

OFFICE CONSOLIDATION

This is a consolidation of the Town's by-law to regulate election signs being By-law 2003-77 as amended by By-law 2006-81 and 2009-122. This is prepared for reference and information purposes only. The following consolidation is an electronic reproduction made available for information only. It is not an official version of the by-law. Official versions of all by-laws can be obtained from the Legislative Services section by calling (905) 584-2272. If there are any discrepancies between this consolidation and By-laws 2003-77, 2006-81 and 2009-122 the By-laws shall prevail.

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 2003-77

Being a by-law to regulate election signs

WHEREAS paragraph 146 of section 210 of the Municipal Act, (R.S.O. 1990, chap. M45, as amended), provides that councils of local municipalities may pass by-laws to prohibit or regulate signs or other advertising devices or any class or classes thereof and the posting of notices on buildings or vacant lots within any defined area or areas or on land abutting on any defined highway or part of a highway.

AND WHEREAS paragraph 1 of section 314 of the Municipal Act provides that councils of local municipalities may pass by-laws to prohibit or regulate the obstructing, encumbering, injuring or fouling of highways or bridges.

AND WHEREAS a public information meeting was held on October 8, 2002 by the Corporation of the Town of Caledon regarding proposed amendments to By-law 94-14 (Sign By-law), including election signs.

AND WHEREAS the Council of the Corporation of the Town of Caledon deems it necessary to regulate the location, manner and display of signs in order to prevent the unlimited proliferation of signs on highways that would create dangerous and undesirable situations, such as distractions to motorists, interference with vehicular traffic sight lines and maintenance activities and obstruction of pedestrian traffic.

NOW THEREFORE the Council of the Corporation of the Town of Caledon ENACTS AS FOLLOWS:

DEFINITIONS

1. In this by-law

“by-law enforcement officer” means a by-law enforcement officer appointed by Council of the Corporation of the Town of Caledon whose duties include the enforcement of regulations in respect of signs.

“election sign” includes federal, provincial and municipal election signs.

“façade” means the exterior wall of a building exposed to public view on the street which bears the municipal address of the building.

“height” means the vertical distance measured from the lowest grade level at the base of the sign to the highest point of the same sign.

“highway” includes 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.

“illuminated” means lighted by any means whatsoever including direct, indirect, internal and external sources of illumination.

“lot” means a parcel of land, described in a deed or transfer or any other document legally capable of conveying land, and which may be shown as a lot or block on a registered plan of subdivision.

“lot line” means any boundary of a lot or the vertical projection thereof.

“municipal property” means land or buildings owned by the Town, Region or a local board as defined in the *Municipal Affairs Act, as amended*.

“Official Plan” means the Official Plan of The Corporation of the Town of Caledon, as amended from time to time.

“official sign” means any sign which is required to be erected or displayed pursuant to any statute, by-law, regulation or other directive of any federal, provincial or municipal government or agency, board or commission thereof.

“owner” includes any person, firm, partnership, corporation, institution, religious or philanthropic organization, government or governmental agency controlling, maintaining or occupying the lands upon which a sign is, or will be erected or displayed.

“Region” or **“Region of Peel”** means The Regional Municipality of Peel.

[By-law 2009-122
Effective Sep 15/09]

“road allowance” means the part of the highway located between the shoulder of the highway and the lateral property line of the abutting property.

“rotating sign” means any sign or portion of a sign which rotates on an axis

“sign area” means

- (1) the area of the sign within the perimeter which forms the outside shape, and
- (2) (a) where the sign consists of two sides, the area of one side of the sign, or
(b) where the sign consists of more than two sides, the total of the areas of each side of the sign.

“Town” or **“Town of Caledon”** means The Corporation of the Town of Caledon.

“voting place” means the registered lot upon which the vote takes place, also known as the polling station.

GENERAL PROHIBITIONS

2. No person shall affix, erect, display, repair or alter, or cause or permit to be affixed, erected, displayed, repaired or altered, an election sign on any lands or buildings or structures within the Town of Caledon except in accordance with the provisions of this by-law.
3. No permit is required where an election sign is erected on any property in connection with any federal, provincial or municipal election.
4. Notwithstanding any other provision of this by-law and in addition thereto, no person shall affix, erect or otherwise display an election sign or permit an election sign to be affixed, erected or otherwise displayed:
 - (1) on any official sign or official sign structure;

- (2) within a sight triangle;
 - (3) on the land, buildings, or in or on a vehicle that is parked at any voting place, or on the road allowance in front of the voting place;
 - (4) at any location where the election sign:
 - (a) obstructs the view of any pedestrian or driver of a motor vehicle, or obstructs the visibility of any traffic sign or device, or where it may interfere with vehicular traffic potentially endangering any person;
 - (b) obstructs openings required for light, ventilation, ingress, egress or firefighting;
 - (c) constitutes a danger or hazard to the general public;
 - (d) impedes or hinders or prevents parking by vehicles on private or public lands, or on a public highway, or eliminates a public parking space required by law;
 - (e) impedes or hinders a view of a public highway or a railway crossing;
 - (5) on any noise attenuation wall.
5. No person shall affix, erect, display, repair or alter, or cause or permit to be affixed, erected, displayed, repaired or altered, an illuminated or rotating election sign.
 6. No person shall affix, erect, display, repair or alter, or cause or permit to be affixed, erected, displayed, repaired or altered, an election sign displaying the Corporation of the Town of Caledon logo, crest or seal.
 7. No person shall affix, erect or otherwise display an election sign or permit an election sign to be erected, affixed, or otherwise displayed prior to the issuance of writs for a provincial or federal election or no earlier than six (6) weeks immediately preceding the day of a municipal election.
 8. An election sign that is a wall sign may be affixed to the façade of the building or building unit which is used as a candidate's campaign headquarters provided such wall sign complies with the provisions of the Sign By-law for a wall sign.
 9. An election sign shall be removed within seven (7) days immediately following 11:59 p.m. of the day of the election.

