

# THE CORPORATION OF THE TOWN OF HANOVER

## BY-LAW NO. 3395-26

**BEING** a By-law to manage and regulate the Election Signs in the Town of Hanover

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**WHEREAS** Section 8 of *the Municipal Act, 2001, as amended*, provides that the powers of a municipality 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 11 (3) of the *Municipal Act, 2001*, states that a lower-tier municipality may pass By-laws, respecting matters within certain spheres of jurisdiction, including structures, fences, and signs;

**AND WHEREAS** Section 63 (1) of the *Municipal Act, 2001*, provides that a municipality, if it passes a by-law for prohibiting or regulating the placing of an object on or near a highway, may provide for the removal and impounding of such object placed on or near a highway in contravention of that by-law; and

**AND WHEREAS** Section 425 of the *Municipal Act, 2001*, establishes that any person who contravenes any by-law of the municipality, passed under the Act, is guilty of an offence; and

**AND WHEREAS** the Council of the Corporation of the Town of Hanover seeks to protect traffic and pedestrian safety, avoid damage to public assets, and maintain accessible public spaces, while facilitating fair and effective democratic participation;

**NOW THEREFORE** the Council for the Corporation of the Town of Hanover hereby enacts as follows:

### 1. Short Title

1.1. This by-law may be referred to as the "Election Sign By-law".

### 2. Purpose

2.1. This by-law has been enacted to regulate the placement of election signs for the purpose of preventing hazards to vehicles and pedestrians and further to regulate the erection and removal of election signs.

### 3. Scope

3.1. This by-law shall apply to:

- a) All regular municipal, provincial, federal, and school board elections, including any by-elections; and
- b) Candidates, third party advertisers, and all other persons erecting election signs.

3.2. This by-law shall not apply to:

- a) signs erected by the Town or the provincial or federal governments to provide information concerning an election or by-election or any part of an election or by-election process; or
- b) non-election related signs as regulated by the Town's Sign By-law.

3.3. If any provision of this by-law conflicts with any provision of any other Town by-law, the provision of this by-law shall take precedence.

3.4. If any provision of this by-law conflicts with provincial or federal law, the provision of the latter shall prevail to the extent of the conflict.

#### 4. Definitions

"**Billboard sign**" means a sign upon which the space is sold or rented to a person who does not occupy the premises where the sign is located;

"**Campaign office**" means a building or structure, or part of a building or structure, used by a candidate or an agent of a candidate or by a third party advertiser or an agent of a third party advertiser as part of an election campaign and where a candidate's or third party advertiser's campaign staff is normally present and the public may enter to obtain information regarding the candidate or third party advertiser;

"**Campaign office election sign**" means any sign erected on a campaign office which only displays the name of a Candidate in a municipal election, or the name of a Candidate and/or the name and/or logo of a political party in a federal or provincial election, or the name of a third party advertiser in a municipal election, and the location of a candidate's or registered third party's campaign office, and contains no other message;

"**Canada Elections Act**" means the *Canada Elections Act, S.C. 2000, c.9*, as amended and any successor legislation;

"**Candidate**" means a person who has been nominated or registered under the Canada Elections Act, the Election Act, or the Municipal Elections Act, 1996;

"**Clerk**" means the Director of Legislative Services/Clerk of the Town of Hanover, or their designate;

"**Election Act**" means the *Election Act, R.S.O. 1990, c.E.6*, as amended and any successor legislation;

"**Election centre**" means a place designated by the clerk where an elector can receive election services, including but not limited to amending the voters' list, asking questions about the election, and accessing the internet to vote and shall include the entire building and the property associated with it and, when such election centre is located within a private premises, it shall additionally include all of the common elements/spaces;

"**Election sign**" means any sign promoting, supporting, opposing or taking a position with respect to:

- i. A question, law or by-law submitted to the electors under the Canada Elections Act, the Election Act, the Municipal Elections Act, 1996, or any other legislation;
- ii. An issue associated with a person or political party participating in an election under the Canada Elections Act, the Election Act or the Municipal Elections Act, 1996; or
- iii. A candidate or political party participating in an election under the Canada Elections Act, the Election Act or the Municipal Elections Act, 1996;

"**Highway**" includes a common and public highway, street, avenue, parkway, driveway, square, place and includes any bridge, trestle, viaduct or other structure forming part of the highway and includes the Boulevards and any area between the lateral property lines of the highway;

"**Intersection pedestrian signal**" means traffic control signals and/or a stop sign;

"**Municipal Act, 2001**" means the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended and any successor legislation;

