

THE CORPORATION OF THE TOWN OF TILLSONBURG

BY-LAW NUMBER 2026-031

A BY-LAW to regulate election signs in the Town of Tillsonburg.

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 8(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that the powers of a municipality under this 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;

WHEREAS Section 11(3) of the Municipal Act, 2001, as amended, provides that a lower-tier municipality may pass by-laws, subject to the rules set out in subsection (4) respecting matters of structures, including signs;

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 it is deemed advisable to have an Election Sign By-law for the Town of Tillsonburg in order to ensure public safety on our roads and highways during an election process.

BE IT THEREFORE ENACTED by the Council of The Corporation of the Town of Tillsonburg as follows:

DEFINITIONS:

1. In this by-law,

"Boulevard" means that portion of every Street which is not used as a Sidewalk, driveway access, travelled Roadway or shoulder;

"Candidate" shall have the same meaning as in the Canada Elections Act, the Election Act (Ontario), or the Municipal Elections Act, 1996, as applicable, and shall be deemed to include a person seeking to influence another person to vote for or against any question and/or by-law submitted to the electors under section 8 of the Municipal Elections Act, 1996;

"Clerk" refers to the Clerk of the Corporation of The Town of Tillsonburg or designate;

"Election Sign" means any sign or other advertising device, including, without limitation, posters, placards, bulletins, banners, notices, pictures or any combination thereof;

- a) which advertises or promotes a Candidate in a federal, provincial or municipal election or by election including an election of a local board or commissions;
- b) intended to influence persons to vote for or against any candidate question, law, or by-law submitted to electors;

"Highway" shall have the same meaning as the Highway Traffic Act, RSO 1990, c.H.8, and includes the entire of the road allowance thereof.

"Municipal Law Enforcement Officer" shall mean a person appointed by the Council of the Corporation of the Town of Tillsonburg for the purposes of enforcing Town by-laws and for the purposes of this by-law shall include the Ontario Provincial Police;

"Nomination Day" shall mean the day that the Nomination Period Ends. This is the last day to file a nomination.

"Parkway Strip" means the portion of a Highway between the sidewalk and the roadway where the Highway includes a sidewalk and a roadway.

"Public Property" Means property owned by or under the control of the Town of Tillsonburg or any of its agencies, boards or commissions, and includes any lands belonging to or owned by the County of Oxford, a conservation authority, the Province or Government of Ontario or the Government of Canada. This shall include public highways, and shall be deemed to include utility poles located on public property including road allowances, regardless of whether the poles are owned by or under the control of the Town.

"Public Utility Pole" means a pole owned or controlled by an entity which provides a municipal or public utility service, including the Town, Bell Canada, Hydro and any subsidiaries thereof;

"Road Allowance" Shall have a corresponding meaning to that of street and shall include any shoulder, ditch or boulevard.

"Registered Third Party Advertiser" means any individual, corporation or trade union registered in accordance with Section 88.6 of the Municipal Elections Act, 1996 as amended;

"Roadway" means that part of the Municipal Right-of-Way that is improved, designed or ordinarily used for vehicular traffic and includes a highway.

“Sidewalk” means that part of a Municipal Right-of-Way, outside of the Roadway, set aside by the Town for the use by pedestrians.

"Sight/Visibility Triangle" Means a triangular-shaped area of land abutting a lane, street or private road that is required to be kept free of obstructions between a height of 0.6 meters (1.96 ft.) and 3.0 meters (9.84 ft.) above the center line grade of the intersecting lane, street or private road that could impede the vision of a pedestrian or the driver of a motor vehicle exiting onto or driving on the lane, street or private road.

