

**THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES**

**BY-LAW #22-37**

**BEING A BY-LAW OF THE CORPORATION OF THE  
MUNICIPALITY OF HURON SHORES TO REGULATE THE  
PLACEMENT AND USE OF ELECTION SIGNS**

WHEREAS the *Municipal Act, 2001*, as amended, provides that a Council of a Municipality may pass a by-law for the prohibition or regulation of the erection of signs and other advertising devices;

AND WHEREAS Section 11 (3) of the *Municipal Act, 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, 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 Huron Shores deems it advisable to exact a by-law to regulate the placement of Election Signs;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES ENACTS AS FOLLOWS:

**1. Definitions**

For the purpose of this By-law:

**1.1 "Candidate"** means

a) A Candidate within the meaning of the *Canada Elections Act, the Education Act, the Elections Act (Ontario), or the Municipal Elections Act, 1996*; and

b) shall be deemed to include a person seeking to influence other persons to vote for or against any question or by-law to the electors under section 8 of the *Municipal Elections Act, 1996* as amended.

**1.2 "Clerk"** means the Municipal Clerk or a person delegated by them for the purpose of this By-law.

**1.3 "Election Sign"** means any structure, device, placard, 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 "Jurisdiction"** means within the Municipality of Huron Shores boundaries.

**1.5 "Nomination Day"** means the date in which nominations open in an election year.

**1.6 "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.

- 1.7 "Municipality"** means The Corporation of the Municipality of Huron Shores.
- 1.8 "Public Property"** means real property owned by or under the control of the Municipality, including a Park, Library, Community Centre, or any of its agencies, local boards, commissions or corporations but, for the purposes of this by-law, does not include a Street.
- 1.9 "Sight Triangle"** means a triangular space, free from buildings, structures and obstructions, including vegetation, formed by the street lines abutting a corner lot and a third line drawn from a point on a street line to another point on a street line, each such point being the required sight distance from the point of intersection of the street lines.
- 1.10 "Street"** means a public thoroughfare, including public rights-of-way under the jurisdiction of either the Municipality 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.
- 1.11 "Voting Place"** means the entire building where electors cast their ballots and the property associated with the building.

## **2. Timing**

- 2.1** 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.
- 2.2** No candidate, person or Registered Third Party Advertiser 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.
- 2.3** No candidate, person or Registered Third Party Advertiser shall place or permit to be placed an Election Sign for a municipal election earlier than the day that Candidate has filed their nomination with the Clerk.
- 2.4** Election Signs must be removed within **five (5) days** following an election. If not removed within this time frame, the Clerk may direct that the signs be removed.

## **3. General Provisions**

- 3.1** Only Candidates, registered third party advertisers, or their agents are permitted to erect election signs.
- 3.2** No person shall place or permit to be placed an Election Sign on Public Property.
- 3.3** No person shall place or permit to be placed an Election Sign:
- a) that is illuminated;

- b) in a Sight Triangle;
- c) on a tree, utility pole, municipal sign or post, or light standard;
- d) at a voting location;
- e) on a street in front of any voting location;
- f) within 25m of a voting location (examples attached as Schedule 'A');
- 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;
- j) to obstruct sightlines; and
- k) without the consent of the candidate to whom the sign relates or the registered third-party advertiser responsible for the outsider election sign.

**3.4** No municipal election sign shall be posted in the Municipality of Huron Shores for a Candidate in another Jurisdiction.

**3.5** No municipal election sign shall be posted on private property without the express consent of the owner and shall be subject to the limitations set out in 3.7.

**3.6** No person shall, at any time, place or cause to be placed, an Election Sign, in or on a vehicle that is parked on any premises used as a Voting Place for elections if the sign is visible from the outside of the vehicle.

**3.7** It is the responsibility of candidates and registered third part advertisers to ensure compliance with this By-law and all other applicable legislation.

#### **4. Mandatory Information on Elections Signs & Advertisements**

**4.1** All parties, including candidates, shall comply with the sign and advertisement requirements set out in the *Municipal Elections Act*, as amended.

**4.2 Mandatory Information – Candidates**  
All Election Signs and Advertisements purchased by or under the direction of a candidate shall identify the candidate.

**4.3 Mandatory Information – Registered Third Party Advertisers**  
All Third Party Election Signs and Advertisements shall contain the following information:

- a) the name of the Registered Third Party;
- b) the municipality where the Registered Third Party is registered; and
- c) a telephone number, mailing address or email address at which the Registered Third Party may be contacted regarding the advertisement.

