Property" means property owned by or under the control of the Township of the North Shore or any of its agencies, boards or commissions, including public highways, and shall be deemed to include Public Utility Poles, regardless of whether the poles are owned by or under the control of the Township;
- 1.9 "Public Utility Pole" means a pole owned or controlled by an entity which provides a municipal, regional or public utility service, including street lights, stop light, Bell Canada, hydro and any subsidiaries thereof.

GENERAL

- 2.1 No person shall erect, attach, place or display an Election Sign except as permitted by this by-law.
- 2.2 No person, or his or her agent, shall erect, install or otherwise use an election sign on municipal property without first submitting the \$100.00 deposit fee.
- 2.3 No permits are required by the Township of the North Shore for the erection of Election Signs in the Township.
- 2.4 Election Signs shall not be:
 - (a) attached to trees;
 - (b) have flashing lights or rotating parts;
 - (c) illuminated; or
 - (d) simulate any traffic control device.
- 2.5 No person shall deface or willfully cause damage to a lawfully erected Election Sign.
- 2.6 No person shall at any time on any election voting day, including those days when advance election voting is held:
 - (a) place an election sign, or cause an election sign to be placed on any premises used as a polling place for elections; and
 - (b) place or caused to be placed an election sign, poster or placard in or on a vehicle that is parked on any premises used as a polling place for elections if the sign, poster or placard is visible.
- 2.7 No person shall display the Township of the North Shore logo, crest or seal in whole or in part, on any Election Sign.

- 2.8 Mobile Signs are not permitted.
- 2.9 No person shall erect an Election Sign where it obstructs or interferes with a door or fire escape of a building.
- 2.10 Election signs smaller than .74 m² (8 square feet) shall only be erected or installed on private property by or with the consent of the owner or occupant of such property.

ELECTION SIGNS ON PUBLIC PROPERTY

- 3.1 No person shall at any time place an Election Sign, or cause an Election Sign to be placed, in any public park owned or occupied by the Township of the North Shore or any local board.
- 3.2 Election Signs may be erected or displayed on municipal public highways, including municipal road allowance, if:
- (a) the signs are not placed on the public highway adjacent to a public park;
 - (b) the signs are no smaller than .74 m² (8 square feet) - [for example, 2 feet by 4 feet or 2 feet, 8 inches by 3 feet];
 - (c) the signs are no larger than 2.0 m² (21.528 square feet) - [for example, 5 feet by 4 feet or 6 feet by 3.5 feet or 7 feet by 3 feet];
 - (d) the top of the signs are no higher than 2.5 metres (8.2 feet) above ground level;
 - (e) the signs are not located within 1 metre (3.3 feet) from the edge of a curb, a sidewalk that abuts a curb or a shoulder of a highway; and
 - (f) the signs are not erected or installed so as to create an unsafe obstruction or visual impairment for pedestrian or vehicular traffic.
- 3.3 Despite the provisions of this or any other by-law, no person shall attach an Election Sign to a Public Utility Pole, light standard, any official sign or official sign structure, municipal bulletin boards, utility box, planter, bench, waste receptacle, newspaper box, or mail box on a road allowance.

TIMING

- 4.1 Election Signs shall not be erected or displayed prior to forty-five days before a Municipal Election. In order to prepare for the placement of election signs, the candidate, or his or her agent, has the right to make the required \$100 deposit with the Township at any time prior to Nomination Day.
- 4.2 Election Signs shall not be erected or displayed for a federal or provincial election until the day that the writ of election is issued. In order to prepare for the placement of election signs, the candidate, or his or her agent, has the right to make the required \$100 deposit with the Township at any time prior to the issuance of the writ of election.
- 4.3 Despite Sections 4.1 and 4.2, Election Signs may be erected on campaign offices once the candidate has filed his or her nomination papers and paid the required filing fee.
- 4.4 All election signs shall be removed no later than three (3) days following the voting day of the election for which the signs was erected or installed. For the purpose of this subsection, the candidate shall be responsible for the removal of his or her election signs within the prescribed time frame.

REMOVAL OF UNLAWFUL ELECTION SIGNS

- 5.1 If a sign is erected or displayed in violation of this by-law, the appropriate Township officials shall cause the sign to be removed.
- 5.2 Any election signs erected or installed in violation of this by-law shall be removed under the direction of the clerk and any costs associated with this removal shall be deducted from the sign deposit fee at a cost of \$10.00 per sign.
- 5.3 Election signs removed by the Township of The North Shore and stored for a period of 14 days may be destroyed or otherwise disposed of by the Township of The North Shore without notice and without compensation to the owner.
- 5.3 Only after the Clerk has received written confirmation from the candidate or his or her agent that all election signs have been removed shall the deposit or remaining deposit be refunded.

PENALTY

- 6.1 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction, is liable to the penalties specified by the *Provincial Offences Act, R.S.O. 1990, cp 33*, as amended.

ENFORCEMENT

- 7.1 This by-law shall be enforced by the Municipal By-law Enforcement Officer.

LIABILITY FOR DAMAGES

- 8.1 The provisions of this by-law shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning any sign for personal injury or property damage resulting from the placing of such signs or resulting from the negligence or willful acts of such person, or his or her agents or employees, in the construction, erection, maintenance, repair or removal of such signs.

PRECEDENCE OVER ELECTION SIGN PROVISIONS IN OTHER BY-LAWS

- 9.1 In the event of a conflict between this by-law and the provisions of another Township by-law regulating signs, including election signs, the provisions of this by-law prevail.

EFFECTIVE DATE

- 10.1 This by-law shall take effect on the date of passage by Council.

Read a first, second and third time, enacted and passed this 27th day of September 2018.



Randi Condie, Mayor



Mary Lynn Duguay, Clerk/Treasurer