

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 5-2018

A By-law to regulate election and registered third party advertiser signs in the Town of Ajax

WHEREAS pursuant to the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the Council of a local municipality may pass a By-law to regulate or prohibit signs and other advertising devices;

NOW THEREFORE the Council of the Corporation of the Town of Ajax enacts as follows:

1. Short Title

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

2. Definitions

2.1 In this By-law:

- (a) "campaign headquarters" means a building or part thereof where a registered candidate or third party advertiser has set up an office to conduct an election campaign, in a zone permitted in accordance with the Town's Zoning By-law, as amended.
- (b) "daylighting triangle" means an area of private land on a corner lot, which area is to be determined by measuring from the point of intersection of the street lines, 7.5 metres along each such street line and joining such points with a straight line. The triangular shaped land between the intersecting street lines and the straight line joining the points at the required distance along the street line is the daylighting triangle.
- (c) "election or registered third party advertiser sign" means a sign for an election or by-election or a registered third party advertiser that promotes, supports or opposes a candidate, political party, or a "yes" or "no" answer to a question on a ballot.
- (d) "erect" means display, attach, affix, post, alter, construct, place, locate, install or relocate.
- (e) "expense" means the cost of carrying out the work to be done by the notice pursuant to Section 4.2 and an administrative charge as outlined in the Town of Ajax Fee By-law.
- (f) "Officer" means a Municipal Law Enforcement Officer appointed by the Council of the Town to enforce municipal by-laws.
- (g) "park / parking" means as defined in the Highway Traffic Act, R.S.O. c.H.8 as amended or any successor thereto.
- (h) "polling station" means any building or part thereof where voting takes place during a provincial or federal election.
- (i) "person" includes an individual, a firm, corporation, association or partnership.
- (j) "registered third party advertiser" means an individual, corporation or trade union that is registered in accordance with the requirements for registration in a municipal, provincial, or federal election.
- (k) "sign height" means the height of a sign measured by the vertical distance from the ground on which it stands to the highest extremity of the sign.
- (l) "Town" means The Corporation of the Town of Ajax.

- (m) “voter assistance centre” means any building or part thereof where the Town is providing assistance or support to electors in order to cast a ballot.
- (n) “zone” means the area of a defined land use zone in the Town’s Zoning By-laws passed under the Planning Act, R.S.O. 1990 c. P. 13, as amended or any successor thereto.

3. Administration

- 3.1 This By-law shall be read and interpreted in conjunction with the Town’s Zoning By-law, as amended.
- 3.2 All dimensions are in metres (m) or square metres (m²) unless otherwise indicated and all submissions shall be dimensioned as such.
- 3.3 The owner of the lands or premises upon which any election or registered third party advertiser sign is located shall maintain such election or registered third party advertiser sign in a proper state of repair so that such sign does not become an unsafe sign or unsightly.
- 3.4 Where a conflict exists between the provisions of this by-law and any other by-law regulating signage within the Town of Ajax, the provisions of this by-law shall prevail.

4. General Provisions

- 4.1 No person shall erect or display or permit or cause the erection or display of an election or registered third party advertiser sign that is not in accordance with the provisions of this by-law.
- 4.2 Except where otherwise permitted in this by-law, or authorized by the authority having jurisdiction, no person shall erect an election or registered third party advertiser sign or permit or cause an election or registered third party advertiser sign to be erected which overhangs or encroaches onto Town property, including a road allowance.
- 4.3 No person shall fail to remove, alter or repair an election or registered third party advertiser sign which is not in compliance with the provisions of this by-law when so directed by an Officer.
- 4.4 Every person using rebar or any type of reinforcing steel or metal, shall ensure that:
 - a) all ends, not including the end inserted into the ground, has safety caps securely covering the ends of the steel or metal; and
 - b) it is not inserted into the ground, on any Town road allowance, deeper than 40cm.

5. Maximum Size & Land Use Type Zone

- 5.1 Except as otherwise restricted in this By-law, all election or registered third party advertiser signs are permitted in all zones
- 5.2 No person shall erect or display or permit or cause the erection or display of an election or registered third party advertiser sign that does not comply with Table 5.2.