## **5. Locations**

**5.1** 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 Garage and/or Yards
- d) Public Library
- e) Recreation properties
- f) All Municipal Parks

**5.2** 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 drive;
- b) the sign does not cause any other immediate safety issue.

## **6. Removal of Signs**

**6.1** Where Election Signs have been posted in contravention of this By-law, the Clerk may have the sign removed without notice, or take the necessary action to ensure that the sign complies with the provisions of this By-law within 24 hours of notice.

**6.2** The Clerk may destroy any Election Signs which have been removed by the Municipality and stored for a period of five (5) days and such sign has not been retrieved by the Candidate, persons or Owner within the time period prescribed under Section 2.4 or 6.1.

## **7. Damage**

**7.1** The Municipality of Huron Shores shall not be liable for any damage or loss to an Election Sign that was displayed in accordance with this By-law, in contravention of this by-law, or that was removed by an officer of the Municipality of Huron Shores.

**8. Enforcement**

**8.1** This by-law shall come into force and take effect immediately upon its passage and may be enforced by the Clerk, the Municipal By-law Enforcement Officer and their delegates.

READ a first, second and third time and passed in open Council this 11<sup>th</sup> day of May, 2022.

  
MAYOR – Georges BILODEAU

  
CLERK – Deborah TONELLI



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**SCHEDULE A**

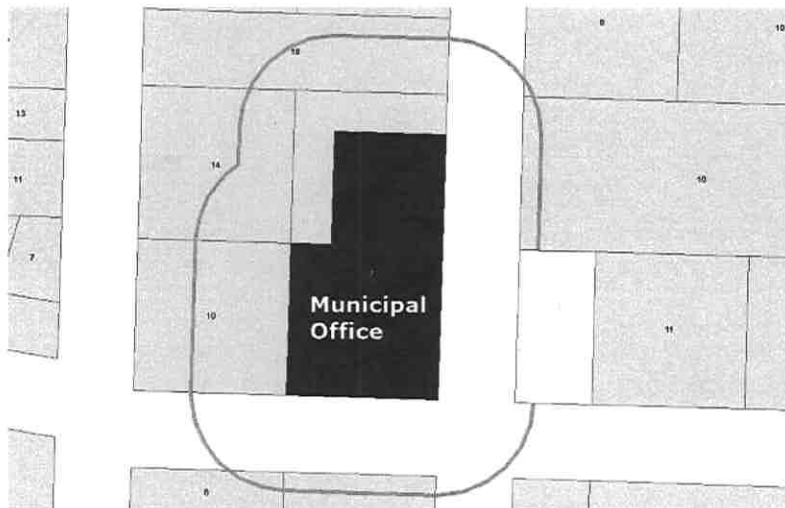
Per: **3. General Provisions:**

**3.3** No person shall place or permit to be placed an Election Sign:

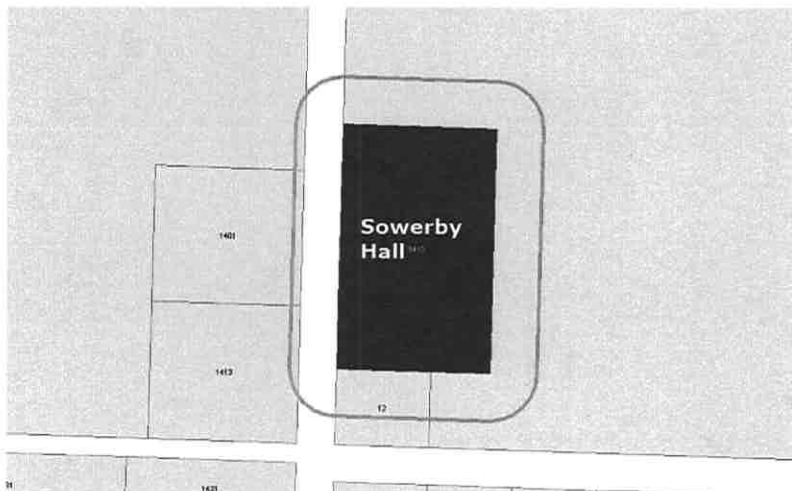
f) within 25m of a voting location

Examples:

25m distance from Municipal Office, 7 Bridge Street



25m distance from Sowerby Hall, 1410 Basswood Lake Road



25m distance from Lions Hall, 10 Clarissa Street

