

**The Corporation of the Township of
Guelph/Eramosa**

By-law Number 9/2022

**A by-law to provide regulations
for the placement and assembly of election signs on
or adjacent to Township roads and Township
property, and to repeal and replace By-law 50/2014**

WHEREAS pursuant to Section 11(3) of the Municipal Act, S.O. 2001, c.25, as amended, authority is given to the lower tier municipality to pass a by-law respecting matters of structures, including fences and signs;

AND WHEREAS it is expedient to regulate the placement of election signs on Township highways for the purpose of preventing hazards to vehicles and pedestrians;

NOW THEREFORE, the Council of the Township of Guelph/Eramosa hereby enacts the followings:

DEFINITIONS

1. In this by-law,

“**Candidate**” means a person officially nominated as a candidate at an election;

“**Clerk**” means the Clerk for the Township of Guelph/Eramosa or his or her designate;

“**Council**” means the Council for the Township of Guelph/Eramosa;

“**Curb line**” means the line of the curb where a curb has been constructed or the edge of the travelled portion of the road, where no curb has been constructed.

“**Director of Public Works**” means the Director of Public Works for the Township of Guelph/Eramosa or his or her designate;

“**Election Sign**” means 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:

- a) To give or 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;
- b) To vote in favour of or against any questions or bylaw submitted to the electors under section 8 of the Municipal Elections Act, 1996;

“**Driveway Sight Triangle**” means an area of land contained within and determined by measuring from the point of intersection of a curb line and a driveway, a distance of 4 metres (13.1 feet) along such curb line and 6 metres (19.7 feet) along such driveway, joining such points with a straight line to form a triangle;

“**Highway**” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

“Sidewalk” means a piece of public property whether paved or not, adjoining a Township highway intended for the use of pedestrians;

“Sight Triangle” means on a corner lot within the triangular space formed by the street lines and a line drawn from a point on one street line to a point on the other street line, each point being 7.62 m (25.0 ft) measured along the street line from the point of intersection of the street lines, no building, structure, parking area, or planting greater than a height of 1.0 m (3.2 ft) which would obstruct the vision of drivers of motor vehicles shall be erected. Such triangular space may hereinafter be called a "sight triangle". Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines. This shall also apply to land which abuts one or more unopened public streets;

“Township” means the Corporation of the Township of Guelph/Eramosa.

2. ADMINISTRATION

1. The administration of this by-law is assigned to the Director of Public Works or their designate.

3. GENERAL PROVISIONS

1. No permit is required for the erection of Election Signs under this by-law.
2. No person may place or cause to be placed an Election Sign that:
 - (a) is in a Sight Triangle;
 - (b) is in a Driveway Sight Triangle;
 - (c) obstructs the visibility of pedestrians, vehicles or traffic control devices, as determined by the Director of Public Works;
 - (d) is nailed or otherwise attached to or upon any utility pole, light pole, utility box, tree, planter, bench, waste receptacle, newspaper box, or mail box;
 - (e) is on any premises used as a polling place for elections; or
 - (f) is on any premises used as a voting place for elections; or
 - (g) is within 0.6 metres (2 feet) of the curb line or 2 metres (6.6 feet) from the travelled portion of the road where there is no curb; or
 - (h) is located on an island or median; or
 - (i) is located on a sidewalk; or
 - (j) is located within 300m of a voting place.
3. No person shall place or cause to be placed an Election Sign in any public park or on any property owned or occupied by the Township, excluding election signs on a Township highway which are regulated in Subsection 2 of this section.
4. No person shall place or cause to be placed an Election Sign that is:
 - (a) greater than 1.5 metres (4.92 feet) per side;
 - (b) greater than 2.0 metres (6.56 feet) in height;

- (c) illuminated; or
 - (d) of a colour, shape, location or design which may cause it to be confused with a traffic control sign, signal or device.
5. No person shall place an Election Sign, or cause an Election Sign to be placed on any premises until after the issuance of writs for provincial or federal elections, or within six weeks immediately preceding a municipal election.
 6. No person shall display the Township's logo, the Township's crest or the Township's municipal election logo, in whole or in part, on any election sign.

4. REMOVAL OF ELECTION SIGNS

1. All Elections Signs and their supporting structures shall be removed at the candidates' expense within seventy-two (72) hours after the day of the election.
2. When the Director of Public Works has reasonable and probable grounds to believe an Election Sign has been placed in violation of Section 3 of this By-law, they may remove the Election Sign.
3. Elections Signs removed pursuant to subsection 4 (2) of this By-law shall be stored by the Township for a period of not less than 14 (fourteen) days and made available for return to the owner or his/her agent.
4. Election Signs not reclaimed as provided for in subsection 4 (3) of this By-law shall be disposed of by the Township.
5. The Township reserves the right to remove any offending election sign and the right to remove signs from public property without notice to any person, including the candidate, any election sign which it is deemed to be a hazard or otherwise that is in non-compliance with this by-law'

5. OFFENCE

1. Every person who contravenes any provisions of this By-law is guilty of an offence, pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended, and upon conviction such person is liable to a fine.


6. TITLE

1. This by-law shall be known as the Election Sign By-law.
2. This by-law comes into force and effect on the day it is passed and will there upon repeal the Township of Guelph/Eramosa By-law 50/2014

READ a first, second and third time
this 22nd day of February, 2022.



Chris White, Mayor



Amanda Knight, Clerk