

**THE CORPORATION OF THE  
TOWNSHIP OF ASPHODEL-NORWOOD**

**BY-LAW NUMBER 2005-70**

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**Being a By-Law to regulate the placement of election campaign signs  
on public properties and road allowances under the jurisdiction of the  
Township of Asphodel-Norwood**

**WHEREAS** the Municipal Act, S.O. 2001, c. 25, Section 11(2) as amended, provides that Councils of lower-tier municipalities may pass by-laws respecting matters pertaining to structures, including fences and signs; and

**WHEREAS** the Township of Asphodel-Norwood deems it advisable to pass this by-law, applicable to the whole of the Township:

**NOW THEREFORE** the Council of The Corporation of the Township of Asphodel-Norwood duly assembled ENACTS AS FOLLOWS:

**ELECTION CAMPAIGN SIGN BY-LAW**

**DEFINITIONS:**

1. In this by-law,
  - a) Election Campaign Sign - defined  
“election campaign sign” shall mean an outdoor sign or other outdoor advertising device which by the use of words, pictures or graphics or any combination thereof is intended to influence persons
    - (i) for advertising or promoting a candidate in a federal, provincial or municipal election, including an election of a local board or commission;
    - (ii) to give or to refrain from giving their votes to a candidate at an election held in accordance with the *Canada Elections Act*, the *Elections Act (Ontario)*, or the *Municipal Elections Act, 1996*;
    - (iii) to vote in favour of or against any question or by-law submitted to the electors under section 8 of the *Municipal Elections Act, 1996*;
  - b) Candidate - defined  
“candidate” shall mean a person officially nominated as a candidate whether for a municipal, provincial or federal election;
  - c) Local Board - defined  
“local board” means a local board as defined in section 1 of the *Municipal Act, 2001*;

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- d) Public Property - defined  
“public property” means property owned by or under the control of the Township of Asphodel-Norwood or any of its agencies, boards or commissions, including public highways, and shall be deemed to include public utility poles, regardless of whether or not the poles are owned by or under the control of the Township;
- e) Public Works Manager - defined  
“Public Works Manager” means the municipal employee responsible for public works operations including roads and signage, for the Township of Asphodel-Norwood;
- f) Roadway - defined  
“roadway” means the part of the road allowance that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a road allowance includes two or more separate roadways the term “roadway” refers to any one roadway separately, and not to all of the roadways collectively;
- g) Sight Triangle - defined  
“sight triangle” means a triangle at the intersection of two roadways, two sides of which triangle consist of the part of the limit of each roadway measured 9 metres (23.62 feet) along the limit from its convergence with the other limit and the third side of which triangle consists of a straight line between the ends of the first two sides.

2. **ADMINISTRATION**

- 2.1 The administration and enforcement of this by-law is assigned to the Manager of Public Works.

3. **GENERAL PROVISIONS**

- 3.1 No person shall erect, attach, place or display an Election Campaign Sign except as permitted by this by-law.
- 3.2 No Election Campaign Sign shall be:
- (a) illuminated; or
  - (b) attached to trees.
  - (c) within three (3) metres of any driveway and
  - (d) so as to create an unsafe obstruction or visual impairment for pedestrian or vehicular traffic.

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3.3 No person shall deface or willfully cause damage to a lawfully-erected Election Campaign Sign.

**4. ROAD ALLOWANCE**

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

- (a) on or over the sidewalk;
- (b) closer than 3 metres (9.84') feet to the edge of the roadway;
- (c) within a sight triangle at the intersection of two roadways;
- (d) where a road allowance includes a sidewalk adjacent to a roadway, on the portion of the road allowance between the sidewalk and the roadway; and
- (e) where a road allowance includes two or more separate roadways, on the portion of the road allowance between each roadway.

4.2 No person shall place an election campaign sign, or cause an election campaign sign to be placed, on a road allowance closer than 3 metres (9.84') to a private drive.

**5. UTILITY POLE, ETC.**

5.1 No person shall at any time nail or otherwise attaché a campaign sign, or cause an election campaign sign to be nailed or otherwise attached, to or upon any utility pole, light pole, utility box, tree, bust shelter, planter, bench, waste receptacle, newspaper box, or mail box located on a road allowance.

5.2 Subsection (1) does not apply to a bus shelter in respect of which arrangements have been made with the owner of the shelter for the attachment of an election campaign sign.

**6. PUBLIC PARK AND PROPERTY AND POLLING PLACES**

6.1 No person shall at any time place an election campaign sign, or cause a campaign sign to be placed, in any public park or on any property owned or occupied by the Township or any local board.

6.2 No person shall at any time on any election voting day, including those days when advance election voting is held, place an election campaign sign, or cause and election campaign sign to be placed on any premises used as a polling place for elections.

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**7. REMOVAL OF SIGNS**

- 7.1 When the Manager of Public Works has reasonable and probable grounds to believe that an election campaign sign on a road allowance or in any public park or on any property owned or occupied by the Township or a local board,
- (a) is placed nailed or otherwise attached contrary to any provision of this by-law,
  - or
  - (b) creates a hazard to vehicular traffic or pedestrians,
- the Manager of Public Works may cause the campaign sign to be removed pursuant to this section, the candidate is liable to a charge of either \$50.00 or the actual cost of removing the election campaign sign.
- 7.2 All campaign signs must be removed and disposed of in an appropriate manner within 48 hours of the end of any election.

**8. ENFORCEMENT**

- 8.1 Every person who contravenes any provision of this by-law which creates an offence shall be liable upon conviction to the penalties prescribed by the *Provincial Offences Act*. A separate offence is committed on each and every day during which the contravention continues. Conviction with respect to one particular violation shall not operate as a bar to further prosecution if the contravention continues.

**9. COMPLIANCE WITH ORDER RESTRICTIONS**

- 9.1 This By-Law shall not be construed so as to reduce or mitigate any restrictions or regulations lawfully imposed by the Township or by any other governmental authority having jurisdiction to make such restrictions or regulations.

This By-Law No. 2005-70 shall be deemed to come into force and effect on the 5<sup>th</sup> day of December, 2005.

Read a first, second and third time and finally passed in Open Council this 5<sup>th</sup> day of December, 2005.

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Reeve Douglas J. Percy

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Clerk Lorraine Brace