

## Excerpt of Provisions in Sign By-law 2018-153 for Election Signs

### PART 1 Definitions

1. In this By-law:

	Term	Definition
38	Election Sign	means a double or single-faced sign advertising or promoting the election of a candidate for public office in a federal, provincial or municipal election and includes signs promoting the position of a person registered to campaign with respect to a question on a ballot and third party election signs.
49	Height	means the vertical distance measured from the proposed or finished grade immediately adjacent to the sign to the highest extremity of the sign, that includes any frame, border or ornamental feature.
53	Illumination	means the act of lighting a sign by way of an artificial light source that is located within, on or external to the sign, with the brightness and intensity of which are measured in lux and nits.
73	Owner	means the registered property owner on the land's title.
95	Sign	means any device, including surfaces, structures and/or other component parts, whose purpose and design is to advertise, announce, draw attention to or identify a product, place, activity, person, institution, business or other entity, or to communicate a message or information of any kind to the public.
107	Third Party Election Sign	means any third party advertisement, as defined under the <i>Municipal Elections Act, 1996</i> , as amended.
114	Vehicle Sign	means a single-faced sign which is displayed on a vehicle and includes a sign painted or otherwise exhibited on a vehicle or a sign displayed on a secondary surface placed upon or over the vehicle.

1.1 This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.

### PART 2 Administration and Permits

9. The Designated Official shall issue a permit if all provisions of this By-law, and any other applicable law known to the Designated Official, including the Building Code Act, the Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched. 1, any by-laws of the Regional Municipality of Halton, any guidelines of the Ministry of Transportation for the Province of Ontario and any other applicable legislation respecting sign application or placement have been complied with.

## **PART 4 Prohibited Signs**

1. The following signs are prohibited under this By-law:
  - f. any vehicles with signs that are parked on a property in a manner that is unrelated to their normal use as vehicles and is more consistent with the use or intended use of the vehicle as a sign, and permitted under Part 10 of this By-law;

## **PART 9 Regulations for Third Party Advertising Signs**

### **Table 9.1 Regulations for Third Party Advertising Signs in Employment Land Use Designations (A)**

#### **Additional Regulations for Table 9.1:**

2. Except as set out in Part 4, subsection 1(l) or, if applicable, Part 10, Vehicle Signs are permitted wherever the vehicle on which they are found is permitted.

## **PART 10 Regulations for Election Signs**

### **Deposit Required**

1. No person shall erect, locate or display an election sign on Town property unless the security specified in the rates and fees schedule has been paid to the Designated Official by the sign owner or the sign owner's authorized agent.

### **Timing of Display**

2. No person shall erect, locate or otherwise display an election sign:
  - a. in the case of a municipal election, 45 days prior to the day of the election as set out in the *Municipal Elections Act, 1996*, as amended;
  - b. in the case of a federal or provincial election, 45 days prior to the day of election or prior to the issuance of the writ for the election whichever is later;
  - c. in the case of any election, for a period greater than three (3) days immediately following the day of the election; or
  - d. on the property of a voting location 48 hours prior to voting day, any advance voting and during voting hours.

### **Location**

3. No person shall erect, locate or display an election sign:

- a. on or within any Town property other than arterial road allowances as designated by the Town's Official Plan, including major, multipurpose, minor and industrial arterial road allowances;
  - b. on any major arterial or minor arterial transit corridor north of Dundas Street;
  - c. on or within any road allowance abutting any Town owned building;
  - d. overhanging any Town property other than a road allowance;
  - e. on any utility pole, official sign or official sign structure;
  - f. on any tree, tree support, or fence on Town property;
  - g. at any location on Town property where the election sign might obstruct any door, window, fire exit or any opening required for light, ventilation, ingress, egress or firefighting;
  - h. at any location on Town property where the election sign might interfere with underground services;
  - i. at any location where the election sign could obstruct the view of any pedestrian or driver of a motor or obstruct the visibility of a traffic sign or device, or where it could interfere with vehicular traffic so that it could endanger any person; or
  - j. at any location where such election sign, in the opinion of Designated Official, constitutes a safety hazard to the general public; outside of the geographical area for the office in which the candidate is running (including third party advertisers opposing or supporting a candidate).
4. No person shall erect, locate or display an election sign within a road allowance where the election sign is:
- a. on any center median, traffic island or center boulevard;
  - b. within 1.5 m of a fire hydrant, curb, driveway or the travelled portion of a street;
  - c. within 30.0 m of any intersection;
  - d. within 15.0 m of any bus stop;
  - e. on any railing, retaining wall, bridge, bench, garbage can or structure of any kind;
  - f. on Town property within 100.0 m of any property line of a voting location; or
  - g. within 10.0 m of another election sign for the same candidate.
- 4.1 No person shall erect, locate or display an election sign along the frontage of properties where a cenotaph is located.
5. Notwithstanding Parts 10, subsection 3 and 4, an election sign may be installed on Town property where paid advertising is permitted (e.g. bus shelters). Such signs

may not be displayed on the property of a voting location at any time during established voting hours.

