

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON AUGUST 26, 2014
FROM:	CATHY SAUNDERS CITY CLERK
SUBJECT	ELECTION CAMPAIGN SIGN BY-LAW UPDATE

RECOMMENDATION

That, on the recommendation of the City Clerk, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on September 2, 2014 to repeal and replace By-law No. E.-160-161, being the Election Campaign Sign By-law, in order to reflect current administrative job titles and to correct the numbering of the by-law sections.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

BACKGROUND

The current Election Campaign Sign By-law (By-law No. E.-160-161) references the administrative title of Commissioner of Environmental Services and City Engineer. That title is no longer used. Therefore the attached proposed by-law is being brought forward in order to repeal and replace that by-law in order to reflect the administrative title that is used today, which is Managing Director, Environmental and Engineering Services & City Engineer. The proposed by-law also makes further minor housekeeping changes to correct the numbering of the by-law sections.

RECOMMENDED BY:
CATHY SAUNDERS CITY CLERK

Attachment

Bill No.
2014

By-law No. E.-

A by-law respecting outdoor election campaign signs on road allowances and other public property.

WHEREAS section 5(3) of the *Municipal Act, 2001* S.O. 2001, c.25, provides that a municipal power shall be exercised by by-law;

AND WHEREAS it is necessary to update various references to administrative job titles within the Election Campaign Sign By-law in order to reflect current job titles;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

ELECTION CAMPAIGN SIGN BY-LAW

Definitions

1. In this by-law,

“campaign 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 to 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 question or by-law submitted to the electors under section 8 of the *Municipal Elections Act, 1996*;

“local board” means a local board as defined in section 1 of the *Municipal Affairs Act*;

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

“City Engineer” means the Managing Director, Environmental and Engineering Services & City Engineer;

“roadway” means the part of the road allowance that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a road allowance includes two or more separate roadways, the term “roadway” refers to any one roadway separately, and not to all of the roadways collectively;

“sight triangle” means a triangle at the intersection of two roadways, two sides of which triangle consist of the part of the limit of each roadway measured 9 metres (23.62 feet) along the limit from its convergence with the other limit and the third side of which triangle consists of a straight line between the ends of the first two sides.

Administration

2. The administration of this by-law is assigned to the City Engineer.

Road Allowance

3. (1) No person shall place a campaign sign, or cause a campaign sign to be placed, on a road allowance if the sign or any portion thereof is:
 - a) on or over the roadway or a sidewalk;
 - b) closer than 3 metres (9.84 feet) to the edge of the roadway;
 - c) within a sight triangle at the intersection of two roadways;
 - d) where a road allowance includes a sidewalk adjacent to a roadway, on the portion of the road allowance between the sidewalk and the roadway; and
 - e) where a road allowance includes two or more separate roadways, on the portion of the road allowance between each roadway.
- (2) No person shall place a campaign sign, or cause a campaign sign to be placed, on a road allowance closer than 3 metres (9.84 feet) to a private drive.

Utility Pole, Etc.

4. (1) No person shall at any time nail or otherwise attach a campaign sign, or cause a campaign sign to be nailed or otherwise attached, to or upon any utility pole, light pole, utility box, tree, bus shelter, planter, bench, waste receptacle, newspaper box, or mail box located on a road allowance.
- (2) Subsection (1) does not apply to a bus shelter in respect of which arrangements have been made with the owner of the shelter for the attachment of a campaign sign.

Public Park and Property and Polling Places

5. (1) No person shall at any time place a campaign sign, or cause a campaign sign to be placed, in any public park or on any property owned or occupied by the Corporation or any local board.
- (2) No person shall at any time on any election voting day, including those days when advance election voting is held, place a campaign sign, or cause a campaign sign to be placed on any premises used as a polling place for elections.

Removal of Signs

6. (1) When the City Engineer has reasonable and probable grounds to believe that a campaign sign on a road allowance or in any public park or on any property owned or occupied by the Corporation or a local board,
 - a) is placed nailed or otherwise attached contrary to any provision of this by-law, or
 - b) creates a hazard to vehicular traffic or pedestrians,

the City Engineer may cause the campaign sign to be removed pursuant to this section, the candidate is liable to a charge of either \$50 or the actual cost of removing the campaign sign, whichever is the greater.

Enforcement

7. Every person who contravenes any provision of this by-law is guilty of an offence.

Repeal

8. By-law No. E.-160-161 enacted by the Municipal Council on May, 17, 1999 is hereby repealed.

Commencement

This by-law comes into force on the day it is passed.

PASSED in Open Council on September 2, 2014.

J. Baechler
Mayor

Catharine Saunders
City Clerk

First Reading – September 2, 2014
Second Reading – September 2, 2014
Third Reading – September 2, 2014