

# THE CORPORATION OF THE COUNTY OF NORTHUMBERLAND

## BY-LAW NO. 13 - 08

### **BEING A BY-LAW TO REGULATE THE PLACEMENT OF ELECTION SIGNS WITHIN CERTAIN ROAD ALLOWANCES AND ANY OTHER PROPERTY OWNED AND OPERATED BY THE CORPORATION OF THE COUNTY OF NORTHUMBERLAND.**

**WHEREAS** Section 11(1) of the Municipal Act, S.O. 2001, as amended, states that the municipality may pass by-laws respecting structures, including fences and signs;

**AND WHEREAS** Section 99(1) of the Municipal Act, S.O. 2001, as amended, states that the municipality shall give notice of its intention to pass the by-law;

**AND WHEREAS** Council has determined that, for the purpose of aesthetics and public safety, it wishes to prohibit the placement of election signs on, over, in or under any public highway, road allowance, sidewalk, bridge or other County of Northumberland property under its jurisdiction;

**NOW THEREFORE BE IT ENACTED** as a by-law of the Corporation of the County of Northumberland that:

Definitions:

"County" means the Corporation of the County of Northumberland.

"Election Sign" means any sign intended as advertising or promoting a candidate in a federal, provincial or municipal election or by-election or that uses words, pictures or graphics or any combination thereof intended to influence persons to vote for or against any question or by-law submitted to the electors under section 8 of the Municipal Elections Act, 1996;

"Public Property" means property owned by or under the control of the Corporation of the County of Northumberland or any of its agencies, boards or commissions, including public highways, and shall be deemed to include Public Utility Poles, regardless of whether the poles are owned by or under the control of the County and shall be deemed to include trees and vegetation located within the property, regardless of whether the trees are owned by or under the control of the County;

"Road allowance" means the allowance for a public road and includes the traveled and untraveled portions of the road allowance, the road shoulders, ditches, boulevards and sidewalks.

### **ELECTION SIGNS PLACED ON COUNTY PROPERTY**

1. No election sign shall be located, erected, posted, placed or otherwise displayed on any property owned by the County, including but not limited to road allowances and any other lands, buildings and facilities.

### **ELECTION SIGNS PLACED ON PRIVATE PROPERTY**

2. Election Signs may be erected or displayed on private property and shall conform to the requirements of any regulating Bylaw that may be in force within the boundaries of the local lower tier municipality.

3. No election sign shall be located within 0.3 metres (1 foot) of the road allowance or any other County property.

### **NO SIGN PERMIT FEE**

4. No fee shall be charged and no permit shall be required to be issued by the County in order to post an election sign on private property.

## REMOVAL OF UNLAWFUL ELECTION SIGNS

5. Any election sign that has been located, erected, posted, placed or otherwise displayed on any property owned by the County may be removed and destroyed by the County.
6. The County shall not be obliged to store election signs and may destroy these signs immediately upon removal.


## PENALTY

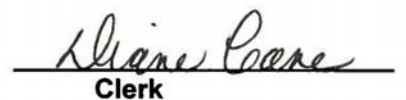
7. Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction, is liable to the penalties specified by the Provincial Offences Act, R.S.O. 1990, cP.33, as amended.

The provisions of this by-law shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning 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.

## EFFECTIVE DATE

That By-law No. 13-08 be introduced and be deemed to be read a first, second and third time, be passed and be properly signed and sealed at the Town of Cobourg this 6th day of February , 2008.

  
Warden

  
Clerk