

THE CORPORATION OF THE MUNICIPALITY OF CALVIN

BY-LAW NO. 2025-53

A By-Law To Regulate the Placement of Election Signs in the Municipality of Calvin

WHEREAS, Section 8 (1) of the *Municipal Act, 2001* S.O. 2001, provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues.

AND WHEREAS Section 9 of the *Municipal Act, 2001*, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other act.

AND WHEREAS Section 11 of the *Municipal Act, 2001*, as amended provides that a municipality may pass by-laws within the spheres of jurisdiction set out therein, respecting structures, including fences and signs;

AND WHEREAS Section 99 of the *Municipal Act, 2001* provides the rules which apply to a by-law of a municipality respecting advertising devices, including signs; that all costs and charges incurred for disposing of an advertising device may be recovered by the municipality as a debt owed by the owner of the device;

AND WHEREAS, the Council of the Corporation of the Municipality of Calvin deems it is expedient to regulate the placement of election signs on public roadways and properties for the purpose of preventing hazards to vehicles and pedestrians and to prevent an unsightly proliferation of election signs.

NOW THEREFORE, the Council of the Corporation of the Municipality of Calvin hereby enacts as follows:

1. Definitions

- 1.1 Elections Sign means any officially authorized sign or other advertising device, including, without limitation, posters, placards, bulletins, banners, notices, pictures or any combination thereof:
 - a) Any candidate or political party in an election under the Canada Elections Act, the Election Act (Ontario), or the Municipal Elections Act, 1996;
 - b) An issue associated with a person or political party in an election under the Canada Elections Act, the Election Act (Ontario), or the Municipal Elections Act, 1996;
 - c) A question, law or by-law submitted to the electors under the Canada Elections Act, the Election Act (Ontario), or the Municipal Elections Act, 1996.
- 1.2 Highway means a common and public walkway, lane, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles and pedestrians and includes the untraveled portion of a road allowance and adjacent ditches and shoulders thereof.
- 1.3 Municipal Law Enforcement Officer means a person appointed by the Council of the Municipality of Calvin for the purposes of enforcing Township by-laws.
- 1.4 Municipality shall mean the Corporation of the Municipality of Calvin.
- 1.5 Owner means the person who places or permits the placing of an election sign or any person described on the sign, whose name, address or telephone number is on the sign or who benefits from the message on the sign and for the purposes of this by-law there may be more than one owner of an election sign;
- 1.6 Public Property means real or material property owned or under the control of the Municipality of Calvin, not including highways, boulevards and road allowances, and shall be deemed to include public utilities facilities, regardless of whether the poles are owned by or under the control of the Municipality and shall also be deemed to include benches,

municipal garbage containers or other structures located on a highway regardless of whether the containers or structures are owned by the Municipality.

- 1.7 Registered third party means an individual, corporation or trade union which has filed a notice of registration as required pursuant to Section 88 of The Municipal Elections Act;
- 1.8 Signs means any surface, structure and other component parts, which are 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 posters, billboards, advertising devices or notices;
- 1.9 Voting place means a place where electors cast their ballots and:
- a) 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, and
 - b) When a voting place is located on private property, includes all of the common elements of the private property and any highway immediately abutting.

2. General

- 2.1 No person shall place or permit to be placed an election sign except in accordance with this by-law.
- 2.2 No person shall display the Municipality's logo or the Municipality's municipal election logo, in whole or in part, on any election sign.
- 2.3 No person shall place or permit to be placed an election sign on municipal road allowances that:
- a) is illuminated;
 - b) that is greater than two (2) feet by two (2) feet;

3. Location

- 3.1 No person shall place or permit to be placed an election sign on public property including but not limited to:
- a) Municipal Office, Community Centre, Recreation Centre, Recreation Park and Fire Hall
 - b) Public Works Garage
 - c) Municipal Boat Launch
- 3.2 Elections signs shall not be permitted on road allowance immediately adjacent to the properties noted in Section 3.1 above, with the exception of 3.1.c)
- 3.3 No person shall place or permit to be placed an election sign that:
- a) interferes with the safe operation of vehicular traffic or the safety of pedestrians; or
 - b) inside or outside of a municipal facility or on associated property;
 - c) is on a utility pole, road sign, tree, fence or gate located on public property;
 - d) impedes or obstructs the municipality's maintenance operations.
 - e) within any urban area, is within 10 meters of any other election sign of the same candidate;
- 3.4 No person shall place or permit to be placed an election sign that:
- a) is at a voting place;
 - b) is on a vehicle that is parked at any voting place;
- 3.5 Candidate and third-party advertisements for those seeking office in a municipality or other jurisdiction other than the Municipality of Calvin are not permitted within the geographical limits of the Municipality.

4 Timing

- 4.1 No person shall place or permit to be placed an election sign for a federal or provincial election or by-election earlier than the day the writ of election or by-election is issued.
- 4.2 No person shall place or permit to be placed an election sign for a municipal election

before August 1st in any given election year.

- 4.3 No owner of a sign shall fail to remove his/her election sign within 7 days immediately following the day of the election.

5 Removal of Elections Signs

- 5.1 Candidates or third-party advertisers that have been requested to remove an election sign by the Municipality must remove the sign within twelve (12) hours of the request being made. If not removed within the required timeframe, the Municipality reserves the right to remove the sign without any further notice to the candidate or third party advertiser.
- 5.2 The Clerk or a Municipal Law Enforcement Officer may remove any election sign erected in contravention of this by-law without notice.
- 5.3 Election signs removed in accordance with this by-law may be destroyed or otherwise disposed of by the Municipality without notice and without compensation to any party.
- 5.4 The registered third party, or the candidate, as the case may be, to whom an election sign relates shall be responsible for the erection and display of the election sign and shall ensure that all the requirements of this by-law are met.
- 5.5 The Municipality reserves the right to remove, without notice to any person, including the candidate or third-party advertiser, any election sign which it deems to be a hazard to the travelling public or to any person, regardless of its compliance to this By-law.

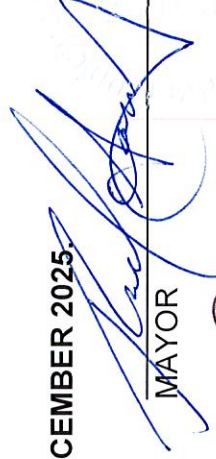
6. Fees

- 6.1 Election signs in contravention of this by-law that are required to be removed shall be removed by the Municipality of Calvin representative, held at the Public Works yard for three days, and then disposed of. The cost of such removal and disposal shall be charged back to the owner of the signs at a charge of \$50.00 per sign.
- 6.2 Candidates shall be responsible for compliance with signage by-laws and regulations of the Province of Ontario (MTO), as the case may be.

7. Effective Date

- 7.1 THAT any predecessor by-law be repealed in its entirety,
- 7.2 This By-Law shall come into full force and effect upon the final passing thereof.

READ AND PASSED THIS 16th DAY OF DECEMBER 2025.


MAYOR


CAO/CLERK