

Election Sign Policy

Policy Statement

This policy is intended to address candidate advertising and election materials in the City of Pembroke. This policy is intended as a formalization of the municipal elections legislation, as well as clarification of specific municipal procedures.

Purpose

This policy is to provide candidates, third parties, staff and the public with guidance related to campaign election materials and advertisement in municipal elections.

Definitions:

In this policy the following terms shall have the meaning indicated:

- **Campaign Office** means a building or portion of a building which is used by a candidate or an agent of a candidate as part of an election campaign and where a candidate's campaign staff are normally present and the public may enter to obtain information about the candidate.
- **Candidate** means a person who has been officially nominated under the Canada Elections Act, the Election Act, or the Municipal Elections Act.
- **Election Sign** means any sign
 - to advertise or promote a candidate in a federal, provincial or municipal election, including an election of a local board or commission; or
 - intended to influence persons to vote for or against any candidate or any question or by-law submitted to the electors under section 8 of the *Municipal Elections Act, 1996*; or
 - a vehicle where a large or predominant portion of the vehicle is used for purposes of campaigning.
- **Highway** means a common and public walkway, lane, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles and pedestrians and includes the untraveled portion of a road allowance.
- **Public Property** means property owned by or under the control of the City of Pembroke, any of its agencies, boards or commissions, including highways, boulevards and road allowances, and shall be deemed to include public utilities facilities, regardless of whether the poles are owned by or under the control of the City and shall also be deemed to include, benches, municipal garbage containers or other structures, located on a highway regardless of whether the containers or

structures are owned by the City. Property owned by the City and leased to another person or entity shall not be deemed to be public property.

- **Public Utility Pole** means a pole owned or controlled by an entity which provides a municipal or public utility service, including but not limited to the City of Pembroke, Ottawa River Power Corporation, Bell Canada, Hydro One;
- **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.
- **Sight Triangle** means the triangular space formed by the street lines of a corner lot and line drawn from a point in one street line to a point in the other street line, each such point being 15 meters from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.
- **Voting Place** means the entire property and all the boundaries associated with it, when such voting place is located within a public premises and shall mean all of the common elements when the voting place is located on private premises. Individual units, and their doors, windows, balconies, etc. shall not be deemed to be common elements.

Interpretation Rules

This Policy may be cited as the “Election Sign Policy”.

Wherever this policy refers to a person or thing with reference to gender or the gender neutral, the intention is to read the policy with the gender applicable to the circumstances.

References to items in the plural include the singular, as applicable.

Election Signs - General Provisions

Despite any other by-law of the municipality to the contrary, no fee shall be charged by the City and no permit shall be required in order to post an election sign in accordance with this policy.

The use of any otherwise approved sign structure is governed by the City of Pembroke’s Sign By-law.

Regulations for Campaign Signs

- a. No candidate or his agent or any other person shall affix, erect or otherwise display an election sign or permit an election sign to be affixed, erected or otherwise displayed:
 - i. at any location where the election sign:
 - is located on either side of a public highway, fronting or alongside any public park or on any Public property owned and/or operated by the City or any local board on which buildings/structures exist, including offices, facilities, fire stations, public library, etc.;
 - is located within a sight triangle, as defined in this policy. In addition to the sight triangle, any location that would, by reason of size, location, or illumination, obstruct the vision of drivers or pedestrians, or obstruct or detract from the visibility or effectiveness of any traffic sign or control device or any other sign authorized pursuant to the Sign By-law;
 - constitutes a danger or hazard;
 - impedes or hinders or prevents parking by vehicles on private or public lands, or on a public highway, or eliminates a public parking space required by law;
 - is attached to any object or structure that is located within the limits of a road allowance, including but not limited to, a public utility pole, light standard, a traffic control sign or signal, guardrail or other form of traffic safety structure or facility, bridge, trestle, hydrant, fence or tree;
 - makes use of words such as “STOP”, “LOOK”, “ONE WAY”, “DANGER”, “YIELD” or any similar words, phrases, symbols, lights or characters in such manner as to tend to interfere with, mislead, or confuse traffic;
 - is located in such a position that the sign would obstruct or block the visibility of another candidate’s sign;
 - includes electronic displays that incorporates in any manner any flashing or moving illumination which varies in intensity or which varies in colour and signs which have any visible moving parts or visible mechanical movement of any description;
 - obstructs or impedes any required fire escape, fire exit, door, window, etc., or so as to prevent or impede access of firefighters to any part of a building;
 - is located closer than three (3) metres to any fire hydrant.

