

Municipality of Lakeshore

Regular Council Meeting Addendum



Tuesday, April 26, 2022, 6:00 PM

Electronically hosted from Council Chambers, 419 Notre Dame Street, Belle River

Pages

13. Reports for Direction

*13. Amendment to Sign By-law for Election Signs

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Recommendation:

Direct the Clerk to read By-law 46-2022, being a by-law to amend the By-law 107-2007, the Municipality of Lakeshore Sign By-law during the Consideration of the By-laws, as presented at the April 26, 2022 Council meeting.

20. Consideration of By-laws

*8. By-law 44-2022, Being a By-law to Repeal an Employee COVID-19 Vaccination Policy for the Municipality of Lakeshore

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*9. By-law 45-2022, Being a By-law to Amend the Hiring of Employees and Employment of Family Members Policy

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*10. By-law 46-2022, Being a By-law to Amend By-law 107-2007 (Sign By-law)

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*22. Closed Session

Recommendation:

Council move into closed session in Council Chambers at ____ PM in accordance with:

f. Paragraph 239(2)(f) of the *Municipal Act, 2001* to discuss advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding election sign regulations.

Municipality of Lakeshore – Report to Council

Strategic & Legal Affairs

Civic Affairs



To: Mayor & Members of Council

From: Kristen Newman, Corporate Leader – Strategic & Legal Affairs

Date: April 25, 2022

Subject: Amendment to Sign By-law for Election Signs

Recommendation

Direct the Clerk to read By-law 46-2022, being a by-law to amend the By-law 107-2007, the Municipality of Lakeshore Sign By-law during the Consideration of the By-laws, as presented at the April 26, 2022 Council meeting.

Background

The 2022 Municipal Election will take place October 24, 2022. As part of the election process, it is anticipated that candidates and third-party advertisers may wish to use election signs on private and/or public properties as part of their campaign strategies.

It is noted that the first day for candidate and third-party advertiser nominations is Monday, May 2, 2022.

Comments

The Municipality of Lakeshore currently has two by-laws in place relating to signs:

- By-law 107-2007 (general Sign By-law) and
- By-law 67-2006 (Election Campaign Sign By-law).

Administration has drafted By-law 46-2022 for Council's consideration, which would repeal the Election Campaign Sign By-law and include provisions relating to election signs in the general Sign By-law. A consolidated version of the General Sign By-law is attached as Attachment "A". The green text indicates language that was modified or is newly introduced by the draft amendment. The intention of the amendment is to:

- Restrict when election signs are permitted (during an election campaign period),
- Include third party advertising prohibitions consistent with the *Municipal Elections Act, 1996* regulation regarding third party advertising;

- Include a requirement for a permit (not required for signs with area less than 2 square metres on private property and not required for signs of same size or less on inner boulevards), and
- Clarify the placement of election signs on both private property and municipal lands, which will in turn provide greater clarity for candidates and members of the public.

The draft by-law amendment continues many of the provisions in the Election Campaign Sign By-law such as prohibitions from attaching signs to utility poles and over or on municipal property. The draft by-law amendment further continues the authority of the Municipality to remove signs where they do not comply with the relevant legislation.

In addition, the draft by-law includes housekeeping items such as updated language from the *Municipal Elections Act, 1996* and reflects the change in timing for the campaign period to align with the nomination period commencing May 2, 2022.

Administration recommends that Council direct the Clerk to present By-law 46-2022 for reading and adoption during the Consideration of the By-laws portion of the Council meeting.

Financial Impacts

There are no financial impacts as a result of this report. Administration will advise candidates of the proposed amendments to the Sign By-law and will provide copies of the by-law to candidates once it is adopted by Council.

Attachment

A - By-law 107-2007 as amended by the Draft By-law Amendment. The green indicates language that is newly included or modified.

Report Approval Details

Document Title:	Amendment to Sign By-law for Elections Signs.docx
Attachments:	A-107-2007 – Sign By-law with Draft Amendments-Greenlined.docx
Final Approval Date:	Apr 25, 2022

This report and all of its attachments were approved and signed as outlined below:

Prepared by Kristen Newman

Approved by Justin Rousseau and Truper McBride

MUNICIPALITY OF LAKESHORE

BY-LAW 107-2007

**BEING A BY-LAW TO REGULATE THE ERECTION OF
SIGNS, OTHER ADVERTISING DEVICES AND THE
POSTING OF NOTICES WITHIN THE MUNICIPALITY
OF LAKESHORE**

WHEREAS the *Municipal Act*, 2001, S.O. 2001 C.25 as amended, authorizes municipalities to prohibit or regulate the erection of signs, other advertising devices and the posting of notices within the Municipality of Lakeshore;

AND WHEREAS the *Municipal Act*, 2001, S.O. 2006, c. 25 as amended, also provides that a municipality may remove a sign if it is erected or displayed in contravention of a by-law respecting signs;

AND WHEREAS it is deemed necessary and advisable for the Municipality to regulate the erection of Signs;

**NOW THEREFORE THE COUNCIL OF THE MUNICIPALITY OF
LAKESHORE HEREBY ENACTS AS FOLLOWS:**

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INTERPRETATION

1. In this by-law:

“Animated Sign” means any sign that includes action or motion of all or any party of a sign and includes a sign containing intermittent or flashing light source.

“Applicable Election Legislation” means:

(a) with respect to federal election means the *Canada Elections Act*,

(b) with respect to provincial election means the *Election Act* (Ontario) and *Election Finances Act*, R.S.O. 1990, c. E.7, and

(c) with respect to a municipal election means the *Municipal Elections Act*, 1996.

“Approved” means approved by the Chief Building Official.

“Area of the Sign” means the number of square feet on the face of a Sign including the border and frame, if any. In the case of a projecting or double faced Sign, the Area is the area of the surface of one side of the Sign face.

“Average Finished Grade” means the average elevation of the finished ground immediately beneath the Sign or proposed Sign.

“Boulevard” means all parts of the Highway save and except any roadway, shoulder, driveway or sidewalk and

“Outer Boulevard” means such portions of the Highway lying between any sidewalk and the roadway or the shoulder where such exists;

“Inner Boulevard” means such portion of the Highway lying between the lateral boundary and the sidewalk and where there is no sidewalk it means that portion of the Highway lying between the lateral boundary and the roadway or the shoulder where such exists.

“Chief Building Official” means a person designated as such by Council.

“Campaign Period” means:

(a) in the case of a regular election pursuant to the *Municipal Elections Act*, 1996, the period between the first available day on which a nomination may be filed with the Clerk and Voting Day in the year of a regular election;

(b) in the case of a by-election pursuant to the *Municipal Elections Act*, 1996, the period between the first available day on which a nomination may be filed with the Clerk and Voting Day; and,

(c) in the case of a federal or provincial election, the period between the issue of a Writ of Election and Voting Day as defined by the Applicable Election Legislation.

“Canada Elections Act” means the *Canada Elections Act*, S.C. 2000, c.9.

