

THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS

BY-LAW NO. 2026-029

A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS TO REGULATE ELECTION SIGNS IN MUNICIPAL, PROVINCIAL AND FEDERAL ELECTIONS (Election Sign)(Repeal 2022-067)

WHEREAS Section 8 of the Municipal Act, 2001, S.O. 2001, c.25 (hereinafter referred to as the "Municipal Act") provides that the powers of a municipality under the Municipal Act or any other 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 Municipal Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act.

AND WHEREAS Section 11 of the Municipal Act provides that a municipality may pass By-laws respecting structures including fences and signs.

AND WHEREAS Section 99 of the Municipal Act provides for lien rights and cost recovery provisions in favour of a municipality that apply to a By-law of the municipality respecting removal, storage, care and disposition of advertising devices, including signs displayed in contravention of the By-law.

AND WHEREAS pursuant to Section 425 of the Municipal Act, a municipality may pass By-laws providing that a person who contravenes a By-law of the municipality passed under the Municipal Act is guilty of an offence.

AND WHEREAS pursuant to Section 426 of the Municipal Act, no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this Act or under a By-law passed under this Act.

AND WHEREAS pursuant to Section 436 of the Municipal Act, a By-law Enforcement Officer may enter upon any land at any reasonable time for the purpose of carrying out an inspection to determine compliance with this By-law.

AND WHEREAS Section 88.3(2) of the Municipal Elections Act, 1996, states that an election campaign advertisement purchased by or under the direction of a candidate shall identify the candidate.

AND WHEREAS Section 88.7 of the Municipal Elections Act, 1996 states that if a municipality is satisfied that there has been contravention of section 88.3, 88.4 or 88.5 of the Municipal Elections Act, 1996, the municipality may require a person who the municipality reasonably believes contravened the section or caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred, to remove the advertisement or discontinue the advertising.

AND WHEREAS Section 37(2) of the Election Finances Act, 1990 states that no party, constituency association, third party or candidate registered under this Act, and no person, corporation or trade union, whether acting with or without the party's, association's, third party's or candidate's consent, shall arrange for or consent to political advertising that appears during a blackout period.

AND WHEREAS Section 320 of the Canada Elections Act, 2000 requires that a candidate or registered party, or a person acting on their behalf, who causes election advertising to be conducted shall mention in or on the message that its transmission was authorized by the official agent of the candidate or by the registered agent of the party, as the case may be.

AND WHEREAS Section 323(1) of the Canada Elections Act, 2000 states that no person shall transmit election advertising to the public in an electoral district on polling day before the close of all of the polling stations in the electoral district.

AND WHEREAS the Council of The Corporation of the Township of Lake of Bays deems it expedient to pass a by-law to regulate election signs in the Township of Lake of Bays.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS ENACTS AS FOLLOWS:

1.0 DEFINITIONS

For the purposes of this By-Law, terms used shall be defined as follows:

- a) **Administrative Monetary Penalty System (AMPS)** refers to the program that the Township has implemented to encourage compliance with designated By-laws and provide accountability, which includes financial penalties, administrative fees, review for penalties received, and policies and procedures administered by the Township.
- b) **Agent** means any person who is directly or indirectly working on behalf of a Candidate or Registered Third Party regardless of whether the work is being done on a voluntary or compensated basis or with the direct knowledge or approval of the Candidate.
- c) **Boulevard** means that portion of a highway between the street line and the roadway, which is not used or intended for use for vehicular travel by the general public and includes any landscaped area between a street line and sidewalk including a shoulder.
- d) **Candidate** means a person who has been nominated or registered in a municipal (including district school board as defined in the Education Act, R.S.O. 1990), provincial or federal election in accordance with the Prescribed Legislation.
- e) **Clerk** means the Clerk of The Corporation of the Township of Lake of Bays or their designate.
- f) **District** means the District Municipality of Muskoka.
- g) **Election Sign** means any temporary notice, device or sign that:
 - i) Promotes, supports, opposes or takes a position on a Candidate or political party in a federal, provincial or municipal election (including a district school board as defined in the Education Act, R.S.O. 1990);
 - ii) Promotes, supports, opposes or takes a position on any question, law or by-law submitted to the electors under Prescribed Legislation.
- h) **Highway** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, trestle or 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 lines thereof, as defined in the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended.
- i) **Officer** means a By-law Enforcement Officer, Police Officer or other person appointed by the Council of the Corporation of the Township of Lake of Bays to enforce this by-law.

