



## REPORT

### Council

**Meeting Date: January 27, 2025**

---

**FROM:** Municipal Enforcement Services Department

**DATE:** January 14, 2025

**SUBJECT:** Election Sign By-law 2025-016

**LOCATION:** Town-wide

**WARD:** Town-wide

Page 1

---

#### RECOMMENDATION:

1. That By-law 2025-016, a by-law to regulate election signs in the Town of Oakville attached as Appendix A to the report from Municipal Enforcement Services dated January 14, 2025, be passed.
2. That By-law 2025-017, a by-law to amend Sign By-law 2018-153 attached as Appendix B to the report from Municipal Enforcement Services dated January 14, 2025, be passed.
3. That By-law 2025-018, a by-law to amend Administrative Penalties for Non-Parking Violations and Orders By-law 2021-038 attached as Appendix C to the report from Municipal Enforcement Services dated January 14, 2025, be passed.
4. That the item labeled as "Deposit - Election Signs" in the Rates and Fees Schedule be changed to "Election Sign Permit Fee" effective immediately, and such change be included in the Rates and Fees Schedule.

#### KEY FACTS:

The following are key points for consideration with respect to this report:

- Election signs have historically been governed by the Town's Sign By-law 2018-153

- Separating election sign regulations from Sign-By-law 2018-153 will make locating applicable regulations easier for candidates, their campaign teams, registered third party advertisers and registered referendum committees
- By-law 2025-016, a stand-alone election sign by-law (the "Election Sign By-law") attached as Appendix A to this report will cover Federal, Provincial and Municipal Elections, registered third party advertisers and federal referendums
- Should By-law 2025-016 be approved, Sign By-law 2018-153 and Administrative Penalties for Non-Parking Violations and Orders By-law 2021-038 will require amendments, as shown in By-law 2025-017 attached as Appendix B and By-law 2025-018 attached as Appendix C to this report
- Public engagement results are attached as Appendix D to this report
- An excerpt from Sign By-law 2018-153 containing the current election sign regulations is attached to this report as Appendix E and a Table of Changes comparing election sign regulations currently in the Sign By-law and proposed in the Election Sign By-law is attached to this report as Appendix F
- Should By-law 2025-016 be approved, the title of the current item for the deposit for election signs in the rates and fees schedule is proposed to be changed to "election sign permit fee". The amount is not proposed to change.
- A confidential report from Legal regarding election signs is included on the agenda for this meeting

**BACKGROUND:**

A Notice of Motion respecting election sign regulations was presented to Council for consideration at its meeting of January 30, 2023. This Notice of Motion was referred to staff to "undertake community consultation and report back, including legal advice, on the existing by-law regulations and availability of election signage, and options to further regulate and prohibit election signage, including third party elections signs on public property and the resources and cost of implementation and that the information provided from the public and Council be received".

Election signs are currently governed by Sign By-law 2018-153 (the Sign By-law). It is cumbersome for candidates and members of the public to navigate the Sign By-law to find election sign regulations. As such, Municipal Enforcement Services (MES) staff has prepared the Election Sign By-law, attached as Appendix A to this report to regulate election signs independent of the town's Sign By-law. The

proposed Election Sign By-law covers Federal, Provincial and Municipal Elections, as well as registered third-party advertisers. Provisions have also been added to include federal referendum committees.

The review of election sign regulations for the Town of Oakville has been conducted with consideration of the following factors

- clarifying and simplifying language;
- balancing the interests of candidates, registered third party advertisers, registered referendum committees, voters and staff to ensure an equitable election process;
- ensuring the provisions of the by-law are enforceable;
- ensuring that health and safety is protected; and
- providing standards that are unbiased and consistent.

A municipal scan was conducted to examine how various municipalities regulate election signs, focusing on practices that enhance compliance and address community concerns. The scan reviewed election sign regulations across several municipalities, uncovering a range of approaches.

All municipalities regulate:

- the permissible timeframe for posting and removing election signs to minimize visual clutter.
- remove all signs found to be in non-compliance
- standards for signs (e.g. no illumination, not on fences, not at voting locations)

Some municipalities restrict:

- sign placement, prohibiting signs on public property or within specific distances from intersections to ensure traffic safety and avoid obstructions.
- size of signs
- number of signs per candidate

Additionally, some jurisdictions require candidates to obtain permits or pay deposits, encouraging accountability for sign removal post-election, and establish a process for candidates to retrieve signs that were seized for non-compliance with the by-law. This diverse range of practices provided options to consider for developing a balanced and effective election sign by-law.

#### **COMMENT/OPTIONS:**

Election signs remain an important communication tool for many candidates to promote their campaigns, as well as a means of alerting the voting public of an upcoming election.

