

Election sign by-law presentation to CSC

November 7, 2017

Introduction:

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Issue 1: Scope of the Problem

The reality is, in comparison to electors who participate in a campaign, as volunteers, as people who put signs on their lawns, or as voters—keeping in mind this is not limited to Municipal, but includes Provincial and Federal campaigns—the number of sign complaints under the existing by-law is actually small.

Issue 2: Scope of the public participation

This proposal is supposedly driven by the Strategic Plan Goal of “Leading in Public Service through open, accountable, responsive government”. As we’ve witness with BRT, simply posting notices of PPMs or opening an online survey is insufficient to conduct effective public engagement. Were stakeholders fully informed and engaged? Did you sit down with MPs, MPPs, current, or former, or their electoral district associations? As I work in the office of the senior member of area MPs, and no such engagement was done with our office, I would hazard “NO”. How has that happened if you have not engaged the Electoral District Associations?

The Particular Problems:

- 1) The single biggest public grumbling of “sign pollution”, is addressed with the proposed 10m distance between two signs for the same candidate. At nearly 33ft, that separation itself reduces the potential for sign pollution significantly. That amendment to the existing by-law alone might be sufficient dramatically reduce complaints. This is a good step.
- 2) The section 4.4 sign height, proposed of 0.9m for any sign closer than 8m to the road effectively eliminates all signs larger than the standard 24” x 18” lawn sign. Preventing challengers and incumbents alike from deployment of the standard 48” x 32” large sign. This greatly reduces the ability of any candidate to “get their name out there”. In fact, I want to draw to your attention the City itself posts “Possible Land Use Change” signs, the same 48” x 32” dimensions, on the same T-bar posts election campaigns use, much closer than 5m to the roadway, at heights in excess of 1.7m (see photo submissions a, b, c)
- 3) The section 4.3 proposed distance of 5m (16.4 ft) from the roadway is also a problem, eliminating the possibility for any signs to be erected in a great number of locations because development and or private lands are closer than the proposed 5m, or features like ditches that allowed a 3m setback previously do not allow for a 5m setback (see photo submission 1).

Though proposed to “simplify” the lack of understanding of what constitutes a sight triangle, this solution is actually more restrictive. This is an easy solution, but it is also failure in good policy development, by putting the most restrictive conditions in place that hampers the democratic process. As an example, a “T” intersection, with a sound wall at the top of the T is different from a 4 way “+” intersection. A sign in prior campaigns placed over the top of the T, inhibiting no sign lines, would under the new by-law be illegal because it is insufficiently distance from the roadway.

Once again, it is not consistent with the City’s own placement of Land Use Change signs, or even Municipal signage designating features such as parks. (see photo submissions 2 at 2.6m, 3 at 3.05m, and a at 3.66). Further it is not consistent with private business signage requirements.

Enforcing more stringent requirements than that City enforces on itself, let alone private business, creates the perception, if not the reality, that the purpose of this by-law is reinforce the “incumbent advantage”.

- 4) The timing prohibition in section 3.2 that prevents signs from being erected no earlier than nomination day for municipal candidates is also a problem. You’ve actually created a **two-tiered candidacy**, as the rules for Federal and Provincial are for the start of the writ period, but the municipal candidates are held not to the start of the writ period, which the province has already shortened by 5 months, but rather to the close of nominations. This problem is has the perception of being particularly politically engineered for the incumbent advantage, as only municipal candidates are held to a higher standard, preventing well organized municipal candidates who are ready to start at the beginning of the writ period from fully campaigning until the “field is full” as it were. Exactly what is the goal of prohibiting a candidate from campaigning fully once the clerk has duly received his or her nomination, if not to protect the incumbent? Given the City has not run a campaign under the new campaign period, there is no evidence to support the necessity of this.
- 5) The final problem is the prohibition against signs more than 50m outside the district where the candidate is running (section 2.4/2.5). Not everyone has the luxury that Councillor Morgan has, of their mother living in the ward, but it is not unreasonable to expect family members wanting to display a sign outside of the ward. If the candidate feels that is a good use of limited sign resources that decision should be theirs to make. Notwithstanding, I don’t feel that was the intent, but rather to control the roadway signage. That should be clarified.
- 6) The “discussion” item in the staff report around overlapping elections and voter confusion, is, given the parliamentary democracy in which we live, outside the purview of this council’s control. The reality of minority governments means you cannot predict when overlaps may occur, nor should municipal candidates—arguably the most important level of government—be handicapped by having campaign efforts limited during other elections.
- 7) Section 4.5 discriminates against candidates running in Wards 14, 1, 2, 3, by doubling the minimum distance to 10m on Highbury and VMP and should, respectfully be deleted.

The solutions:

- 1) Amend section 4.4 a) the proposal on height to 1.8m. A standard 6’ T bar is 1.83m (used by the City on its signs). This height would recognize a standard post size with minimum penetration to hold firm, and is an easy height “just under 6’” for sign crew volunteers to judge reasonably well based on human heights.

- 2) Given the City's own placement of municipal signs for parks, land use changes etc. Section 4.3 b) should be amended to 3m, which seems to be, in general, consistent with the placement of other city signs, which in do not pose any safety or visibility hazards
- 3) Amend section 3.2 sections a & b to read "earlier than Nomination papers are filed with the clerk", the equivalent for municipal candidates to the "beginning of writ period" established for federal and provincial candidates.
- 4) Clarify that section 2.4/2.5 prohibitions do not apply to the lawns of private home owners.

Again, I cannot emphasize this enough. Changes to the campaign period made by the province have already adjusted the length of time signs will be displayed. The province has already cut that problem in half. And the amended numbers I've proposed to you aren't numbers I'm simply pulling out of thin air. They are based on 14 years of campaign experience and real world measurements of signs, sign posts, and existing placement of municipal signs that create a consistent standard for everyone.