- a) the sight/visibility triangle adjacent to an exterior side lot line shall be the area enclosed by each of the street lines measured 9.0 meters (29.53 ft.) back from the intersection of the street lines, and a diagonal line drawn between these two points
- b) the sight/visibility triangle from a driveway, lane, or right-of-way shall be the area enclosed by the line along the limits of the driveway and the street line measured to a point 3.0 meters (9.84 ft.) back from the intersection of the street lines and the limit of the driveway, lane, or right-of-way and a diagonal line drawn between these two points.
- c) the sight/visibility triangle extends beyond private property into the road allowance as illustrated:

“Street” Means a road or public highway under the jurisdiction of the Town of Tillsonburg, County of Oxford or the Province of Ontario that is maintained so as to allow normal use by motor vehicles, or a road or public highway located within a registered plan of subdivision that has not yet been assumed by a public authority. The term street shall not include a lane.

“The Town” means the Corporation of the Town of Tillsonburg;

"Vehicle” means any object manufactured or designed for the purpose of conveyance of people or goods and includes but is not limited to motorized vehicles, trailers, wagons, tractors, construction machinery, bicycles and any vehicle drawn, propelled or driven by any kind of power, including muscular power.

“Voting Day” means the final day at the end of a voting period.

“Voting Location” means a location designated by the Town in accordance with the Municipal Elections Act, the Elections Act or the Canada Elections Act where electors cast their ballot and;

- (i) when a Voting Location is located on Public Property, includes any Street abutting; or
- (ii) when a Voting Location is located on private property, includes any Street abutting;

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

ADMINISTRATION

1. This by-law shall be administered by the Town Clerk.

GENERAL

2. (a) No person shall erect, attach, place or display an Election Sign except as permitted by this by law.

(b) No permits are required by the Town for the erection of Election Signs in the Town.

(c) This By-law shall not apply to signs erected, placed or displayed by the Town to provide information concerning the election or any part of an election process.

(d) Elections Signs shall not:

- (i) Contravene the Canada Elections Act, the Election Act (Ontario), the Municipal Elections Act, or any other relevant legislation.
- (ii) Be attached to trees; or;
- (iii) Have flashing lights or rotating parts;
- (iv) Simulate any traffic sign, traffic signal, or any other sign that directs the movement of traffic, or any official sign;
- (v) Use words such as "stop", "look", "one way", "danger", "yield" or any similar phrases, symbols, lights or characters in such a manner as to tend to interfere with, mislead or confuse traffic;
- (vi) Nail or otherwise attach, to or upon any utility pole, light pole, utility box, planter, bench, waste receptacle, newspaper box, or mail box located on a road allowance;
- (vii) Be painted on, attached to, or supported by a stone or other natural object;
- (viii) Be erected or placed so as to obstruct, impede or interfere with any fire escape, fire exit, door, window, skylight, flue, air intake or exhaust, or any means of access by fire fighters to any part of a building or a fire hydrant;
- (ix) Be erected or placed so as to impede, hinder or prevent parking by vehicles on private or public lands, or on a Highway;
- (x) Display the Town's logo, crest, or seal in whole or in part.
- (xi) Be erected in a Fire Route

(e) No person shall deface or willfully cause damage to a lawfully erected Election Sign.

(f) No person shall at any time on any election voting day, including those days when advance election voting is held, place a campaign sign, or cause a campaign sign to be placed within 30 metres (100 feet) of any polling location for elections or place or cause to be placed in or on a vehicle that is parked on any premises used as a voting location for elections an Election Sign that is visible from outside the vehicle.

ELECTION SIGNS ON PUBLIC PROPERTY

3. Election Signs are permitted on Highways but not on or within any Public Property other than Highways.

4. Election Signs shall not be located, erected or displayed:

- a) On any centre median, centre boulevard or traffic island;
- b) In any park or other open space owned, operated or controlled by the Town or on the adjacent Highway;
- c) On any building or structure owned or operated by the Town;
- d) So as to obstruct, impair, impede or hinder the movement of vehicular or pedestrian traffic, or
- e) the visibility of railway crossings, warning devices and traffic signs or signals; or
- f) On a sidewalk.

