



By-Law 25-38

Being a By-Law to manage and regulate Election signs and Election campaign advertisements, including Third-Party advertising, in the Township of The North Shore

WHEREAS subsection 11(3), paragraph 1 of the Municipal Act, 2001, S.O.2001. c. 25, as amended authorizes The Township of The North Shore to pass By-Laws respecting to highways over which it has jurisdiction

AND WHEREAS subsection 11(3), paragraph 7 of the Municipal Act, 2001, S.O.2001. c. 25, as amended authorizes The Township of The North Shore to pass By-Laws respecting signs

AND WHEREAS subsection 63(1) of the Municipal Act, 2001, S.O.2001. c. 25, as amended authorizes The Township of The North Shore, if it passes a By-Law for prohibiting or regulating the placing of an object on a highway, to provide for the removal of any object placed on a highway in contravention of that By-Law

AND WHEREAS section 425 of the Municipal Act, 2001, S.O.2001. c. 25, as amended establishes that any person who contravenes any By-Law of The Township of The North Shore is guilty of an offence

AND WHEREAS section 88.3 of the Municipal Elections Act, 1996, as amended sets out requirements for Candidates' Election campaign advertisements

AND WHEREAS the Township of The North Shore recognizes the importance of free speech and political campaigning as supported by the Municipal Elections Act, 1996, as amended

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.

AND FURTHER WHEREAS the Township of The North Shore deems it necessary to enact regulations to:

- i. Achieve clarity of the position and consistency of approach for displacement of Election signs and Election campaign advertisements within the jurisdiction of the Township of The North Shore
- ii. Enable the issue to be applied consistently and equitably to all candidates and Third-Party advertisers
- iii. Minimize any threat to public safety from the placement of Election signs



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

1. RESPONSIBILITY

1.1. Candidates, Council Members (including an acclaimed member or a member not seeking re-Election), and Third-Party Advertisers are responsible to comply with this By-Law.

2. DEFINITIONS

2.1 **“Banner Flag Sign”** shall mean a sign made from non-rigid, lightweight material, which is attached to and projects out horizontally in a predominantly perpendicular manner and used primarily for attracting attention.

2.2 **“Banner Sign”** means a sign made from non-rigid, lightweight material, which is secured or mounted to a building or other structure or airplane by its ends or corners.

2.3 **“Candidate”** shall have the same meaning as in the Canada Elections Act, the Election Act (Ontario) or the Municipal Elections Act, 1996, S.O. 1996, c.32, as applicable, and shall be deemed to include a person seeking to influence other persons to vote for or against any question or By-Law submitted to the electors under section 8 of the Municipal Elections Act, 1996 S.O. 1996, c.32, as amended.

2.4 **“Clerk”** means the Municipal Clerk of the Municipality.

2.5 **“Election Campaign Advertisement”** means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the Election of a candidate.

2.6 **“Election sign”** means any sign as defined in this By-Law that:

2.6.1 Advertises or promotes a candidate in a federal, provincial or Municipal Election or By-Election and shall include school board trustees; or

2.6.2 That uses words, pictures or graphics or any combination thereof intended to influence persons to vote for or against any questions or By-Law submitted to the electors under section 8 of the Municipal Elections Act, 1996, S.O. 1996, c.32.

2.7 **“Election Sign Owner”** shall be the Candidate or Third-Party Advertiser who has approved or created the Election Sign.

2.8 **“Electronic Sign”** means an electronically and/or computer-controlled sign, or that part thereof, which displays illuminated copy and graphic information in a pre-arranged sequence for continuous scrolling or flashing display or other form of animation.

2.9 **“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



- 2.10 **“Inflatable Sign”** shall mean a sign or advertising device designed to be inflated with air or gas and may designed to be airborne and tethered to ground, water, a building, or other structure.
- 2.11 **“Local Roads and Streets”** provide public access to properties.
- 2.12 **“Motorized Sign”** shall mean a sign designed with motorized movement.
- 2.13 **“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.
- 2.14 **“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
- 2.15 **“Public Utility Pole”** means a pole owned or controlled by an entity which provides a Municipal, regional or public utility service, including streetlights, stop signs, Bell Canada, hydro and any subsidiaries thereof.
- 2.16 **“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.
- 2.17 **“Third Party Advertiser”** An individual, corporation or trade union who has filed with the clerk of the local Municipality responsible for conducting an Election a notice of registration to be a registered third party for the Election as in Section 8.6 (1) of the Municipal Elections Act, 1996, as amended.
- 2.18 **“Third Party Advertisement”** means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting, or opposing:
- 2.18.1 A candidate, or
- 2.18.2 A “yes” or “no” answer to a question referred to in subsection 8(1), (2) or (3) of the Municipal Elections Act but does not include an advertisement by or under the direction of a candidate or an advertisement described in Section 1, subsection (2) or (2.1) of the Municipal Elections Act, 1996, S.O. 1996, c.32.
- 2.19 **“Township”** means The Township of The North Shore.
- 2.20 **“Township Logo or Wordmark”** means the current logo, wordmark, symbol or insignia adopted by or created by the Township of The North Shore which is displayed on the Township website, social media platforms, letterhead, signage or equipment and vehicles owned by the Township of The North Shore.
- 2.21 **“Water Billboard”** shall include inflatable and amphibious floating signs on water and signs mounted to motorized and non-motorized boats.