"**Municipal Elections Act, 1996**" means the *Municipal Elections Act, 1996, S.O. 1996, c.32*, as amended and any successor legislation;

"**Officer**" means a person employed by the Town of Hanover to enforce municipal by-laws and also includes an officer of the Hanover Police Service and a by-law enforcement officer;

**"Owner"** means the person who places or permits the placing of an election sign or any person described on the election sign, whose name, address or telephone number is on the election sign or who benefits from the message on the election sign and for the purposes of this by-law there may be more than one owner of an election sign;

**"Place"** means attach, affix, install, erect, build, construct, reconstruct, move or display;

**"Private property"** means real property that is not a Highway or Public Property;

**"Public property"** means real property owned or under the control of the Town of Hanover, the County of Grey, Provincial Government, Federal Government or any of their respective agencies, boards or commissions but, for the purposes of this by-law, does not include a Highway or real property where one or more persons reside. Property owned by the Town and leased to another person or entity shall not be deemed to be public property;

**"Road allowance"** means the allowance for a public road and includes the travelled and untravelled portions of the road allowance, the road shoulders, ditches, boulevards and sidewalks;

**"Roadway"** means that part of a Highway that is improved, designed or ordinarily used for vehicular traffic including reserved lanes, shoulders and curbs and gutters;

**"Sidewalk"** means that part of a Highway with a surface that is improved, designed or ordinarily used for the use of pedestrians or bicycles and includes a multi-use path;

**"Sight triangle"** means a triangular area free of buildings or structures or other visual obstructions and formed within a corner lot by the intersection of street lines, or the projections thereof, and a straight line connecting them 5.0 metres from their point of intersection. A corner lot is a lot situated at the intersection of and abutting two streets, or parts of the same street, the adjacent sides of which street or streets (or in the case of a curved corner, the tangents of which) contain an angle of not more than 135 degrees;

**"Sign"** means any sign, surface or structure and any component or appurtenant parts, used or capable of being used as a visual medium to attract attention to a specific subject matter or to create a design or convey a message, and includes a banner, awning, canopy, marquee, menu board, poster and billboard;

**"Sign area"** means the area of one side of a sign where copy can be placed;

**"Sign height"** means the vertical height of a sign from the finished grade to the highest part of the sign;

**"Third party"** means any person or entity, including but not limited to a corporation or trade union, who is not a registered candidate, political party, or constituency association, who incurs expenses with respect to:

- i. A question, law or by-law submitted to the electors under the Canada Elections Act, the Election Act, Municipal Elections Act, 1996 or any other legislation;
- ii. An issue associated with a person or political party participating in an election under the Canada Elections Act, the Election Act or the Municipal Elections Act, 1996; or
- iii. A candidate or political party participating in an election under the Canada Elections Act, the Election Act or the Municipal Elections Act, 1996;

**"Town"** means the Town of Hanover, and a reference to the Town is a reference to the geographical area of the Town of Hanover or to the Corporation of the Town of Hanover as the context requires;

**"Voting period"** means the period of time in which citizens are able to cast ballots;

**"Voting place"** means a place where electors cast their ballots and:

- i. When a voting place is located on public property, includes all of the area enclosed by the lot lines of the public property and any Highway abutting; or
- ii. When a voting place is located on private property, includes all of the common elements of the private property and any Highway immediately abutting;

**“Zone”** means an area designated for a particular land use or uses as established by the Town’s zoning by-law, as amended from time to time or any successor by-law.

## **5. General Requirements**

- 5.1. No owner shall place or permit to be placed an election sign outdoors within the geographic limits of the Town except in accordance with this by-law and all relevant County of Grey by-laws.
- 5.2. Every owner shall ensure compliance with the by-law.
- 5.3. Every owner shall ensure compliance with all relevant County of Grey by-laws
- 5.4. Election signs are permitted on public and private property, subject to safety, accessibility, and maintenance requirements in this by-law.
- 5.5. Regulations herein are designed to be minimally impairing and proportionate to the Town's objectives of safety and asset protection.

## **6. Mandatory Physical Characteristics of Election Signs**

- 6.1. With the exception of a billboard sign and an election sign on vehicles, no owner shall place or permit to be placed an election sign that:
  - a. Is illuminated;
  - b. Has a sign area of more than 1.5 square metres;
  - c. Incorporates moving parts or visible mechanical movement of any description;
  - d. Has a sign height, including the mounts, more than 2 metres; or
  - e. Interferes with the safe operation of vehicular traffic or the safety and accessibility of pedestrians.
- 6.2. No election sign shall be in a state of disrepair, and every owner shall ensure that the owner's election signs remain in a state of repair.
- 6.3. Damaged or derelict signs must be repaired or removed within 24 hours of notice by the Town.

