

BY-LAW NUMBER 2010-021(AS AMENDED)

OF

THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE

BEING A BY-LAW TO REGULATE MUNICIPAL AND SCHOOL BOARD ELECTION SIGNS WITHIN THE TOWNSHIP OF UXBRIDGE AND TO REPEAL BY-LAW NO. 2006-110

WHEREAS Section 11(2) of the *Municipal Act*, S. O. 2001, as amended, provides that a lower tier municipality may pass by-laws respecting structures, including fences and signs;

AND WHEREAS on June 12th, 2006, the Council of the Corporation of the Township of Uxbridge deemed it necessary to have a Municipal Election Sign By-law for the Township of Uxbridge to ensure public safety on our roads and highways during a municipal election period and passed By-law No. 2006-110;

AND WHEREAS the Council of the Corporation of the Township of Uxbridge now deems it advisable to amend said Municipal Election Sign By-law;

NOW THEREFORE the Council of the Corporation of the Township of Uxbridge hereby enacts as follows:

Definitions

- 1.1 “Arterial Roads” are major routes in the network of roadways as defined in the Township of Uxbridge Official Plan, Schedule “A” and the Region of Durham Official Plan, Map B1. They connect industrial and commercial centres and concentrations of residential development. Examples of an arterial road would include Toronto Street South and Brock Street.
- 1.2 “Candidate” shall have the same meaning as in 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*.
- 1.3 “Collector Roads” collect traffic from local roads and distribute it to other local roads, arterials and sometimes freeways, as defined in the Township of Uxbridge Official Plan, Schedule “A”. Full access to adjacent land is usually permitted.

- 1.4 “Daylighting Triangle” means the triangle space formed by intersecting street lines on a corner lot and a line drawn from one point on one of the street lines to a point on the other street line.
- 1.5 “Election Sign” means any sign:
- (a) advertising or promoting a candidate in a municipal election or by-election;
 - (b) or other advertising device, including without limitation, posters, placards, bulletins, banners, notices, pictures or any combination thereof, which promote or relate to any municipal election, including an election of a local board or commission; or
 - (c) 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 electors under Section 8 of the *Municipal Elections Act, 1996*.
- 1.6 “Highway” shall have the same meaning as the *Highway Traffic Act, RSO 1990 c.H.8*, and includes common and public highway, street, roadway, avenue, gate, alley, court, crescent, boulevard, lane, trail, way, chase, road, drive, circle, mews, line, sideroad, parkway, driveway, square, place, bridge, viaduct, or trestle, any part or which is intended for, or used by the general public for the passage of vehicles and includes the area between the lateral lines thereof;
- 1.7 “Local Roads and Streets” provide access to properties. Trips on local roads have their origin or destination within the length of the road.
- 1.8 “Mobile Sign” means any sign mounted on a trailer or other freestanding structure, which is designed in such a manner so as to facilitate its movement from place to place, but does not include a sign attached to a motorized vehicle where the principle use of the vehicle is transportation of people, goods or other materials.
- 1.9 “Municipal Law Enforcement Officer” shall mean a person appointed by the Council of the Corporation of the Township of Uxbridge for the purpose of enforcing Township by-laws and for the purpose of this by-law shall include Durham Regional Police;
- 1.10 “Public Property” means property owned by or under the control of the Township of Uxbridge or any of its agencies, boards or commissions, including public highways, and shall be deemed to include Public Utility Poles, regardless of whether the poles are owned by or under the control of the Township;
- 1.11 “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 and any subsidiaries thereof.

1.12 "Voting Day" means the day on which the final vote is to be taken in a municipal election.

General

2.1 No person shall erect, attach, place or display an Election Sign except as permitted by this by-law.

2.2 No candidate, or his or her agents, shall erect, install or otherwise use an Election Sign on public property without first submitting a \$350.00 deposit fee, which may be in the form of either cash or a cheque made payable to the Township of Uxbridge. This deposit fee will be refunded to the candidate within 14 days after Voting Day, less any monies deducted for non-compliance with this by-law, as stated in Section 5.2 of this by-law.

2.3 No permits are required by the Township of Uxbridge for the erection of Election Signs within the Township.

2.4 Election Signs shall not:

- (a) be attached to trees
- (b) have flashing lights or rotating parts
- (c) be illuminated; or
- (d) simulate any traffic control device.

2.5 No person shall deface or willfully cause damage to a lawfully erected Election Signs.

2.6 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 Ballot Return Station for municipal elections, being Town Hall when the 'Mail in Vote' alternative method of voting is used in the Township; 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 Ballot Return Station for municipal elections if the sign, poster or placard is visible.

