THE CORPORATION OF THE TOWNSHIP OF TERRACE BAY
BY-LAW 16-2026

Being a by-law to regulate Election Signs within the Township of Terrace Bay

WHEREAS The *Municipal Act,* 2001, S.O. 2001, c.25, as amended, subsection 5(3) provides that a municipal power shall be exercised by by-law.

AND WHEREAS The *Municipal Act,* 2001, S.O.2001, c.25, as amended, subsection 10(2) authorizes the Municipality to pass by-laws respecting signs.

AND WHEREAS The *Municipal Act,* 2001, S.O. 2001, c.25, as amended, subsection 63(1) authorizes the Municipality, if it passes a by-law for prohibiting or regulating the placing of an object on or near a Highway, to provide for the removal and impounding of such object placed on or near a Highway in contravention of that by-law.

AND WHEREAS The *Municipal Act,* 2001, S.O. 2001, c.25 as amended, subsection 391 provides that despite any Act, a municipality and -a local board may pass by-laws imposing fees or charges on persons.

AND WHEREAS The *Municipal Act,* 2001, S.O. 2001, c.25, as amended, section 425 authorizes the Municipality to pass by-laws providing that any person who contravenes a by-law of the municipality is guilty of an offence.

AND WHEREAS The *Municipal Act,* 2001, S.O. 2001, c.25, as amended, section 429 authorizes a municipality to establish set fines for offences under a by-law of the municipality.

AND WHEREAS The *Municipal Act,* 2001, S.O. 2001, c.25, as amended, section 445 authorizes a municipality to make an order requiring a person who has contravened a by-law or who has caused or permitted the contravention, or the owner or occupier of land on which the contravention occurred to do work to correct the contravention.

AND WHEREAS The Council of the Township of Terrace Bay deems it necessary to enact a stand-alone by-law which regulates Signs for the federal, provincial, municipal and school board elections.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TERRACE BAY ENACTS AS FOLLOWS:

1. Definitions: In this by-law

1.1 **"Candidate"** shall have the same meaning as in the *Canada Elections Act*, the *Election Act (Ontario)* or the *Municipal Elections Act, 1996*, as applicable, and shall be deemed to include a person seeking to influence another person to vote for or against any question or by-law submitted to the electors under section 8 of the *Municipal Elections Act, 1996*.

1.2 **"Clerk"** means the Clerk for the Township of Terrace Bay or designate.

1.3 **"Council"** means the Council of the Township of Terrace Bay.

1.4 **"Election Sign"** means any sign:

(a) advertising or promoting a candidate in a federal, provincial or municipal election or by-election;

(b) or other advertising device, including without limitation, posters, placards, bulletins, banners, notices, pictures or any combination thereof, which promote or relate to any federal, provincial or municipal election, including an election of a local board or commission; or

(c) that uses words, pictures or graphics or any combination thereof intended to influence persons to vote for or against any question or by-law submitted to electors under section 8 of the *Municipal Elections Act, 1996*.

1.5 **"Highway"** shall have the same meaning as the *Highway Traffic Act*, RSO 1990 c.H.8, and includes a common and public highway, street, roadway. avenue, gate, alley, court, crescent, boulevard, lane, trail, way, chase, road, drive, circle, mews, line, sideroad, parkway, driveway, square, place, bridge, viaduct, or trestle, any part or 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. "Local Roads and Streets" provide access to properties.

1.6 **"Local Roads and Streets"** provide access to properties. Trips on local roads have their origin or destination within the length of the road. An example of a local road would be Hudson Drive.

1.7 "**Operations Manager"** means the Operations Manager for the Corporation of the Township of Terrace Bay.

1.8 "**Mobile Sign**" means any sign mounted on a trailer or other freestanding structure, which is designed in such a matter so as to facilitate its movement from place to place, but does not include a sign attached to a motorized vehicle where the principle use of the vehicle is transportation of people, goods or other materials.

1.9 **"Municipal Law Enforcement Officer"** shall have the same meaning as by-law enforcement officer which is a person appointed by the Council of The Corporation of the Township of Terrace Bay for the purposes of enforcing Municipal By-laws.

1.10 **"Public Property"** means property owned by or under the control of the Township of Terrace Bay or any of its agencies, boards or commissions.

1.11 **"Public Utility Pole"** means a pole owned or controlled by an entity which provides a municipal, regional or public utility service, including streetlights, stop lights, Bell Canada, Hydro and any subsidiaries thereof and includes any municipal street sign poles.

1.12 **"Sight Triangle"** means the triangle space formed by intersecting street lines on a comer lot and a line drawn from a point on one of the streets to a point on the other street line.

2. General

2.1 No person shall erect, attach, place or display an Election Sign except as permitted by this by-law.

2.2 No person, or his or her agent, shall erect, Install or otherwise use an Election Sign on municipal property without first obtaining permission from the Operations Manager

2.3 No permits are required by the Township of Terrace Bay for the erection of Election Signs in the Municipality,

2.4 Election Signs shall not:

(a) be attached to trees;

(b) be attached to any street signage, traffic control device or traffic control device structure or pole

(c) have flashing lights or rotating parts;

(d) be Illuminated; or

(e) simulate any traffic control device,

2.5 No person shall deface or willfully cause damage to a lawfully erected Election Sign.

2.6 No person shall at any time on any election voting day, including those days when advance election voting is held:

(a) place an Election Sign, or cause an Election Sign to be placed on any premises used as a polling place for elections; and

(b) place, or caused to be placed, an Election Sign, poster or placard in or on a vehicle that is parked on any premises used as a polling place for elections if the sign, poster or placard is visible.

