

**Corporation of the
Township of Havelock-Belmont-Methuen**

By-law Number 2018 – 022

A by-law to regulate the placement of election signs in the Township of Havelock-Belmont-Methuen

WHEREAS Section 99 of the Municipal Act, 2001, S. O. 2001, c.25 sets out rules that apply to a by-law regulating advertising devices including signs; and

WHEREAS Council deems it appropriate to regulate the placement of election signs;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Township of Havelock-Belmont-Methuen hereby enacts as follows:

1. Definitions

1.1 In this By-law:

- (a) "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.
- (b) "Election Sign" means any sign:
 - i) advertising or promoting a candidate in a federal, provincial or municipal election or by-election and shall include school board trustees; or
 - ii) that uses words, pictures or graphics or any combination thereof intended to influence 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.
- (c) "Public Property" means property owned, leased, or maintained by the Corporation of the Township of Havelock-Belmont-Methuen .
- (d) "Township" means the Corporation of the Township of Havelock-Belmont-Methuen.

2. General Provisions

2.01 Placement of Signs:

- a) No permit is required for the placement of election signs under this by law.

- b) No person shall erect, attach, display, place or cause to be erected, attached, displayed or placed an election sign except as permitted by this by-law.
- c) No candidate shall cause or knowingly permit:
 - i) any action which contravenes this by-law; or,
 - ii) any action which results in a continuing contravention of this By-law. 2.02

2.02 Voting Locations:

No person shall at any time:

- a) place an election sign, or cause an election sign to be placed on any premises used as a Voting Station or Help Centre for elections; and
- b) place or cause to be placed an election sign, poster or placard in or on a vehicle that is parked on any premises used as a Voting Station or Help Centre for elections if the sign, poster or placard is visible from the outside of the vehicle; and

2.03 Use of Township of Havelock-Belmont-Methuen Logo:

No person shall at any time:

- a) display the Township of Havelock-Belmont-Methuen logo in whole or in part, on any election sign.

3. Election Signs on Public and Private Property

- 3.01 No person shall at any time place an election sign, or cause an election sign to be placed on any property or building that is owned, leased, maintained or operated by the Township of Havelock-Belmont-Methuen, including but not limited to:
 - a) Municipal Office
 - b) Community Centres
 - c) Fire Halls
 - d) Public Works Yards
 - e) Public Libraries
 - f) Township Parks
 - g) Transfer Stations
- 3.02 Election signs may be erected or displayed on private property with the consent of the owner or occupant of the property with the provision that Section 3.03 of this by-law is not violated.

- 3.03 No person shall at any time place an election sign, or cause an election sign to be placed that obstructs the visibility of pedestrians, vehicles, or traffic control devices, or causes an immediate safety issue as determined by the Director of Public Works.

4. Timing

- 4.01 No candidate or his agent or any other person shall affix, erect or otherwise display an election sign or permit or cause an election sign to be erected, affixed, or otherwise displayed prior to the issuance of writs for a provincial or federal election.
- 4.02 No candidate or his agent or any other person shall affix, erect or otherwise display an election sign for a municipal election or permit or cause an election sign to be erected, affixed, or otherwise displayed for a municipal election prior to the date a person may be nominated for an office by filing a nomination in the clerk's office, in person or by an agent in the year of that election.
- 4.03 Election signs shall be removed within one (1) week after the completion of voting on voting day.

5. Enforcement

- 5.01 If a sign is erected or displayed in violation of this by-law, the appropriate municipal officials may cause the sign to be removed immediately without notice.
- 5.02 Any sign that has been removed by the Township will be stored until one (1) week after the completion of voting on voting day.
- 5.03 Candidates, or an agent on their behalf, can reclaim all removed signs for up to one (1) week following voting day, during regular office hours.
- 5.04 The Township shall not be liable for any damages 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.
- 5.05 Any sign that has been removed in accordance with subsection 5.01 and not reclaimed in accordance with subsection 5.03 shall be destroyed or otherwise disposed of by the Township without notice and without compensation to the owner of the sign.
- 5.06 Despite subsection 5.02, the Township shall not be obliged to store signs made entirely of paper or other lightweight material and may destroy these signs immediately upon removal.

- 5.07 The provisions of this by-law may be enforced by Municipal By-Law Enforcement Officers, the Director of Public Works, Police, the Municipal Clerk or his/her designate.
- 5.08 Any provision of this by-law found to be ultra vires shall be deemed to severable and the balance of the by-law deemed to continue in full force and effect.

6. Precedence over Election Sign Provisions in other By-laws

- 6.01 The provisions of this By-law supersede the election sign provisions of any other By-law.

7. Short Title

- 7.01 This by-law shall be known as the "Election Sign By-law".

Read a first, second, and third time and finally passed in Open Council this 19th day of March, 2018.



Jim Martin, Deputy Mayor



Robert V. Angione, Clerk