

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 41-2025

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) "digital display" means an electronic device that displays multimedia content and includes, but is not limited to, characters and numbers, graphics, slide show, animation;
- d) "division fence" means a fence marking the boundary between adjoining parcels of land or a road allowance;
- e) "election 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;
- f) "Election Sign Permit" means a permit issued by the Town under this By-law,
- g) "election sign deposit fee" means the amount of money held by the Town for the duration of the Election period in the amount stipulated within the Town's Fees and Charges By-law;
- h) "erect" means display, attach, affix, post, alter, construct, place, locate, install or relocate;
- i) "expense" means the cost of carrying out the work to be done by the notice pursuant to Section 7.2 and an administrative charge as outlined in the Town of Ajax Fee By-law;
- j) "fascia sign" means a sign parallel to the building wall to which it is attached;
- k) "highway" means 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;
- l) "illumination" means artificial light directly or from a source of light connected with an election sign, or light focused upon or chiefly directed at the surface of the election sign or is lit by lights or comprised of a material that glows or lights up,

including but not limited to a neon sign;

- m) "Officer" means a Municipal Law Enforcement Officer appointed by the Council of the Town to enforce municipal by-laws;
- n) "park / parking" means as defined in the Highway Traffic Act, R.S.O. c.H.8 as amended or any successor thereto;
- o) "polling station" means any building or part thereof where voting takes place during a provincial or federal election;
- p) "person" includes an individual, a firm, corporation, association or partnership;
- q) "pylon sign" means a sign attached or directly supported by one or more uprights, poles or braces, or located in a structural base, located in or on the ground;
- r) "Region" means The Regional Municipality of Durham;
- s) "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;
- t) "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;
- u) "Town" means The Corporation of the Town of Ajax;
- v) "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;
- w) "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 sign is located shall maintain such election 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, display, overhang or encroach or permit or cause the erection, displaying, overhanging or encroaching of any election sign on any highway under the jurisdiction of the Town or Region or on any property owned by, or under the control of, or managed by the Town or Region, by lease, agreement or otherwise.
- 4.2 No person shall erect or display or permit or cause the erection or display of an election sign that is not in accordance with the provisions of this by-law.
- 4.3 No person shall erect, display, affix, or fasten or permit or cause the erection, displaying, affixing or fastening of an election sign on any division fence if the election sign is visible from any highway that is under the jurisdiction of the Town or Region.
- 4.4 No person shall fail to remove, alter, or repair an election sign which is not in compliance with the provisions of this by-law when so directed by an Officer.

- 4.5 Every person using rebar or any type of reinforcing steel or metal, shall ensure that all ends, not including the end inserted into the ground, has safety caps securely covering the ends of the steel or metal.
- 4.6 No person shall use any digital display units, animated lights, or any form of animation or illumination affixed to any vehicle as an election sign.
- 4.7 No person shall erect or display or permit or cause the erection or display of an election sign with a digital display unit, animated lights, or any form of animation or illumination.
- 4.8 No person shall use any amplified sound device, either live or pre-recorded, for the purpose of promoting a candidate or third party advertiser.

5. Maximum Size & Land Use Type Zone

- 5.1 Except as otherwise restricted in this By-law, all election 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 sign on any property in the Town, that exceeds a maximum height of 1.2 m from the ground, has a width greater than 1.2m or has a maximum area greater than 1.44m².
- 5.3 Notwithstanding section 5.2, an election 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 that is located in any industrial or commercial zone, provided that the election sign is not located within any daylighting triangle.
- 5.4 Every person using any permanent pylon or fascia sign on the property of a campaign office shall only provide information about the use of the property and may not promote, support or oppose a candidate, political party, or a "yes" or "no" answer to a question on a ballot.