2.7 No person shall display the Township of Terrace Bay logo, crest or seal in whole or in part, on any Election Sign.

2.8 Mobile Signs are not permitted.

2.9 No person shall erect an Election Sign where it obstructs or interferes with a door or fire escape of a building.

2.10 Election Signs shall only be erected or installed on private property by or with the consent of the owner or occupant of such property.

3. Election Signs on Public Property

3.1 No person shall at any time place an Election Sign, or cause an Election Sign to be placed, in any public park owned or occupied by the Township of Terrace Bay

3.2 No person shall at any time place an Election Sign, or cause an Election Sign to be placed, on the premises or structure of any facility owned or occupied by the Township of Terrace Bay.

(a) For greater clarity, this includes but is not limited to:
(i) The Terrace Bay Community Center and Arena
(ii) The Terrace Bay Community Pool
(iii) The Terrace Bay Cultural Center and Public Library
(iv) The Terrace Bay Public Works Garage
(v) The Terrace Bay Airport
(vi) Terrace Bay Beach, Beach House and Associated Trails
(vii) Aguasabon Gorge
(viii) Tourist Information Center and Lookout

3.3 Election Signs may be erected or displayed on municipal public highways, including municipal road allowance, if:

(a) the signs are not placed on the public highway adjacent to a public park:

(b) the signs are no smaller than .10m^2 (1 square foot);

(c) the signs are no larger than 3.0 m^2 (32 square feet);

(d) the signs are no higher than 2.5 metres (8.2 feet) above ground level;

(e) the signs are not placed on a local roadway, in a sight triangle (8 metres or 26.246 feet) from the edge of the pavement at an intersection;

(f) the signs are not located on a bridge, overpass, median, island, central boulevard or sidewalk; and

(g) the signs are not erected or installed so as to create an unsafe obstruction or visual impairment for pedestrian or vehicular traffic.

3.4 Despite the provisions of this or any other by-law, no person shall attach an Election Sign to a Public Utility Pole, light standard, any official sign or official sign structure, utility box, planter, bench, waste receptacle, newspaper box, or mailbox on a road allowance.

4. Timing

4.1 Election Signs shall not be erected or displayed prior to May 1st during a regular Municipal Election.

4.2 Election Signs shall not be erected or displayed for a federal or provincial election until the day that the writ of election is issued.

4.3 Despite Sections 4.1 and 4.2, Election Signs may only be erected or displayed once the candidate has filed his or her nomination papers and paid the required filing fee.

4.4 All Election Signs shall be removed no later than Ten (10) working days following the voting day of the election for which the signs was erected or installed. For the purpose of this subsection, the Candidate shall be responsible for the removal of his or her Election Signs within the prescribed time frame.

5. Removal of Unlawful Election Signs

5.1 If a sign is erected or displayed in violation of this by-law, the appropriate Municipal officials shall cause the sign to be removed.

5.2 Any Election Signs erected or installed in violation of this by-law shall be removed under the direction of the Clerk.

5.3 Election Signs removed by the Township of Terrace Bay shall be retained by the Municipality for a period of 30 days during which time the owner of the said sign or the owner's agent may retrieve the sign.

5.4 Election Signs removed by the Township of Terrace Bay and stored for a period of 30 days may be destroyed or otherwise disposed of by the Township of Terrace Bay without notice and without compensation to the owner.

6. Fees and Charges

6.1 Upon filing of the nomination papers with the Township, the candidate shall pay a deposit in the amount of $120, refundable in the amount that has not been deducted due to contravention.

7. Penalty

7.1 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction, is liable to a fine or penalty as provided for in the *Provincial Offences Act*, R.S.O. 1990, cP.33, as amended.

7.2 Election signs removed by the Municipality are subject to the deposit being retained by the municipality in the amount of $30 for each sign removed.

7.3 Every person who contravenes any of the provisions of this by-law and every Director or Officer of a Corporation, who knowingly concurs in the contravention by the Corporation, is guilty an offence under the provisions of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended.

7.4 The conviction of a person for the contravention or breach of any provision of this by-law shall not operate as a bar to the prosecution against the same person for any subsequent or continued breach or contravention of any provision of this by-law. Each day that the offence continues shall be deemed a separate and distinct offence.

8. Administration and Enforcement

8.1 A Police Officer, Municipal Law Enforcement Officer or other person authorized by the Municipality to enforce this By-law, as amended, is hereby vested with the authority of administering and enforcing the provisions of this By-law.

9. Validity and Severability

9.1 Every provision of this by-law is declared to be severable from the remainder and if any provision of this by-law shall be declared invalid by a court of competent jurisdiction such declaration shall not affect the validity of the remainder.

10. Liability for Damages

10.1 The provisions of this by-law shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning any sign for personal injury or property damage resulting from the placing of such signs or resulting from the negligence or willful acts of such person, or his or her agents or employees, in the construction, erection, maintenance, repair or removal of such signs.

11. Precedence over Election Sign Provisions In other By-laws

11.1 In the event of a conflict between this by-law and the provisions of another Municipal by-law regulating signs, including any policies regulating Election Signs, the provisions of this by-law shall prevail.

12. Short Title

12.1 This by-law may be cited as the "Election Sign By-law"

13. Effective Date

13.1 That this By-law shall come into force and take effect upon the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 15th DAY OF JUNE 2026

Mayor

Clerk