



## Committee of the Whole Report

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<b>Report Number:</b>	<b>CLK2021-005</b>
<b>Meeting Date:</b>	April 6, 2021
<b>Title:</b>	<b>Election Sign By-law Update</b>
<b>Description:</b>	Repeal and Replace the Election Sign By-law 2018-077
<b>Author and Title:</b>	Cathie Ritchie, City Clerk Joel Watts, Deputy Clerk

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### Recommendation(s):

**That** Report CLK2021-005, **Election Sign By-law Update**, be received;

**That;** the necessary by-law substantially in the form as Appendix A be brought forward for adoption; and

**That** By-law 2018-077, being A By-Law to Repeal and Replace By-law 2013-113 to Regulate the Placement of Election Signs in the City of Kawartha Lakes, be repealed; and

**That** this recommendation be brought forward to Council for consideration at the April 20, 2021 Regular Council Meeting.

**Department Head:** \_\_\_\_\_

**Financial/Legal/HR/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

## **Background:**

The Election Sign by-law regulates the placement of election signs within the City of Kawartha Lakes for all federal, provincial, and municipal elections.

The Province reviews the Municipal Elections Act every four years to address the concerns raised in the previous election. Similarly, the Kawartha Lakes Clerk's Office is preparing appropriate amendments to the municipal regulations required to hold the 2022 Municipal and School Board Elections. The Election Sign By-law was an area of concern as issues were raised by candidates, and members of the public. The Municipal Elections Act, and the proposed amendments do not regulate the placement of election signs.

This report addresses the required amendments to the Election Sign By-law to address to concerns raised in the previous election.

## **Rationale:**

The 2018 Municipal Election generally saw compliance from candidate's and third party advertiser's election signs. When complaints were received, candidates made efforts to correct the non-compliant placement of election signs. The number of complaints made to Municipal Law Enforcement in 2018 regarding election signs was sixteen (16).

To address the concerns raised by the members of the public, and questions of clarity requested by candidates, the following amendments and clarifications are proposed:

1. **Precedence:** Wording is provided to ensure clarity that regulation from the Municipal Elections Act will supersede the Election Sign By-law.
2. **Re-Election Terminology:** Clarity was sought by candidates in the previous election about who may use the term "Re-Elect" or "Incumbent". Amendments are proposed to regulate the use of those terms on signs.
3. **Corporate Branding:** An addition was requested by staff to ensure that no part of City branding may be utilized on election signs.
4. **Placement Period:** Some resident complaints were heard that signs were allowed to be placed too early. Candidates, however, wanted to ensure that seasonal residents could see election signs before they leave after summer. To balance this conflict, a placement period of 60 days (August 25, 2022) is proposed for signs on Public Property, and a placement period of 90 days (July

26, 2022) is proposed for signs on Private Property. No election signs may be purchased or placed until a candidate or third party advertiser files nomination or registration papers.

5. **Separation Distance:** An amendment has been added for where signs are placed in parallel (or side by side 1m separation), versus in a series (or one in front of each other - 5m separation). No candidate may directly obstruct another candidate's lawfully placed sign.
6. **Shoulders and Curbs:** Clarifications are proposed for distances placed from shoulders and/or curbs.
7. **Bridges:** Restrictions are proposed to prohibit the placement of signs on bridges.
8. **Jurisdiction:** Public concerns were raised about the intra-jurisdictional placement of election signs where Council and School Board Trustee candidates placed election signs on public property outside of the ward or district they were running in. A proposed amendment will prohibit this act, with the exception of vehicle signs
9. **Quality of Signage:** To address complaints made about the quality of the workmanship of some election signs, clearer language is provided on the expected quality of signage, as signs may be displayed for as long as 90 days. Homemade and handmade signs will be restricted to private property only.
10. **Median Strips (eg: Victoria Avenue):** Public complaints were received about signage on the median strips (particularly on Victoria Avenue in Lindsay). Staff also find it difficult to maintain the grass amidst the election signs. Specific regulations are proposed about the placement of election signs on median strips.
11. **Parking and Placement of Vehicle Signs:** Clarity is given to address the perceived conflicts of candidates parking at City Hall, and other voting locations.
12. **Removal of Signs placed on Highways Fronting Private Property:** Some residents complained that candidates placed signs on public property, which appeared to be their own private property (such as on the maintained road allowance in front of a residence). Regulations are proposed to provide residents options for how to have the sign removed.

**13. Criminal Activity:** Clarity is given for how any person should report criminal activity relating to election signs (such as theft, vandalism, or hate crimes).

### **Other Alternatives Considered:**

A trend in other nearby jurisdictions (such as in Durham and York Regions) is to prohibit the placement of election signs anywhere on public property. This approach was not considered due to general lack of options for visible campaign advertising, and to address the unique campaign awareness needs of the large wards and districts within Kawartha Lakes.

A 'sign deposit' was also considered as a reasonable means to ensure that candidates and third party advertisers remove their election signs following the election. Any illegally placed election signs collected by Municipal Staff would be held at the nearest Public Works depot. Following the election, when candidates and third party advertisers submit their financial statements, any election signs not collected from the depots would be reduced at a set rate from the deposit supplied. Should Council endorse such an option, a further resolution could be adopted to state: "**That** staff be directed to include an additional regulation of a Sign Deposit system in the proposed replacement Election Sign By-law". These additional regulations would be brought forward at the Regular Council Meeting where the by-law is adopted.

If Council takes no action on this report, and does not adopt the recommended amendments, the existing Election Sign By-law 2018-077 remains in effect until repealed or amended.

### **Alignment to Strategic Priorities**

The Strategic Plan identifies "Good Government" as a key strategic priority. Section 2 of this priority states "Increase efficiency and effectiveness of service delivery... Streamline by-laws, policies and processes". Providing greater clarity and understanding to candidates and third party advertisers streamlines the perceived gaps in the existing Election Sign By-law.

### **Consultations:**

City Clerk's Office  
Manager of Municipal Law Enforcement  
Director of Public Works  
Director of Community Services

## **Attachments:**

Appendix A – Proposed Election Sign By-law



2021-XXX Bylaw  
Regulate the Placem

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