- j) **Official Sign** means a sign or device placed by the Township, District or other authority under legislation for the purpose of regulating, warning or controlling traffic and includes signs approved by the Ministry of Transportation and signs described in the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended.
- k) **Penalty Notice** means a document or notice of violation of an alleged offence under a by-law, issued and administered according to the AMPS By-law.
- l) **Prescribed Legislation** means the Municipal Elections Act, 1996, S.O. 1996, Election Act, R.S.O. 1990, the Canada Elections Act, S.C. 2000 or such other relevant legislation that regulates Elections or Election Signs.
- m) **Private Property** means lands which are not defined as Public Property or a Public Utility Facility including lands leased by the Township to others.
- n) **Public Property** means property owned, leased or operated by or under the control or jurisdiction of the Township of Lake of Bays or any of its agencies, boards commissions, and shall be deemed to include highways, public utility facilities, and shall also include municipal shelters, benches, garbage containers or any other containers or structures regardless of whether they are owned by the Township.
- o) **Public Utility Facility** means a building, pole, transformer box, service container, equipment or other such structure owned or controlled by an entity that provides a public utility service.
- p) **Registered Third Party** means an individual, corporation or trade union that is registered with the municipality in accordance with Prescribed Legislation.
- q) **Restricted Period** means the period of time during which an election sign used as a Third-Party Advertisement is permitted as outlined under Prescribed Legislation.
- r) **Roadway** means the portion of the highway that is improved, designed or ordinarily used for vehicular traffic but does not include the shoulder.
- s) **Sight Triangle** means the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 7.5 metres, measured along the street line from the point of intersection of the street lines. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

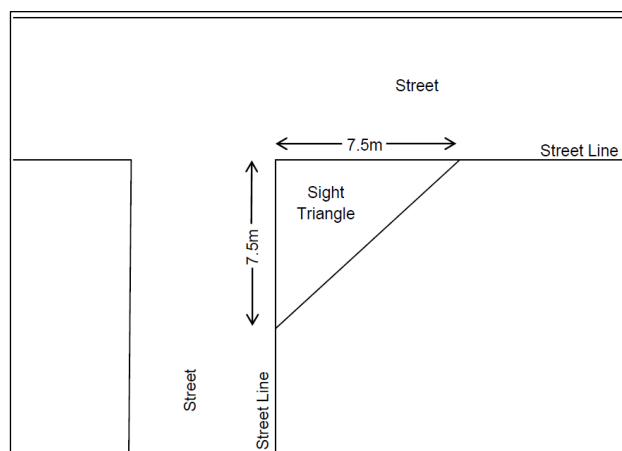


Image: Sight Triangle Diagram

- t) **Sign Face** means the surface of the Election Sign upon, against or through which the message of the election sign is exhibited but does not include the sign structure.
- u) **Sign Height** means the vertical distance from the ground on which the sign is installed to the highest physical point of the sign.
- v) **Street Line** means the limit of a Highway as the dividing line between a lot and a Highway.
- w) **Third Party Advertisement** means a Third-Party sign
- x) **Third Party Sign** means an Election Sign not installed or erected directly or indirectly by a candidate.
- y) **Township** means the Corporation of the Township of Lake of Bays.
- z) **Voting Place** means the entire property and all the boundaries associated with it, when such Voting Place is located within public premises and shall mean all the Common elements when the Voting Place is located on private premises and includes offices established by election officials of the federal, provincial or municipal government to conduct an Election or provide assistance to electors.

