

**THE CORPORATION OF THE TOWNSHIP OF NORTH DUMFRIES
BY-LAW NUMBER 2952-18**

**BEING A BY-LAW TO REGULATE ELECTION SIGNS IN THE TOWNSHIP OF
NORTH DUMFRIES AND TO REPEAL BY-LAW 2144-05**

WHEREAS the Municipal Act, 2001, as amended, section 11 authorizes the Township of North Dumfries to pass by-laws respecting highways over which it has jurisdiction, and to pass by-laws respecting signs;

AND WHEREAS the Municipal Act, 2001, as amended, section 63 authorizes the Township of North Dumfries 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 the Municipal Act, 2001, as amended, section 425 establishes that any person who contravenes any by-law of the Township of North Dumfries is guilty of an offence;

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

1. For the purpose of this by-law:

- a) "Candidates" means a person who has been nominated under the Canada Elections Act, the Election Act (Ontario), or the Municipal Elections Act, 1996;
- b) "Election Sign" means any sign promoting, opposing or taking a position with respect to:
 - i) Any candidate or political party in an election under the Canada Elections Act, the Election Act (Ontario), or the Municipal Elections Act, 1996;
 - ii) An issue associated with a person or political party in an election under the Canada Elections Act, the Election Act (Ontario), or the Municipal Elections Act, 1996;
 - iii) A question, law or by-law submitted to the electors under the Canada Elections Act, the Election Act (Ontario), or the Municipal Elections Act, 1996
- c) "Election Help Centre(s)" means any location(s) that have been deemed by the Township to assist voters' and/or candidates;
- d) "Municipal Law Enforcement Officer" means a person appointed as such, and shall include an officer of the Waterloo Regional Police Services;
- e) "Owner" means the person who places or permits the placing of an election sign or any person described on the sign, whose name, address or telephone number is on the sign or who benefits from the message on the sign and for the purposes of this By-law there may be more than one owner of an election sign;
- f) "Private property" means real property that is not a highway or public property;

- g) "Public Property" means real property owned or under the control of the Township of North Dumfries;
- h) "Public Office" means any position to which a person is elected by general election and without limiting its generality, includes a Member of the Parliament of Canada, a member of the Legislative Assembly for the Province of Ontario, a member of a council of a Municipality, and a member of a board of school trustees;
- i) "Road Allowance" means the allowance for a Township owned public road and includes the traveled and untraveled portions of the road shoulder, ditches, boulevards and sidewalks.
- j) "Sight Triangle" means the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 15 metres (49 feet) from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines
- k) "Third Party Advertiser" means an individual, corporation or trade union which has filed a notice of registration as required pursuant to s.88 of the Municipal Elections Act;
- l) "Third Party Election Sign" means any Election Sign which has been erected or displayed without the authorization, direction or involvement of a Candidate;
- m) "Voting Day" means voting day as defined by the Municipal Elections Act, 1996 and polling day as defined by the Federal Elections Act or the Elections Act (Ontario).
- n) "Voting Period" means the period where voters can begin to cast their vote.

2. General Provision

- a) No person shall locate, erect, post, place or otherwise display an election sign within the limits of any road allowance within the limits of the Township of North Dumfries except in accordance with this by-law.
- b) All candidates and third-party advertisers shall abide by this by-law.
- c) Election Signs displayed on private property can only be put up with the property owner's consent.
- d) Election Signs shall be portable or mounted on wire frame, able to be bent by hand or a wood frame with less than 4" x 4" post driven into the ground.
- e) Election Signs shall not exceed 0.84 square metres in size.

3. No Sign Permit Fee

- a) Despite any other by-law of the municipality to the contrary, no fee shall be charged by the municipality and no permit shall be required in order to post an election sign in accordance with this by-law.

4. Setback From Road Allowance

- a) No election sign shall be located within 2 metres (6.6 feet) of the traveled portion of a road allowance, including on the gravel shoulder.

5. Sight Triangle – Road Allowance

- a) No election sign shall be located within 15 metres (49 feet) of an intersection of streets.

6. Election Sign Placements – Restrictions

- a) No Election sign shall be placed on or attached to any bridge.
- b) No election sign shall be placed on a public sidewalk or in such other location on, over or near a sidewalk so as to interfere with or obstruct normal pedestrian traffic.
- c) No election sign shall be affixed to any traffic control sign, guardrail or other form of traffic safety structure or facility, utility pole or equipment, or any other similar type of sign, structure, facility of equipment located within the limits of a road allowance.
- d) No election sign shall be posted on any tree located within a road allowance.
- e) No election sign shall be located on a median or island installed within a Township road.
- f) No election sign shall be visible in or on a vehicle that is parked on, or within 50 metres (164 feet) (measured from the nearest property line) of the property of any premise used as an Election Help Centre(s).
- g) Election Signs shall be at least one (1) metre (3.3 feet) or more apart from another election sign.
- h) Election Signs shall not flash, change colour or have any moving parts.
- i) Election Signs for municipal elections shall only be located, erected, posted, placed or otherwise displayed beginning forty-five (45) days prior to Voting Day.
- j) Election Signs for provincial and federal elections shall only be located, erected, posted, placed or otherwise displayed once the writ has been dropped.

7. Municipal Property, Facilities and Parks

- a) Except as expressly permitted by this by-law, no election sign shall be located, erected, posted, placed or otherwise displayed on any other

public property, including but not limited to parkland, and other lands, building and facilities owned by The Township of North Dumfries.

- b) No election signs shall be located, erected, posted, placed or otherwise displayed at any Election Help Centre(s), as designated by the Township.

8. Township Identification

- a) An election sign shall not display a township logo, crest, seal or other Township identification.

9. Third Party Election Signs

- a) Third party advertisers shall be required to register with the Clerk prior to the display of Election Signs.
- b) Third Party Election Signs shall contain valid and up-to-date contact information, including the name of the registered third party, the municipality where the third party is registered, and a telephone number, mailing address or email address at which the registered third party may be contacted, in order to identify at least one individual responsible for the display of the sign.
- c) Third Party Election Signs displayed by third party advertisers shall comply with the Township's regulations respecting Election Signs.

10. Removal of Election Signs Placed on Restricted Areas

- a) Where an election sign has been affixed, erected or otherwise displayed in contravention of any provision of this by-law, or where an election sign interferes with municipal or public utility services, a Municipal Law Enforcement Officer, or any other individual designated by the Clerk may cause the sign to be removed immediately without notice and/or take any further action as provided within this by-law.
- b) The Township or any of its officers, employees or agents will not be responsible for damage to lawfully removed election signs.
- c) All Election Signs deemed to be in contravention of any provision of this by-law shall be returned to candidates and third-party advertisers after Voting Day.

11. Removal of Election Signs

- a) Candidates and Third-Party Advertisers shall remove all election signs within seventy-two (72) hours (three days) immediately following Voting Day.

12. Offences

Every person who contravenes this by-law is guilty of an offence.

13. Previous By-laws Rescinded

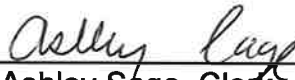
That By-law 2144-05 enacted on the 5th of December, 2005 and all previous by-laws and resolutions inconsistent with the provisions of this by-law are hereby repealed.

THAT this by-law shall come into force and take effect on the enactment of this by-law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd DAY OF APRIL, 2018.



Susan Foxtton, Mayor



Ashley Sage, Clerk