

The Corporation of the Township of Georgian Bluffs

By-law Number 2026-041

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Being a by-law to regulate the placement of Election Signs and to repeal By-Law 2018-033.

Whereas Section 11 (2) of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the "Act"), authorizes municipalities to regulate matters for the health, safety and well-being of persons and for the protection of property; and

Whereas Section 11 (3) of the Act authorizes municipalities to pass bylaws respecting signs; and

Whereas Section 2(b) of the *Canadian Charter of Rights and Freedoms* protects freedom of expression, including political expression, and municipalities must ensure any restrictions are minimally impairing and proportionate to pressing and substantial objectives; and

Whereas Section 63(1) of the Act provides that a municipality, if it passes a bylaw for prohibiting or regulating the placing of an object on or near a highway, it may provide for the removal and impounding of such object placed on or near a highway in contravention of that by-law; and

Whereas Section 425 of the Act establishes that any person who contravenes any by-law of the municipality, passed under the Act, is guilty of an offence;

Whereas the Council of the Township of Georgian Bluffs deems it expedient and necessary to adopt an Election Sign By-Law to protect traffic and pedestrian safety, avoid damage to public assets, and maintain accessible public spaces, while maintaining fair democratic participation.

Therefore, the Council of the Corporation of the Township of Georgian Bluffs enacts the following:

Short Title

1. This By-law shall be referred to as the "Election Sign Bylaw".

Purpose

2. This bylaw has been enacted to regulate the placement of Election Signs for the purpose of preventing hazards to vehicles and pedestrians and further to regulate the erection and removal of Election Signs.

Scope

3. This By-law shall apply to:
 - a. All regular municipal, provincial, federal, and school board elections, including any by-elections; and
 - b. Candidates, Third Party advertisers, and all other persons erecting Election Signs.
4. This By-law shall not apply to:
 - a. signs erected by the Municipality or the provincial or federal governments to provide information concerning an election or byelection or any part of an election or by-election process; or
 - b. non-election related signs.
5. If any provision of this bylaw conflicts with any provision of any other Township of Georgian Bluffs By-law, the provision of this By-law shall take precedence.

6. In the event that any provision, or part thereof, of this by-law is found by a court of competent jurisdiction to be ultra vires, such provision or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all provisions of this by-law shall remain in full force and effect.

Headings

7. The division of this By-law into parts and the insertion of headings are for convenient reference only and shall not affect interpretation of the By-law.

Reference to Applicable Law

8. All references to applicable law are ambulatory and apply as amended from time to time.

Definitions

9. For the purposes of this By-law:

"Billboard Sign" means a sign upon which the space is sold or rented to a person who does not occupy the premises where the sign is located;

"Boulevard" means that part of a Highway from the edge of the roadway to the sidewalk, or if no sidewalk is present, that part of the Highway from the edge of the roadway to the a nearest lateral property line of the Highway;

"Campaign Office" means a building or structure, or part of a building or structure, used by a candidate or an agent of a candidate or by a Third Party advertiser or an agent of a Third Party advertiser as part of an election campaign and where a candidate's or Third Party advertiser's campaign staff is normally present and the public may enter to obtain information regarding the candidate or Third Party advertiser;

"Campaign Office Election Sign" means any sign erected on a campaign office which only displays the name of a candidate in a municipal election, or the name of a candidate and/or the name and/or logo of a political party in a federal or provincial election, or the name of a Third Party advertiser in a municipal election, and the location of a candidate's or registered Third Party's campaign office, and contains no other message;

"Canada Elections Act" means the *Canada Elections Act*, S.C. 2000, c.9, as amended and any successor legislation;

"Candidate" means a person who has been nominated or registered under the *Canada Elections Act*, the *Election Act*, or the *Municipal Elections Act, 1996*;

"Clerk" means the Manager of Legislative Services/Clerk of the Township of Georgian Bluffs, or their designate;

