

THE CORPORATION OF THE CITY OF CORNWALL

By-law # 154-2008

A By-law to regulate Election signs in the City of Cornwall

WHEREAS the Municipal Act, 2001 provides that a Council of a municipality may pass a By-law for the prohibition or regulation of the erection of signs and other advertising devices; and

WHEREAS the Council of the City of Cornwall deems it advisable to have a by-law regulating the location and posting of all election signs for Federal, Provincial and Municipal elections; and

WHEREAS the Council has determined that, for the purpose of aesthetics and public safety, it wishes to regulate the placement of election signs on, over, in or under any public highway, sidewalk, bridge or other municipal property under its jurisdiction.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF CORNWALL ENACTS AS FOLLOWS:

1. For the purpose of the By-law:
 - a) “election sign” means any type of sign or other form of display that promotes directly or indirectly the candidacy of any person for election to public office;
 - b) “public office” means any position to which a person is elected by general election and without limiting its generality, includes a member of the Parliament of Canada, a member of the Legislative Assembly for the Province of Ontario, a member of a council of a municipality, and a member of a board of school trustees;
 - c) “road allowance” means the allowance for a public road and includes the travelled and untravelled portions of the road allowance, the road shoulders, ditches, boulevards and sidewalks.
 - d) “streets” means the entire right-of-way of a common and public highway which includes but is not limited to alleys, avenues, bridges,

boulevards, circles, courts, crescents, drives, driveways, lanes, parkways, paths, places, roads, squares, streets, terraces, trestles and viaducts;

2. No person shall locate, erect, post, place or otherwise display an election sign within the limits of any road allowance within the limits of the City of Cornwall.

3. Election signs associated with federal or provincial elections shall not be erected or installed earlier than the official date of notice of the date of voting for any federal or provincial election with the exception of signage at a campaign headquarters.

4. Election signs associated with a municipal election shall not be erected or installed prior to ~~October 1st~~ September 17th (*amended by Bylaw 2010-008*) in an election year with the exception of signage at campaign headquarters.

5. Notwithstanding Section 5, election signs associated with a municipal election shall not be erected until the candidate has been nominated, in accordance to the Municipal Elections Act.

6. **STREET BY-LAW** (excerpt)

a) In accordance to the Streets Bylaw 056-2003 the following shall apply to this Bylaw:

“No person shall erect or place, cause to be erected or placed, or maintained, including but not limited to, any building, fence, hedge, movable trap or door, private walk with step, porch, sign, ramp, shrub, step or other entrance to a structure, or other obstruction on, over, projecting into, or under any street, park, or other public property.” Fire hydrants, utility poles, bell telephone pedestals and sidewalks are all on City property and therefore all signs must be back of these structures.

General Guideline to most City Residential streets, indicates that the property line is approximately 20 feet back from the edge of the road.

b) No election sign shall be placed on a public sidewalk or in such other location on, over or near a sidewalk so as to interfere with or obstruct normal pedestrian traffic.

c) No election sign shall be affixed to any traffic control sign, guardrail or other form of traffic safety structure or facility, utility pole or

equipment, or any other similar type of sign, structure, facility or equipment located within the limits of a road allowance.

d) No election sign shall be posted on any tree located within a road allowance

e) No election sign shall be located, erected, posted, placed or otherwise displayed on any other municipal property, including but not limited to parkland, and other lands, buildings and facilities owned by the City of Cornwall.

7. SIGHT TRIANGLE - ROAD ALLOWANCE

No election sign shall be located within 15 metres (48.75 feet) of an intersection of streets as illustrated on the diagram attached as Schedule "B" to this By-law and forming a part thereof. Notwithstanding the preceding, the Transportation Engineer may determine whether further corner sight line clearance is required.

8. POLLING STATION RESTRICTIONS

No election sign may be located within 150 feet of any polling station, including the parking lot and road allowance in front of a polling station.

9. REMOVAL OF ELECTION SIGNS

All election signs shall be removed within five (5) days of the day on which the election is held.

10. Where election signs have been posted in contravention of this By-law or any other bylaw the City may:

a) Notify the owner, candidate or their agent to repair or remove the sign, or take the necessary action to make the sign comply with the provisions of this By-law ; or

b) Remove the sign.

11. PERMITS

No special permit shall be required for election signs as required under the Signs By-law 057-1982 as amended, yet shall comply with all section of this By-law.

12. Where there exists a conflict between any municipal Bylaw, the stricter Bylaw shall prevail

Read a first, second and third time, signed and sealed, in open Council, this 27th day of October, 2008.