
HALDIMAND COUNTY

Report CS-CL-05-2018 Update to Sign By-law re: Election Signage For Consideration by Council in Committee on June 5, 2018



OBJECTIVE:

To amend the County's Sign By-law due to revised legislation affecting Elections Signs.

RECOMMENDATIONS:

1. THAT Report CS-CL-05-2018 Update to Sign By-law re: Election Signage be received;
2. AND THAT an amending by-law to effect a change to the definition of "Election Signs", in Sign By-law 1064/10, to include third party advertisers as defined under the *Municipal Elections Act, 1996*, be presented for enactment.

Prepared by: Evelyn Eichenbaum, Clerk

Respectfully submitted: Karen General, CPA, CGA, General Manager of Corporate Services

Approved: Donald G. Boyle, Chief Administrative Officer

EXECUTIVE SUMMARY:

Recent amendments to the *Municipal Elections Act, 1996*, (Act), have established regulations regarding "third party advertising" for municipal elections in Ontario. An amendment to the County's Sign By-law will ensure that the same regulations apply for registered third party advertisers as apply to election candidates regarding the placement of signs during a municipal election campaign.

BACKGROUND:

The County's Sign By-law 1064/10 regulates the placement of signs throughout Haldimand County. Election signage is one type of signage regulated through the by-law, specifically the timing and location permitted for the erection of election signs – whether it be for federal, provincial, or municipal elections. It also regulates permitted sizes and attributes for election signs and allows these signs to be erected without a permit.

Bill 181, which received royal assent on June 9, 2016, made significant changes to the *Municipal Elections Act, 1996*, including the establishment of third party advertisers. A registered third party under the Act means an individual, corporation or trade union that is registered with the clerk of the municipality as prescribed by the Act. Third party advertisement means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing a candidate (or a "yes" or "no" question on a ballot). These changes came into effect on April 1, 2018.

ANALYSIS:

The attributes, allowable timeframes, and location of election signs is regulated through Sign By-law 1064/10. With the recent introduction of registered third-party advertisers through the Act, an amendment to the Sign By-law is presented in order to ensure that all signage related to an election campaign – whether it's utilized by a candidate or a registered third party – falls within the same guidelines.

The Sign By-law currently defines an election sign as:

“a temporary sign advertising any political party or candidate participating in the election for public office”.

The following wording is recommended to be inserted into the definition, between the words “candidate” and “participating”:

“or registered third party advertiser, as defined under the *Municipal Elections Act, 1996*,”.

With the expanded definition becoming part of the by-law, all other aspects of erecting election signs during a municipal election will apply to third-party advertisers.

Although not regulated through the amended By-law, it should be noted that the Act also stipulates that certain mandatory information is included on any third party advertisement:

1. The name of the registered third party.
2. The municipality where the registered third party is registered.
3. A telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement.

All registered candidates for the municipal election will be provided with the information outlined in this Report.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

The Manager of Building Controls and By-law Enforcement, has reviewed this amendment as the Sign By-law is enforced by the County's By-law Enforcement Officers.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

None.