

The Corporation of the Township of Howick

By-law No. 32-2026

Being a By-law to manage and regulate the use and erection of Election Signs and campaign advertisements including third party advertising within the Township of Howick

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws respecting among other items structures, including fences and signs;

AND WHEREAS section 23.2 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, permits a municipality to delegate certain legislative and quasi-judicial powers;

AND WHEREAS sections 88.3 and 88.4 of the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, as amended, sets out requirements for Candidate's election campaign advertisements and Third-Party advertisements;

AND WHEREAS the Council for the Corporation of the Township of Howick is of the opinion that the delegation of legislative powers under this by-law to the Clerk, including without limitation the power to prescribe procedures for the retrieval and/or destruction of Election Signs removed under this by-law are powers of a minor nature having regard to the number of people, the size of geographic area and the time period affected by the exercise of the power in accordance with subsection 23.2(4) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;

AND WHEREAS section 63 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended provides that a by-law may prohibit or regulate the placing or standing of an object on or near a highway, and may provide for the removal and impounding or restraining and immobilizing of any object placed or standing on or near a highway;

AND WHEREAS section 425 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, establishes that any person who contravenes any by-law of the Corporation of the Township of Howick is guilty of an offence;

AND WHEREAS section 445 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may make an order requiring a person who has contravened a by-law or who caused or permitted the contravention, or the owner or occupier of land on which the contravention occurred to do work to correct the contravention;

AND WHEREAS section 446 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that where a municipality has the authority to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and that the municipality may recover the costs of doing a matter or thing by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

NOW THEREFORE IT BE ENACTED by the Council of the Corporation of the Township of Howick as follows:

1. Definitions

- 1.1. **“Billboard”** means an outdoor sign erected and maintained by a person, firm, corporation, or business engaged in the sale or rental of the space on the sign to a clientele, upon which space is a displayed copy that advertises goods, products, or services not necessarily sold or offered on the property where the sign is located, and the sign is either single faced or double faced.
- 1.2. **“Boulevard”** means that portion of every Street which is not used as a Sidewalk, driveway access, travelled Roadway or shoulder.
- 1.3. **“Campaign Office”** means a building or structure, or part of a building or structure, used by a Candidate to conduct an election campaign.
- 1.4. **“Candidate”** means
 - (i) a Candidate within the meaning of the *Canada Elections Act*, the *Election Act* (Ontario) or the *Municipal Elections Act, 1996* as amended; and
 - (ii) shall be deemed to include a person seeking to influence other persons to vote for or against any question or by-law to the electors under section 8 of the *Municipal Elections Act, 1996* as amended.
- 1.5. **“Clerk”** means the Clerk of the municipality or a person delegated by them for the purpose of this By-law.
- 1.6. **“Crosswalk”** means
 - (i) that part of a Street at an intersection that is included within the connections of the lateral lines of the Sidewalks on opposite sides of the Street measured from the curbs, or in the absence of curbs from the edges of the Roadway; or
 - (ii) any portion of a Roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs, school crossing signs (as per the Ontario Traffic Manual – Book 5 Regulatory Signs) or by lines or other markings on the surface thereof; and
 - (iii) shall include pedestrian crossovers.
- 1.7. **“Election Sign”** means any sign, poster, banner, or device that promotes, opposes, or takes a position with respect to a candidate, political party, by-law question, or election related issue and shall include, but is not necessarily limited to:
 - (i) any Candidate or political party in an election under the *Canada Elections Act*, the *Election Act* (Ontario) or the *Municipal Elections Act, 1996*;
 - (ii) an issue associated with a person or political party in an election under the *Canada Elections Act*, the *Election Act* (Ontario) or the *Municipal Elections Act, 1996*; or
 - (iii) a question, law or by-law submitted to the electors under the *Canada Elections Act*, the *Election Act* (Ontario) or the *Municipal Elections Act, 1996*.
- 1.8. **“Electoral District”** means a geographic area represented by a Member of Municipal Council, Member of School Board, Member of Provincial Parliament

in the Legislative Assembly of Ontario, and Member of Federal Parliament in the House of Commons.