“Clerk” means the municipal clerk designated by the Council.

“Council” means the Council of the Municipality of Lakeshore.

“Dwelling” means a building or other structure used for human habitation.

“Elections Act (Ontario)” means *Elections Act*, R.S.O. 1990, c.E.6;

“Erect” means to attach, build, construct or reconstruct, enlarge, locate or relocate any Sign, to paint a Wall Sign or to maintain any Sign but does not include changes to the letters, numerals, symbols, graphics, characters, logos, colours, designs, textures or objects on any approved Sign face.

“Height of the Sign” means the vertical distance from the average finished grade to the highest extremity of the Sign including the border or frame and supporting structure, if any.

“Highway” includes 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 lines thereof, and **“MTO Highway”** means a Highway under the jurisdiction of the Ministry of Transportation of Ontario.

“Island” means a portion of a Highway so constructed as to separate or direct vehicular traffic onto specific portions of the roadway, or provided for the use or protection of pedestrians.

“Lot” means any parcel of land capable of being separately conveyed.

“Lot Line” means any boundary of a lot.

“Municipal By-law Enforcement Officer” means any of the following: the Chief Building Official, Division Leader – By-law Compliance and a By-law Compliance Officer designated by the Municipality.

“Municipality” means the Municipality of Lakeshore.

“Municipal Elections Act, 1996” means *Municipal Elections Act, 1996*, S.O. 1996, c.32, Sched.

“Municipal Property” means property owned by or under the control of the Municipality, including a park, or any of its agencies, local boards, commissions or corporations and shall be deemed to include public utilities facilities and shall also be deemed to include, benches, municipal garbage containers or other structures.

“Non-Profit or Charitable Organization” means any non-profit corporation or organization set up for a public purpose without share capital having objects of a charitable, religious, professional, fraternal or athletic purpose.

“Official Sign” means a sign approved by the Ministry of Transportation for the Province of Ontario, the County of Essex or the Municipality of Lakeshore, and includes any sign or other device placed or erected on a Highway under the authority of the Municipality’s Parking and Traffic By-Law for the purpose of regulating, warning or guiding traffic.

“Permit” means a permit issued by the Municipality under this By-law.

“Property” means a separately assessed property shown on the Municipality’s latest Assessment Roll.

“Registered Candidate” means: a Candidate within the meaning of the Canada Elections Act, the Election Act (Ontario) or the Municipal Elections Act, 1996;

“Registered Third Party” means any individual, corporation or trade union registered in accordance with the *Municipal Elections Act, 1996* ;

“Roadway” means the part of the Highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the Shoulder, and, where a Highway includes two or more separate roadways, the term “roadway” refers to any one roadway separately, and not to all of the roadways collectively.

“Shopping Centre” means a group of commercial uses comprising unrelated individual business uses and having a total ground floor area in excess of 6,000 square feet on one lot.

“Sidewalk” means a foot path or any portion of a Highway set aside or improved for the use of pedestrians.

“Sign” means any device that conveys information by means of letters, numerals, symbols, graphics, characters, logos, lights, colours, designs, textures or objects. Without limiting the generality of the foregoing, Signs are classified by their design, means of support and/or purpose as follows:

“Banner Sign” means any Sign made of cloth, paper or fabric supported by ropes, wires or cords.

“Double Faced Sign” means a Sign on a single supporting structure having two Sign faces.

“Election Sign” means any Sign promoting, opposing or taking a position with respect to any of the following in relation to an election held pursuant to the *Municipal Elections Act, 1996, Elections Act (Ontario)*, or *Canada Elections Act*:

- (i) a candidate, political party or issue associated with a person or political party;
- (ii) an issue associated with a person, candidate, or political party in an Election; or
- (iii) a question, law or by-law submitted to the electors.

“Flashing Sign” means an illuminated Sign, upon which the source(s) of artificial light are not stationary or the intensity or colour is not constant.

“Ground Sign” means any single or double faced Sign, the main body of which is directly supported by and affixed to the ground with or without the support of any building or structure.

“Illuminated Sign” means a Sign that is lit by an artificial light source(s) within the Sign or by reflected light from a light source(s) directed upon it.

“Pedestal Sign” means a temporary and/or movable sign supported by a column and a base so as to allow the sign to stand in an upright position.

“Portable Sign” means a temporary advertising device and includes any and all signs constructed so as to be readily moved or transported whether or not the sign is fixed to the ground, mounted on a vehicle or affixed to a freestanding structure but does not include a Sandwich Board Sign.

“Projecting Sign” means any Sign other than a Wall Sign that is attached to and projecting from the wall of a building.

“Pylon Sign” means a Ground Sign supported upon one or more poles or standards.

“Real Estate Sign” means a Sign advertising that the lot on which it is located is for sale, rent or lease.

“Roof Sign” means a Sign that is erected on the roof of a building, or on any wall extending above the juncture of the wall and the roof.

“Sandwich Board Sign” means a non – illuminated sign consisting of two (2) flat surfaces joined at one (1) end and resting on the ground.

“Temporary Sign” means a sign displayed for a limited period of time.

“Wall Sign” means a single faced Sign which is painted on or affixed to an exterior wall of a building such that the Sign face is approximately parallel to the wall.

“Shoulder” means that part of the Highway lying adjacent to the roadway where there is no barrier curb, and which is improved or maintained to support a stopped vehicle.

“Street” means a common and public street, road, alley, lane, or Highway as defined in the *Municipal Act*, and includes a bridge but does not include a private road.

“Street Line” means the lot line dividing a lot from a street.

“User Fee By-law” means the Municipality’s User Fee By-law passed pursuant to Part XII of the *Municipal Act, 2001*, S.O. 2001, c. 25.

“Vehicle” means a motor vehicle, tractor, trailer, truck, camper, boat, motorcycle, motorized snow vehicle, mechanical equipment or any vehicle drawn, propelled or driven by any kind of power.

“Visibility Triangle” means a triangular area formed within a lot by:

- a) intersecting streets and a straight line connecting them 7.6 metres (25 feet) from their point of intersection; or
- b) the intersection of a Street and a driveway within 7.6 metres (25 feet) of a property line and a straight line connecting them 7.6 metres (25 feet) from their point of Intersection; or
- c) the intersection of an alley and a street, or two alleys and a straight line connecting them 3.05 Metres (10 feet) from their point of intersection.

“Voting Day” means:

- a) voting day or polling day in accordance with the Applicable Election Legislation.

“Voting Place” means a place where electors cast their ballots in an election and includes any abutting property, including a Highway.

“Width of the Sign” means the distance between edges of the Sign including any border or frame, measured horizontally.

“Writ of Election” means the date defined in the *Canada Elections Act* and the *Election Act* (Ontario).

“Zone” means an area delineated on a zoning map schedule and designated by the Zoning By-law for a specific use or group of uses.

“Zoning By-law” means the Zoning By-law in effect for the Municipality of Lakeshore.

