



THE CORPORATION OF THE TOWN OF SMOOTH ROCK FALLS

BY-LAW NO. 2026-29

BEING A BY-LAW TO REGULATE ELECTION SIGNS IN THE TOWN OF SMOOTH ROCK FALLS

WHEREAS section 8 of the *Municipal Elections Act, 1996*, S.O. 1996, c.32, as amended (the "Act"), provides that the Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS section 9 of the Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 10 of the Act provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS section 10(2) of the Act provides that a municipality may pass by-laws respecting matters of structures, including fences and signs.

NOW THEREFORE Council of the Corporation Town of Smooth Rock Falls enacts as follows:

1. Definitions

- 1.1 **"Canada Elections Act"** means the federal statute cited as the *Canada Elections Act*, S.C. 2000, c.9, as amended and includes any regulations made thereunder.
- 1.2 **"Candidate"** means a person who has been nominated under the *Canada Elections Act*, the *Election Act*, the *Municipal Elections Act, 1996*, or any successor legislation.
- 1.3 **"Clerk"** means the Municipal Clerk of the Town of Smooth Rock Falls.
- 1.4 **"Election Act"** means the Ontario provincial statute cited as the *Election Act*, R.S.O. 1990, c. E6, as amended, and includes any regulations made thereunder.
- 1.5 **"Election Sign"** means any surface or structure, including its component parts, that used or intended to be used to convey a message or attract attention for the purpose of:
 - a) promoting or opposing a candidate in a federal, provincial, or municipal election, including an election of a local board or commission; or
 - b) influencing electors to vote for or against any candidate, or for or against any question, law, or by-law submitted to the electors.
- 1.6 **"Highway"** means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property line thereof.

1.7 “Municipal Elections Act” means the Ontario provincial statute cited as the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, as amended, and includes any regulations made thereunder.

1.8 “Registered Third-Party Advertiser” means any person or entity, including but not limited to a corporation or trade union, who is not a registered candidate, political party, or constituency association and who incurs expenses with respect to:

- a) a question, law or by-law submitted to the electors;
- b) an issue associated with a person or political party participating in an election; or
- c) a candidate or political party participating in an election under the *Canada Elections Act*, the *Election Act*, or the *Municipal Elections Act*.

1.9 “Sidewalk/Pathway” means that portion of a highway as is set aside by the Town of Smooth Rock Falls for the use of pedestrians.

1.10 “The Town” means the Corporation of the Town of Smooth Rock Falls.

1.11 “Voting Location” means a location where voters cast their ballots in accordance with the *Municipal Elections Act*, the *Election Act*, or the *Canada Elections Act* and shall include the entire property and all boundaries associated with it when such voting location is within a public premises and shall mean the common elements when the voting place is located on private property.

- a) notwithstanding the above, individual units, and their doors, windows, balconies, etc., shall not be deemed to be common elements on private premises.

2. Administration

2.1 This By-law shall be administered by the Municipal Clerk.

2.2 The Municipal Clerk has the delegated authority to review any issue regarding an Election Sign and decide if any action is needed to uphold the general integrity of this By-law, based on the requirements set out herein.

2.3 Where a determination under this By-law results in the removal of an Election Sign (other than an immediate safety removal under Section 6.2), the Clerk shall provide notice and, upon request, brief reasons for the determination.

2.4 Where there is a conflict or inconsistency between this By-law and any other Town of Smooth Rock Falls By-laws or policies with respect to Elections Signs, this By-law shall prevail.

2.5 No permit, application, approval, fee, insurance certificate, drawing, or sign building permit shall be required for the erection or display of an Election Sign regulated under this By-law.

3. Sign Requirements and Regulations

3.1 No Candidate, Registered Third-Party Advertiser, or any other person shall affix, erect or otherwise display an Election Sign except as permitted by this By-law.

3.2 No Election Sign shall be larger than 1.2 metres by 1.2 metres, and the maximum sign height shall be 1.5 metres above grade.