- 1.9. **“Enforcement Officer”** means a By-law Enforcement Officer appointed by the Municipal Council of the Township.
- 1.10. **“Median Strip”** means the reserved area that separates opposing lanes of traffic on divided roadways.
- 1.11. **“Municipality”** means The Corporation of the Township of Howick.
- 1.12. **“Nomination Day”** means the deadline to file a nomination with the Clerk under the *Municipal Elections Act, 1996* as amended.
- 1.13. **“Owner”** means any candidate, registered third party, campaign, or individual responsible for placing or permitting the placement of an Election Sign. For the purposes of this By-law there may be more than one Owner of an Election Sign.
- 1.14. **“Place”** means attach, install, erect, build, construct, reconstruct, move, display or affix.
- 1.15. **“Public Property”** (or **“Municipal Property”**) means all lands, buildings, parks, facilities, parking lots, boulevards, road allowances, and any other real property owned, leased, or controlled by the Municipality, excluding Streets unless otherwise specified.
- 1.16. **“Roadway”** means the part of a Street improved, designed, or ordinarily used for vehicular traffic, including the traveled portion and shoulder.
- 1.17. **“Sidewalk”** means any municipal walkway, or that portion of a Street between the Roadway and the adjacent property line, primarily intended for the use of pedestrians.
- 1.18. **“Sign Area”** means the area of one side of a sign where a copy can be placed.
- 1.19. **“Sign Height”** means the vertical height of a sign from the lowest point of finished grade to the highest part of the sign.
- 1.20. **“Street”** means a highway, road allowance, street, avenue, parkway, driveway, lane, square, place, bridge, viaduct, trestle or other public way under the jurisdiction of the Township of Howick and this term includes all road works and appurtenant to municipal land.
- 1.21. **“Utility”** means water, sewer, artificial or natural gas, petrochemical, electrical power or energy, steam or hot/chilled water, and telecommunication networks, and includes the works, structures, buildings and appurtenances necessarily incidental to the supplying of such services.
- 1.22. **“Voting Place”** means any location designated by the Clerk for voting, including any property on which the voting location is situated and any abutting roadway.
- 1.23. **“Writ of Election”** means the date as defined in the *Canada Elections Act* and the *Elections Act* (Ontario).

2. Short Title

- 2.1. This by-law may be referred to as the “Election Signs By-law”.

3. General Prohibitions

3.1. All candidate signs shall include:

- (i) name of candidate.

3.2. All registered third-party advertisement signs shall include:

- (i) name of registered third party;
- (ii) the municipality where the registered third party is registered; and
- (iii) telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement.

3.3. No person shall display on any Election Sign a logo, trademark or official mark, in whole or in part, owned or licensed by the Municipality.

3.4. No person shall cause an election campaign advertisement to appear which contravenes sections 88.3, 88.4, or 88.5 of the *Municipal Elections Act, 1996*.

3.5. No election sign shall contain any word, image, symbol, or representation that:

- (i) Is obscene, profane or vulgar;
- (ii) Threatens, intimidates, or promotes or incites violence against any person or identifiable group;
- (iii) Expresses or promotes hatred, discrimination, or harassment against a person or identifiable group based on a prohibited ground under the Ontario Human Rights Code, including race, ancestry place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, or disability;
- (iv) Promotes racism or other forms of discrimination contrary to law; or
- (v) Otherwise contravenes applicable federal or provincial legislation.

4. Locations, Size, and Distance

4.1. No person shall Place or permit to be Placed an Election Sign that:

- (i) is illuminated;
- (ii) has a Sign Area of more than 6 square metres;
- (iii) interferes with the safe operation of vehicular traffic or the safety of pedestrians; or
- (iv) impedes or obstructs the municipality's maintenance operations.

4.2. No person shall Place or permit to be placed an Election Sign outside of the Electoral District where the Candidate is running for office.

4.3. Subsection 4.3 does not apply to an Election Sign within fifty (50) metres of any Electoral District that is adjacent to the Electoral District where the Candidate is running for office.

4.4. No person shall Place or permit to be Placed an Election Sign on or within fifty (50) metres of the property boundary of a Voting Place, unless otherwise permitted by law.

4.5. No person shall display an election sign on private property,

- (i) where it obstructs or interferes with a door or fire escape of a building; or
- (ii) without the consent of the owner or occupant of such property.

- 4.6. Notwithstanding clause 4.6(ii), a lessee or tenant of property may display an election sign as such conditions to reasonable size or type a landlord, building manager, condominium corporation deems appropriate.
- 4.7. No person shall park or place any vehicle displaying a vehicle election sign within a one block radius of Township Office at 44816 Harriston Road, Gorrie, ON on the voting day of a Municipal election.
- 4.8. Election Signs on Public Property and Streets:
- (i) No person shall Place or permit to be Placed an Election Sign on Public Property as defined in Subsection 1.15 of this By-law.
 - (ii) No person shall Place or permit to be Placed an Election Sign:
 - (a) in a Roadway;
 - (b) within 3 metres of a Roadway;
 - (c) between a Roadway and a Sidewalk;
 - (d) in a way that impedes or obstructs the passage of pedestrians on a Sidewalk;
 - (e) in a Median Strip;
 - (f) less than 3 metres from a Crosswalk;
 - (g) on a tree, or a fence, or a wall, or a gate, or a utility pole located on Public Property or a Street;
 - (h) to a permanent or an official sign or to the guide rail or other highway structure or facility;
 - (i) in a way that interferes with an official sign or with traffic lights or other safety devices.
- 4.9. No person shall Place or permit to be Placed an Election Sign that has a Sign Height:
- (i) of more than 1.8 metres when placed within 3 to 8 metres of the Roadway;
 - (ii) of more than 4 metres when placed beyond 8 metres of the Roadway.