2.22 **“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

3. IMPLEMENTATION

3.1 No permit is required for the erection of Elections Signs under this By-Law.

3.2 Election signs shall not:

- 3.2.1 Be illuminated or have flashing lights
- 3.2.2 Have rotating parts
- 3.2.3 Be inflatable
- 3.2.4 Be motorized
- 3.2.5 Simulate any traffic control device
- 3.2.6 Have a sign area greater than 3 sq. m (32 sq. ft)
- 3.2.7 Have a sign height greater than 2m (6.6 ft).

3.3 No person shall at any time display on any sign or on any Election campaign advertisement:

- 3.3.1 The Township of The North Shore logo or watermark, in whole or in part
- 3.3.2 An image of Township of The North Shore signage in whole or in part.

3.4 No person shall at any time place an Election sign, or cause an Election sign to be placed, that:

- 3.4.1 Obstructs the visibility of intersections, private entrances, pedestrians, vehicles or traffic control devices or regulatory signage, as determined by the Manager of Public Works or their designate
- 3.4.2 Impedes the necessary sightlines of motorists, Municipal snow plow operations, or access to a private drive
- 3.4.3 Is nailed or otherwise attached to or upon any utility pole, light pole, utility box, tree, planter, bench, waste receptacle, newspaper box or mailbox
- 3.4.4 Is affixed to an airplane, a boat, dock or buoyed in the water such as an amphibious water sign or inflatable sign
- 3.4.5 Is on any premises used as a Voting Place/Help Centre for Elections
- 3.4.6 Is in or on a vehicle that is parked or located on any Municipal property if it is visible from the outside of the vehicle
- 3.4.7 Is located on a sidewalk
- 3.4.8 Is affixed to a permanent or official highway sign, signal or support, guardrail or other roadway structure
- 3.4.9 Creates a safety hazard.

3.5 Election signs may be erected or displayed on private property with the consent of the owner or occupant of the property.



3.6 No person shall place an Election sign, or cause an Election sign to be placed on any property that is owned, leased or maintained by the Township of The North Shore, including, but not limited to:

- 3.6.1 The Municipal Office
- 3.6.2 Fire Halls
- 3.6.3 Municipal Boat Launches
- 3.6.4 The Spragge Recreation Area
- 3.6.5 Municipal Beaches
- 3.6.6 Municipal Parks
- 3.6.7 Transfer Stations or Landfill
- 3.6.8 Vacant parcel/lot of land owned by the Municipality.

3.7 Election signs shall not be placed/affixed to any building owned, leased or operated by the Township of The North Shore.

3.8 Election signs shall not be permitted on a Municipal road allowance immediately adjacent to the properties noted in subsection 3.6.

3.9 If a Candidate or Third-Party Advertiser has rented a space from the Township for a campaign event, they shall be allowed to place a sign at the entrance of the building provided it does not block access or create a hazard, a sign in the Municipal road allowance immediately adjacent to the building. Signs may be placed one hour prior to the event and must be removed one hour after the event has completed.

3.10 Election signs may be placed on a Municipal road allowance provided that the regulations in subsections 3.2 and 3.3 of this By-Law are obeyed.

3.11 No person shall place or permit to be placed an Election Sign for a federal or provincial Election or by-Election earlier than the day the Writ of Election or by-Election is issued.

3.12 No person shall place or permit to be placed an Election Sign for a federal or provincial Election or by-Election earlier than the day following the candidate becoming approved.