---

Prior to developing the Election Sign By-law, MES consulted with residents of Oakville to gather their feedback on the use of elections signs in the municipality. An online questionnaire regarding election signs was available on the town's website for 21 days in March 2024. Notification of the questionnaire was provided to persons running in the 2022 municipal election for offices on Oakville Council, for the office of Regional Chair and for School Board Trustees. Riding associations for provincial and federal parties were also provided with the questionnaire. 317 responses to the online questionnaire were received and reviewed by MES. The results of this consultation are attached as Appendix D to this report.

The questionnaire identified the following respondents' answers:

- 55% of respondents indicated they consider elections signs as a distraction while driving
- 73% of respondents indicated they consider election signs as visual clutter
- 63% of respondents thought the current display period of 45 days prior to an election is too long
- 30% of respondents would like to see the distance of area that a candidate can place between their signs increased from 10m to 20m
- 87% of respondents would like there to be a size limitation for an election sign
- The majority of respondents indicated that they would like to allow 30 days prior to an election for election signs to be displayed
- The majority of respondents indicated that their number one concern is election signs blocking visibility on streets
- The majority of respondents would like to see election signs only allowed in designated locations throughout the town

MES also held 8 public open houses, 1 at Town Hall and 1 in each of the seven wards. The open houses were advertised through several methods:

- Councillors
- Website updates
- All valid Residents Associations
- All Business Improvement Area Associations

During these sessions, attendees were invited to provide feedback on specific questions related to election sign regulations. Approximately nine members of the public attended the open houses.

The feedback gathered during these meetings and the questionnaire informed the development of the proposed Election Sign By-law.

### *Proposed Changes to Current Election Sign Regulations*

An excerpt of election sign regulations contained in the Sign By-law is attached to this report as Appendix E. During the review of current election sign provisions and the public's feedback, the following issues were identified by MES:

- The cumbersome nature of accessing election sign provisions in the Sign By-law;
- The proliferation of election signs resulting in sign blight;
- The challenges with administering the current sign deposit program;
- Enforcement challenges;
- The storage of signs removed by MES due to non-compliance with the Sign By-law;
- Election sign location maps per ward were reviewed to ensure regional roads are not included.

The Election Sign By-law proposes the following changes respecting election signs to address the issues noted above:

#### 1. Reduction of Sign Blight by:

- Reducing the current display period for election signs prior to voting day from 45 days to 30 days for a municipal election. The display period for Federal and Provincial elections remains unchanged. The Clerk's Department has confirmed that the reduction to 30 days prior to voting day will provide sufficient time for election signs to be displayed prior to advance voting days.
- Prohibiting the placement of an election sign on a road allowance or boulevard adjacent to a residence, excluding multi-unit residences such as apartment buildings and condominiums, except where the occupant of the dwelling has agreed to the location and the location otherwise complies with the By-law. The occupant must be advised of the size of the election sign prior to its installation. The Election Sign By-law also provides that an occupant may remove an election sign that has been placed on an adjacent road allowance or boulevard without their consent.
- Limiting the size of an election sign to a maximum of 1.22 metres in height and width and a sign area of 1.49 square metres.
- Increasing the required distance between election signs for the same candidate from 10 metres to 20 metres which will help to reduce visual clutter. For instance, on a 40-metre road, the current 10-metre spacing allows up to 5 signs, whereas increasing the distance to 20 metres would limit the number to 3. This change reduces the concentration of signs in a single area, creating a cleaner, more organized appearance in public spaces and

preventing streets and neighborhoods from being overwhelmed by excessive signage.

Current distance between election signs for same candidate:



Proposed distance between election signs for same candidate:



## 2. Election Sign Permits:

Currently a candidate and registered third party advertiser must submit a deposit before they are able to display election signs. Current election signs regulations do not include registered referendum committees. A total of 46 sign deposits, amounting to \$9,430, were collected during the 2022 municipal election. Costs for administering the program are not recovered under the sign deposit. Fees for election sign enforcement (the removal of non-compliant signs during the election period and following voting day) are deducted from the deposit by MES administration staff. Administration staff reimburse any remaining funds to the candidate/registered third party advertiser or prepare invoices for any fees charged exceeding the deposit. This is a time-consuming process for MES administration staff, requiring a great deal of tracking and documentation.

To simplify this process, the proposed Election Sign By-law requires that candidates, registered third party advertisers and registered referendum committees obtain an election sign permit prior to displaying their election signs. To streamline the permit process, applications will be submitted and permits issued online. The permit fee is non-refundable and non-transferrable, so there will be no reimbursement to candidates, registered third party advertisers or registered referendum committees. A separate fee will still apply for retrieving signs removed due to non-compliance. MES is proposing that the election sign permit fee remain the same as the current sign deposit fee, approved in the Rates and Fees By-law.