5. Election Signs may be erected or displayed on Highways, provided that they are:

- a) No larger than 2.0 square metres (21.53 square feet) (for example, 5 feet by 4 feet or 6 feet by 3.5 feet);
- b) No higher than 2 metres (6.56 feet) above ground level;
- c) Located a minimum of 1 metre (3.28 feet) from the outer edge of a sidewalk;
- d) Not located within any parkway strip;
- e) Located a minimum of 1 metre (3.28 feet) from the outer edge of a curb or shoulder, where there is no sidewalk;
- f) Not placed in a sight/visibility triangle;
- g) Not erected or installed so as to create an unsafe obstruction or visual impairment for pedestrian or vehicular traffic;
- h) Not erected or installed on any utility box, planter, bench railing, retaining wall, bridge, overpass, noise attenuation wall, light standard, waste receptacle, newspaper box, mailbox, or similar object or structure which has been placed on any Highway; or
- i) Not erected or installed on any post, pole or support already containing an official or authorized sign erected by the Town, The County of Oxford, a Conservation Authority, the Province of Ontario or Federal Government.

6. Election Signs may only be placed on a Highway adjacent to a residential property with the consent of the owner or occupant of the adjacent residential property.

ELECTION SIGNS ON PRIVATE PROPERTY

7. Election Signs are permitted on private property:

- a) Only with the consent of the owner or occupant of the property;
- b) Provided that the Election Sign does not interfere with the safe operation of vehicular traffic or impair the safety of pedestrians; and

TIMING

8. Election Signs shall not be erected or displayed prior to nomination day in each year a Municipal Election is held or prior to nomination day in the event of a By-Election.

9. Election Signs shall not be erected or displayed for a Federal or Provincial Election until the day the writ of election is issued.

10. Despite Sections 8 and 9, Election Signs may be erected on campaign offices once the candidate has filed his/her nomination papers and paid the required filing fee.

11. Election Signs shall be removed within seven (7) days following the voting day of the election for which such Election Signs were erected or installed. For the purposes of this section, the Candidate or Registered Third Party Advertiser shall be responsible for the removal of his or her Election Signs within the prescribed time frame.

REMOVAL OF UNLAWFUL ELECTION SIGNS

12. If a sign is erected or displayed in violation of this by-law, the appropriate Municipal Law Enforcement Officer may cause the sign to be removed:

- a) Immediately without notice if it poses an immediate safety hazard; or,
- b) If the Candidate or his/her delegate, or a Registered Third Party Advertiser has not removed the sign within 24 hours after being so notified.

13. Any sign that has been removed by the Town will be stored until one week after the completion of voting on voting day.

14. Candidates, or an agent on their behalf, or a Registered Third Party Advertiser can reclaim all removed signs for up to one week following voting day, during regular office hours at the Town Works Office, Spruce Street, Tillsonburg.

15. Any sign that has been removed in accordance with Section 13 and not reclaimed in accordance with section 14 may be destroyed or otherwise disposed of by the Town without notice and without compensation to the owner of the sign.

16. Despite section 13 the Town shall not be obliged to store signs made entirely of paper or other lightweight material and may destroy these signs immediately upon removal.

ENFORCEMENT

17. The Municipal Law Enforcement Officer shall enforce this by-law.

LIABILITY FOR DAMAGES

18. The provisions of this by-law shall not be construed as relieving or limiting the responsibility or liability of any Candidate, Registered Third Party Advertiser or other person who erects or owns any Election Sign for personal injury or property damage resulting from the placing of such Election Signs or resulting from the negligence or willful acts of such person, or his or her agents or employees, in the construction, erection, maintenance, repair or removal of such Election Signs.

PRECEDENCE OVER ELECTION SIGN PROVISIONS IN OTHER BY-LAWS

19. In the event of a conflict between this By-Law and the provisions of another By-Law regulating signs, including Election Signs, the provisions of this By-law prevail.

REPEAL

20. THAT By-Law No. 3786 is hereby repealed in its entirety.

EFFECTIVE DATE

21. THAT this By-Law shall take effect on the date of its final passage by the Town's Council.

READ a First, Second, Third and Final time and passed this 27th day of April 2026.

MAYOR – Deb Gilvesy

CLERK – Trisha McKibbin