

# The Corporation of the Township of Springwater

## By-Law 2009 - 072

**A By-law to regulate Municipal and School Board Election Signs within the Township of Springwater, and to repeal and replace By-law 2006-023.**

**Whereas** the *Municipal Act, 2001*, as amended, provides that a Council of a municipality may pass a by-law for the prohibition or regulation of the erection of signs and other advertising devices; and

**Whereas** the Council of the Township of Springwater deems it advisable to have a by-law regulating Municipal Election Signs;

**Now Therefore** the Council of The Corporation of the Township of Springwater enacts as follows:

### 1. **Definitions**

For the purpose of this By-law:

- 1.1 **Clerk:** means a person appointed by Council under the *Municipal Act* or designate, and who is the person responsible for conducting the election in the lower-tier municipality in accordance with the *Municipal Elections Act, 1996*, as amended.
- 1.2 **Jurisdiction:** means the particular ward for which a candidate is running, or the Township boundaries for Mayor or Deputy Mayor candidates.
- 1.3 **Municipal Election Sign:** means any sign, poster or other advertising device posted by or on behalf of a municipal council candidate or a school board candidate.
- 1.4 **School Board:** means the English Public, French Public, English Catholic and French Catholic school boards having authority over The Township of Springwater.

### 2. **Sign Deposit**

- 2.1 Prior to any municipal or school board election sign being erected within the Township of Springwater, candidates shall file a deposit fee of \$100.

- 2.2 Deposits must be submitted to the Clerk and may be in the form of cash or cheque payable to the Township of Springwater.
- 2.3 Sign deposits are due and payable at the time of the filing of nomination papers and prior to the erection of any signs for any municipal or school board candidates.
- 2.4 Election Signs must be removed within five (5) days following a municipal election. If not removed within this time frame, the Clerk may direct that the signs be removed and the deposit retained by the municipality.
- 2.5 The Clerk's decision to retain the deposit shall be final and not subject to review.
- 2.6 In the event that the deposit is not retained, the Clerk shall direct the Treasurer to refund the deposit paid under this By-law upon satisfactory removal of all Election Signs.

### **3. Restrictions on Municipal Election Signs**

- 3.1 No Election Sign shall be larger than 4ft x 4ft (1.2 metres);
- 3.2 No Election Sign shall be located within 150 feet (45.72 metres) of any voting place, including the parking lot and road allowance in front of any voting place;
- 3.3 No Municipal Election Sign shall be located within 300 feet (91.44 metres) of the driveway entrance to The Township of Springwater Administration Centre, nor the Simcoe County Administration Centre;
- 3.4 No Municipal Election Sign shall be erected outside of the jurisdiction of the position for which a candidate is running.
- 3.5 No Municipal Election Sign shall be posted in the Township of Springwater for a candidate in another municipal jurisdiction;
- 3.6 No Municipal Election Sign shall be erected prior to Nomination Day;
- 3.7 No Municipal Election Sign shall be placed on any tree, post, utility pole, fence or attenuation wall on any municipal property or road allowance;
- 3.8 No municipal election sign shall be placed so as to:
  - a) obstruct the visibility of any pedestrian or driver;

- b) obstruct the visibility of any traffic sign or device;
  - c) interfere with vehicular traffic in any manner;
- 3.9 obstruct openings required for light, ventilation, ingress, egress, or fire or medical emergencies;
- 3.10 constitute a danger or hazard to the general public;
- 3.11 No Municipal Election Sign shall be posted on private property without the express consent of the owner.

#### **4. Removal of Signs**

- 4.1 Where Election Signs have been posted in contravention of this By-law, the Clerk may notify the owner, candidate or their agent to remove the sign and take the necessary action to ensure that the sign complies with the provisions of this By-law within 24 hours.
- 4.2 Where action is not taken under Section 4.1, the Clerk may direct that the signs be removed and the deposit retained by the municipality.

#### **5. Miscellaneous**

- 5.1 This By-law applies only to candidates and signage for Municipal Elections.
- 5.2 Signs and Advertising Devices other than municipal or school board election signs shall be subject to the Township of Springwater Sign Regulation By-law.

#### **6. Force and Effect**

- 6.1 This By-law shall be called the *Election Sign By-law*
- 6.2 By-law 2006 – 023 be and is hereby repealed and replaced.
- 6.3 This By-law takes force and effect on the date of passing.

**Read a First, Second and Third Time and Finally Passed this Fifth day of October, 2009.**

(Original Signed By)

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**Tony Guergis, Mayor**

(Original Signed By)

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**Carol O. Trainor, Clerk**