Table 5.2

Sign Location	Max. Sign Height	Max. Sign Width	Max. Sign Area
Election or Registered Third Party Advertiser Sign <i>Residential Zone</i>	1.0m	1.0m	1.0m ²
Election or Registered Third Party Advertiser Sign <i>Town Roads as detailed in 6.6</i>	1.2m (1)	1.0m	1.2 m
Election or Registered Third Party Advertiser Sign <i>All other Zones</i>	1.25m	1.2m	1.5 m ² ,

(1) the maximum permitted height within 15 m of an intersection or driveway, is 0.8 m from top of curb

5.3 An election or registered third party advertiser sign located at a campaign office, promoting the candidate or registered third party advertiser campaign shall not exceed a maximum sign area of 2.0 m² located in any industrial or commercial zone provided that the election or registered third party advertiser sign is not located within any daylighting triangle.

6.0 Sign Placement & Standards

6.1 Election or registered third party advertiser signs erected on a highway under the jurisdiction of The Regional Municipality of Durham shall comply with the applicable by-law of The Regional Municipality of Durham.

6.2 Candidates and registered third party advertisers shall be ultimately responsible for ensuring that all requirements of this by-law have been met with regards to any election signs erected on their behalf.

6.3 All election signs shall indicate the candidate's name on the election sign.

6.4 Registered third party advertiser signs erected by a registered third party advertiser shall indicate the name of the registered third party advertiser, the municipal, provincial, or federal body where the third party advertiser is registered, and a telephone number, mailing address, or e-mail address at which the third party advertiser may be contacted.

6.5 An election or registered third party advertiser sign shall not be affixed to a traffic light standard, stop sign, any other regulatory traffic sign, or any other traffic control devices.

6.6 Election or registered third party advertiser signs shall be permitted on Harwood Avenue North and South, Rossland Road East and West, Church Street North and South, Salem Road North (north of Taunton Road), and Pickering Beach Road between Bayly Street East and Dreyer Drive, provided that such signs shall not be located closer than 1 m from a curb or 3 m from the travelled portion of the road where there is no curb.

6.7 An election or registered third party advertiser sign shall not be permitted on centre medians or traffic islands including roundabouts, or on or over any sidewalk or any public pedestrian pathway.

6.8 An election or registered third party advertiser sign shall not be permitted on any highway abutting, in front of, or within 25m of any property line of an active voter assistance centre or polling station.

6.9 (a) An election sign shall not be permitted within 25m of another election sign for the same candidate on any Town highway.

(b) A registered third party advertiser sign shall not be permitted within 25m of a sign for the same registered third party advertiser on any Town highway.

6.10 No candidate or any other person shall erect or display an election or registered third party advertiser sign or permit or cause an election or registered third party advertiser sign to be erected or displayed prior to the issuance of writs for a federal or provincial election or by-election, or before the first Tuesday after Labour Day in the election year for municipal elections.

(a) Section 6.10 shall not apply to a municipal by-election which shall permit the placement of election or registered third party advertiser signs 6 weeks immediately preceding the day of a municipal by-election.

6.11 No person shall enter on to any property owned by or managed by, or under the legal control of the Town or at any active voter assistance centre or polling station, with any vehicle that promotes or advertises a candidate or a registered third party advertiser by either signs on the vehicle, vehicle wraps, or any other type of display advertising.

6.12 No person shall park any vehicle on any highway abutting, in front of, or within 25m of any property line of an active voter assistance centre or polling station that promotes or advertises a candidate or a registered third party advertiser by either signs, vehicle wraps, or any other type of display advertising.

6.13 All candidates or registered third party advertisers shall remove all election or registered third party advertiser signs within 48 hours after the date of the election.