6. Sign Placement & Standards

- 6.1 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.
- 6.2 All election signs shall indicate the candidate's name on the election sign.
- 6.3 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.
- 6.4 No candidate or any other person shall erect or display an election sign or permit or cause an election sign to be erected or displayed prior to the issuance of writs for a federal or provincial election or by-election, or 25 days immediately preceding any municipal election.
- 6.5 No person shall enter on to any property owned by or managed by, or under the legal control of the Town or Region 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.
- 6.6 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.
- 6.7 All candidates or registered third party advertisers shall remove all election signs within 48 hours after the date of the election.

7. Election Sign Permit & Deposit Program

- 7.1 No person shall place, or permit to be placed, an election sign within the Town without first obtaining an Election Sign Permit and paying the election sign deposit fee.

- 7.2 Election Sign Permit applications shall be:
- a) Completed by the candidate or the registered third party advertiser in a form provided by the Town; and
 - b) Accompanied by the election sign deposit fee.
- 7.3 Any election sign displayed in violation of this By-law, within a Town or a Regional road allowance that is removed by the Town will result in a deduction from the election sign deposit fee, in the amount as outlined in the Town's current Fees and Charges By-law, and the sign will be disposed of forthwith by Town Staff, without an option for the candidate to claim the sign.
- 7.4 A candidate or registered third party advertiser will be refunded their election sign deposit fee within sixty days after voting day, minus any deductions that have occurred during the election period for the removal of any election sign by Town staff.

8. Offences and Penalties

- 8.1 Notwithstanding any provision in this By-law, nothing shall prohibit the decision of an Officer from the laying of any charge for any violation of this By-law.
- 8.2 When an election sign is erected on or overhanging property owned by or under the jurisdiction of the Town or Region, in contravention of this By-law, the election sign may be removed by an Officer without notice, become the property of Town, and be disposed of forthwith.
- 8.3 When an election sign is erected on private property in contravention of this By-law, an Officer may forward a notice, by personal service, telephone, the email address for the candidate as registered with the Clerk of the Town, 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.
- 8.4 If a notice is not complied with, an Officer may require Town employees, or an independent contractor, to enter land and remove an election sign at the expense of the owner thereof, the person who permitted or caused the election 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 sign for reason of anything done by or on behalf of the Town under the provisions of this By-law.
- 8.5 The Town may recover any expense incurred pursuant to Section 8.4 by adding the expense to the tax roll and collecting it in the same manner as taxes.
- 8.6 All election signs that have been removed by the Town pursuant to section 8.4 shall become property of the Town and be disposed of forthwith.
- 8.7 Any person who contravenes the provisions of this By-law, including every person who fails to perform a duty imposed herein or who performs an act prohibited herein and every director or officer of the corporation is liable to an administrative monetary penalty and fees, pursuant to the Town's Administrative Monetary Penalty System By-law, for offences that are designated, or is guilty of an offence, for any contravention, and upon conviction is liable to a fine or penalty for each offence, exclusive of costs as prescribed by the Provincial Offences Act, R.S.O. 1990, c. P.33. No person that receives an administrative penalty shall be charged with an offence under the Provincial Offences Act, R.S.O. 1990 for the same contravention and date of contravention.
- 8.8 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.

9. Effective Date and Repeal

- 9.1 This by-law shall come into force and effect when the Town has completed all legislated requirements as identified in the Municipal Act, 2001, S.O. 2001, c. 25, and all regulations associated with an Administrative Monetary Penalty System and the Town's Deputy Chief Administrative Officer has designated a commencement date.
- 9.2 Upon the effective date of this By-law, By-law #06-2025 and any amending by-laws thereto, are hereby repealed, subject to section 9.3.
- 9.3 By-law #06-2025 and any amending by-laws thereto shall apply and will continue to apply to any enforcement proceedings which had been initiated prior to this By-law coming into force and then only until such enforcement proceedings have been concluded.

READ a first and second time this Twentieth day of May, 2025.

READ a third time and passed this Twentieth day of May, 2025.



Shaun Collier (May 22, 2025 08:02 EDT)

Mayor and CEO



Clerk