

The Corporation of the Township of Springwater By-Law 2017-068

A By-law to regulate Municipal and School Board Election Signs within the Township of Springwater, and to repeal and replace By-law 2009-072.

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 the Council of the Township of Springwater deems it advisable to have a by-law regulating Municipal Election Signs;

Now Therefore the Council of the Township of Springwater enacts as follows:

1. Definitions

For the purpose of this By-law:

- 1.1. **Candidate:** means, in relation to an election in a municipality or school board, an individual that is registered in accordance with the Municipal Elections Act, 1996 and the Education Act, 1990.
- 1.2. **Clerk:** means a person appointed by Council under the Municipal Act or designate, and who is the person responsible for conducting the election in the lower-tier municipality in accordance with the Municipal Elections Act, 1996, as amended.
- 1.3. **Jurisdiction:** means the particular ward for which a candidate is running, or the Township boundaries for Mayor or Deputy Mayor candidates.
- 1.4. **Municipal Election Sign:** means any sign, poster or other advertising device posted by or on behalf of municipal council candidates, registered third party advertisers, or school board candidates.
- 1.5. **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.
- 1.6. **School Board:** means the English Public, French Public, English Catholic and French Catholic school boards having authority over The Township of Springwater.

2. Sign Deposit

- 2.1. Prior to any municipal election sign being erected within the Township of Springwater, candidates and registered third party advertisers shall file a deposit fee of \$100.
- 2.2. Deposits must be submitted to the Clerk and may be in the form of cash or cheque payable to the Township of Springwater.
- 2.3. Sign deposits are due and payable at the time of the filing of nomination papers/registration papers and prior to the erection of any signs for any municipal or school board candidates.
- 2.4. Municipal election signs must be removed within five (5) days following a municipal election. If not removed within this time frame, the Clerk may direct that the signs be removed and the deposit retained by the municipality.
- 2.5. The Clerk's decision to retain the deposit shall be final and not subject to review.
- 2.6. In the event that the deposit is not retained, the Clerk shall direct the Treasurer to refund the deposit paid under this By-law upon satisfactory removal of all Election signs.

3. Restrictions and Enforcement

- 3.1. No municipal election sign shall be larger than 16 square feet (i.e. 4ft x 4ft);
- 3.2. Only Candidates, registered third party advertisers, or their agents are permitted to erect municipal election signs;
- 3.3. No municipal election sign or advertising device shall be located on any voting location property, including the parking lot and road allowance in front of any voting location property. This includes mobile signage;
- 3.4. No municipal election sign shall be erected outside of the jurisdiction of the position for which a candidate is registered;
- 3.5. No municipal election sign shall be posted in the Township of Springwater for a candidate in another municipal jurisdiction;
- 3.6. No municipal election sign shall be erected prior to the second Friday in September of an election year, or forty-five (45) days prior to Voting Day in the case of a by-election;

- 3.7. No municipal election sign shall be placed on a utility pole or light standard.
- 3.8. No municipal election sign or advertising device shall be placed on any municipal property, including but not limited to, parks, trails, road allowances (open and unopened), or sites with municipal buildings. This includes mobile signage;
- 3.9. No municipal election signs shall be placed so as to:
- a) Obstruct the visibility of any pedestrian or driver,
 - b) Obstruct the visibility of any traffic sign or device
 - c) Interfere with vehicular traffic in any manner;
 - d) Obstruct openings required for light, ventilation, ingress, egress, or fire or medical emergencies;
 - e) Constitute a danger or hazard to the general public.
- 3.10. No municipal election sign shall be posted on private property without the express consent of the owner;
- 3.11. All other provisions included in the Municipal Elections Act, 1996, as amended shall apply. It is the responsibility of candidates and registered third party advertisers to ensure compliance with applicable legislation.

4. Removal of Signs

- 4.1. Where municipal election signs have been posted in contravention of this By-law, the Clerk may notify the owner, candidate or their agent to remove the sign and take the necessary action to ensure that the sign complies with the provision of this By-law within 24 hours of notice.
- 4.2. Where action is not taken under Section 4.1, the Clerk may direct that the signs be removed and the deposit retained by the municipality.

5. Force and Effect

- 5.1. This By-law shall be called the Municipal Election Sign By-law.
- 5.2. By-law 2009-072 be and is hereby repealed and replaced.
- 5.3. This By-law takes force and effect on the day of passing.

Read a first, second and third time and finally passed this 20th day of September 2017.

(Original Signed By)

Bill French, Mayor

(Original Signed By)

Renée Chaperon, Clerk