GENERAL PROVISIONS AND REQUIREMENTS

2. This by-law may be cited as the “Municipality of Lakeshore Sign By-law”.
3. The purpose of this By-law is to regulate the location, size, number, construction, alteration, repair and maintenance of all Signs within the corporate limits of the Municipality.
4. No person shall Erect or cause to be Erected within the Municipality any Sign except as permitted by this By-law and in conformity with the applicable provisions of the *Ontario Building Code* and the Zoning By-law.
5. The provisions of this By-law do not apply to Signs that have been lawfully Erected prior to the passing of this By-law.
6. This By-law does not apply to Signs Erected in the interior of a building.
7. No person shall erect any sign on or over property owned by the Municipality without the consent of the Municipality.
8. No person shall erect the following:
 - (a) a roof sign;
 - (b) a sign within a visibility triangle;
 - (c) a sign attached to a tree, tree grating, protector, utility pole or light standard;
 - (d) a sign located on or over property owned by the Municipality, a public utility or local board;
 - (e) a fascia sign or awning sign projecting more than .30 m (1 ft) over any street;
 - (f) a sign erected or painted on a vehicle where the vehicle is parked or located in such a manner so to make the vehicle visible from a street;
 - (g) a sign that encroaches upon any vertical or horizontal spatial clearance required by E.L.K. Energy, Hydro One or the Municipality, for electrical wires, poles, or light standards;
 - (h) a sign that directs attention to products, goods and services, activities or facilities not provided on the premises on which the sign is located.

REMOVAL OF SIGNS

9. (a) Subject to subsections (b), the owner of any Sign that is no longer in use shall remove the Sign, and any supporting structure, within 30 days of the cessation of its use.

9.1 (a) The owner of an Election Sign shall remove the Sign, and any supporting structure, within 72 hours following 11:59 pm on Voting Day.

- 9.2 (a) Where a Municipal Law Enforcement Officer has reasonable and probable grounds to believe that an Election Sign is Erected, displayed, placed, nailed or otherwise attached contrary to any provision of this by-law, the Municipal Law Enforcement Officer shall cause the Election Sign to be removed immediately without notice to any person.
- (b) Where an Election Sign has been removed pursuant to this section, the Registered Candidate or Registered Third Party with whom the Election Sign is associated is liable to a charge of \$50.00 (fifty dollars) per occurrence.
- (c) The Corporation of the Municipality of Lakeshore is not responsible for the condition of Election Signs upon removal or during the storage of the Election Sign.
- (d) An Election Sign removed pursuant to this by-law shall be stored by the Municipality in a safe place to be prescribed by the Clerk for a period of not less than 14 days, during which time the owner or an agent may retrieve the Election Sign.
- (e) If an Election Sign has been removed by the Municipality and stored for a period of at least 14 days and such sign has not been retrieved, the Election Sign may be destroyed forthwith or otherwise disposed of by the Municipal Law Enforcement Officer without any notice or compensation to the owner thereof.

MAINTENANCE

10. Every Sign must be kept in a good state of repair and maintained in accordance with the following requirements:
- (a) all exposed surfaces shall be covered with a weather resistant, protective finish;
 - (b) repainting or refinishing shall be undertaken as often as necessary to prevent peeling or flaking paint or corrosion;
 - (c) broken or cracked parts of the Sign or its Structure shall be replaced;
 - (d) artificial sources of illumination in Illuminated Signs shall be replaced as required; and
 - (e) the immediate premises occupied by a Sign shall be kept clean and free of debris.

ILLUMINATED SIGNS

11. All light from Illuminated Signs shall be directed away from any adjacent residential Zone.

PERMITS, FEES AND INSPECTION

12. Subject to Section 14 of this By-law, no person shall Erect any Sign or cause or permit any Sign to be Erected unless a permit therefore has been first obtained from the Chief Building Official.
13. A permit issued under this By-law shall expire one year after its issuance if the Sign so approved is not Erected within that time.
- 13.1. A permit issued under this By-law for an Election Sign shall expire 72 hours after 11:59 pm on Voting Day of the Election for which the Sign is Erected.

SIGNS NOT REQUIRING PERMITS

- 14.** No permit shall be required for:
- (a)** Repealed.
 - (b)** any Sign owned by the Federal, Provincial or Municipal Governments or any agency thereof.
 - (c)** Signs required by law or otherwise intended solely for the safety and convenience of the public such as entrance or delivery Signs or traffic Signs.
 - (d)** a Real Estate Sign provided that the area of the Sign shall not exceed 6 square feet.
 - (e)** a Sign advertising an event organized by Non-Profit or Charitable Organizations, provided that it is removed within 3 days after the event.
 - (f)** a Wall Sign or incised or free-standing lettering on the wall of a building that does not project above the juncture of the wall and the roof or beyond the ends of the wall, indicating the name of the occupant or building, provided that:
 - (i)** in a residential Zone, the Area of the Sign does not exceed 6 square feet;
 - (ii)** in an agricultural Zone, the Area of the Sign, which may also advertise produce for sale, does not exceed 128 square feet .
 - (g)** in a residential Zone, a Ground Sign indicating the name of the occupant or building provided the Area of the Sign shall not exceed 6 square feet.
 - (h)** Directional signs indicating location of institutional facility.

PERMIT APPLICATIONS

- 15.** Every application for a permit shall be submitted to the Chief Building Official and accompanied by the following:
- (a)** drawings and specifications showing the Sign to be erected, construction details, supporting framework, foundations, materials, illumination details, Height, Area and Width of the Sign, and location on the lot.
 - (b)** for a Wall Sign, an elevation drawing of the wall on which the Sign is to be erected, showing doors, windows, other openings, wall area, and the location of the proposed Sign.
- 16.** Where a Sign will front on a County Road or Provincial Highway, the Chief Building Official will submit copies of the application to the appropriate authority for approval prior to the issuance of the permit.
- 17.** No permit shall be issued until the fees prescribed by the **Municipality's User Fees By-law** have been paid in full.
- 18.** The Chief Building Official shall issue a permit to an applicant where he/she is satisfied that the application meets the requirements of this By-law and that the Sign to be Erected will conform to the standards specified in the **Schedules attached** hereto and forming part of this by-law.

RELIEF FROM BY-LAW

19. (a) Except in the case of an Election Sign, a person may apply and Council may refuse to grant relief from the regulations contained in this by-law or may grant such relief as it considers appropriate, either absolutely or subject to conditions, provided that, in the opinion of Council, the relief is minor and the general intent and purpose of this by-law are maintained.
- (b) Applications for relief from the regulations contained in this by-law shall be in writing on the form provided by the Municipality and shall indicate the relief requested and the reasons such relief is required.
- (c) Applications for relief from the regulations contained in this by-law shall be submitted to the Clerk together with the applicable fee as set out in the Municipality's User Fees By-law.
- (d) Upon receipt of an application for relief from the regulations contained in this by-law and the applicable fee the Clerk shall place the matter on the agenda for the next available regular meeting of council.