- b. No person shall erect, cause or permit to be erected a campaign sign on a road allowance if the sign or any portion thereof is:
 - on or over the roadway or a sidewalk;
 - closer than 1 metre (3.28 feet) to the edge of the roadway;
 - within a sight triangle at the intersection of two roadways;
 - where a road allowance includes a sidewalk adjacent to a roadway, on the portion of the road allowance between the sidewalk and the roadway; and
 - where a road allowance includes a roadside ditch adjacent to a roadway, on the portion of the road allowance between the roadside ditch and the roadway.
- c. The candidate to whom the election sign relates shall be responsible for the erection, maintenance or display of the election sign and shall ensure that all the requirements of this Policy have been met.
- d. No person shall at any time erect, cause or permit to be erected a campaign sign or display a vehicle sign within 100 metres (325 feet) of a polling place or voting place.
- e. No person shall display the City of Pembroke logo, crest or slogan in whole or in part, on any election sign.
- f. No person shall place an election sign in such a position that such sign would contravene any other applicable legislation.
- g. No person shall deface or willfully cause damage to a lawfully erected election sign.

Election Signs on Private Property

- a. Election signs may be erected or displayed on private property if:
 - The signs are erected with the consent of the owner or tenant of the property
 - the signs do not interfere with the safe operation of vehicular traffic or with the safety of pedestrians;
 - the signs are no larger than 1.22 X 2.44 meters (4X8 feet) and the sign height is no higher than two metres above ground level, save and except signs on campaign offices, billboards and signs displayed indoors;
- b. No more than two (2) election signs per candidate are permitted on any one piece of land zoned residential.

- c. No more than three (3) election signs per candidate are permitted on any one piece of land zoned other than residential
- d. An election sign may be displayed on an illuminated billboard or mobile sign provided that each billboard structure or mobile sign has been installed under the authority of a permit issued under the applicable City of Pembroke By-law. Any such illumination shall be of a constant (non-flashing) light, and shall be maintained in only one visible colour of light.

Timing of the Erection of Signs

- a. No election sign shall be erected or displayed prior to the issuance of writs for a provincial or federal election, or until the close of nominations for a municipal election.
- b. Every candidate shall ensure that all campaign signs are removed no later than one week following the voting day of the election for which the sign was erected or installed.

Removal of Election Signs

- a. Where election signs have been posted in contravention of this policy or any other by-law, the City may:
 - Notify the owner, candidate or their official agent to repair or remove the sign, or take the necessary action to make the sign comply with the provisions of this policy;
- b. Remove the sign.
- c. If a sign is erected or displayed in violation of this by-law, the City may cause the sign to be removed immediately without notice if it poses an immediate safety hazard.
- d. Signs that have been removed pursuant to this policy shall be stored by the City for a maximum of fifteen (15 days), during which time the candidate or their official agent may retrieve the sign.
- e. The City may destroy any election sign which has been seized and is not claimed and retrieved by the sign owner within 15 days without compensation to the sign owner.
- f. Should any campaign materials be non-compliant with the Municipal Elections Act, or this policy, the same shall be removed forthwith and destroyed. Questions or concerns about campaign materials shall be forwarded to the candidate. Complaints regarding non-compliance should be forwarded to By-law Enforcement in writing. The municipality or its agents and employees shall not be responsible for the proactive enforcement of this policy.

Candidate Campaign Advertising

- a. In accordance with the Municipal Elections Act, 1996, as amended, an election campaign advertisement purchased by or under the direction of a candidate shall identify the candidate.
- b. The candidate shall ensure that all campaign material(s) are produced in accordance with the Municipal Elections Act, 1996, as amended
- c. Information contained on/in all campaign material is the responsibility of the Candidate, and any questions or concerns related to the same should be directed to the Candidate

Third Party Advertising

- a. In accordance with the Municipal Elections Act, registered “third parties’ may create campaign advertising in the municipal election
- b. Third parties shall be registered within the City of Pembroke in order to advertise, distribute or display material related to the municipal elections
- c. The Third party shall ensure that all materials are produced in accordance with the Municipal Elections Act, 1996, as amended
- d. Third parties shall provide the following in any campaign advertisement:
 - Name of the registered party, the municipality where the third party is registered and a contact number