3.3 Registered Third-Party Advertisers shall identify themselves on an Election Sign so that it is clear who is responsible for each Election Sign.

- 3.4 No person shall display an Election Sign except within the boundary application to that Election Sign:
- a) for municipal elections in the Town of Smooth Rock Falls, within the municipal boundary of the Town;
 - b) for federal or provincial elections, within the applicable electoral district boundary;
 - c) where a road serves as a boundary line, only on the side of the road within the applicable boundary.
- 3.5 The number of Election Signs per Candidate or Registered Third-Party Advertiser permitted to be placed on private property or in front of private property shall not exceed the number of street lines abutting the private property.
- 3.6 No Election Sign shall:
- a) be in or on a vehicle on Town property;
 - b) display or make use of the Town's logo;
 - c) be illuminated or incorporate changing colours or lights;
 - d) make use of visible moving parts or mechanical movement of any description;
 - e) be placed on Town property, including trees, posts, utility poles, fences, or any other natural or artificial feature resting on Town property, including poles or structures owned or operated by third-party utilities.
- 3.7 No Election Sign shall:
- a) obstruct the visibility of any pedestrian or driver or obstruct the visibility of any traffic control device;
 - b) obstruct openings required for light, ventilation, ingress, egress, or emergency services;
 - c) constitute a danger or hazard to the public.

4. General Provisions

- 4.1 No person shall erect an Election Sign for a municipal election until the person is a Candidate or a Registered Third-Party Advertiser in accordance with applicable legislation.
- 4.2 No person shall erect an Election Sign on private property without the express consent of the owner and/or occupant.
- 4.3 No person shall affix, erect, or display an Election Sign or permit an Election Sign to be affixed, erected, or displayed:
- a) at a Voting Location; or
 - b) on or within a vehicle or trailer parked within 50 metres of a Voting Location.
- 4.4 No person shall at any time place an Election Sign on Town-owned property, except as permitted by this By-law.
- 4.5 No person shall erect an Election Sign in a road allowance fronting private property without the express consent of the abutting property owner and/or occupant. Proof of written consent may be required within 24 hours upon request.
- 4.6 Where a highway includes a centre median, no person shall erect an Election Sign on the centre median.
- 4.7 No person shall deface, wilfully damage, remove, or relocate a lawfully erected Election Sign except as permitted by this By-law.

4.8 Where an Election Sign has been erected on private property without the consent of the owner or occupant, the owner or occupant may remove the Election Sign without notice.

5. Provincial and Federal Requirements

5.1 Every Candidate shall ensure that Election Signs associated with a federal or provincial election are erected in accordance with the *Canada Elections Act* or the *Election Act*, as applicable.

5.2 No person shall erect an Election Sign prior to the issue of the writ in a federal or provincial election or by-election.

6. Removal of Signs

6.1 Any Election Sign erected in contravention of this By-law shall be removed by the Candidate or Registered Third-Party Advertiser upon receipt of notice.

6.2 Where an Election Sign constitutes a danger or hazard under Section 3.7, the Election Sign may be removed immediately by the Town without prior notice, and notice shall be provided following removal.

6.3 Election Signs shall be removed within five (5) calendar days following Voting Day. Where signs are not removed within this period, the Town may remove them.

6.4 The Town shall not be liable for any damage, loss, or removal of an Election Sign undertaken in good faith pursuant to this By-law, and no compensation shall be payable.

7. Notification

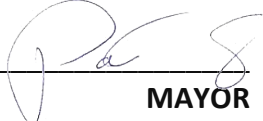
7.1 The Town may notify Candidates and Registered Third-Party Advertisers of infractions and enforcement actions by email.

8. Force and Effect

8.1 This By-law shall come into force and take effect on the date of passing.

READ A FIRST, SECOND AND THIRD TIME, SIGNED AND THE SEAL OF THE CORPORATION AFFIXED THERETO AND FINALLY PASSED THIS 20TH DAY OF APRIL 2026.




MAYOR

Patrick Roberts



MUNICIPAL CLERK

Nathalie Vachon