



## Staff Report

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**Report To:** Dan Best, Chief Administrative Officer  
**From:** **Rebekah Msuya-Collison, General Manager of Corporate Services**  
**Date:** April 4 2022  
**Report:** CL#07-2022  
**Subject:** Election Sign By-Law

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### Recommendations:

**That** South Huron Council receives the report of Rebekah Msuya-Collison, General Manager of Corporate Services re Election Sign By-Law; and

**That** the Election Sign By-Law be brought forward for adoption in the form attached to the report; and

**That** Sign By-Law 73-2007 be amended to remove section 3.4 "Election Sign" and to repeal By-Law 75-2010.

### Purpose:

Approval.

### Background and Analysis:

Election signs are regulated by Section 3.4 of the Municipality of South Huron Sign By-Law 73-2007, as amended. A comprehensive review of election sign regulations was completed by staff to modernize regulations, align them with changes to the Municipal Elections Act, 1996, and current best practices.

The review included an analysis of questions and complaints received with respect to election signs and interpretation of the By-Law regulations from the 2018 municipal election in South Huron, surrounding communities within Huron County and a scan of similar sized municipalities in Ontario. Building

and Transportation staff provided feedback and comments for the safe installation of signage and potential safety concerns.

In response to this feedback and review, this report recommends a separate Election Sign By-Law specifically to manage and regulate elections to:

1. Achieve clarity of the position and consistency of approach for election signs and election campaign advertisements within the jurisdiction of the Corporation of the Municipality of South Huron;
2. Enable the issue to be applied consistently and equitably to all candidates and third-party advertisers;
3. Minimize any threat to public safety from the placement of election signs

### **Current regulations for election signs in By-Law 73-2007, as amended**

The current regulations to manage Election signs within the municipality of South Huron are contained within section 3.4, the General Sign By-Law 73-2007, as amended:

#### **"3.4 Election Sign**

##### **a) Election signs on streets**

In any zone, unless otherwise stated, election signs may be erected on any street which is under the jurisdiction of the Municipality, subject to the following:

- i) no such sign greater than 1m<sup>2</sup> (10.76ft<sup>2</sup>) in area or 2m (6.56ft) in height.
- ii) no sign is located within any parks owned by the Municipality.
- iii) the sign does not impede pedestrian or vehicular traffic.

##### **b) Election signs on Lots**

In any zone, unless otherwise stated, election signs may be erected on any lot provided that:

- i) consent from the owner or occupant is obtained
- ii) no such sign is greater than 1.0m<sup>2</sup> (10.76ft<sup>2</sup>) in sign area or 2m (6.56ft) in height.
- c) All signs shall be removed within one (1) week after such elections have taken place
- d) Election signs shall not be illuminated."

### **Highlights**

The current regulations with respect to election signs has been in place since 2007. The draft by-law contains some administrative changes with respect to clarification of specific election related definitions and general prohibitions to align with the *Municipal Elections Act*. Staff have proposed revisions to include the requirement that registered third party advertisers must comply with the Sign By-Law, similar to candidates and other changes to include tenant and campaign office considerations.

Additional criteria has been added to clarify regulations, administration and prohibitions. The dimensions of election signs, the removal period and the general prohibitions from the existing By-Law have not changed and maintains the current regulations regarding election signs including:

- Size of signs
- Type of signs
- Illumination of signs
- Timing of sign removal
- Consent of owner for public property
- No requirement for permit application and fees

The election sign regulations have been expanded to provide greater clarification for public, candidates and staff. The review of election sign regulations identified opportunities for greater education for both candidates and the public and for staff to address safety concerns associated with temporary sign placement.

Additions:

1. Criteria for safety setbacks from roadway, cross walk and another election sign of the same candidate
2. Clarification for election signs on roads of other approval authorities
3. Clarification of election signs on public property
4. Addition of timing for placement of election signs for municipal, provincial and federal elections
5. Clarification for vehicle election signage
6. Clarification of what must be included on candidate and third-party signs
7. Consideration for a lease or tenant of property
8. Updates with respect to Municipal Elections Act

The proposed Election Sign By-Law is drafted to ensure that the regulations reflect the changes in election legislation and the changing needs of the community.

There are no set fines provided in this By-Law and staff will achieve compliance with education and removal of signs in contravention to the by-law. Signs will be removed as per procedures for removal of unlawful election signs procedure which forms part of this report. Upon retrieval, the signs can be erected in accordance with the Election Sign By-Law. As part of this process, staff and municipal enforcement will educate sign owners on the requirements of the by-law.

### **Recommendation**

Staff recommend that the proposed by-law come into effect immediately and staff will begin education/communication efforts in preparation for both the municipal and provincial elections. The new by-law will remove the election specific clauses contained in section 3.4 from the South Huron General Sign By-Law 73-2007, as amended to create a stand alone Election Sign By-Law and incorporate some additional criteria.

### **Operational Considerations:**

If draft is approved by Council, Notice of Intent to pass a By-Law and Amend Sign By-Law 73-2007 and Repeal By-Law 75-2010 will be provided in accordance with Notice By-Law No. 20-2003.

### **Financial Impact:**

There are no financial implications related to the drafting of this by-law.

### **Legal Impact:**

The primary enforcement tool for the Election Sign By-Law is removal of non-compliant signs.

### **Communication Actions:**

If approved, staff will update election sign information on the website and on election resources webpage to provide clearer plain language information to the public and advice to candidates. A summary of the by-law will be created and provided to all candidates and third party advertisers who register in municipal elections.

### **Policies/Legislation:**

*Municipal Act*

*Municipal Elections Act*

**Consultation:**

S. Timmermans, Manager of Transportation Services

M. Rolph, Chief Building Official

**Related Documents:**

Draft Election Sign By-Law

Procedures for the Removal of Unlawful Election Signs

Consolidated By-Law 73-2007

By-Law 75-2010

Respectfully submitted,

**Rebekah Msuya-Collison, General Manager of Corporate Services**