## **7. Contents of Election Signs**

- 7.1. Each election sign shall identify who is responsible for the messaging.
- 7.2. Each third party sign shall identify the name of the registered third party, the municipality where the third party is registered and a telephone number, mailing address or email address at which the registered third party may be contacted.
- 7.3. No owner shall display the Town's logo or the Town's election logo, in whole or in part, on any election sign.

## **8. Timing of Placement**

- 8.1. No owner shall place or permit to be placed an election sign for a federal or provincial election or by-election earlier than the issuance of the Writ of Election or By-Election.

- 8.2. No owner shall place or permit to be placed an election sign for a municipal election earlier than the date nominations are certified by the clerk.
- 8.3. No owner shall place or permit to be placed an election sign for a municipal election on a campaign office or private property earlier than the day that the candidate or third party has filed their nomination or registration with the clerk.

## **9. Locations in General**

- 9.1. Election signs are permitted in any zone.
- 9.2. No election sign shall be located where it will interfere with the safe movement or visibility of any vehicle or pedestrian traffic or where it is a general hazard to public safety.
- 9.3. No election sign shall be located so as to obstruct or impede any fire escape, fire exit, door, window, scuttle, skylight, flue, air intake or air exhaust, nor so as to prevent or impede the free access of emergency personnel to any part of a building, including any emergency water connection or fire hydrant.
- 9.4. No election sign shall be affixed to or upon anything located on a road allowance including but not limited to a tree, pipe, utility pole, light pole, utility box, planters, benches, waste receptacles, mailboxes or other similar fixtures and structures.

## **10. Election Signs on Private Property**

- 10.1. No owner shall place or permit to be placed an election sign on private property without the property owner's or an occupant's consent.
- 10.2. Only one single-sided or doubled-sided election sign per candidate will be allowed per private property unless the private property consists of multiple residential properties, then one single-sided or double-sided election sign per candidate per unit will be allowed, provided that the signs are a minimum of 1 metre apart.
- 10.3. Only one election sign per candidate per 200 metres of frontage is allowed for commercial/industrial properties.

## **11. Election Signs on Public Property**

- 11.1. No owner shall place or permit to be placed any election sign on property within the Town for a candidate who is not eligible to be voted for by electors of the Town, the applicable provincial electoral district, or the applicable federal electoral district that includes the Town.
- 11.2. No owner shall place or permit to be placed any election sign within the sight triangle, nor in locations that obstruct visibility for drivers, cyclists, or pedestrians.
- 11.3. No owner shall place or permit to be placed an election sign on a highway so that the election sign:
  - a. Is on a roadway;
  - b. Impedes or obstructs the passage of pedestrians where they are reasonably expected to walk;
  - c. Is within 1 metre of a curb or pavement edge;
  - d. Is within 0.5 metres of a sidewalk;
  - e. Is within 5 metres of a driveway on a town road
  - f. Is on a median or island located on or within a roadway;
  - g. Is less than 3 metres from a school crossing;

- h. Is less than 10 metres from an intersection pedestrian signal;
- i. If on a highway within a residential zone, is less than 10 metres from another election sign for the same candidate or third party; or
- j. If on a highway within a commercial and/or industrial zone, is less than 30 metres from another election sign for the same candidate or third party.

11.4. No owner shall place or permit to be placed an election sign on a highway structure or facility.

11.5. No owner shall affix or permit to be affixed an election sign to a permanent or official sign.

11.6. No owner shall dig, drill or drive into asphalt, concrete, brick or any other hard improved surface on a Highway when placing an election sign.

11.7. No owner shall drill or drive into a wooden, metal, concrete or other highway structure when placing an election sign.

## **12. Voting Places and Election Centres**

12.1. No owner shall at any time during the voting period, including voting day and those days when advance voting is held, erect, cause or permit to be erected an election sign at a voting place or election centre.

## **13. Removal/Damage to Election Signs**

13.1. Every owner shall ensure that all election signs placed by or on behalf of the owner are completely removed from all locations no later than 72 hours following the conclusion of the election day.

13.2. No person shall deface, remove or wilfully cause damage to a lawfully erected election sign.

13.3. When an officer has reasonable and probable grounds to believe that an election sign has been erected, caused or permitted to be erected, in a manner that contravenes any provision of this by-law, the officer may cause the election sign to be removed without prior notice or compensation.

13.4. Election signs that, in the opinion of an officer, pose a risk to the health and safety of pedestrians, cyclists or motorists shall be removed by an officer without prior notice or compensation.