### **Vehicle Signs**

6. An election sign which is a vehicle sign is not subject to the provisions of Part 10, subsection 5. An election sign which is a vehicle sign is subject to the following provisions:
  - a. an election sign which is a vehicle sign may only be displayed during the time period permitted by Part 10, subsection 2; and
  - b. an election sign which is a vehicle sign may not be displayed on the property of a voting location at any time during established voting hours.

### **Election Signs Displayed in Oakville**

7. The only election signs which may be displayed within the Town are:
  - a. election signs for a candidate running to represent the Town or a portion thereof;
  - b. election signs promoting a position with respect to a question on a ballot upon which eligible Town voters may vote; or
  - c. third party election signs in support of or in opposition to:
    - i. a candidate running to represent the Town or a portion thereof; or
    - ii. a question on a ballot upon which eligible Town voters may vote.
- 7.1 Each third party election sign referred to in subsection 7(c) shall identify the name of the registered third party, the municipality where the third party is registered and a telephone number, mailing address or email address at which the registered third party may be contacted regarding the third party election sign.

### **Method of Erecting Signs**

8. No person shall erect, locate or display an election sign unless the Designated Official has approved the type of pole or support for the election sign in writing, having regard to the public safety and the potential for damage to public property or services within the road allowance.

### **Special Provisions – Business Improvement Areas**

9. Notwithstanding Part 10 subsection 3 (e), any person may affix or display an election sign on a public utility pole located within the Downtown Oakville Business Improvement Area, the Bronte Business Improvement Area, or the Kerr Street Business Improvement Area, subject to complying with all of the following requirements:
  - a. the public utility pole is not located within 15.0 m of an intersection;

- b. the election sign is at all places affixed flushed with the surface of the utility pole;
- c. the election sign is of light-weight construction only;
- d. the election sign is no larger than 0.61 m by 0.61 m; and
- e. the election sign is not affixed with nails, screws, tacks, staples, glue or wire or by a fastener that penetrates, punctures or otherwise creates a hole in the surface of a public utility pole.

**Return of Security Deposit**

- 10. Following the election, fees incurred due to the removal of any election signs placed in contravention of this By-law or damage within the road allowance will be deducted from the security paid and/or invoiced accordingly.

**PART 11 Signs Not Requiring a Permit**

The signs listed in this section are permitted without a permit, subject to the regulations below:

Sign Type		Location/Zone	Regulations
2	Election Signs	All Property	refer to Part 10
20	Vehicle Signs	All properties	<ul style="list-style-type: none"> <li>• vehicle must be legally parked, licensed, and capable of being driven</li> <li>• see additional regulations in Part 10, if applicable</li> </ul>

**PART 20 Seizure and Return of Signs**

- 1. The Designated Official may pull down or remove any sign, without notice, where such sign:
  - a. is erected on Town property or on private property in contravention of this By-law; or
  - b. is located at a voting location in contravention of this By-law; or
  - c. is deemed to constitute a safety hazard.
- 2. The Designated Official shall return any sign or election sign which has been seized to the sign owner or the sign owner’s authorized agent upon payment of the fees specified in the rates and fees schedule, provided:
  - a. The sign owner has contacted the Designated Official to make an appointment for the retrieval of the signs; and
  - b. The sign owner or the sign owner’s authorized agent presents acceptable government issued identification and authorization letter, where applicable, when retrieving signs.

3. No election sign may be retrieved on voting day.
4. Notwithstanding Part 20, subsection 2 and Part 20, subsection 6 of this By-law, the Designated Official may immediately destroy bag signs erected on Town property, without notice.
5. For any signs seized by the Town, except for election signs, the sign owner shall no longer be permitted to display signs on Town property if they fail to retrieve the sign within 7 days.
6. Any sign that has been seized and is not retrieved by the sign owner or the sign owner's authorized agent within 30 days of the date of removal may be destroyed by the Designated Official.
7. Notwithstanding Part 20, subsection 6 of this By-law, any election sign that has been seized and is not retrieved by the sign owner or the sign owner's authorized agent within 30 days of voting day may be destroyed by the Designated Official.
8. If any part of a fine for contravention of this By-law remains unpaid or the sign owner has not arranged for a review of an administrative penalty by the Screening Officer or a review of the screening decision by the Hearing Officer:
  - a. The sign owner shall no longer be permitted to display signs on Town property or on private property;
  - b. The sign owner's signs on Town property or on private property, including signs that comply with this By-law, may be seized by the Designated Official; and
  - c. The sign owner's signs that have been seized shall not be returned to the sign owner.