HIGHWAY

10. No person shall affix, erect or otherwise display an election sign on a highway except on a poster sleeve in accordance with the provisions of the Sign By-law.

PRIVATE PROPERTY

11. An election sign may be affixed, erected or displayed on private property in accordance with the following provisions:
 - (1) the sign area shall not exceed 1.5 square metres (16 square feet); and
 - (2) the height of the sign shall not exceed 2.4 metres (8 feet).

MUNICIPAL PROPERTY

12. No person shall affix, erect, or otherwise display, or cause or permit to be affixed, erected, or otherwise displayed, an election sign on municipal property except in accordance with sections 4 and 10.

OBSTRUCTIONS

[By-law 2009-122 effective Sep 15/09]

- 12A. Notwithstanding sections 10 and 12, an election sign may be placed upon a road allowance provided the following conditions are met:
 - (1) the election sign would be visually obstructed if placed upon the private property which abuts the road allowance;
 - (2) the owner of the property which abuts the road allowance has provided consent to the placing of the sign;
 - (3) the sign has a maximum size of 0.5 square metres;
 - (4) the sign has a maximum height of 1.0 metre;
 - (5) a maximum of one election sign for each candidate for which an election is being held is permitted on that portion of the road allowance; and
 - (6) the sign complies with the remaining requirements of this by-law.

ADMINISTRATION

13. This by-law may be enforced by a by-law enforcement officer.
14. Where a person has affixed, erected or otherwise displayed, or caused or permitted to be affixed, erected or otherwise displayed, a sign contrary to this by-law, a by-law enforcement officer may make an order directing that the person
 - (1) affix, erect or otherwise display the sign in accordance with the requirements of this by-law, or
 - (2) remove the signwithin seventy-two (72) hours of the date of the order.
15. Any person to whom an order is issued by the by-law enforcement officer shall comply with the order.
16. An order made by the by-law enforcement officer may be delivered personally or by sending it by pre-paid ordinary mail to the owner of the sign.
17. Where the person to whom an order is issued fails to perform the work required by the order, The Corporation of the Town of Caledon may remove the sign at the expense of the owner of the sign, without further notice.
18. Notwithstanding the provisions of sections 14 and 17, where a sign has been erected contrary to the provisions of this by-law on lands owned or controlled by The Corporation of the Town of Caledon or by a local board thereof, or on a highway under the jurisdiction of the Town of Caledon or of the Region of Peel, a by-law enforcement officer may remove such sign without notice and at the expense of the owner of such sign.

AMENDMENT

19. By-law 94-14, as amended, (the Sign By-law), is hereby amended by the following:

- (1) by deleting the words “(1) an election,” from the definition of temporary sign and renumbering the remaining subparagraphs within that definition;
- (2) by adding the following definition immediately following the definition of “sign area”:

“**sign sleeve**” means an area on a pole or other structure within which posters may be placed in accordance with the provisions of this by-law”;
- (3) by inserting the following section immediately following section 33:

“POSTERS

- 33A. (1) No person shall affix or place or cause to be affixed or placed a poster on public property except in accordance with the following provisions.
- (a) No person shall affix or place a poster on any place other than on a sign sleeve;
 - (b) No person shall affix or place more than one poster on a sign sleeve; and
 - (c) No person shall affix or place a poster on a sign sleeve if the poster conveys a message with respect to an unlawful activity.
- (2) A poster shall:
- (a) indicate the name of the person or business responsible for affixing the poster,
 - (b) be no greater in size than 22 cm (8 ½ in.) by 28 cm (11 in),
 - (c) conform to the shape of the sign sleeve,
 - (d) not extend beyond the edges of the sign sleeve,
 - (e) only be attached to the sign sleeve by staples, push pins or tacks, and
 - (f) be made of biodegradable material.
- (3) No person shall affix or place or cause to be affixed or placed, any poster for a period in excess of 30 days.
- (4) The Town of Caledon may remove and dispose of lawfully and unlawfully placed posters without notice in accordance with its regular maintenance schedule regardless of the length of time the posters have been in place.
- (5) Where a poster has been removed pursuant to this by-law, the poster may forthwith be destroyed or otherwise disposed of by the Town of Caledon without any notice or compensation to the owner thereof.

- (6) The locations of sign sleeves are as identified by the Senior Property Standards Enforcement Officer and as approved by the Director of Infrastructure.”
- (4) by amending section 15 by the following:
 - (a) by amending Section 15 subsection 2(b) by deleting the word “and” at the end of the sentence;
 - (b) by amending Section 15 subsection 2(c) by adding the word “and” at the end of the sentence; and
 - (c) by adding the following subsection immediately following Section 15 subsection 2 subparagraph (c):
 - “(d) there shall be a minimum distance of 30.5 metres (100 feet) between each sign and a minimum distance of 15.25 metres (50 feet) between each sign and the nearest site triangle.”
 - (d) by adding the following section immediately following Section 15 subsection (3):
 - “(4) No part of a ground sign shall be erected or displayed less than 1.52 metres (5 feet) from a lot line.”

MAINTENANCE

- 20. The owner of a sign, and the owner, lessee, or occupant of the lands upon which a sign is located, shall maintain the sign in a good state of repair so that such sign does not become unsafe or unsightly.

OFFENCE

- [By-law 2006-81 effective Jun 6/06] 21. Any person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in Section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33.

TITLE

- 21. This by-law shall be known as the Election Sign By-law.

By-law read three times and finally passed in Open Council this 28th day of April 2003.

Carol Seglins, Mayor

Cheri Cowan, Clerk