ERECTION

20. All Signs, including Signs that do not require a permit, shall be Erected in conformity with the provisions of this By-law, including the standards in Schedule 'A' hereto, and shall be in compliance with the Ontario Building Code.
21. All electrical work in or on any Sign shall be in conformity with all applicable codes, regulations, and permit requirements.

ENFORCEMENT

22. The Chief Building Official shall be responsible for the administration of this by-law and a Municipal By-law Enforcement Officer shall be responsible for the enforcement of this By-law.
23. The Chief Building Official and any officer appointed by him to assist with the enforcement of this by-law may, at any reasonable time, enter any premises to inspect any Sign, whether or not the Sign is one for which a permit is required.
24. The Chief Building Official may order the owner of the Lot on which a Sign has been erected in contravention of this by-law and/or any person who has Erected or caused or permitted a Sign to be Erected in contravention of this by-law to bring such Sign into compliance with this By-law or to remove such Sign within the timeframe deemed appropriate by the Chief Building Official. Upon failure to comply with such order within a reasonable period of time, the Chief Building Official may cause the Sign to be removed at the expense of the person notified.
25. Where the Chief Building Official has charged the expense of removing a Sign to the owner of a Lot, a copy of the invoice for the removal, together with a statement by the Municipality Treasurer indicating that:
- (a) the invoice has been sent to the owner of the land and/or owner of the Sign, according to the information contained in the assessment roll;
- (b) no payment or insufficient payment has been received for the invoice; and
- (c) payment of the invoice is overdue;

shall be sufficient authority to enter the amount of the unpaid balance on the Collector's Roll, to be collected in the same manner as municipal taxes.

26. Every Person who contravenes any provision of this by-law is guilty of an offence, and upon conviction is liable to a minimum fine of \$400 and a maximum fine of \$5,000 for each day or part of a day that the offence continues.
27. Offences under this by-law are designated as continuing offences.
28. Should any section, subsection, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the said section shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.

GENERAL

29. By-law# 78-2001 is hereby repealed.
30. This By-law shall be deemed to have come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED THIS 14 DAY OF AUGUST, 2007.

TOM BAIN - MAYOR

MARY MASSE - CLERK

SCHEDULE 'A' – STANDARDS FOR THE ERECTION OF SIGNS

General

1. No Sign shall be Erected so as to interfere with the visibility of any Traffic Sign.
2. One (1) temporary sign not to exceed 6.0 sq. m (64.59 sq. ft.) in area may be erected on a construction site indicating the nature of the project and the developers and related personnel, professions or trades involved in the development of the site. The sign may be on display for not longer than thirty (30) days after the completion of construction. Notwithstanding Section 13 of the by-law, no permit shall be required for a sign erected pursuant to this section.
3. Not more than one (1) portable sign shall be erected on any property except as follows:
 - (a) where the property frontage exceeds 50.0 m (164.0 ft.). One (1) additional portable sign may be erected for every 50.0 m (164.04 ft.) of frontage; or
 - (b) where the property fronts on more than one (1) street. Additional Portable Signs on each street shall be permitted based upon the calculations set out in 3(a) above.

Residential Zone Signs

4. The following standards apply to Signs in any Residential Zone:
 - (a) only a Wall Sign or a Ground Sign shall be permitted;
 - (b) no Illuminated Sign shall be permitted;
 - (c) Signs identifying rooming and boarding houses, mobile home parks, apartments and other multiple family residential uses shall not exceed 10 square feet in area and the Height of the Sign shall be no more than 3 feet;
 - (d) no more than one (1) Sign per lot identifying a Home Occupation, as defined in the Zoning By-law, is permitted;
 - (e) a ground Sign shall be located no closer than 6 feet from any lot line or street line and no more than 6 feet from any dwelling.

Agricultural Zone Signs

5. The following standards apply to Signs in any Agricultural Zone:
 - (a) one (1) Ground or Wall Sign for the purposes of advertising the sale of produce or providing direction to premises is permitted provided that the Area of the Sign shall not exceed 32 square feet;
 - (b) one (1) Non-illuminated Sign to identify an Agricultural use or a permitted Agricultural Home Occupation, as defined in the zoning by-law.

Commercial, Industrial and Institutional Zone Signs

6. The following standards apply to Signs in any Commercial, Industrial and Institutional Zone:

- (a) any Illuminated Sign shall deflect light away from any adjacent Residential and Agricultural Zone;
- (b) Wall Signs shall not exceed fifty percent (50%) of the available area of the exterior wall excluding doors and windows;
- (c) No Sign shall extend above the top of the wall of a building nor extend beyond the ends of a wall to which the Sign is attached.

Pylons

7. The following regulations shall apply to Pylon Signs:

- (a) not be greater than 8.0 m (26.25 ft) in height from grade;
- (b) have a clearance of 4.5 m (14.76 ft) from grade if erected in a visibility triangle;
- (c) have a sign area not greater than 27.0 m² (291 sq. ft);
- (d) not be closer than 3.0 m (9.8 ft) to any property line;
- (e) not closer than 30cm (1.0 ft) provided that a Pylon Sign having a minimum clear height of 2.5 m (8.2 ft) and which is supported by supports having a maximum width of 38cm (15 in) and which does not have a base or ornamental features which will create a visible obstruction for motorists; and
- (f) Only one (1) Pylon Sign permitted per property at any one time except where properties with a frontage exceeding 50.0 m (164.0 ft.) or part thereof are permitted an additional Pylon Sign provided that no Pylon Sign may be located closer than 30.0 m (98.44 ft.) from any other Pylon Sign.

Portable Signs

8. The following regulations shall apply to Portable Signs:

- (a) Only one (1) Portable Sign permitted per property at any one time except where properties with a Street frontage exceeding 50.0 m (164.0 ft.) or part thereof are permitted an additional Portable Sign provided that no Portable Sign may be located closer than 30.0 m (98.44 ft.) from any other Portable Sign;
- (b) No electrical extension cord shall pass over a sidewalk, pedestrian walkway, roadway, driveway, aisle or parking space;
- (c) Portable Signs shall:
 - i) not require a permit;
 - ii) not be permitted in any Residential Zone as defined in the Zoning By-law for a period exceeding more than three (3) days and shall not be used for commercial purpose;
 - iii) not have an area greater than 6.0 sq. m (64.60 sq. ft);
 - iv) not be closer than 0.3 m (1 ft) to any lot line;
 - v) not occupy any space required for off-street parking required by the Zoning by-law;

- vi) not be placed on property owned by the municipality;
- vii) not be located within any visibility triangle; and
- viii) have permanently affixed to it in a visually prominent location the name and phone number of the Sign owner.