13.5. The Town may destroy any election sign that has been removed and is not claimed and retrieved within 5 days of notice to the sign owner, without compensation to the sign owner

## **14. Campaign Office Exemptions**

14.1. Despite the foregoing provisions regarding the timing of placing election signs, election signs may be erected on a candidate's campaign office once the candidate has filed their nomination with the clerk.

14.2. Further, a campaign office located within a non-residential zone shall be exempt from Sections 10 and 13 of the Election Sign By-law.

## **15. Liability for Damages**

15.1. The Town shall not be liable for any damage or loss of an election sign that was displayed in accordance with this by-law or that was removed by an officer of the Town.

15.2. The provisions of this by-law shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning an election sign for personal injury or property damage resulting from the erecting of such election sign, or resulting from the negligence or willful acts of such person, or their agents or employees, in the construction, erection, maintenance, repair or removal of such election sign.

## 16. Enforcement

16.1. Any officer is hereby vested with the authority of enforcing the provisions of this by-law.

## 17. Severability

17.1. If, for any reason, any section, clause or provision of this by-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this by-law as a whole or any part thereof, other than the part which was declared to be invalid.

## 18. Offence and Penalty

18.1. Every owner who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine pursuant to the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.

18.2. No person shall hinder or obstruct, or attempt to hinder or obstruct, an officer who is exercising a power or performing a duty under the *Municipal Act, 2001*, or under a by-law passed under the *Municipal Act, 2001*.

## 19. Enactment

19.1. This by-law shall come into full force and effect on the date it is passed at which time all by-laws, policies, and resolutions that are inconsistent with the provisions of this by-law are hereby repealed insofar as it is necessary to give effect to the provisions of this by-law.

**READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED** this 4th day of May, 2026.

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Susan Paterson, Mayor

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Vicki McDonald, Clerk

**SCHEDULE 'A' TO BY-LAW 3395-26****PART 1, PROVINCIAL OFFENCES ACT**

**BEING** a by-law to regulate election signs, in the Town of Hanover.

<b>ITEM</b>	<b>COLUMN 1 Short Form Wording</b>	<b>COLUMN 2 Provision creating or defining offence</b>	<b>COLUMN 3 Set Fine</b>
1	Place or permit election sign that is illuminated or has moving parts	6.1 (a)	\$150.00
2	Place or permit election sign that has an area greater than 1.5 square meters	6.1 (b)	\$150.00
4	Place or permit election sign that is more than 2 m in height	6.1 (d)	\$150.00
5	Place or permit election sign that interferes with vehicular or pedestrian traffic	6.1 (e)	\$150.00
6	Place or permit election sign that interferes with the vehicular or pedestrian safety	6.1 (e)	\$300.00
7	Fail to remove damaged or derelict election sign with 24 hours of notice	6.2	\$150.00
8	Place or permit election sign before nomination day	8.2	\$150.00
9	Place or permit election sign to be placed before nomination filed with clerk	8.3	\$150.00
10	Place or permit election sign to be placed that poses a hazard to public safety.	9.2	\$300.00
11	Place or permit an election sign to be placed that obstructs openings required for light, ventilation, ingress, egress, fire emergencies or medical emergencies	9.3	\$300.00

12	Place or permit an elections sign to be placed or upon any pole, structure or thing on a road allowance.	9.4	\$150.00
13	Erect election sign on private property without consent	10	\$150.00
14	Erect election sign for an ineligible candidate	11.1	\$150.00
15	Place or permit an election sign to be placed in a sight triangle	11.2	\$150.00
16	Place or permit election sign to be placed on a roadway	11.3 (a)	\$150.00
17	Place or permit election sign to be placed within 1m of edge of street	11.3 (c)	\$150.00
18	Place or permit election sign to be placed with 0.5m of a sidewalk	11.3 (d)	\$150.00
19	Place or permit election sign to be placed within 5 m of a driveway	11.3 (e)	\$150.00
20	Place or permit election sign to be placed on a median or island	11.3 (f)	\$150.00
21	Place or permit election sign to be placed less than 3m from a school crossing	11.3 (g)	\$150.00
22	Place or permit election sign to be placed less than 10m from an intersection pedestrian signal	11.3 (h)	\$150.00
23	Place or permit election sign at a voting place or election centre	12.1	\$150.00
24	Fail to remove election sign within 72 hours after election	13.1	\$150.00
25	Remove, deface or damage an election sign	13.2	\$150.00
26	Interfere or obstruct an officer	18.2	\$400.00

**Note: The penalty provision for the offences indicated above is section of By-law 3395-26, a certified copy of which has been filed.**