2.7 No person shall display the Township of Uxbridge logo, crest or seal, in whole or in part, on any Election Sign.

- 2.8 Mobile Signs are not permitted.
- 2.9 No person shall erect an Election Sign where it obstructs or interferes with a door or fire escape of a building.
- 2.10 Election Signs shall only be erected or installed on private property by or with the consent of the owner or occupant of such property.
- 2.11 Candidates running for a Ward Councillor Office shall only erect and install signs within the Ward they are running in.
- 2.12 No Candidate shall be permitted to place a sign within 500 metres of another sign promoting their own candidacy on the same side of the road.

Election Signs on Public Property

- 3.1 No person shall at any time place an Election Sign, or cause an Election Sign to be placed on any public property with the exception of road allowances.
- 3.2 Election Signs may be erected or displayed on municipal public highways, including municipal road allowances, subject to the following;
 - (a) no more than one sign per candidate is placed on the public highway adjacent to any public park or other municipally-owned property;
 - (b) the signs are no **smaller** than .28 square metres (3.0 square feet) - *(for example, 2 feet by 1.5 feet)*;
 - (c) no sign shall exceed a height of 1.2 metres (3.94 feet) above the surface of the curb, shoulder or boulevard, as the case may be, or exceed a width of .8 metres (2.62 feet);
 - (e) the signs are not located within 1 metre (3.3 feet) from the edge of a curb nor a sidewalk that abuts a curb or where there is no curb or sidewalk; on the shoulder of the road but not within 2 metres (6.6 feet) from the travelled portion of the roadway;
 - (f) the signs are not placed on an **arterial or collector roadway**, in a daylighting triangle (15 metres or 49 feet) from the edge of the pavement at an intersection;
 - (g) the signs are not placed on a **local roadway**, in a daylighting triangle (8 metres or 26.25 feet) from the edge of the pavement at the intersection;
 - (h) the signs are not located on a bridge, overpass, median, island, central boulevard or sidewalk; and

- (i) the signs are not erected or installed so as to create an unsafe obstruction or visual impairment for pedestrian or vehicular traffic.
- 3.3 Despite the provisions of this or any other by-law, no person shall attach an Election Sign to a public utility pole, light standard, any official sign or official sign structure, utility box, planter, bench, waste receptacle, newspaper box, or mail box on a road allowance.
- 3.4 Despite the provisions of this or any other by-law, no person shall place an Election Sign in a location that interferes with a fire hydrant.

Timing

- 4.1 No Election Sign shall be placed, posted or displayed prior to Nomination Day (**45** days before Voting Day). In order to prepare for the placement of election signs, the candidate, or his agent, has the right to make the required \$350.00 deposit with the Township at any time prior to Nomination Day.
- 4.2 Despite Sections 4.1, Election Signs may be erected on campaign offices once the candidate has filed his or her nomination papers and paid the required filing fee.
- 4.3 All Election Signs shall be removed no later than 48 hours 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 signs within the prescribed time frame.

Removal of Unlawful Election Signs

- 5.1 If an Election Sign is erected or displayed in violation of this by-law, the appropriate Township officials shall cause the sign to be removed.
- 5.2 Any Election Signs erected or installed in violation of this by-law shall be removed under the direction of the Clerk and any costs associated with this removal shall be deducted from the sign permit deposit fee at a cost of \$10.00 per sign.
- 5.3 Election Signs removed in accordance with Section 5.2 of this by-law shall be retained by the Corporation of the Township of Uxbridge for a period of 30 days during which time the owner of the said sign or the owner's agent may retrieve the sign.
- 5.4 Election Signs removed by the Corporation for the Township of Uxbridge and stored for a period of 30 days may be destroyed or otherwise disposed of by the Township without notice and without compensation to the owner.

Penalty

6.1 Any person who contravenes any provision of this by-law is guilty of an offence and, upon conviction, is liable to the penalties specified by the *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended.

Liability for Damages

7.1 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 willful acts of such person, or his or her agents or employees, in the construction, erection, maintenance, repair or removal of such signs.

Precedence over Election Sign Provisions in other By-laws

8.1 In the event of a conflict between this by-law and the provisions of another Township by-law regulating Election Signs, the provisions of this by-law shall prevail.

Force and Effect

9.1 This By-law shall be called the Municipal Election Sign By-law

9.2 By-law No. 2006-110 is hereby repealed and replaced.

9.3 This by-law shall take effect on the date of passage by Council.

READ a FIRST, SECOND and THIRD TIME and finally passed this 8th day of February, 2010.

Signed “Bob Shepherd”
BOB SHEPHERD
MAYOR

Signed “Debbie Leroux”
DEBBIE LEROUX

CLERK