Sandwich Board Signs and Pedestal Signs

9. The following regulations shall apply to Sandwich Board Signs and Pedestal Signs:

- (a) Only one (1) Sandwich Board Sign or Pedestal Sign shall be permitted in a commercial zone for each business with a maximum of two (2) Sandwich Board Signs, Pedestal Signs or combination of both permitted per property frontage;
- (b) Sandwich Board Signs and Pedestal Signs shall:
 - i) not require a permit;
 - ii) not have an Area exceeding 1.0 sq. m (10.8 sq. ft.) per sign surface and a height not exceeding 1.2 m (4.0 ft.);
 - iii) not be closer than .30 m (1.0 ft.) to the street line;
 - iv) if placed on public sidewalk or walkway, leave a minimum 1.8 m (6.0 ft) wide unobstructed pedestrian corridor;
 - v) not be placed in a location that will interfere with parking spaces, parking meters, crosswalks, landscape planters, street furniture, trees, utility poles and fire hydrants;
 - vi) not create an obstruction to vehicle or pedestrian traffic or a hazard to public safety;
 - vii) only be displayed during the business hours of the premises; and
 - viii) not be illuminated.
- (c) The sign owner shall maintain public liability insurance while the Sign is placed within the public right-of-way.

10. Repealed by By-law 7-2015.

Projecting Signs

11. The following regulations shall apply to Projecting Signs:

- (a) One (1) Projecting Sign may be erected for each place of business having frontage on a Street of 25 feet or more;
- (b) The maximum projection of any Projecting Sign shall be no greater than 6 feet from the face of the wall the Sign is attached to and shall not project into Municipal property;
- (c) No part of any Projecting Sign shall be closer than 10 feet to the average finished grade;
- (d) The maximum Area of the Sign shall not exceed 20 square feet;
- (e) No Sign shall be attached to or suspended from any Projecting Sign, unless permanently attached in a manner approved by the Chief Building Official;

(f) In Industrial Zones, no Ground or Pylon Sign shall be located closer than 10 feet to any lot line; and

(g) One (1) animated sign per lot may be erected/attached to one of the following; ground, pylon, projecting or fascia sign. Additional animated signs may be erected if there is more than one (1) rental unit or the frontage is greater than 150 ft.

Schedule “B” – Election Signs

General Election Sign Regulations

12. The following regulations shall apply to all Election Signs:

(1) No person shall Erect or display an Election Sign or permit or cause an Election Sign to be Erected or displayed except in accordance with this Schedule.

(2) No person shall Erect or display an Election Sign or permit or cause an Election Sign to be Erected or displayed without a permit except if Erected or displayed or caused or permitted to be Erected or displayed in accordance with sections 13 and 14.

(3) No person shall Erect or display an Election Sign or permit or cause an Election Sign to be Erected or displayed except during the Campaign Period for which the Election Sign is Erected.

(4) No person shall Erect or display or permit or cause to be Erected or displayed an Election Sign promoting, opposing or taking a position with respect to a person or political party unless the political party or candidate are registered in accordance with the Applicable Election Legislation.

(5) No individual, trade union or corporation shall Erect or display or permit or cause to be Erected or displayed an Election Sign unless registered in accordance with the Applicable Election Legislation.

(6) No person shall nail or otherwise attach an Election Sign, or cause or permit an Election Sign to be Erected or displayed or otherwise attached to or upon any utility pole, light pole, utility box, traffic control device, tree, bus shelter, planter, bench, waste receptacle, newspaper box, mail box, permanent or official sign or to the guide rail or other Highway structure or facility or other asset of municipal infrastructure, or anywhere it may interfere with the continued safe use and operation of infrastructure, traffic and pedestrians.

(7) No person shall Erect or display an Election Sign or cause or permit an Election Sign to be Erected or displayed at any of the following locations:

(a) within 46 metres (150 feet) of the nearest limit of a grade intersection of a MTO Highway and another Highway or railway; and

(b) on the premises of a Voting Place on a Voting Day.

For the purpose of this subsection, “Voting Day” shall include a day where advance voting or polling is occurring.

(8) An Election Sign shall not:

(a) create an obstruction to vehicle or pedestrian traffic or a hazard to public safety;

(b) be illuminated;

(c) be flashing.

(9) An Election Sign shall not be Erected:

(a) on or over Municipal Property, except as permitted by this regulation;

(b) in a Visibility Triangle;

(f) on or over a Roadway;

(g) on an Island; and,

(h) on or over a Shoulder.

(10) A Portable Sign Election Sign shall not be Erected or displayed or caused to be Erected or displayed on a Highway.

Election Sign on Municipal Property

13. An Election Sign may be Erected on Municipal Property without a permit if Erected or displayed or caused to be Erected or displayed:

- a) on an inner boulevard with at least 4 metres (13.12 feet) clear distance to the edge of the roadway or a private driveway;
- b) on an inner boulevard with the consent of the adjoining owner;
- c) the Sign is a free-standing Election Sign; and
- d) the Election Sign is no more than 2 square metres in Area of the Sign; and
- e) the Height of the Sign is no more two metres above ground level.

Election Sign on Private Property

14. An Election Sign may be Erected on Private Property without a permit if Erected or displayed or caused to be Erected or displayed:

- (a) with the consent of the property owner; and
- (b) the Sign is a free-standing Election Sign; and
- (c) the Election Sign is no more than 2 square metres in Area of the Sign; and
- (d) the Height of the Sign is no more 2 metres above ground level.

Municipality of Lakeshore

By-law 44-2022

Being a By-law to Repeal an Employee COVID-19 Vaccination Policy for the Municipality of Lakeshore

Whereas section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality has the authority to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

And whereas the Council of the Municipality of Lakeshore passed a resolution directing the Clerk read a by-law to adopt an Employee COVID-19 Vaccination Policy for the Municipality of Lakeshore, as recommended by the Division Leader – Workforce Development at the October 26, 2021 Council meeting;

And whereas the Council of the Municipality of Lakeshore passed a resolution directing the Clerk read a by-law to adopt a revised Employee COVID-19 Vaccination Policy for the Municipality of Lakeshore, as recommended by the Division Leader – Workforce Development at the February 1, 2022 Council meeting;

And whereas the Council of the Municipality of Lakeshore passed a resolution at the April 21, 2022 Council meeting directing the Division Leader – Workforce Development to prepare the necessary by-law for repeal of the Employee COVID-19 Vaccination Policy for the Municipality of Lakeshore effective April 27, 2022, for reading during the Consideration of the By-laws at the April 26, 2022 Council meeting;

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. By-law 20-2022, including the COVID-19 Policy attached thereto, is repealed.
2. This By-law comes into force and effect at 12:01 AM on April 27, 2022.

Read and passed in open session on April 26, 2022.

**Mayor
Tom Bain**

**Clerk
Kristen Newman**

Municipality of Lakeshore

By-law 45-2022

Being a By-law to Amend the Hiring of Employees and Employment of Family Members Policy for the Municipality of Lakeshore

Whereas pursuant to section 270(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, the Municipality of Lakeshore has adopted and maintained a policy with respect to the hiring of its employees;

And whereas it is deemed necessary to amend the Hiring of Employees and Employment of Family Members Policy as it relates to volunteer firefighters to recruit qualified candidates to the volunteer firefighter role as a specialized position;

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. The revised Hiring of Employees and Employment of Family Members Policy attached as Schedule “A” to this by-law is adopted.
2. This By-law comes into force upon passage.

