

# The Corporation of the Municipality of Northern Bruce Peninsula

## By-Law No. 2025-72

### Being A By-Law to Regulate Election Signs in The Corporation of The Municipality of Northern Bruce Peninsula

Whereas Section 11(3), paragraph 7 of the *Municipal Act, S.O. 2001, as amended*, states that a Municipality may pass By-laws respecting signs;

And whereas Section 99(2) and 99(3) of the *Municipal Act, S.O. 2001, c. 25 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 Section 425 of the *Municipal Act, S.O. 2001, c. 25 as amended*, establishes that any person who contravenes any By-law of the Corporation of the Municipality of Northern Bruce Peninsula 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 Corporation of the Municipality of Northern Bruce Peninsula recognizes the importance of free speech and political campaigning as supported by the *Municipal Elections Act, 1996, as amended*;

And whereas Council of the Corporation of the Municipality of Northern Bruce Peninsula deems it expedient to enact a By-law to regulate the placement of election signs.

Now therefore the Council of the Corporation of the Municipality of Northern Bruce Peninsula enacts as follows:

#### 1.0 Definitions

**“By-Law Enforcement Officer”** means the By-Law Enforcement Officer of the Corporation of the Municipality of Northern Bruce Peninsula.

**“Candidate”** shall have the same meaning as in the Canada Elections Act, the Elections Act (Ontario) or the Municipal Elections Act, 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 in accordance with the Municipal Elections Act.

**“Erect”, “Erected” and “Erection”** means attached, altered, built, constructed, reconstructed, enlarged or moved but does not include copy changes on any sign.

**“Election Sign”** means:

- a. any sign advertising or promoting the election of a political party or of any candidate standing for public office;
- b. any sign intended to influence persons to vote for or against any candidate or any question or By-law submitted to the electors in accordance with the Canada Elections Act, the Elections Act (Ontario) or the Municipal Elections Act.

**“Owner”** means a person or their authorized agent in lawful control of the premises, building, occupancy, sign or other structure or portion thereof under consideration.

**“Registered Third Party Advertiser”** means, in relation to an election in a municipality, an individual, corporation or trade union that is registered in accordance with the Municipal Elections Act, 1996, as amended.

**“Road Allowance”** means any Provincial, County or Municipal owned land open and maintained as a public highway, including sidewalks, bridges, multiuse trails, and other portions of land within the road allowance designed and intended for, or used by, the general public for the passage of vehicles and pedestrians and includes the untraveled portion of the road allowance.

**“Roadway”** means the part of the road allowance that is improved, designed or ordinarily used for vehicular traffic and includes the gravel shoulder of the road.

**“Sign”** means a display board, electronic display, screen, cloth or structure having characters, letters or illustration applied thereto or displayed thereon in any manner, including signs within a building visible from the street, and shall include the posting or painting or an advertisement or a notice on a building or structure advertising a place of business, product, activity, or a special happening.

**“Site Triangle”** means the triangular space formed 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 6m 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 line or the intersection of the tangents to the street lines.

**“Municipality”** means the Corporation of the Municipality of Northern Bruce Peninsula.

**“Voting place”** means the entire property and all the boundaries associated with it when such voting place is located within a public premises and shall mean of the common elements when the voting place is located on private premises and may also include an information centre.

## 2.0 General Provisions

**2.1** No person shall affix, erect or otherwise display an election sign except as permitted by this By-law.

**2.2** No person shall erect or display elections signs on private property without the consent of the owner or occupant of the property.

**2.3** The candidate to whom the election sign relates shall be responsible for the erection, maintenance or display of the election sign and shall ensure that all the requirements of this By-law have been met.

**2.4** No person shall pull down or remove a lawfully erected election sign without the consent of the candidate to which the election sign relates or the owner of the property on which the election sign is erected.

**2.5** No person shall deface or willfully cause damage to a lawfully erected election sign.

**2.6** No person shall display on any election sign a logo, trademark or official mark, in whole or in part, owned or licensed by the Municipality.

**2.7** No person shall erect an election sign for a candidate other than for a candidate who is being elected to represent the electors of the Municipality.

