

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK

BY-LAW NUMBER 2010- 0077 (EL-1)

BEING A BY-LAW TO REGULATE THE ERECTION AND
MAINTENANCE OF ELECTION SIGNS WITHIN THE TOWN
OF GEORGINA

WHEREAS Section 11(3) of the Municipal Act, 2001, as amended, authorizes a municipality to pass by-laws for the purpose of prohibiting and regulating the erection and maintenance of advertising devices;

AND WHEREAS it is deemed advisable to further regulate the erection and maintenance of election signs;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GEORGINA HEREBY ENACTS AS FOLLOWS:

1.0 Definitions:

- 1.1 'Candidate' shall have the same meaning as in the Canada Elections Act, the Election Act (Ontario) or the Municipal Elections Act, 1996, as applicable, and shall be deemed to include a person seeking to influence another person to vote for or against any question or by-law submitted to the electors under Section 8 of the Municipal Elections Act, 1996.
- 1.2 'Centre median or traffic island' means a paved or landscaped area dividing opposing lanes of traffic.
- 1.3 'Election sign' means any signs or other advertising devices including without limitation, posters, placards, bulletins, banners, notices, pictures or any combination thereof;
- a) which advertises or promotes a candidate in a federal, provincial or municipal election or by-election including an election of a local board or commission;
 - b) which promotes or relates to any federal, provincial or municipal election including an election of a local board or commission; or
 - c) which 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 electors under section 8 of the *Municipal Elections Act, 1996*.
- 1.4 'Highway' includes a common and public highway, including but not limited to street, avenue, parkway, driveway, square, place, bridge, viaduct or trestles designed and intended for, or used by, the general public including the passage of vehicles and includes the total width of the road allowance.
- 1.5 'Mobile sign or trailer sign' means a portable sign with a maximum of two (2) sign faces capable of being readily moved from one

location to another and usually built on a trailer or solid platform that may include wheels.

- 1.6 'Nomination day' means the second Friday in September in the year of an election.
 - 1.7 'Public property' means property owned by or under the control of the Town of Georgina or any of its agencies, boards or commissions, including public highways.
 - 1.8 'Public utility pole' means a pole owned or controlled by an entity which provides a municipal, regional or public utility service, including street lights, stop lights, Bell Canada, Hydro One and any subsidiary thereof.
 - 1.9 'Sight triangle' means the triangle space formed by intersecting street lines on a corner lot and a line drawn from a point on one of the streets to a point on the other street line.
 - 1.10 'Voting place' means the building and property including the parking lot where elections are held, from the building to the driveway and 100 metres on either side of the driveway as outlined in the schedules attached.
- 2.0 General:
- 2.1 No person shall erect, attach, place or display an election sign except as permitted by this by-law.
 - 2.2 This by-law shall not apply to signs erected, placed or displayed by the Town to provide information concerning the election or any part of an election process.
 - 2.3 Election signs shall not:
 - a) be painted on, attached to or supported by a tree, stone or other natural object;
 - b) incorporate flashing lights or rotating parts;
 - c) illuminate;
 - d) simulate any traffic control device;
 - e) be affixed to public utility poles;
 - f) be erected or placed so as to obstruct, impede or interfere with any fire escape, fire exit door, window, skylight, flue air intake or exhaust, or any means of access by fire fighter to any part of a building or fire hydrant;
 - g) be erected or placed so as to impede, hinder or prevent parking by vehicles on private or public lands or on a highway; or
 - h) display the Town of Georgina's logo, crest or seal in whole or in part
 - 2.4 No person shall deface or wilfully cause damage to a lawfully displayed election sign.
 - 2.5 No person shall at any time on any election voting day, including those days when advance voting is held;

- a) place an election sign, or cause an election sign to be placed on any premises used as a voting place for elections, or on the same side within 100 metres of a voting place.
- b) place or cause to be placed in or on a vehicle that is parked on any premises used as a voting place for elections an election sign if visible from outside the vehicle

2.6 Mobile signs are not permitted to be used as an election sign.

3.0 Election Signs on Public Property:

3.1 Election signs are permitted on highways but not on or within any public property other than highways.

3.2 Election signs shall not be located, erected or displayed;

- a) on any centre median or traffic island;
- b) in any park or other open space owned, operated or controlled by the Town;
- c) on any building or structure owned or operated by the Town;
- d) so as to obstruct, impair, impede or hinder the movement of vehicular or pedestrian traffic, or the visibility of railway crossings, crossing devices and traffic signs or signals; or
- e) on a sidewalk

3.3 Election signs may be erected or displayed on highways, provided that they are:

- a) no larger than 2.0 square metres;
- b) no higher than 2.5 metres above ground level;
- c) not located within 10 metres of another election sign on the same side for the same candidate except at intersections where two signs would face opposite roadways and each sign face does not exceed the maximum 2.0 square metres;
- d) located a minimum of 1 metre from the outer edge of a sidewalk;
- e) not located within the portion of a highway between the sidewalk and the roadway where the highway includes a sidewalk and a roadway;
- f) located a minimum of 1 metre from the outer edge of a curb or shoulder, where there is no sidewalk;
- g) not placed in a sight triangle;
- h) not erected or installed so as to create an unsafe obstruction or visual impairment for pedestrian or vehicular traffic;
- i) not erected or installed on any utility box, planter, bench, railing, retaining wall, bridge, overpass, noise attenuation wall, light standard, waste receptacle, newspaper box, mail box or similar object or structure which has been placed on any highway; or
- j) not erected or installed on any post, pole or support already containing an official or authorized sign erected by the Town, the Regional Municipality of York, Conservation Authority or the Province of Ontario.

3.4 Election signs may be placed on a highway adjacent to a residential property with the consent of the owner or occupant of the adjacent residential property.

4.0 Election Signs on Private Property:

4.1 Election signs are permitted on private property;

- a) only with the consent of the owner or occupant of the property;
- b) provided that the election sign does not interfere with the safe operation of vehicular traffic or impair the safety of pedestrians; and

5.0 Timing:

5.1 Election signs shall not be erected or displayed prior to nomination day before a municipal election.

5.2 Election signs shall not be erected or displayed for a federal or provincial election until the day that the writ of elections is issued.

5.3 Despite Section 5.1 and 5.2, election signs may be erected at campaign offices once the candidate has filed his or her nomination paper.

5.4 All election signs shall be removed no later than seven (7) days following the voting day of the election for which the signs were erected or installed. For the purpose of this subsection, the candidate shall be responsible for the removal of his or her election signs within the prescribed time frame.

6.0 Removal of Unlawful Election Signs:

6.1 If an election sign is erected or displayed in violation of this by-law, the appropriate Town official shall cause the sign to be removed.

7.0 Offence:

7.1 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine pursuant to the Provincial Offences Act, as amended.

8.0 Liability for Damages:

8.1 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 the negligence or wilful acts of such person, or his or her agents or employees, in the construction, erection, maintenance, repair or removal of such signs.

9.0 That By-law No. 2006-0008 (EL-1) is hereby repealed.

10.0 This By-law shall come into force on the date of passing by the Council of the Town of Georgina.

READ a first, second and third time and finally passed this 19th day of July, 2010.

Robert Grossi, Mayor

Roland Chenier, Town Clerk