

# The Corporation of the City of Kawartha Lakes

## By-Law 2024-XXX

### A By-law to Amend By-law 2021-045, being A By-Law to Regulate the Placement of Election Signs in the City of Kawartha Lakes

#### Recitals

1. By-law 2021-045 was adopted by Council for the purposes of regulating the placement of Election Signs in the City of Kawartha Lakes
2. An amendment is required to facilitate administrative improvements to the by-law.
3. These changes require an amendment to the original by-law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2024-XXX.

#### Section 1.00: Definitions and Interpretation

##### 1.01 Definitions:

All defined terms in the amending By-law take their meaning from By-law 2021-045 of the City of Kawartha Lakes.

##### 1.02 Interpretation Rules:

- (a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

#### Section 2.00: Amendment Details

- 2.01 **Amendment:** The definition for “Election Sign” and “Median Strip” in Section 1.00 to By-law 2021-045 is deleted in its entirety and replaced with the following:

“**Election Sign**” shall mean any sign, image, words, picture, device, notice or visual medium, or any combination thereof, including without limitation, any poster, placard, bulletin, banner, flag, wearables (such as hats, shirts and buttons) or vehicle wrap, which identifies, depicts, promotes, advertises or provides information about;

- a) an individual who is a candidate; or
- b) a political party; or
- c) a question or by-law submitted to electors; or
- d) Promotes recognition of or influences persons to vote for or against any candidate or any question or by-law submitted to electors.

For the purpose of clarification, “Election Sign” includes “Vehicle Sign”, and “Ground Mounted Sign”, and does not include a “Billboard”.

**“Median Strip”** means the portion of a highway so constructed as to separate traffic travelling in one direction from traffic travelling in the opposite direction by a physical barrier or a raised or depressed paved or unpaved separation area that is not intended to allow crossing vehicular movement and includes a central island in a roundabout or cul-de-sac.

2.02 **Amendment:** The definition for “Billboard” in Section 1.00 to By-law 2021-045 is added to the list of definitions (in alphabetical order) as follows:

**“Billboard”** means a pre-existing and legally compliant outdoor sign maintained by a person or corporation engaged in the sale or rental of space on the sign to a client, upon which advertising of a candidate, business, activity, goods, products, services or facilities is not located or offered on the premises of the Billboard. This includes mobile billboards that are legally moved from location to location on agreed upon terms between the billboard owner and the candidate. For the purposes of clarity, should a candidate choose to advertise on a Billboard, this is not considered an election sign, but is considered a campaign advertising expense.

2.03 **Amendment:** Section 3.02 **“Highways”** to By-law 2021-045 is deleted in its entirety and replaced with the following:

**Highways:** A person may place or cause to be placed an election sign on a highway in accordance with the following regulations:

- a) **Placement Period:** Placement of election signs along highways or public property, are only permitted during the period 60 days prior to voting day.
- b) **Visibility:** The election sign shall not be placed so as to obstruct the visibility of pedestrians, vehicles, traffic control devices or other regulatory signage, as determined by the City, whose decision shall be final.
- c) **Maximum Sign Size:** The sign area of the election sign shall not exceed 1.5 square metres.
- d) **Maximum Sign Height:** The height of election signs shall not exceed 1.5 metres above the surrounding ground.
- e) **Separation Distance:** There shall be a 1 metre separation distance between all election signs when placed in parallel. Where election signs are placed in series, there shall be a minimum of 5 metres separation between signs. Signs shall not be placed directly in front of other lawfully placed signs where the majority of the sign face is obstructed.
- f) **Sidewalk:** No portion of the election sign shall be placed within 0.5 metres of the edge of a sidewalk;
- g) **Shoulder:** Election signs placed on a road without a curb shall be placed at least 1.0 metre outside of the edge of the paved or gravel road shoulder and shall not impede the visibility of pedestrians or traffic;