2.0 SHORT TITLE

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

3.0 GENERAL PROVISIONS

- a) No Candidate, Registered Third Party or their agent or any other person shall affix, install or otherwise display an Election Sign, Third Party Advertisement or permit the same to be affixed, installed or otherwise displayed except as specifically permitted in this By-law or under Prescribed Legislation.
- b) Every Candidate or Registered Third Party to whom the Election Sign belongs shall be responsible for the installation, maintenance or display of the Election Sign and shall ensure that all the requirements of this By-law have been met.
- c) No person shall deface or willfully cause damage to an installed Election Sign.

3.1 Election Sign Physical Characteristics

- a) Election Signs shall be maintained in a proper state of repair and remain safe and aesthetically pleasing for the duration of their display.
- b) Election Sign(s) **shall not**:
 - i) Be illuminated, flashing, inflatable or in any way animated.
 - ii) Have a Sign Face area greater than 2.8 square metres (30 square feet)
 - iii) Be designed or located in such a way that can be confused with a traffic signal sign or official sign.

- iv) Have more than a maximum of two (2) back-to-back faces with the interior angle of the two election Sign Faces not exceeding 90 degrees.

3.2 Election Sign Content

- a) Election Sign(s) **shall**:
 - i) In the case of a Candidate Election Sign, clearly identify the Candidate that is responsible for the messaging.
 - ii) In the case of a Registered Third Party, identify the name of the Registered Third Party, the municipality where the Third Party is registered and a telephone number, mailing or email address at which the Registered Third Party may be contacted, or as otherwise indicated in the respective Prescribed Legislation
- b) Election Sign(s) **shall not**:
 - i) Be indecent in any word, picture, symbol or link of any kind.
 - ii) Bear a logo, corporate image, trademark or official mark of the Township of Lake of Bays.

3.3 Timing for Display of Election Signs

- a) Election Signs **shall not** be placed:
 - i) Prior to the issuance of writs for a Provincial or Federal election.
 - ii) Prior to the Nomination Day (the third Friday in August) in the year of a regular Municipal election.
 - iii) Prior to the closing of nominations for a Municipal by-election.
 - iv) Longer than seventy-two (72) hours following the election date.

3.4 Location of Election Signs

- a) Election Signs shall adhere to all Prescribed Legislation.
- b) No Election Sign shall obstruct the view or interfere with pedestrian traffic, the driver of a motor vehicle, the visibility of any official sign or device, another election sign or where it interferes with vehicular traffic movement in a manner that could endanger any person.
- c) No Election Sign shall obstruct or impede any fire escape, fire exit, door, window, skylight, flue, air intake or exhaust so as to prevent or impede the free access of emergency personnel to any part of a building including fire department connections and/or fire hydrants.
- d) No Election Sign shall be erected or placed on a vehicle or trailer or any mobile device stopped within 100 metres (328 feet) of a Voting Place.

e) Be in contravention of the specified dimensions and setbacks as follows:

Maximum Election Sign Face Area	Minimum Setback from Street Line on private property	Maximum Sign Height From Grade	Minimum Setback from a Voting Place, School Lot Line or Public Property not including Highways	Minimum Setback from Any Other Lot Line
Less than or equal to 1.5 square metres (16 square feet)	1 metre (3.3 feet)	3.7 metres (12 feet)	15.2 metres (50 feet)	0.6 metres (2 feet)
Greater than 1.5 square metres (16 square feet) to less than 2.8 square metres (30 square feet)	3.5 metres (11.5 feet) 3.6 (10 feet)	3.7 metres (12 feet)	15.2 metres (50 feet)	0.6 metres (2 feet)
Greater than 2.8 square metres (30 square feet)	Not permitted			

3.5 Election Signs on Private Property

- a) Election Signs shall not be displayed without having first obtained permission from the property owner.
- b) No more than two (2) official Election Signs of the same Candidate / Registered Third Party shall be displayed on one property.
- c) Election Signs shall not be displayed within 50 metres (164 feet) of any other Election Sign by the same Candidate / Registered Third Party on the same property.
- d) No person shall pull down or remove or relocate a lawfully installed Election Sign on Private Property without the consent of the Candidate to whom the Election Sign relates or the owner of the property of which the Election Sign is installed.