7. Offences and Penalties

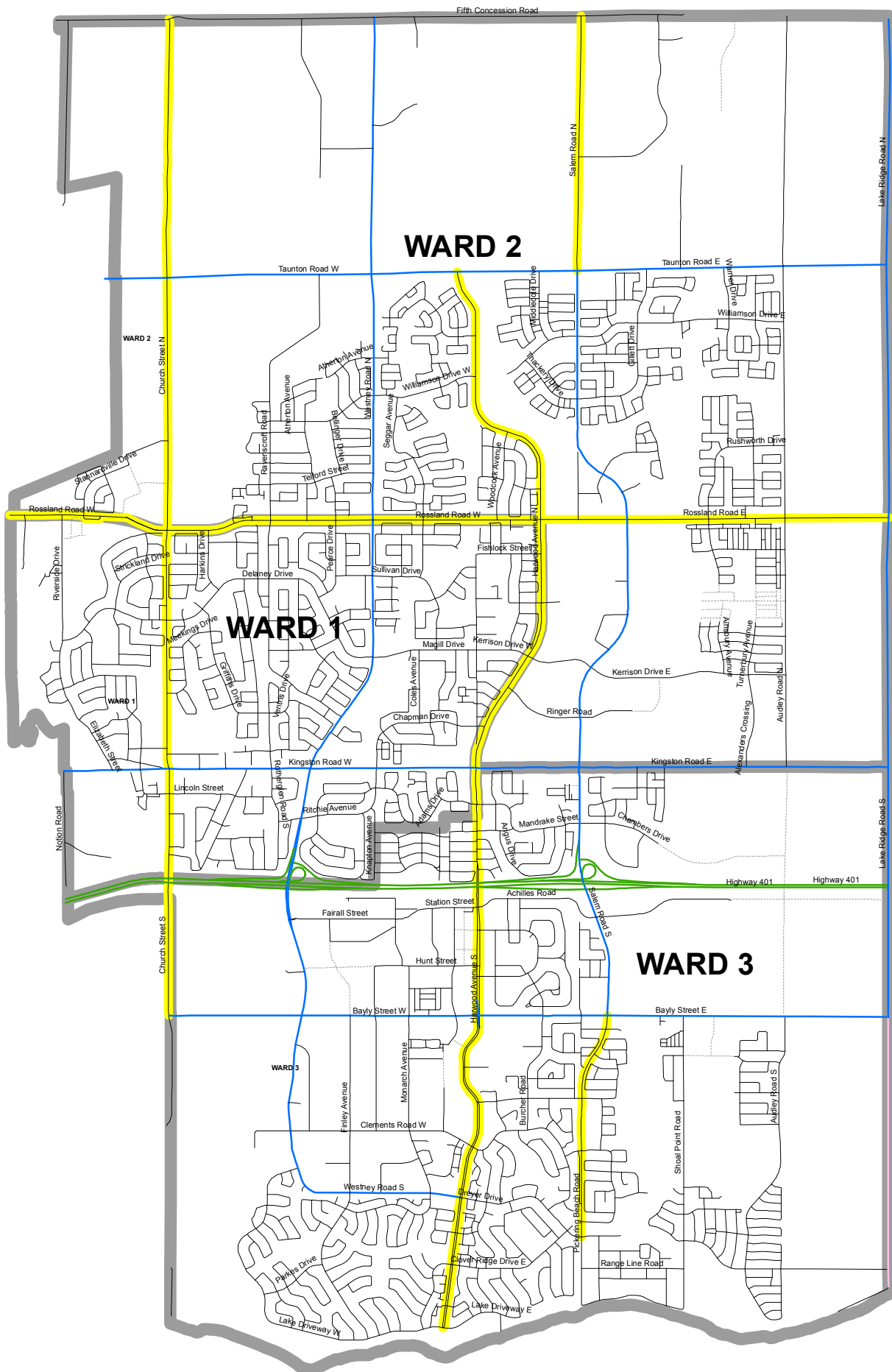
- 7.1 When an election or registered third party advertiser sign is erected on or overhanging property owned by or under the jurisdiction of the Town, in contravention of this By-law, the election or registered third party advertiser sign may be removed by an Officer without notice.
- 7.2 When an election or registered third party advertiser sign is erected on private property in contravention of this By-law, an Officer may forward a notice, by personal service, telephone or regular post, to the registered owner of the property, or to the lessee or owner of the sign, or their agents, or to the person or agent having the use or the major benefit of the sign, requiring that the sign be removed within the time specified in the notice and thereafter not replaced with any sign in contravention of this By-law or to alter the sign to comply with the By-law.
- 7.3 If a notice is not complied with, an Officer may require Town employees, or an independent contractor, to enter land and remove an election or registered third party advertiser sign at the expense of the owner thereof, the person who permitted or caused the election or registered third party advertiser sign to be erected or by the owner of the land on which it is situated and the Town, or their agents shall not be liable to compensate such owner or other person having an interest in the election or registered third party advertiser sign for reason of anything done by or on behalf of the Town under the provisions of this By-law.
- 7.4 The Town may recover any expense incurred pursuant to Sections 7.1 or 7.3 by adding the cost to the tax roll and collecting it in the same manner as taxes.
- 7.5 A person wishing to recover an election or registered third party advertiser sign removed pursuant to Sections 7.1 or 7.3 shall pay a fee of \$5.00 per sign.
- 7.6 All unclaimed election or registered third party advertiser signs that have been removed by the Town shall become property of the Town if they are not claimed within 30 days of its removal.
- 7.7 Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine or penalty for each offence, exclusive of costs as prescribed by the Provincial Offences Act.
- 7.8 Should any provision of this by-law be declared by a court of competent jurisdiction to be void or ultra vires for any reason, the remaining provisions shall, nevertheless, remain valid and binding and the by-law shall be read as if the provisions had been struck out.

