

## City of North Bay Report to Council

Report No: CORP-2021-120

Date: October 15, 2021

Originator: Jenn Montreuil, Deputy City Clerk

Business Unit:

Department:

Community Services

Clerks Department

Subject: Supplemental Report - Election Sign By-Law

Closed Session: yes ☐ no ☒

---

### Recommendation

1. That Council adopt the proposed Election Sign By-Law as presented in Report to Council CORP 2021-120 dated October 15, 2021 prepared by Jenn Montreuil; and
2. That the By-Law be brought forward for three (3) readings at the November 30, 2021 Regular Meeting of Council.

---

### Background

Further to Report No. CORP-2021-38, and further to the presentation to General Government Committee on September 21, 2021, the following changes are being proposed to the draft Election Sign By-Law as directed:

### Signs on Public Property

Unless as specified below, no signs shall be placed on public property.

#### Municipal Parks

<b>Sizing Regulations</b>	None *
<b>Placement Area</b>	Permissible sections as identified in Schedules "A" and "B" of the proposed By-Law *
<b>Allowable Quantity</b>	Two (2) signs maximum per certified candidate or registered third party

\*Signs cannot be located within the sight triangle, and not impede the necessary sightlines of motorists, snow-removal operations or access to a private drive.

## Municipal Road Allowances

<b>Sizing Regulations</b>	None
<b>Placement Area</b>	Signs cannot be located within the sight triangle, and not impede the necessary sightlines of motorists, snow-removal operations or access to a private drive.
<b>Allowable Quantity</b>	Two (2) signs maximum per certified candidate or registered third party per block of a municipal road allowance.

## Provincial Road Allowances

<b>Sizing Regulations</b>	In accordance with MTO General Guidelines Directive for Elections Signs or any successor regulatory directive.
<b>Placement Area</b>	In accordance with MTO General Guidelines Directive for Elections Signs or any successor regulatory directive.
<b>Allowable Quantity</b>	Two (2) signs maximum per certified candidate or registered third party

## Signs on Private Property

### Private Properties

<b>Sizing Regulations</b>	None
<b>Placement Area</b>	Signs cannot be located within the sight triangle, and not impede the necessary sightlines of motorists, snow-removal operations or access to a private drive.
<b>Allowable Quantity</b>	None

## Campaign Office Signage

<b>Sizing Regulations</b>	None
<b>Placement Area</b>	<ol style="list-style-type: none"> <li>1. Only with consent of owner or occupant of property; and</li> <li>2. As long as the sign is not: <ul style="list-style-type: none"> <li>• illuminated, has flashing lights or rotating parts;</li> <li>• within 2.0 metres of a Travelled roadway or within a sight triangle;</li> <li>• obstructing, impeding or interfering with any fire escape, fire exit door, window, skylight, flue, air intake or exhaust, or any means of access by a firefighter to any part of a building or fire hydrant;</li> <li>• impeding, hindering or preventing parking of vehicles on private lands;</li> <li>• impeding or obstructing the passage of pedestrians where they are reasonably expected to walk;</li> <li>• interfering with the safe operation of vehicular traffic or the safety of pedestrians, including the visibility of warning devices and traffic signals; or</li> <li>• impeding or obstructing City maintenance operations.</li> </ul> </li> </ol>

<b>Display Criteria</b>	As long as the sign only displays the following message: <ul style="list-style-type: none"> <li>• name of a certified candidate in a municipal election/by-election;</li> <li>• name of a certified candidate and/or logo of political party in a federal or provincial election/by-election;</li> <li>• name of a registered third party in a municipal election/by-election; and</li> <li>• the location of a certified candidate or registered third party's campaign office.</li> </ul>
<b>Allowable Quantity</b>	None

## Vehicle Signage

<b>Sizing Regulations</b>	None
<b>Placement Area</b>	Not allowed to be: <ul style="list-style-type: none"> <li>• on Public Property (including municipal property) other than a street;</li> <li>• in cemeteries;</li> <li>• within 50 metres of a Voting Place or place where the administration of election processes are conducted during the voting period (i.e. advance voting) or Voting Day.</li> </ul>
<b>Allowable Quantity</b>	None
<b>Enforcement</b>	By-Law Enforcement Officer has the authority to have a vehicle towed off public property.

## Election Billboard Signage

Save and except the restrictions outlined above, there are no specific provisions related to Election Billboard Signage.

Election Billboard Signage is considered an election sign for the purposes of the proposed Election Sign By-Law and the existing City's Sign By-Law.

However, MTO Sign Regulations including authorization, permits and fees shall prevail in cases of the rural zones being located along the MTO's controlled corridors.

## **Enforcement**

Staff continue to propose that:

1. unlawful Election signs may be removed without notice or compensation by a By-Law Enforcement Officer during advance voting periods and on voting day;
2. any Election sign that has been removed by the City and stored for more than thirty (30) days may be destroyed or otherwise disposed of by the City without notice and without compensation; and

3. set fines for the proposed by-law are not necessary at this time. Any violations of the by-law would be enforceable by way of Part III of the *Provincial Offences Act*, R.S.O. 1990, c.P.33.

### **Force and Effect**

Once presented to Council for three (3) readings, the By-Law would take effect immediately upon passage.

---

### **Financial/Legal Implications**

The cost of creating a by-law, conducting the review, and implementation any future enforcement efforts are contained within the existing operating budgets for the Clerk's Department, Planning Department and Legal Department (By-Law Division).

---

### **Corporate Strategic Plan**

- |   |  |
|---|--|
| <input type="checkbox"/> Natural North and Near                           | <input type="checkbox"/> Economic Prosperity     |
| <input type="checkbox"/> Affordable Balanced Growth                       | <input type="checkbox"/> Spirited Safe Community |
| <input checked="" type="checkbox"/> Responsible and Responsive Government |  |

### **Specific Objectives**

Ensure continuous improvement of governance and administration

---

### **Options Analysis**

Option 1:

1. That Council adopt the proposed Election Sign By-Law as presented in Report to Council CORP 2021-120 dated October 15, 2021 prepared by Jenn Montreuil; and
2. That the By-Law be brought forward for three (3) readings at the November 30, 2021 Regular Meeting of Council.

Option 2:

That Council not adopt the proposed Election Sign By-Law as presented in Report to Council CORP 2021-120 dated October 15, 2021 prepared by Jenn Montreuil.

---

### **Recommended Option**

1. That Council adopt the proposed Election Sign By-Law as presented in Report to Council CORP 2021-120 dated October 15, 2021 prepared by Jenn Montreuil; and

2. That the By-Law be brought forward for three (3) readings at the November 30, 2021 Regular Meeting of Council.

---

Respectfully submitted,

Name: Jenn Montreuil

Title: Deputy City Clerk

**I concur with this report and recommendation**

Name: Karen McIsaac, Dipl. M.A.

Title: City Clerk

Name: Beverley Hillier, MCIP, RPP

Title: Manager, Planning & Building Services

Name: Ron Melnyk

Title: By-Law Enforcement Coordinator

Name: Christina A. (Tina) Robertson

Title: Assistant City Solicitor/City Prosecutor

Name: David Euler, P.Eng., PMP

Title: Chief Administrative Officer

Personnel designated for continuance:

Jenn Montreuil

Deputy City Clerk

Karen McIsaac, Dipl. M.A.

City Clerk