3.6 Election Signs on Public Property

- a) Election Signs are **not permitted** to be erected:
 - i) On any Township property including but not limited to:
 - Municipal Office (Dwight)
 - Public Works Garages (Dwight and Baysville)
 - Public Libraries (Dwight and Baysville)
 - Lake of Bays Community Centres (Dwight and Baysville)
 - Township Fire Halls (Port Cunnington, Hillside, Baysville)
 - Township Senior Centres (Dwight, Port Cunnington, Baysville, Dorset)
 - All Municipal Parks, Beaches and Boat Launches

- Any other lands owned or leased by the Township, excluding road allowances.
- ii) Overhanging any Township property or on any road allowances immediately adjacent to the properties noted above.
- iii) On any Public Utility Facility or any location where the Election Sign might interfere with underground services.
- iv) On any tree, tree support, stone, other natural object or fence on Township property.
- v) On any centre median, traffic island, or centre boulevard.
- vi) On any boulevard except as specifically indicated below:
 - i) A sign is permitted to occupy a boulevard area provided the sign is not greater than 1 metre (39 inches) in height and is not located within 3 meters (10 feet) of the traveled portion of a roadway including the paved shoulder.
- vii) At no time shall a sign interfere with or hinder pedestrian traffic on Township maintained sidewalk.
- viii) Within any sight triangle.

4 ADMINISTRATION AND ENFORCEMENT

- a) An Officer or any other individual assisting an Officer or designated by the Clerk may, at all reasonable times, enter upon land for the purpose of carrying out an inspection, obtaining evidence to determine whether an Election Sign complies with this by-law and an Officer may be accompanied by any other Township employee(s) / agents for this purpose.
- b) Any Election Sign, or part thereof, that has been installed, affixed or otherwise displayed in contravention of any provision of this by-law may be removed immediately without notice by an Officer or any other individual designated by the Clerk.
- c) No person shall hinder or obstruct or attempt to hinder or obstruct, any Officer or any other individual assisting an Officer or any other person designated by the Clerk in exercising a power or performing a duty under this by-law. Any person who is alleged to have contravened any of the provisions of this by-law shall identify themselves to an Officer or any other individual assisting an Officer or person designated by the Clerk upon request. Failure to identify upon request shall be deemed as obstruction.
- d) The Township shall not be liable for any damage or loss to an Election Sign that was displayed in accordance with this by-law or that was removed by the Township pursuant to the provisions of this by-law.

5. REMOVAL AND IMPOUNDMENT

- a) Upon receiving notice from the Township, any Candidate or Agent who has caused a sign to be erected or displayed contrary to the provisions of this By-law, shall:

- i) Remove, at the expense of the Candidate or the Agent, said sign within twenty-four (24) hours from the time of notice, unless the sign is made to comply with this By-law before such time elapses.
- b) Where a sign has not been removed by the Candidate or their Agent, an Officer may cause such sign to be removed and impounded at the expense of the Candidate or Agent.
- c) The removal of any Election Sign, or part thereof, that has been installed, affixed or otherwise displayed in contravention of any provision of this by-law may be removed by an Officer.
- d) A removed sign shall be impounded by the Township for a period of not less than thirty (30) days. During this time the Candidate or Agent is entitled to redeem such sign.
- e) Where the impounding time of a Sign exceeds the thirty (30) day period and the sign has not been redeemed, the Township may dispose of the sign without notice or compensation to the Candidate of the sign or their agent.
- f) No Election Sign(s) shall be returned on Voting Day.