## 3.0 Prohibited

**3.1** No person shall affix, erect or otherwise display an election sign or permit an election sign to be affixed, erected or otherwise displayed:

- a. That is illuminated, animated, rotates or has flashing lights;
- b. On a tree, utility pole, municipal, County or Provincial sign or post or light standard, utility box, planter, bench, waste receptacle, newspaper box or mail box;

- c. At a voting location or voting help centre;
- d. On a vehicle that is parked at any voting location;
- e. On a street in front of a voting location;
- f. Within one hundred (100) metres of a voting location;
- g. Within fifteen (15) metres of any intersection of public roads within the Municipality;
- h. That has exceeded a height of one (1) metre;
- i. To obstruct the safe operation or visibility of vehicular traffic, cyclists, or pedestrians, and must not obstruct sightlines;
- j. Without the consent of the candidate to whom the sign relates or the registered third-party advertiser responsible for the outsider election sign;
- k. On any property that is owned, leased or maintained by the Municipality including, but not limited to:
  - Municipal Office
  - Firehalls
  - Public Works Yards
  - Community Centres
  - Public Libraries
  - Municipal Parks
  - Vacant Lots owned by the Municipality.

**3.2** Not more than one (1) election sign per candidate shall be placed on a lot at any one time.

**3.3** 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.

#### **4.0 Road Allowance**

**4.1** No person shall place an election sign, or cause an election sign to be placed on a road allowance if the election sign or any portion thereof is:

- a. on or over a roadway or sidewalk;
- b. within the sight triangle at the intersection of two roadways;
- c. located on any centre median, traffic island or centre boulevard within a road allowance;
- d. not mounted on its own support affixed and secured directly to the ground;
- e. In any location described in Section 3.1 of this By-law.

**4.2** Every person who places an election sign on a municipal road allowance shall comply with the following requirements:

- a. The sign does not impede the necessary sightlines of motorists, Municipality's snowplowing or grass cutting operations, or access to a private drive;
- b. The sign does not cause any other immediate safety issue.

## **5.0 Mandatory Information on Municipal Election Signs and Advertisements**

**5.1** All Parties, including candidates, shall comply with the sign and advertisement requirements set out in Section 88 of the Municipal Elections Act as amended.

### **5.2 Mandatory Information – Candidates**

All Election signs and Advertisements purchased by or under the direction of a candidate shall identify the candidate.

### **5.3 Mandatory Information – Registered Third Party Advertisers**

All Registered Third Party signs shall contain the following information:

- a. the name of the registered third party;
- b. the municipality where the registered third party is registered;
- c. a telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement.

## **6.0 Election Signs on Private Property**

**6.1** No person shall erect an election sign on private property:

- a. without the consent of the owner or tenant of the property;
- b. if the sign is deemed to interfere with the safe operation of vehicular traffic or with the safety of pedestrians.

## **7.0 Timing**

**7.1** No person shall place, or permit to be placed, an election sign for a municipal election:

- a. Earlier than nomination day in the year of a regular election; or
- b. Earlier than nomination day for a by-election.

**7.2** The owner shall remove their election sign within two (2) days immediately following 11:59 p.m. of the day of the election.

## **8.0 Removal of Unlawful Election Sign**

**8.1** Where an election sign has been affixed, erected or otherwise displayed on a road allowance or on property owned by the Municipality, in contravention of any provision of this By-law, the By-law Enforcement Officer, or any other individual designated by the Clerk of the Municipality, may cause the election sign to be removed immediately without notice and further action may be taken as provided in this By-law.

**8.2** Signs that have been removed shall be stored by the Municipality for a maximum of ten (10) days during which time the owner of the sign or the owner's agent may retrieve the sign.

**8.3** Any election sign that is stored by the Municipality for more than ten (10) days and not retrieved by the owner of the sign or their agent within that period of time may be destroyed or otherwise disposed of by the Municipality without notice and without compensation to the owner of the sign.

## **9.0 Liability**

**9.1** 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 negligence or willful acts of such person, or their agents or employees, in the construction, erection, maintenance, repair or removal of any such signs. Likewise, the provisions of this section shall not be construed as imposing on the

Municipality, its officers, employees, servants, agents and contractors, any responsibility or liability whatsoever by reason of the removal of any sign.

## **10.0 Enforcement**

**10.1** Where any person is directed or required by this By-law to do any matter or thing, such matter or thing may be done in default of its being done by the person directed or required to do it, at the person's expense, and such expense may be recovered by action or as municipal taxes in the manner prescribed by the *Municipal Act*.

## **11.0 Conflict**

**11.1** In the event of a conflict between this By-law and the provisions of another By-law of the Municipality regulating signage, the provisions of this By-law shall prevail.

## **12.0 Other**

**12.1** This by-law shall come into full force and effect upon final passage.

**12.2** This by-law may be cited as the "Election Sign By-Law."

Read a First, Second and Third Time and Finally Passed, Signed and Sealed This 27<sup>th</sup> Day of October 2025.

**Original signed by Mayor, Milt McIver and Clerk, Alexandra Croce**