"Election Act" means the *Election Act*, R.S.O. 1990, c.E.6, as amended and any successor legislation;

"Election Centre" means a place designated by the Clerk where an elector can receive election services, including but not limited to amending the Voters' List, asking questions about the election, and accessing the internet to vote and shall include the entire building and the property associated with it and, when such election centre is located within a private premises, it shall additionally include all of the common elements/spaces;

"Election Sign" means any sign promoting, supporting, opposing or taking a position with respect to:

- i. A question, law or bylaw submitted to the electors under the *Canada Elections Act*, the *Election Act*, the *Municipal Elections Act, 1996*, or any other legislation;
- ii. An issue associated with a person or political party participating in an election under the *Canada Elections Act*, the *Election Act* or the *Municipal Elections Act, 1996*; or
- iii. A Candidate or political party participating in an election under the *Canada Elections Act*, the *Election Act* or the *Municipal Elections Act, 1996*;

"Highway" includes a common and public highway, street, avenue, parkway, driveway, square, place and includes any bridge, trestle, viaduct or other structure forming part of the highway and includes the Boulevards and any area between the lateral property lines of the highway;

"Highway Traffic Act" means the Highway Traffic Act, R.S.O. 1990, c.H.8, and Ontario Regulations thereunder, as amended from time to time, and any successor legislation;

"Intersection Pedestrian Signal" means traffic control signals and/or a stop Sign;

"Municipal Act" means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended and any successor legislation;

"Municipal Elections Act, 1996" means the *Municipal Elections Act, 1996*, S.O. 1996, c.32, as amended and any successor legislation;

"Officer" means a person employed by the Township of Georgian Bluffs to enforce Municipal By-laws and also includes a Bylaw Officer;

"Owner" means the person who places or permits the placing of an Election Sign or any person described on the Election Sign, whose name, address or telephone number is on the Election Sign or who benefits from the message on the Election Sign and for the purposes of this bylaw there may be more than one owner of an Election Sign;

"Park" shall include any land or premises under the control and/or ownership of the Municipality for park and recreational purposes and includes any lane, walkway or public parking area leading thereto, and also includes any and all buildings, structures, equipment, facilities, and improvements located in or on such land;

"Place" means attach, affix, install, erect, build, construct, reconstruct, move or display;

"Private Property" means real property that is not a Highway or Public Property;

"Public Property" means real property owned or under the control of the Township of Georgian Bluffs, the County of Grey, Provincial Government, Federal Government or any of their respective agencies, boards or commissions but, for the purposes of this bylaw, does not include a Highway or real property where one or more persons reside. Property owned by the Municipality and leased to another person or entity shall not be deemed to be public property;

"Roadway" means that part of a Highway that is improved, designed or ordinarily used for vehicular traffic including reserved lanes, shoulders and curbs and gutters;

"Sidewalk" means that part of a Highway with a surface that is improved, designed or ordinarily used for the use of pedestrians or bicycles and includes a multi-use path;

"Sight Triangle" means a triangular area free of buildings or structures or other visual obstructions and formed within a corner lot by the intersection of street lines, or the projections thereof, and a straight line connecting them 5.0 metres

from their point of intersection. A corner lot is a lot situated at the intersection of and abutting two streets, or parts of the same street, the adjacent sides of which street or streets (or in the case of a curved corner, the tangents of which) contain an angle of not more than 135 degrees;

"Sign" means any sign, surface or structure and any component or appurtenant parts, used or capable of being used as a visual medium to attract attention to a specific subject matter or to create a design or convey a message, and includes a banner, awning, canopy, marquee, menu board, poster and billboard;

"Sign Area" means the area of one side of a Sign where copy can be placed;

"Sign Height" means the vertical height of a Sign from the finished grade to the highest part of the Sign;

"Third Party" means any person or entity, including but not limited to a corporation or trade union, who is not a registered Candidate, political party, or constituency association, who incurs expenses with respect to:

- i. A question, law or bylaw submitted to the electors under the *Canada Elections Act, the Election Act, Municipal Elections Act, 1996* or any other legislation;
- ii. An issue associated with a person or political party participating in an election under the *Canada Elections Act, the Election Act* or the *Municipal Elections Act, 1996*; or
- iii. A Candidate or political party participating in an election under the *Canada Elections Act, the Election Act* or the *Municipal Elections Act, 1996*;

"Township" means the Township of Georgian Bluffs, and a reference to the Township is a reference to the geographical area of the Township of Georgian Bluffs or to The Corporation of the Township of Georgian Bluffs as the context requires;

"Voting Period" means the period of time in which citizens are able to cast ballots;

"Voting Place" means a place where electors cast their ballots and:

- i. When a Voting Place is located on Public Property, includes all of the area enclosed by the lot lines of the Public Property and any Highway abutting; or
- ii. When a Voting Place is located on Private Property, includes all of the common elements of the Private Property and any Highway immediately abutting.

General Principles

- 10.No Owner shall place or permit to be placed an Election Sign within the geographic limits of the Township except in accordance with this By-law.
- 11.Every Owner shall ensure compliance with the By-law.
- 12.Election Signs are permitted on Public and Private Property, subject to safety, accessibility, fairness and maintenance requirements in this bylaw.
- 13.Regulations herein are designed to be minimally impairing and proportionate to the Township's objectives of safety and asset protection.

Mandatory Physical Characteristics of Election Signs

- 14.With the exception of a Billboard Sign and an Election Sign on vehicles, no Owner shall place or permit to be placed an Election Sign that:
 - a. Is illuminated;
 - b. Has a sign area of more than 1.50 square metres;
 - c. Incorporates moving parts or visible mechanical movement of any description;
 - d. Has a sign height, including the mounts, more than two metres; or
 - e. Interferes with the safe operation of vehicular traffic or the safety and

accessibility of pedestrians.

15. No Election Sign shall be in a state of disrepair and every Owner shall ensure that the Owner's Election Signs remain in a state of repair.
16. Damaged or derelict signs must be repaired or removed within 24 hours of notice by the Township.

Contents of Election Signs

17. Each Election Sign shall identify who is responsible for the messaging.
18. Each Third Party Sign 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.
19. No Owner shall display the Township's logo or the Township's election logo, in whole or in part, on any Election Sign.

Timing of Placement

20. No Owner shall place or permit to be placed an Election Sign for a federal or provincial election or by-election earlier than the issuance of the Writ of Election or By-Election.
21. No Owner shall place or permit to be placed an Election Sign for a municipal election earlier than nomination day, as identified in the *Municipal Elections Act, 1996*.
22. A Third Party must be registered with the Clerk prior to erecting any Election Signs.
23. Every Owner shall ensure that all Election Signs placed by or on behalf of the Owner are completely removed from all locations no later than seventy-two (72) hours following the conclusion of Election Day.

Locations in General

24. Election Signs are permitted in any zone.
25. No Election Sign shall be located where it will interfere with the safe movement or visibility of any vehicle or pedestrian traffic or where it is a general hazard to public safety.
26. No Election Sign shall be located so as to obstruct or impede any fire escape, fire exit, door, window, scuttle, skylight, flue, air intake or air exhaust, nor so as to prevent or impede the free access of emergency personnel to any part of a building, including any emergency water connection or fire hydrant.
27. No Election Sign shall be affixed to a tree, pipe, telephone pole, hydro pole, light standard or any other utility infrastructure.

Election Signs on Private Property

28. No Owner shall place or permit to be placed an Election Sign on private property without the property owner's or an occupant's consent.
29. Only one single-sided or doubled-sided Election Sign per candidate will be allowed per private property unless the private property consists of multiple residential properties, then one single-sided or double-sided Election Sign per candidate per unit will be allowed, provided that the signs are a minimum of 1 metre apart.
30. Only one Election Sign per Candidate per 200 metres of frontage is allowed for commercial/industrial properties.

