

The Corporation of the Municipality of Grey Highlands
By-Law Number 2018-030

A By-law to Regulate Election Signs in the Municipality of Grey Highlands

WHEREAS Section 11 (3) of the Municipal Act, S.O. 2001 as amended, states that a municipality may pass by-laws respecting structures including fences and signs; and

WHEREAS Section 99 (2) and (3) of the Municipal Act, S.O. 2001 as amended, provides that the municipality may enter land and remove signs at the expense of the owner of the sign if it is erected or displayed in contravention to this by-law; and

WHEREAS the Council of the Municipality of Grey Highlands deems it to be in its interest to enact a by-law to regulate the placement of election signs;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF GREY HIGHLANDS ENACTS AS FOLLOWS:

1. Definitions

- 1.1. "Campaign office sign" means any sign containing information which solely identifies the name of a candidate in a federal, provincial or municipal election, and/or the location of a candidate's campaign office, and contains no other message;
- 1.2. "Election day" means the day on which the final vote is to be taken in a municipal, provincial or federal election;
- 1.3. "Election sign" shall mean a sign or poster sign that is deemed to be intended to advertise and promote a candidate in a municipal, provincial or federal election, or intended to influence persons to vote for or against any candidate or any question or by-law submitted to the electors pursuant to the Municipal Elections Act;
- 1.4. "Nomination Day" means the date in which nominations open in an election year;
- 1.5. "Poster sign" means a printed notice conveying information intended to be displayed for a temporary period of time and includes but is not limited to a bill, handbill, leaflet, notice, and placard;
- 1.6. "Street" means a public thoroughfare, including public right-of-ways under the jurisdiction of either the Municipality, the County or the Province of Ontario, but does not include a private lane, a private right-of-way or a private road, and street allowance and public highway shall have the corresponding meaning.

2. General

- 2.1. No person shall place or display, or cause or permit to be placed or displayed, an election sign, except in accordance with the provisions of this by-law.
- 2.2. No person shall place or permit a sign to be placed:
 - a. that is illuminated;
 - b. on a tree, utility pole, municipal, County or Provincial sign or post or light standard;
 - c. at a voting location;
 - d. on a vehicle that is parked at any voting location;

- e. on a street in front of any voting location;
 - f. within 100m of a voting location;
 - g. within 10m of any intersection of public roads within the municipality;
 - h. that has exceeded a height of 1.0m
 - i. to obstruct the safe operation or visibility of vehicular traffic, cyclists or pedestrians, and must not obstruct sightlines; and
 - j. without the consent of the candidate to whom the sign relates or the registered third-party advertiser responsible for the outsider election sign;
- 2.3. Subsection 2.2 (a) and (h) do not apply to a campaign office sign.
- 2.4. Subsection 2.2 (h) does not apply to lots having a frontage of 50m or greater where the height limit is increased to 2.4m
- 2.5. Not more than one election sign per candidate shall be placed on a lot at any one time.
- 2.6. An election sign may only be placed with the consent of the owner of the lot.
- 2.7. The candidate and the registered third party to whom an election sign relates shall be responsible for the placement or display of the election sign and shall ensure that all the requirements of this by-law have been met.

3. Campaign Office Signs

- 3.1. a campaign office sign may be placed if:
- a. the campaign office sign is placed on a campaign office;
 - b. no more than one campaign office sign is placed at a campaign office;
 - c. the campaign office sign does not interfere with the safe operation of motor vehicular traffic, cyclists, and with the safety of pedestrians, and must not obstruct visibility or block sightlines; and
 - d. the campaign office sign is placed in accordance any requirements imposed by the Chief Building Official in relation to the Building Code Act or any other by-laws that may be in place.

4. Sign Removal and Violations

- 4.1. any election sign found to be in violation of this by-law is subject to removal by the Municipality and any such signs shall be stored up to ten (10) days after the Election day;
- 4.2. a candidate, or any person acting on the behalf of a candidate, or a registered third party may retrieve a sign stored by the Municipality but the Municipality may, without notice or compensation to any person, destroy or otherwise dispose of any election sign that has not been retrieved within the aforementioned period; and
- 4.3. the sign removal fee shall be \$20.00 per election sign;
- 4.4. if an election sign is removed in accordance with this by-law, the candidate or registered third party to whom the election sign relates will be charged in accordance with the amounts outlined in clause 4.1

- 4.5. the sign removal fee, as outlined in clause 4.3 will be waived if the candidate or registered third party provides an affidavit indicating that neither the candidate or registered third party nor, to the best of the candidate's or registered third parties' knowledge, was responsible for the unlawful placement or display of the election sign;
- 4.6. the Municipality shall notify the candidate or registered third party of the costs incurred to remove the signs, and they shall have five (5) days after the date notice is received to pay the outstanding costs of removal per sign in accordance with clause 4.3.

5. Timing

- 5.1. 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;
- 5.2. No person shall Place or permit to be Placed an Election Sign for a municipal election, except an Election Sign which is Placed on a Campaign Office:
 - a. earlier than Nomination Day in the year of a regular election; or
 - b. earlier than Nomination Day for a by-election.
- 5.3. No person shall Place or permit to be Placed an Election Sign for a municipal election on a Campaign Office earlier than the day that Candidate has filed their nomination with the Municipal Clerk.
- 5.4. Owner shall remove their Election Sign within 7 days immediately following 11:59 p.m. of the day of the election.

6. Locations

- 6.1. Election signs shall not be placed on any municipal properties including but not limited to:
 - a. Municipal Office
 - b. Fire Hall(s)
 - c. Public Works Office and/or Yards
 - d. Public Libraries
 - e. Recreation properties (baseball diamonds, Arenas etc.)
 - f. All Municipal Parks
- 6.2. Election signs may be placed on municipal road allowances provided that:
 - a. the sign does not impede the necessary sightlines of motorists, municipality's snowplow operations, or access to a private drives;
 - b. the sign does not cause any other immediate safety issue.

7. Enforcement

- 7.1. This By-law shall come into full force and effect immediately upon its passage and may be enforced by the Municipal Clerk, CAO or other Director, or the Municipal Enforcement Officer and their delegates.

8. Short Title

8.1. This by-law may be referred to as the "Election Sign By-law"

Read a first, second and third time and finally passed this ^{7th ~~XX~~ ^{Dec}} day of
March 2018.

The Corporation of the
Municipality of Grey Highlands



Paul McQueen, Mayor



Raylene Martell, Municipal Clerk