3.13 Section 88.3(2) of the Municipal Elections Act, 1996, as amended sets out that an Election campaign advertisement purchased by or under the direction of a candidate shall identify the candidate. A candidate Election campaign sign that states: the name of the candidate or the name of the candidate in combination with the words "Elect (candidate name); Re-elect (candidate name), Vote (candidate name) or (candidate name) for the office of (ie. Mayor, Deputy Mayor, Councillor) will be deemed to meet the requirements of the Act.

3.14 Section 88.3(2) of the Municipal Elections Act, 1996, as amended sets out that a candidate shall not cause an Election campaign advertisement to appear unless he or she provides the following information to the broadcaster or publisher in writing:

3.14.1 The name of the candidate.

3.14.2 The name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the candidate.



4. 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.

5. REMOVAL OF ELECTION SIGNS

- 5.1 No person shall deface, relocate, remove, willfully cause damage or permit damage to be caused to a lawfully erected Election Sign, except for the owner or their agent.
- 5.2 The Township of The North Shore shall not be liable for any damage or loss to an Election Sign that was displayed in accordance with this By-Law or that was removed by the Township pursuant to the provisions of this By-Law.
- 5.3 If the Manager of Public Works, or their designate, determines that the location of an Election Sign is in contravention of this By-Law, they may remove the sign.
- 5.4 Election Signs removed by the Township of The North Shore shall be stored by the Township for a period of not less than one (1) week and made available for return to the owner or their agent.
- 5.5 Election Signs, not reclaimed within 15 days, may be disposed of by the Township without compensation to the owner of the sign.
- 5.6 The Township reserves the right to remove any offending Election Sign, any Election Sign which is deemed to be a hazard or otherwise that is in non-compliance with this By-Law without notice to any person, including the owner or their agent and without compensation to the owner of the sign. A courtesy call may be given to the owner or their agent that the sign has been removed.
- 5.7 Where Election Signs placed on private property are causing a safety issue, the Manager of Public Works or their designate, shall remove the sign upon it being brought back to their attention and the cost of such removal may be charged back to the owner of the sign.
- 5.8 Election Signs shall be removed at the expense of the owner within one (1) week after the completion of voting on voting day.
- 5.9 Any sign that has not been reclaimed may be disposed of by the Township of The North Shore upon providing notice to the owner or their agent.



6. ENFORCEMENT

- 6.1 Manager of Public Works or their designate, Township By-Law Enforcement Officers, Police or the Clerk or their designate may enforce this By-Law.

7. OTHER APPROVAL AUTHORITIES

- 7.1 Election signs or similar campaign material that will be installed or affixed to Ministry of Transportation road system will require the permission of this respective approving authority.
- 7.2 Election Signs or similar campaign material that will be installed or affixed to Poles belonging to Hydro One Network, Bell Canada or other public utilities will require the permission of these respective approving authorities.
- 7.3 Notwithstanding the above, should any approval authority delegate its powers and duties to the Township of The North Shore for Election signage and campaign advertising, this By-Law will be applicable.

8. THIRD-PARTY ADVERTISERS

- 8.1 Section 88.4 of the Municipal Elections Act, 1996, as amended, sets out provisions for Third-Party advertising and introduces a framework to regulate Third-Party advertising, which include contribution and spending limits.
- 8.1.1 The Act defines a Third-Party advertisement as an advertisement in any broadcast, print, electronic or other medium that has the purpose of supporting or opposing a candidate, or a “yes” or “no” answer to a question under clause 8(1)(a)(b) or (c).
- 8.1.2 In addition to the above, Third-Party advertisers are required to provide on their signs the following information:
- 8.1.2.1 The name of the registered third party
- 8.1.2.2 The Municipality where the registered third party is registered.
- 8.1.2.3 A telephone number, mailing address or email address at which the registered Third-Party may be contracted regarding the advertisement.

9. VANDALISM

- 9.1 The investigation or prosecution for any acts of vandalism to Election signs or campaign material of the candidates should be referred to the Ontario Provincial Police by the complainant. The Municipality or any of its Municipal employees or agents will not be responsible.

10. LIABILITY FOR DAMAGES

- 10.1 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.

11. PRECEDENCE OVER ELECTION SIGN PROVISIONS IN OTHER BY-LAWS

- 11.1 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.



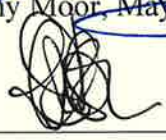
12 - EFFECTIVE DATE

12.1 This By-Law shall take effect on the date of passage by Council, and By-Law 18-25 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME ENACTED AND FINALLY PASSED THIS 19th DAY OF NOVEMBER 2025.



Tony Moor, Mayor



per Rachel Schneider, Clerk/Deputy Treasurer