6. PENALTIES

- a) Every Person who contravenes this By-law may be subject to the following:
 - i) Administrative Penalty, as permitted under section 434.1 of the Municipal Act, 2001, S.O. 2001, c.25, as amended;
 - ii) Set fines as permitted under the Provincial Offences Act; and/or
- b) Every Person, Owner, director of a Corporation who concurs in such contravention by the Corporation, is guilty of an offence and may be subject to an Administrative Penalty or set fine under the Provincial Offences Act, R.S.O. 1990, c.P 33, as amended.
- c) Every Person who contravenes any provision of this By-law is guilty of an offence pursuant to the provisions of the Provincial Offences Act R.S.O. 1990, Chapter P.33, as amended, and upon conviction, a Person is liable to a fine of not more than \$5,000, exclusive of costs.
- d) Every Person, other than a company who contravenes any provision of this By-law, and every director of a Corporation who knowingly concurs in such contravention by the Corporation, is guilty of an offence and on conviction liable to a fine not exceeding \$25,000 for a first offence and \$50,000 for any subsequent offence.
- e) Where a Corporation is convicted of an offence under this By-law, the maximum penalty is \$50,000 for a first offence and \$100,000 for any subsequent offence.
- f) Where a Person has been convicted for an offence under this By-law by a court of competent jurisdiction, the court may in addition to any other penalty imposed on the Person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the Person convicted directed toward the continuation or repetition of the offence.

7. ADMINISTRATIVE PENALTIES

- a) Every Person who contravenes any of the provisions of this By-law, including those contained in any of the Schedules and every director of a Corporation who concurs in such contravention by the corporation is guilty of an offence and may be subject to an Administrative Penalty or as an offence and conviction liable to a fine in keeping with the provisions of the Provincial Offences Act R.S.O. 1990, Chapter P.33, as amended.
- b) An Officer who finds that a Person has contravened any provision of this By-law may issue a penalty notice addressed to that Person.
- c) Any Person who contravenes any provision of this By-law shall, upon issuance of a penalty notice pursuant to Section 7(b), be liable to pay to the Municipality an administrative penalty in the amount as noted within the Administrative Monetary Penalty System (AMPS) By-law.
- d) An Officer has the right to issue an elevated fine as noted under the Administrative Monetary Penalty System (AMPS) By-law, when a violation has reoccurred at the same property, or by the same Person.
- e) The penalty notice shall be given to the Person to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:
 - i) Particulars of the contravention, including to which property it applies;
 - ii) The amount of the administrative penalty;
 - iii) A statement advising that an administrative penalty will constitute a debt to the Municipality.
- f) A Person who has been issued a penalty notice shall pay the administrative penalty within fifteen (15) days from the date the notice was issued.
- g) An administrative penalty that is deemed to be confirmed constitutes a debt to the Municipality and may be added to the tax roll of the property on which the offence occurred.

8. SCHEDULES

- a) Provisions of this By-law that allow for financial penalties shall be updated and attached to the Schedules of the Administrative Penalties found in the AMPS By-law (as amended from time to time).
- b) Any and all schedules attached to this by-law form part of this by-law.

9. SEVERABILITY

- a) Should any provision, or any part of a provision, of this By-law be declared invalid, or to be of no force and effect by a court of competent jurisdiction, it is the intent of Council that such provision, or part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.
- b) Where this By-law is silent on any matter related to signs, the regulations in the Township's general sign by-law shall apply.

10. FORCE AND EFFECT

- a) That By-law 2022-067 and any amendments hereto, are hereby deemed to be repealed.
- b) This By-law shall come into force and effect on the date of passage.