READ a first and second time this
Twenty-ninth day of January, 2018.

READ a third time and passed this
Twenty-ninth day of January, 2018.

Mayor

D-Clerk



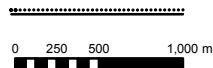
**ROAD OWNERSHIP -
NEW ELECTION SIGN
BY-LAW**

Legend

- Town of Ajax
- Private
- Proposed Roads
- Provincial
- Region of Durham
- Town of Whitty

Town of Ajax sign-by-law permits election signs on these roads at least 25 meters apart

***Example of 25 meter distance between dots below**



Sources: Single Line Road Network © Regional Municipality of Durham; Other Sources: Town of Ajax.
This map has been produced from a variety of sources. The Town of Ajax does not make any representations concerning the accuracy, likely results, or reliability of the use of the materials. The Town hereby disclaims all representations and warranties.





Election Sign Reminders for Election Signs Along Roadways

Election & Registered 3rd Party Advertiser Signs Abutting Town Roads

1. Signs are not to be placed on Town property or within 25 meters of a voters assistance centre or polling station.
2. Signs are permitted to be placed on the boulevards on Harwood Ave, North and South, Rossland Road East and West, Church Street North and South, Salem Road North (north of Taunton Rd) and Pickering Beach Road (between Bayly St. and Dreyer Dr.) Election signs are not permitted on any other Town roadway.
3. Signs are not permitted to be greater than 1.2 m tall or 1m wide – the maximum area of the sign cannot be greater than 1.2m²
4. Signs for the same candidate or the same registered 3rd party advertiser are required to be spaced at least 25m apart.
5. Signs located within 15m of an intersection or driveway cannot be taller than 0.8m.

Election & Registered 3rd Party Advertiser Signs Abutting Regional Roads

1. Election signs are not permitted to be greater than 1.2 m above the surface of the curb or greater than 0.8 m wide.
2. Signs within 20 metres of an intersecting road or of a driveway are not permitted to be greater than 0.6 m in height.
3. Signs for the same candidate or the same registered 3rd party advertiser are required to be spaced at least 500m.

All Election & Registered 3rd Party Advertiser Signs Abutting Either a Regional or Town Road

1. Signs are not permitted;
 - on any median or traffic island.
 - to be closer than 1m to the curb
 - to be erected for a Municipal Election until after the first Tuesday after Labour Day or until 6 weeks preceding the day of a by-election
 - to be erected for a Federal or Provincial election until the day the writ of the election is issued
2. Signs must be removed within 48hours of the closing of the polls.
3. If a sign is erected in contravention of the relevant By-law, an Officer may remove it without notice.