- h) **Curb:** No portion of the election sign shall be placed in a boulevard closer than 1.0 metre from the back of a curb and shall not impede the visibility of pedestrians or traffic;
- i) **Travelled Portion of Highway:** Where there is no sidewalk or shoulder or curb, no portion of the election sign shall be closer than 3.0 metres of the edge of the travelled portion of the highway;
- j) **Driveways:** No portion of the election sign shall be placed within 5.0 metres of the edge of a driveway;
- k) **Intersections:** No portion of the election sign shall be placed within 15.0 metres of an intersecting highway as measured from the curb of the intersecting highway, or if there is no curb, as measured from the edge of the travelled portion of the intersecting highway, with exception to median strips within the area of an intersection described above.
- l) **Highways fronting City Facilities:** No election sign shall be placed on either side of a public highway fronting or alongside any property owned and/or operated by the City or Local Board, including municipal offices, facilities, parks, libraries, fire stations, schools, and community halls, except on private property;
- m) **Attachment to Existing Roadside Infrastructure:** No election sign shall be affixed to a permanent official highway sign, signal or support, guardrail or other roadway structure;
- n) **Traffic Signs and Signals:** No election sign shall obstruct the view of any official traffic sign or signal, or resemble any official traffic sign or signal;
- o) **Emergency Routes:** No person shall erect, cause to permit to be erected an election sign that may obstruct or impede any exit routes or escapes or impede free access of emergency vehicles;
- p) **Other Public Property:** No person shall attach an election sign to a public utility pole, light standard, any official sign or official sign structure, utility box, public bus shelter, planter, bench, waste receptacle, newspaper box, or mail box on a highway; and
- q) **Fences:** No person shall place or cause to be placed an election sign on a boundary line fence or noise attenuation wall which is located on public property.
- r) **Bridges:** No person shall place an election sign on, under, or affixed to any City owned bridge structure.
- s) **Jurisdiction:** election signs for candidates shall only be placed within the geographic jurisdiction of the office of election, with the sole exception being vehicle signs and/or wearables (as described in the Election Sign Definition).
- t) **Responsibility:** The City, or their contractors are not responsible for any damages or loss to Election Signs placed on public land due to mowing, snow plowing, ditching, brushing, or other routine roads operations.

2.04 **Amendment:** Section 3.04 “**Median Strips – Including Victoria Avenue, Lindsay**” to By-law 2021-045 is deleted in its entirety and replaced with the following:

**Median Strips – Including Victoria Avenue, Lindsay:** The following regulations apply to election signs placed in median strips:

- a) No election signs shall be placed on the two curb-separated median strip islands on Victoria Avenue North, Lindsay between Kent Street West, and Peel Street. Further, no election signs shall be placed on the curb separated median on Victoria Avenue North between Orchard Park Road and Crestwood Avenue;
- b) Outside of Victoria Avenue in Lindsay, only 1 (one) election sign per candidate or registered third party may be placed on any median strip.
- c) On Victoria Avenue North and South, Lindsay, only 1 (one) election sign per candidate or registered third party shall be placed on any median strip for each block. Blocks on Victoria Avenue shall be defined as:
  - a. Russell Street to Kent Street West (1 sign per candidate/ registered third party);
  - b. Peel to Wellington Streets (1 sign per candidate/ registered third party);
  - c. Wellington to Bond Streets (1 sign per candidate/ registered third party);
  - d. Bond to Francis Streets (1 sign per candidate/ registered third party);
  - e. Francis Street to Colborne Street West (1 sign per candidate/ registered third party);
  - f. Colborne Street West to Regent Street (1 sign per candidate/ registered third party);
  - g. Regent to Elgin Streets (1 sign per candidate/ registered third party);
  - h. Elgin to Pottinger Streets (1 sign per candidate/ registered third party);
  - i. Pottinger to Eglinton Streets (1 sign per candidate/ registered third party);
  - j. Eglinton Street to Orchard Park Road (1 sign per candidate/ registered third party);
- d) No portion of the election sign shall be placed within 5.0 metres of an intersecting highway as measured from the curb of the intersecting highway;
- e) Election signs placed in a median strip shall not have a sign height greater than 1 metre;
- f) The City, or Festival and Event Organizers are not responsible for election signs that are moved, damaged, or destroyed during City-Authorized temporary closures of Victoria Avenue for events and festivals, or during regularly scheduled City conducted grass cutting or landscaping; and

g) All other regulations of section 3.02 and 3.03 shall apply, unless specifically regulated in this section.

2.05 **Amendment:** Section 6.03 “**Temporary Storage**” to By-law 2021-045 is deleted in its entirety and replaced with the following:

**Temporary Storage:** Where a sign is removed in accordance to section 6.01 and 6.02 it shall be stored at one of the Public Works Depots until claimed by a candidate or official agent and shall be subject to fees and/or destruction in accordance with this by-law. Candidates or an official agent shall contact the Municipal Law Enforcement Office prior to attending a Public Works Depot to collect any signs in temporary storage so that an appropriate time to collect the signs may be arranged.

2.06 **Amendment:** Section 6.06 “**Fees**” to By-law 2021-045 is deleted in its entirety and replaced with the following:

**Fees:** Disposal fees shall be charged to the candidate or registered third party for each sign that has not been retrieved from the Public Works Depot after ten (10) days following voting day as follows:

- a) \$20.00 for each sign payable to the City of Kawartha Lakes. Amounts owing under this By-law, may be recovered by legal action, accounts receivable, or in a like manner as municipal taxes.
- b) Any signs stored as per section 6.03 shall incur a daily storage charge fee of \$5/day, until claimed by an owner, candidate or official agent or until disposed of as per 6.05 following voting day of the election. These fees may be recovered by legal action, accounts receivable, or in a like manner as municipal taxes.

### **Section 3.00: Administration and Effective Date**

3.01 **Administration of the By-law:** The City Clerk is responsible for the administration of this by-law.

3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 10<sup>th</sup> day of December, 2024.

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Doug Elmslie, Mayor

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Cathie Ritchie, City Clerk