

THE CORPORATION OF THE TOWNSHIP OF SEVERN

BY-LAW NO. 2005-66

BEING A BY-LAW TO REGULATE THE PLACEMENT OF MUNICIPAL ELECTION
SIGNS

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 99., provides that a municipality may pass a By-law to prohibit and regulate the erection of signs and other advertising devices;

AND WHEREAS it is deemed expedient to enact a By-law to regulate the placement election signs;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SEVERN HEREBY ENACTS AS FOLLOWS:

1. Definitions

“**Election Sign**” shall mean any temporary sign which by the use of words, pictures or graphics or any combination thereof is used by or on behalf of a candidate for any municipal election.

“**Candidate**” shall mean a person officially nominated as a candidate for a municipal election.

“**Clerk**” shall mean the Director of Corporate Services appointed by the Council of the Corporation of the Township of Severn.

“**Deputy Clerk**” shall mean the Deputy Clerk appointed by the Council of the Corporation of the Township of Severn.

“**Director of Public Works**” shall mean the Director of Public Works as appointed by the Council of the Corporation of the Township of Severn.

“**Highway**” shall mean a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

“**Municipal Law Enforcement Officer**” shall mean the Municipal Law Enforcement Officer appointed by the Council of the Corporation of the Township of Severn.

“**Township**” shall mean the Corporation of the Township of Severn.

2. Deposit

Prior to any election sign being erected within the Township of Severn, each candidate shall deposit the amount of \$100.00 with the Clerk which will be refunded in a timely manner as outlined in Schedule “A” upon satisfactory removal of all election signs.

3. Public Property

Election sign may be erected on any highway which is under the jurisdiction of the Township of Severn subject to the following conditions:

- (a) Election signs shall not be erected on highways fronting or adjacent to any property owned and operated by the Township including offices, facilities, library, fire stations, parks and community centres.
- (b) Election signs shall not require a permit from the Township.
- (c) Election signs shall not be erected prior to Nomination Day.
- (d) Election signs shall be placed no less than 4.0 metres from the edge of the pavement or travelled portion of unpaved roadway providing the sign area is less than 1.0 square metre. Election signs greater than 1.0 square metre in sign area shall be placed at the outer limit of the highway.
- (e) Election signs shall not be affixed to a permanent or official highway sign or support, guardrail or other roadway structure or facility and must not be situated so as to interfere with the safe operation of vehicular or pedestrian traffic.
- (f) Election signs shall not be nailed or otherwise attached to or upon any utility pole, light pole, flag pole, utility box, tree, planter, bench, bridge, waste receptacle, newspaper box, mail box or any like structure.
- (g) Election signs shall not obstruct or impede any exit routes or escapes or impede free access of emergency vehicles.
- (h) Election signs shall not obstruct the view of any official traffic sign or signal, resemble any official traffic sign or signal or obstruct the view of any person operating a vehicle or pose a safety hazard.

4. Private Property

Election signs may be erected on private property subject to the following conditions:

- (a) Election signs shall not be erected prior to Nomination Day.
- (b) Election signs shall be erected only with the consent of the respective property owner.

5. Voting Stations

Election signs shall not be erected within 150 feet of or adjacent to any property designated as a Voting Station for the municipal election.

6. Removal of Signs

- (a) All election signs shall be removed from public and private property within forty-eight (48) hours after Election Day.
- (b) Failure to remove the election signs will result in the candidate waiving their right to a refund of the deposit of \$100.00.

7. Unlawful Removal

No person shall remove, deface or cause damage to any election sign lawfully erected in accordance with this By-law without the candidate's or property owner's consent.

8. Enforcement

- (a) If an election sign(s) is erected in contravention of this By-law the following procedures will be followed:
- The Township will issue a notice to the candidate requiring the sign(s) to be removed within twenty-four (24) hours;
 - If the notice is not complied with, the Township may remove the sign(s);
 - The election sign(s) will be stored by the Public Works Department for thirty (30) days;
 - A retrieval fee of \$100.00 will be retained by the Township; and
 - If the candidate does not collect the sign(s), after thirty days (30) the sign(s) will be destroyed.
- (b) The Director of Public Works has the authority to remove any sign which is erected or displayed in contravention of this By-law.
- (c) Every person who contravenes any provision of this By-law shall be guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the *Provincial Offences Act*.

9. This By-law shall come into force and effect on the date of passing thereof.

By-law read a first and second time this 5th day of May, 2005.

By-law read a third time and finally passed this 5th day of May, 2005.

CORPORATION OF THE TOWNSHIP OF SEVERN

Phil Sled

MAYOR

W. Henry Sander

CLERK-TREASURER

SCHEDULE "A" TO BY-LAW NO. 2005-66

Election Signs Deposit

**DEPOSIT FOR ERECTION OF
MUNICIPAL ELECTION SIGNS
WITHIN THE TOWNSHIP OF SEVERN**

Please complete the form below and return it with your payment of \$100.00 to the Township of Severn.

CANDIDATE _____

ADDRESS: _____

_____ POSTAL CODE: _____

PHONE: _____ FAX: _____

I, the undersigned, do hereby acknowledge that I have received and read a copy of the Township of Severn Municipal Elections Sign By-law and agree to the conditions contained therein. I understand that any contravention to the By-law may result in the waiver of this deposit.

Upon satisfactory removal of all municipal elections signs by a candidate from public and private property within forty-eight (48) hours after Election Day, this deposit will be returned to the candidate in a timely manner.

Candidate's Signature

Date

Deposit Received	Refund Returned
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Default and Waiver of Deposit Due To *(please explain):*

Clerk/Deputy Clerk

Date