Read and passed in open session on April 26, 2022.

**Mayor
Tom Bain**

**Clerk
Kristen Newman**



Schedule A to By-law 45-2022

Policy: Hiring of Employees and Employment of Family Members	Policy # HR - 251
Department: Administration	Effective Date: May 24, 2006
	Revision Date: April 10, 2012 November 7, 2013 September 22, 2015

1.0 Purpose

- 1.1 To define a policy as it relates to the hiring of employees and the employment of family members.
- 1.2 To ensure that the Corporation hires, promotes and transfers the most qualified individuals available to fill positions within the Corporation.
- 1.3 To ensure that employment-related decisions concerning existing or potential corporate employees are free from any real or perceived improper influence based on family relationships and to maintain public confidence in the integrity of the Corporation's hiring and employment practices.
- 1.4 In particular, this policy is intended to:
 - 1.4.1 Prevent a conflict of interest, or the appearance of such a conflict, that may arise through the hiring or employment of family members.
 - 1.4.2 Prevent the exercise of any improper influence based on family relationships, or the appearance of such influence, in the Corporation's employment practices.
 - 1.4.3 Ensure all employment advertisement, employment applications and employment interviews will be prepared and conducted in accordance with the *Human Rights Code*, and in particular in accordance with the Commission's policies with respect to same.
 - 1.4.4 Ensure that no elected official or employee will be involved in the process of hiring, transferring, or promoting employees, where the involvement of that individual may result in a conflict of interest as defined in the *Municipal Conflict of Interest Act*, R.S.O. 1990, c.M.50.

2.0 Scope

- 2.1** This policy applies to all elected officials and employees of the Corporation.
- 2.2** For the purpose of this policy:
 - 2.2.1** “Family member” shall mean the child, parent or spouse of an elected official or an employee of the Corporation.
 - 2.2.2** “Spouse” shall mean a person to whom another is married or with whom an individual is living in a conjugal relationship outside of marriage and shall include same sex relationships.
 - 2.2.3** “Child” shall mean both a natural and adopted child and a person who a parent has demonstrated a settled intention to treat as a child of his/her family.
 - 2.2.4** “Parent” shall mean being in a parent-child relationship whether or not that person is the natural or adoptive parent of the child.

3.0 Policy

- 3.1** All new or vacant positions within the bargaining units shall be posted and filled pursuant to the provisions of any Collective Agreements which may be in force from time to time.
- 3.2** All other new or vacant positions shall be advertised in accordance with the provisions of the Town of Lakeshore Advertising Policy.
- 3.3** The Town of Lakeshore is an equal opportunity employer. Accommodations under the requirements of the Accessibility for Ontarians with Disabilities Act (AODA) will be provided upon request throughout the recruitment and selection process, performance management, promotion and redeployment.
- 3.4** From time to time it may be necessary to recruit for a specialized position and in such case the approval of the Chief Administrative Officer is required.

- 3.5** A relative of an employee may be hired provided that an application has been processed in the normal manner and the candidate to be engaged is, in the opinion of the interviewees, the best qualified with respect to the requirements of the position.
- 3.6** No relative of any applicant for a position shall be involved on the interview panel for that position.
- 3.7** Individuals in a supervisory capacity shall not directly supervise a member of their family nor shall they be involved in the selection process.
- 3.7.1** Despite section 3.7, a Volunteer Firefighter may be supervised by another member of a Volunteer Firefighter's family, where the Chief Administrative Officer is satisfied that:
- a) Volunteer Firefighter candidate recruitment decisions are made by persons other than a family member in order to ensure that the candidate selected is qualified for the role;
 - b) practices are in place to maintain transparency, accountability and equity in the supervisory relationship between a Volunteer Firefighter and the Volunteer Firefighter's supervising family member; and,
 - c) disciplinary practices involve supervisory input from officers senior to the Volunteer Firefighter and in addition to the Volunteer Firefighter's supervising family member.
- 3.8** In the event that current Town employees are, or become family members of elected officials or Town employees, the internal transfer or promotion of these family members will not be allowed where family members would be supervised by, or subordinate to one another.
- 3.9** Certain positions, by the nature of their duties, may require a police clearance as a requirement of the job. Such requirement will be disclosed in the job recruitment ad or job posting and any Offer of Employment shall be conditional on the satisfactory receipt of same. Any costs associated with obtaining this clearance certificate will be borne by the candidate and may be reimbursed once hired.
- 3.10** Administration shall make Council aware of the final candidates under consideration for positions at the Director level.

3.11 Compensation

3.11.1 Staff shall be paid within the existing classification level for the position.

3.11.2 Benefits, vacation, or any other approved Council compensation shall be provided in accordance with Council approved policy applicable at the time of hiring.

3.11.3 The Chief Administrative Officer, upon approval by Council, has the discretion to appoint a person above the salary classification; benefit or vacation allotment or any other type of compensation only when one or more of the following conditions apply.

3.11.3.1 There is difficulty in attracting a qualified candidate due to a shortage of skilled labour in the field involved.

3.11.3.2 The rate of pay offered is not competitive with the rates offered by local or regional employers for positions of the same or similar duties.

3.11.3.3 Operational considerations require the presence of a highly skilled or experienced person who can assume the full duties of the position immediately upon taking employment.

3.11.3.4 All terms and conditions of employment of employees of the Corporation that provide for an employee's entitlement upon the cessation of the employment shall be in accordance with the applicable Council – approved compensation policy. Members of Administration are prohibited from bestowing entitlements in excess of those set out in applicable Council – approved compensation policies, unless specific authorization is obtained from the elected Council in advance. In the event a member of administration purports to enter into an agreement with an employee or prospective employee that attempts to bestow entitlements upon termination that are in excess of applicable Council – approved compensation policies without obtaining authorization from the elected Council in advance, such agreement shall be null and void

and the member of administration shall be subject to disciplinary sanctions, up to and including, termination of employment with the corporation.

4.0 Responsibilities

- 4.1** It is the responsibility of the Human Resource Officer to ensure staff are aware of and follow this policy.
- 4.2** It is the responsibility of the Chief Administrative Officer to ensure review approvals in specialized positions.

5.0 Consequences

- 5.1** Failure to follow this policy may result in contradictions to the Human Rights Code or Municipal Conflict of Interest Act.