Election Signs on Public Property

31. No Owner shall place or permit to be placed any Election Sign on property within the Township of Georgian Bluffs for a candidate who is not eligible to be voted for by electors of the Township of Georgian Bluffs, the applicable provincial electoral district, or the applicable federal electoral district that includes the Township of Georgian Bluffs.
32. No Owner shall place or permit to be placed any Election Sign within the Sight Triangle, nor in locations that obstruct visibility for drivers, cyclists, or pedestrians.
33. No Owner shall place or permit to be placed an Election Sign on a Highway so that the Election Sign:
 - a. Is on a Roadway;

- b. Impedes or obstructs the passage of pedestrians where they are reasonably expected to walk;
 - c. Is within one metre of a curb or pavement edge;
 - d. Is on a median or island located on a Roadway;
 - e. Is on a median or island located within a Roadway;
 - f. Is less than three metres from a School Crossing;
 - g. Is less than 10 metres from an Intersection Pedestrian Signal;
 - h. If on a Highway within a residential zone, is less than 10 metres from another Election Sign for the same Candidate or Third Party; or
 - i. If on a Highway within a commercial and/or industrial zone, is less than 30 metres from another Election Sign for the same Candidate or Third Party.
34. No Owner shall Place or permit to be Placed an Election Sign on a Highway structure.
35. No Owner shall dig, drill or drive into asphalt, concrete, brick or any other hard improved surface on a Highway when placing an Election Sign.
36. No Owner shall drill or drive into a wooden, metal, concrete or other Highway structure when placing an Election Sign.

Voting Places and Election Centres

37. No Owner shall at any time during the Voting Period, including voting day and those days when advance voting is held, erect, cause or permit to be erected an Election Sign at a Voting Place or Election Centre.

Removal/Damage to Election Signs

38. No person shall deface, remove or willfully cause damage to a lawfully erected Election Sign.
39. When an Officer has reasonable and probable grounds to believe that an Election Sign has been erected, caused or permitted to be erected, in a manner that contravenes any provision of this bylaw, the Officer may cause the Election Sign to be removed without prior notice or compensation.
40. Election Signs that, in the opinion of an Officer, pose a risk to the health and safety of pedestrians, cyclists or motorists shall be removed by an Officer without prior notice or compensation.
41. The Municipality may destroy any Election Sign that has been removed and is not claimed and retrieved within five days of notice to the sign owner, without compensation to the sign owner.

Liability for Damages

42. The Municipality shall not be liable for any damage or loss of an Election Sign that was displayed in accordance with this bylaw or that was removed by an Officer of the Township.
43. The provisions of this bylaw shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning an Election Sign for personal injury or property damage resulting from the erecting of such Election Sign, or resulting from the negligence or willful acts of such person, or their agents or employees, in the construction, erection, maintenance, repair or removal of such Election Sign.

Enforcement

44. Any Officer is hereby vested with the authority of enforcing the provisions of this By-law.
45. That this by-law shall come into force and effect upon being passed by Council.

Offence and Penalty

46. Every Owner who contravenes any provision of this bylaw is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended.

47.No person shall hinder or obstruct, or attempt to hinder or obstruct, an Officer who is exercising a power or performing a duty under the *Municipal Act, 2001*, or under a bylaw passed under the *Municipal Act, 2001*.

Enactment

48.This bylaw shall come into full force and effect on the date it is passed at which time all bylaws, policies, and resolutions that are inconsistent with the provisions of this bylaw are hereby repealed insofar as it is necessary to give effect to the provisions of this bylaw.

Passed and enacted by the Council of the Township of Georgian Bluffs this 15th of July, 2026.

Original Signed by Mayor and Clerk

Sue Carleton, Mayor

Carly Craig, Clerk