READ and finally passed this **10th** day of **March, 2026**

Original Signed

Mayor – Terry Glover

Original Signed

Clerk – Carrie Sykes

**THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS
PART I PROVINCIAL OFFENCES ACT
BY-LAW NO. 2026-029 – Election Sign By-law**

SCHEDULE “A”

ITEM	By-law Section	Short Form Wording	AMP amount
1	3(a)	Permit/Erect/Install Election Sign or Third Party Advertisement	\$200
2	3(c)	Deface or cause damage to an Election Sign	\$200
3	3.1(a)	Fail to maintain an Election Sign in good repair	\$200
4	3.1(b)(i)	Election Sign that is illuminated / flashing / inflatable / animated	\$200
5	3.1(b)(ii)	Election Sign with Sign Face greater than 2.8 square metres	\$200
6	3.1(b)(iii)	Election Sign designed or located that can be confused with a traffic signal sign or Official Sign	\$200
7	3.1(b)(iv)	Election Sign with more than 2 back to back faces with an interior angle greater than 90 degrees.	\$200
8	3.2(a)(i)	Fail to identify Candidate on an Election Sign	\$200
9	3.2(a)(ii)	Fail to identify Registered Third Party on an Election Sign	\$200
10	3.2(b)(i)	Indecent Election Sign	\$200
11	3.2(b)(ii)	Election Sign bearing logo / corporate image / trademark / official mark of the Township	\$200
12	3.3(a)(i)	Place Election Sign prior to issuance of writs	\$200
13	3.3(a)(ii)	Place Election Sign prior to Nomination Day in a regular municipal election	\$200
14	3.3(a)(iii)	Place Election Sign prior to closing of nominations in a municipal by-election	\$200
15	3.3(a)(iv)	Fail to remove Election Sign within 72hours following election date	\$200
16	3.4(b)	Election Sign that obstructs / interferes with pedestrian or vehicular traffic, official sign, another election sign or creates a danger	\$200
17	3.4(c)	Election Sign that obstructs / impedes emergency exits, flue, air intake or exhaust or access for emergency personnel	\$200
18	3.4(d)	Election Sign on vehicle / trailer / mobile device within 100 metres of a Voting Place	\$200
19	3.4(e)	Election Sign in contravention of the required dimensions and setbacks	\$200
20	3.5(a)	Display Election Sign on Private Property without permission of the property owner	\$200
21	3.5(b)	Display more than two (2) Election Signs of the same candidate on Private Property	\$200

**THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS
PART I PROVINCIAL OFFENCES ACT
BY-LAW NO. 2026-029 – Election Sign By-law**

SCHEDULE “A” continued

ITEM	By-law Section	Short Form Wording	AMP amount
22	3.5(c)	Display Election Sign on Private Property within 50 metres of sign of same Candidate / Registered Third Party	\$200
23	3.5(d)	Remove Election Sign from Private Property without consent	\$200
24	3.6(a)(i)	Erect Election sign on Township Property	\$200
25	3.6(a)(ii)	Erect Election Sign overhanging any Township property or road allowances	\$200
26	3.6(a)(iii)	Erect Election Sign on Public Utility Facility or any location to interfere with underground services	\$200
27	3.6(a)(iv)	Erect Election Sign on any tree, tree support, stone other natural object or fence on Township property	\$200
28	3.6(a)(v)	Erect Election Sign on centre median, traffic island or centre boulevard	\$200
28	3.6(a)(vi)	Erect Election Sign on a boulevard not in compliance with the specifications as set out	\$200
29	3.6(a)(vii)	Erect Election Sign that interferes / hinders pedestrian traffic on sidewalk	\$200
29	3.6(a)(viii)	Erect Election Sign within sight triangle	\$200
30	4(c)	Obstruct Officer / employee / agent performing duty under this by-law	\$400

NOTE: The general penalty provision for the offences listed above is Section 6.0 of By-law 2026-029, a certified copy of which has been filed.