6.0 References

- 6.1** Human Rights Code
- 6.2** Municipal Conflict of Interest Act
- 6.3** Town of Lakeshore Advertising Procedure

Municipality of Lakeshore

By-law 46-2022

Being a By-law to amend By-law 107-2007 being a by-law to Regulate the Erection of Signs, Other Advertising Deices and the Posting of Notices within the Town of Lakeshore in order to amend the election sign regulations

Whereas subsection 11(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

And whereas subsections 11(2) and (3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may pass by-laws respecting: Economic, social and environmental well-being of the municipality; Health, safety and well-being of persons; Services and things that the municipality is authorized to provide under subsection (1); Protection of persons and property, including consumer protection; and Structures, including fences and signs;

And whereas section 446 of the *Municipal Act, 2001*, S.O. 2001, c. 25, 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;

And whereas *By-law 107-2007 being a by-law to Regulate the Erection of Signs, Other Advertising Deices and the Posting of Notices within the Town of Lakeshore* regulates signs in the Municipality of Lakeshore;

And whereas, By-law 107-2007 was amended by By-law 7-2015;

And whereas, it is deemed necessary to ensure that the Municipality's election sign regulations are consistent with election legislation and are clear as to regulation of election signs on public and privacy property, all as recommended by the Clerk at the April 26, 2022 Council meeting;

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. By-law 107-2007 is amended as follows:
 - a. The terms "Town of Lakeshore" and the "Corporation of the Town of Lakeshore" are repealed and replaced with "Municipality of Lakeshore".
 - b. The term "Town" when used on its own without "of Lakeshore" shall be repealed and replaced with "Municipality".

2. Section 1 of By-law 107-2007 is repealed and replaced with the following:

“1. In this by-law:

“**Animated Sign**” means any sign that includes action or motion of all or any part of a sign and includes a sign containing intermittent or flashing light source.

“**Applicable Election Legislation**” means:

(a) with respect to federal election means the *Canada Elections Act*,

(b) with respect to provincial election means the *Election Act* (Ontario) and *Election Finances Act*, R.S.O. 1990, c. E.7, and

(c) with respect to a municipal election means the *Municipal Elections Act*, 1996.

“**Approved**” means approved by the Chief Building Official.

“**Area of the Sign**” means the number of square feet on the face of a Sign including the border and frame, if any. In the case of a projecting or double faced Sign, the Area is the area of the surface of one side of the Sign face.

“**Average Finished Grade**” means the average elevation of the finished ground immediately beneath the Sign or proposed Sign.

“**Boulevard**” means all parts of the Highway save and except any roadway, shoulder, driveway or sidewalk and

“**Outer Boulevard**” means such portions of the Highway lying between any sidewalk and the roadway or the shoulder where such exists;

“**Inner Boulevard**” means such portion of the Highway lying between the lateral boundary and the sidewalk and where there is no sidewalk it means that portion of the Highway lying between the lateral boundary and the roadway or the shoulder where such exists.

“**Chief Building Official**” means a person designated as such by Council.

“**Campaign Period**” means:

(a) in the case of a regular election pursuant to the *Municipal Elections Act*, 1996, the period between the first available day on which a nomination may be filed with the Clerk and Voting Day in the year of a regular election;

- (b) in the case of a by-election pursuant to the *Municipal Elections Act, 1996*, the period between the first available day on which a nomination may be filed with the Clerk and Voting Day; and,
- (c) in the case of a federal or provincial election, the period between the issue of a Writ of Election and Voting Day as defined by the Applicable Election Legislation.

"Canada Elections Act" means the *Canada Elections Act*, S.C. 2000, c.9.

"Clerk" means the municipal clerk designated by the Council.

"Council" means the Council of the Municipality of Lakeshore.

"Dwelling" means a building or other structure used for human habitation.

"Elections Act (Ontario)" means *Elections Act*, R.S.O. 1990, c.E.6;

"Erect" means to attach, build, construct or reconstruct, enlarge, locate or relocate any Sign, to paint a Wall Sign or to maintain any Sign but does not include changes to the letters, numerals, symbols, graphics, characters, logos, colours, designs, textures or objects on any approved Sign face.

"Height of the Sign" means the vertical distance from the average finished grade to the highest extremity of the Sign including the border or frame and supporting structure, if any.

"Highway" includes 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 lines thereof, and **"MTO Highway"** means a Highway under the jurisdiction of the Ministry of Transportation of Ontario.

"Island" means a portion of a Highway so constructed as to separate or direct vehicular traffic onto specific portions of the roadway, or provided for the use or protection of pedestrians.

"Lot" means any parcel of land capable of being separately conveyed.

"Lot Line" means any boundary of a lot.

"Municipal By-law Enforcement Officer" means any of the following: the Chief Building Official, Division Leader – By-law Compliance and a By-law Compliance Officer designated by the Municipality.

"Municipality" means the Municipality of Lakeshore.

“Municipal Elections Act, 1996” means *Municipal Elections Act, 1996*, S.O. 1996, c.32, Sched.

“Municipal Property” means property owned by or under the control of the Municipality, including a park, or any of its agencies, local boards, commissions or corporations and shall be deemed to include public utilities facilities and shall also be deemed to include, benches, municipal garbage containers or other structures.

“Non-Profit or Charitable Organization” means any non-profit corporation or organization set up for a public purpose without share capital having objects of a charitable, religious, professional, fraternal or athletic purpose.

“Official Sign” means a sign approved by the Ministry of Transportation for the Province of Ontario, the County of Essex or the Municipality of Lakeshore, and includes any sign or other device placed or erected on a Highway under the authority of the Municipality’s Parking and Traffic By-Law for the purpose of regulating, warning or guiding traffic.

“Permit” means a permit issued by the Municipality under this By-law.

“Property” means a separately assessed property shown on the Municipality’s latest Assessment Roll.

“Registered Candidate” means: a Candidate within the meaning of the Canada Elections Act, the Election Act (Ontario) or the Municipal Elections Act, 1996;

“Registered Third Party” means any individual, corporation or trade union registered in accordance with the *Municipal Elections Act, 1996* ;

“Roadway” means the part of the Highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the Shoulder, and, where a Highway includes two or more separate roadways, the term “roadway” refers to any one roadway separately, and not to all of the roadways collectively.

“Shopping Centre” means a group of commercial uses comprising unrelated individual business uses and having a total ground floor area in excess of 6,000 square feet on one lot.

“Sidewalk” means a foot path or any portion of a Highway set aside or improved for the use of pedestrians.

“Sign” means any device that conveys information by means of letters, numerals, symbols, graphics, characters, logos, lights, colours, designs, textures or objects. Without limiting the generality of the foregoing, Signs are classified by their design, means of support and/or purpose as follows:

“Banner Sign” means any Sign made of cloth, paper or fabric supported by ropes, wires or cords.

“Double Faced Sign” means a Sign on a single supporting structure having two Sign faces.

“Election Sign” means any Sign promoting, opposing or taking a position with respect to any of the following in relation to an election held pursuant to the *Municipal Elections Act, 1996, Elections Act (Ontario), or Canada Elections Act*:

- (i) a candidate, political party or issue associated with a person or political party;
- (ii) an issue associated with a person, candidate, or political party in an Election; or
- (iii) a question, law or by-law submitted to the electors.