5. Timing and Sign Removal

- 5.1. No person shall Place or permit to be Placed an Election Sign for a federal or provincial election or by-election earlier than the day the Writ of Election or by-election is issued.
- 5.2. No person shall Place or permit to be Placed an Election Sign for a municipal election, except an Election Sign which is Placed on a Campaign Office:
- (i) Earlier than the day all nominations have been certified by the Clerk of the Township in the year of a regular election; or
 - (ii) Earlier than the day all nominations have been certified by the Clerk of the Township for a by-election.

Nominations will be certified by the Clerk before 4:00 p.m. on the Monday following Nomination Day or, if the number of nominations filed for an office and certified is less than the number of persons to be elected to the office, those additional nominations will be certified before 4:00p.m. on the Thursday following Nomination Day.

- 5.3. Despite subsections 5.1. and 5.2. of this By-law, signs identifying the candidate's campaign offices may be displayed once the candidate has filed his or her nomination papers and paid all required fees and been registered as a candidate.

- 5.4. No person shall Place or permit to be Placed an Election Sign for a municipal election on a Campaign Office earlier than the day that Candidate has filed their nomination with the Clerk and paid all required fees and been registered as a candidate.
- 5.5. Removal of Election Signs:
- (i) No person shall display an election sign later than seventy-two (72) hours after the polls close on Election Day.
 - (ii) All candidates and third-party advertisers shall remove their election signs from display on public and private property within seventy-two (72) hours after the polls close on Election Day.
- 5.6. Where an Election Sign is erected or displayed in contravention of this by-law, the Municipality may remove the sign without notice.
- (i) All election signs removed by the Municipality shall be retained for a minimum period of fourteen (14) days from the date of removal to permit retrieval by the candidate or third-party advertiser.
 - (ii) During the retrieval period, the candidate or third-party advertiser may reclaim the sign during regular municipal business hours.
 - (iii) Any election sign not retrieved within the prescribed retention period may be destroyed or otherwise disposed of by the Municipality without further notice and without compensation.
 - (iv) Notwithstanding the foregoing, where an election sign poses an immediate risk to public safety or interferes with emergency access, traffic control devices, or municipal operations, the Municipality may remove and dispose of the sign immediately.

6. Vandalism

- 6.1. The investigation or prosecution for any acts of vandalism to election signs or campaign material of the candidates should be referred to the Ontario Provincial Police by the complainant.

7. Other Approval Authorities

- 7.1. Election signs or similar campaign material that will be installed or affixed to the Ministry of Transportation road system or the County of Huron road system will require the permission of these respective approval authorities.

8. Administration and Enforcement

- 8.1. The administration of this by-law is delegated to the Clerk.
- 8.2. This by-law may be enforced by the Clerk or designate or a By-law Enforcement Officer of the Township of Howick.
- 8.3. In accordance with the process established in subsection 5.6 of this By-law, if an Election Sign is erected or displayed in contravention of this By-law, or is not removed within the required time, the Municipality may remove and store the sign at the risk of the responsible party. All costs of removal, handling,

storage, and disposal (if applicable), including labour, equipment, and administrative fees, are payable by the sign owner and/or the Candidate, registered third party advertiser, or person who caused or permitted the sign to be placed. The Municipality may require payment before releasing the sign and may recover unpaid costs by invoicing and/or by any other means authorized by law, including adding the costs to the tax roll where permitted.

- 8.4. Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33.

9. Severability

- 9.1. In the event that a section or sections of this by-law thereof are found by a Court of competent jurisdiction to be invalid or ultra vires, such section, sections or parts thereof shall be deemed to be severable, with all other sections or parts of this By-law remaining in full force and effect.

10. Force and Effect

- 10.1 This by-law shall come into force and takes effect on the day of the final passing thereof.

Read a first and second time this 21st day of April, 2026.

Read a third time and finally passed this 21st day of April, 2026.

Reeve Doug Harding

CAO/Clerk Caitlin Gillis