## 3. Enforcement:

The majority of election sign enforcement during the 2022 municipal election was complaint based, with:

- 70 calls for service received;
- 258 election signs removed by officers following a complaint and 114 signs proactively removed for a total of 372 signs removed prior to voting day;
- 32 election signs removed on voting day and 50 signs removed after voting day (the current requirement to remove elections signs 72 hours after voting day has been included in the proposed Election Sign By-law);

MES also attends the sign storage facility for the retrieval of election signs by candidates and registered third party advertisers. There were 16 scheduled sign pick-ups from candidates who had signs removed prior to and after voting day. MES anticipates that increasing the required distance between election signs for the same candidate from 10 meters to 20 meters could help reduce the overall number of signs displayed. Further, language has been added to the proposed Election Sign By-law that clarifies that candidates, registered third party advertisers and registered

referendum committees, as the case may be, are responsible for the placement, maintenance and removal of election signs and shall ensure that all requirements of the by-law are met. This clarification aims to eliminate any confusion regarding accountability for compliance with the By-law.

#### 4. Storage of Signs Removed by MES for Non-Compliance

The current process under the Sign By-law for the retrieval of election signs removed for non-compliance has not been changed, except for the number of days following voting day that the signs will be stored. Currently, elections signs that are not retrieved within 30 days of voting day may be destroyed. The Election Sign By-law provides that any election sign remaining in storage seven business days following voting day may be destroyed without notice.

Storage space is limited for all signs removed for non-compliance with the Sign By-law, not just election signs.

#### *Amending By-laws*

If the Election Sign By-law is approved, Sign By-law 2018-153 will have to be amended to delete references to election signs and Administrative Penalties for Non-Parking Violations and Orders By-law 2021-038 will have to be amended to add the Election Sign By-law as a designated by-law. By-law 2025-017 and By-law 2025-018 attached to this report as Appendix B and C provide for these amendments.

#### *Sign Material*

Some public feedback raised concerns about the environmental impact of election signs. MES investigated the availability of biodegradable election signs and found that it is challenging to find a supplier in Ontario and that these signs could be cost-prohibitive for some candidates. To ensure a balanced and equitable election process, the Election Sign By-law does not set environmental standards however, supports an overall reduction of signs used.

### **CONSIDERATIONS:**

#### **(A) PUBLIC**

- Persons that provided contact information and answered the questionnaire during the public engagement have been notified of the report and date of the Council meeting.
- Political parties have been notified of the report and date of the Council meeting.



- Notice of the report and date of the Council meeting was posted on the Town of Oakville website.
- Results of the public engagement are attached as Appendix D.
- The town's website will be updated prior to any election to provide candidates, registered third party advertisers and registered referendum committees with information regarding election signs and the placement of election signs to encourage compliance with the Election Sign By-law.

**(B) FINANCIAL**

- MES expects to avoid costs in administration staff time by instituting a non-refundable election sign permit rather than the current sign deposit. Overtime costs will continue, similar to under the current election sign regulations, for enforcement of the Election Sign By-law.
- Fees will continue to apply for election sign permits, sign retrieval, and the removal of election signs 72 hours after voting day. While no changes to the current election fees are proposed, if the Election Sign By-law is approved, the Rates and Fees item titled "Deposit - Election Signs" will need to be renamed "Election Sign Permit." This change will result in additional revenue, as permit fees will no longer be refunded to candidates.
- The Election Sign By-law provides for issuance of fines or administrative penalties for non-compliance with the By-law.

**(C) IMPACT ON OTHER DEPARTMENTS & USERS**

- Municipal Enforcement Services, Transportation and Engineering, Planning, Clerks and Legal departments have been involved in the review process for this report.

**(D) COUNCIL STRATEGIC PRIORITIES**

This report addresses the corporate strategic goal(s) to:

- enhance our economic environment
- continuously improve our programs and services
- provide outstanding service to our residents and businesses
- be accountable in everything we do
- be the most livable town in Canada

**(E) CLIMATE CHANGE/ACTION**

N/A

**APPENDICES:**

Appendix A – By-law 2025-016, a by-law to regulate election signs in the Town of Oakville

Appendix B – By-law 2025-017, a by-law to amend Sign By-law 2018-153

Appendix C – By-law 2025-018, a by-law to amend Administrative Penalties for Non-Parking Violations and Orders By-law 2021-038

Appendix D – Public consultation results

Appendix E – Excerpt from Sign By-law 2018-153 respecting election signs

Appendix F – Table of Changes

Appendix G – Election Sign Location Maps Per Ward

Prepared by:

Andrew Eldridge, Municipal Standards Investigator

Recommended by:

Selena Campbell, Director, Municipal Enforcement Services

Submitted by:

Ralph Kaminski, Acting Commissioner of Community Development