“Flashing Sign” means an illuminated Sign, upon which the source(s) of artificial light are not stationary or the intensity or colour is not constant.

“Ground Sign” means any single or double faced Sign, the main body of which is directly supported by and affixed to the ground with or without the support of any building or structure.

“Illuminated Sign” means a Sign that is lit by an artificial light source(s) within the Sign or by reflected light from a light source(s) directed upon it.

“Pedestal Sign” means a temporary and/or movable sign supported by a column and a base so as to allow the sign to stand in an upright position.

“Portable Sign” means a temporary advertising device and includes any and all signs constructed so as to be readily moved or transported whether or not the sign is fixed to the ground, mounted on a vehicle or affixed to a freestanding structure but does not include a Sandwich Board Sign.

“Projecting Sign” means any Sign other than a Wall Sign that is attached to and projecting from the wall of a building.

“Pylon Sign” means a Ground Sign supported upon one or more poles or standards.

“Real Estate Sign” means a Sign advertising that the lot on which it is located is for sale, rent or lease.

“Roof Sign” means a Sign that is erected on the roof of a building, or on any wall extending above the juncture of the wall and the roof.

“Sandwich Board Sign” means a non – illuminated sign consisting of two (2) flat surfaces joined at one (1) end and resting on the ground.

“Temporary Sign” means a sign displayed for a limited period of time.

“Wall Sign” means a single faced Sign which is painted on or affixed to an exterior wall of a building such that the Sign face is approximately parallel to the wall.

“Shoulder” means that part of the Highway lying adjacent to the roadway where there is no barrier curb, and which is improved or maintained to support a stopped vehicle.

“Street” means a common and public street, road, alley, lane, or Highway as defined in the *Municipal Act*, and includes a bridge but does not include a private road.

“Street Line” means the lot line dividing a lot from a street.

“User Fee By-law” means the Municipality’s User Fee By-law passed pursuant to Part XII of the *Municipal Act, 2001*, S.O. 2001, c. 25.

“Vehicle” means a motor vehicle, tractor, trailer, truck, camper, boat, motorcycle, motorized snow vehicle, mechanical equipment or any vehicle drawn, propelled or driven by any kind of power.

“Visibility Triangle” means a triangular area formed within a lot by:

- a) intersecting streets and a straight line connecting them 7.6 metres (25 feet) from their point of intersection; or
- b) the intersection of a Street and a driveway within 7.6 metres (25 feet) of a property line and a straight line connecting them 7.6 metres (25 feet) from their point of Intersection; or

c) the intersection of an alley and a street, or two alleys and a straight line connecting them 3.05 Metres (10 feet) from their point of intersection.

“Voting Day” means:

- a) voting day or polling day in accordance with the Applicable Election Legislation.

“Voting Place” means a place where electors cast their ballots in an election and includes any abutting property, including a Highway.

“Width of the Sign” means the distance between edges of the Sign including any border or frame, measured horizontally.

“Writ of Election” means the date defined in the *Canada Elections Act* and the *Election Act* (Ontario).

“Zone” means an area delineated on a zoning map schedule and designated by the Zoning By-law for a specific use or group of uses.

“Zoning By-law” means the Zoning By-law in effect for the Municipality of Lakeshore.”

3. Section 9 of By-law 107-2007 is repealed and replaced with the following:

“9.1 (a) Subject to subsections (b), the owner of any Sign that is no longer in use shall remove the Sign, and any supporting structure, within 30 days of the cessation of its use.

9.1 (a) The owner of an Election Sign shall remove the Sign, and any supporting structure, within 72 hours following 11:59 pm on Voting Day.

9.2 (a) Where a Municipal Law Enforcement Officer has reasonable and probable grounds to believe that an Election Sign is Erected, displayed, placed, nailed or otherwise attached contrary to any provision of this by-law, the Municipal Law Enforcement Officer shall cause the Election Sign to be removed immediately without notice to any person.

(b) Where an Election Sign has been removed pursuant to this section, the Registered Candidate or Registered Third Party with whom the Election Sign is associated is liable to a charge of \$50.00 (fifty dollars) per occurrence.

(c) The Municipality of Lakeshore is not responsible for the condition of Election Signs upon removal or during the storage of the Election Sign.

(d) An Election Sign removed pursuant to this by-law shall be stored by the Municipality in a safe place to be prescribed by the Clerk for a period of not less than 14 days, during which time the owner or an agent may retrieve the Election Sign.

(e) If an Election Sign has been removed by the Municipality and stored for a period of at least 14 days and such sign has not been retrieved, the Election Sign may be destroyed forthwith or otherwise disposed of by the Municipal Law Enforcement Officer without any notice or compensation to the owner thereof.”

4. By-law 107-2007 is amended by including the following immediately after the end of section 13 and before the heading “Signs Not Requiring Permits”:

“**13.1.** A permit issued under this By-law for an Election Sign shall expire 72 hours after 11:59 pm on Voting Day of the Election for which the Sign is Erected.”

5. Subsection 14(a) of By-law 107-2007 shall be repealed.

6. Sections 17, 18 and 19 of By-law 107-2007 are repealed and replaced with the following:

“17. No permit shall be issued until the fees prescribed by the Municipality’s User Fees By-law have been paid in full.

18. The Chief Building Official shall issue a permit to an applicant where he/she is satisfied that the application meets the requirements of this By-law and that the Sign to be Erected will conform to the standards specified in the Schedules attached hereto and forming part of this by-law.

RELIEF FROM BY-LAW

19. (a) Except in the case of an Election Sign, a person may apply and Council may refuse to grant relief from the regulations contained in this by-law or may grant such relief as it considers appropriate, either absolutely or subject to conditions, provided that, in the opinion of Council, the relief is minor and the general intent and purpose of this by-law are maintained.

(b) Applications for relief from the regulations contained in this by-law shall be in writing on the form provided by the Municipality and shall indicate the relief requested and the reasons such relief is required.

(a) Applications for relief from the regulations contained in this by-law shall be submitted to the Clerk together with the applicable fee as set out in the Municipality’s User Fees By-law.

- (b) Upon receipt of an application for relief from the regulations contained in this by-law and the applicable fee the Clerk shall place the matter on the agenda for the next available regular meeting of council.”

7. Section 22 of By-law 107-2007 is repealed and replaced with the following:

“22. The Chief Building Official shall be responsible for the administration of this by-law and a Municipal By-law Enforcement Officer shall be responsible for the enforcement of this By-law.”

8. Schedule “A” to this by-law shall be included after Schedule “A” to By-law 107-2007 and shall form Schedule “B” to By-law 107-2007.
9. By-law 67-2006 being a By-law respecting election campaign signs on boulevards and other municipal property is repealed.
10. All other provisions of By-law 107-2007 remain in force and permits granted pursuant to By-law 107-2007 shall be continued.
11. This By-law comes into force upon passage.

Read and passed in open session on April 26, 2022.

**Mayor
Tom Bain**

**Clerk
Kristen Newman**