

CITY OF KINGSTON

Ontario

BY-LAW NO. 2000-293

A BY-LAW TO REGULATE ELECTION SIGNS IN THE CITY OF KINGSTON

PASSED: October 25, 2000

As Amended By:

(Office Consolidation)

By-Law No. 2000-293

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WHEREAS section 210, paragraph 146 of the *Municipal Act* R.S.O. 1990, c. M.45, as amended, authorizes Council to enact by-laws for the purpose of prohibiting and regulating signs within the municipality;

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

AND WHEREAS prior to passing this by-law, notice of the proposed by-law and notice of the council meeting at which the proposed by-law would be discussed was published once at least fourteen days prior to the council meeting indicated in the notice and Council heard every person who applied to be heard, as required by section 210, paragraph 146(e) and (f) of the *Municipal Act*.

NOW THEREFORE, the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. For the purpose of this by-law:
 - a) "election sign" means any type of sign or other form of display that promotes directly or indirectly the candidacy of any person for election to public office;
 - b) "public office" means any position to which a person is elected by general election and without limiting its generality, includes a member of the Parliament of Canada, a member of the Legislative Assembly for the Province of Ontario, a member of a council of a municipality, and a member of a board of school trustees;
 - c) "road allowance" means the allowance for a public road and includes the traveled and untraveled portions of the road allowance, the road shoulders, ditches, boulevards and sidewalks.

(By-Law No. 2000-293 – 2000)

2. No person shall locate, erect, post, place or otherwise display an election sign within the limits of any road allowance within the limits of the City of Kingston except in accordance with this by-law.

(By-Law No. 2000-293 – 2000)

3. Despite clause 2, this by-law shall not apply to any road allowances under the jurisdiction of the Ministry of Transportation, including without limitation:
- a) Highway 401;
 - b) Highway 33 from Collins Bay Road to Coronation Boulevard; and
 - c) Highway 15 north of Highway 401.

(By-Law No. 2000-293 – 2000)

3. NO SIGN PERMIT FEE

Despite any other by-law of the municipality to the contrary, no fee shall be charged by the municipality and no permit shall be required in order to post an election sign in accordance with this by-law.

(By-Law No. 2000-293 – 2000)

4. SETBACK FROM ROAD ALLOWANCE

No election sign shall be located within 2 metres (6.5 feet) of the traveled portion of a road allowance, including on the gravel shoulder, as illustrated on the diagram attached as Schedule 'A' to this by-law and forming a part hereof.

(By-Law No. 2000-293 – 2000)

5. SIGHT TRIANGLE – ROAD ALLOWANCE

No election sign shall be located within 15 metres (48.75 feet) of an intersection of streets as illustrated on the diagram attached as Schedule 'B' to this by-law and forming a part hereof.

(By-Law No. 2000-293 – 2000)

6. BRIDGES

No election sign shall be placed on or attached to any bridge.

(By-Law No. 2000-293 – 2000)

7. SIDEWALKS

No election sign shall be placed on a public sidewalk or in such other location on, over or near a sidewalk so as to interfere with or obstruct normal pedestrian traffic.

(By-Law No. 2000-293 – 2000)

8. OTHER SIGNS

No election sign shall be affixed to any traffic control sign, guardrail or other form of traffic safety structure or facility, utility pole or equipment, or any other similar type of sign, structure, facility or equipment located within the limits of a road allowance.

(By-Law No. 2000-293 – 2000)

9. NO POSTING OF SIGNS ON TREES

No election sign shall be posted on any tree located within a road allowance.

(By-Law No. 2000-293 – 2000)

10. MUNICIPAL PROPERTY, FACILITIES AND PARKS

Except as expressly permitted by this by-law, no election sign shall be located, erected, posted, placed or otherwise displayed on any other municipal property, including but not limited to parkland, and other lands, buildings and facilities owned by the City of Kingston.

(By-Law No. 2000-293 – 2000)

11. REMOVAL OF ELECTION SIGNS

All election signs shall be removed within seven (7) days of the day on which the election is held.

(By-Law No. 2000-293 – 2000)

12. OFFENCES

Every person who contravenes this by-law is guilty of an offence and upon conviction is liable to payment of a fine.

(By-Law No. 2000-293 – 2000)

13. EFFECTIVE DATE

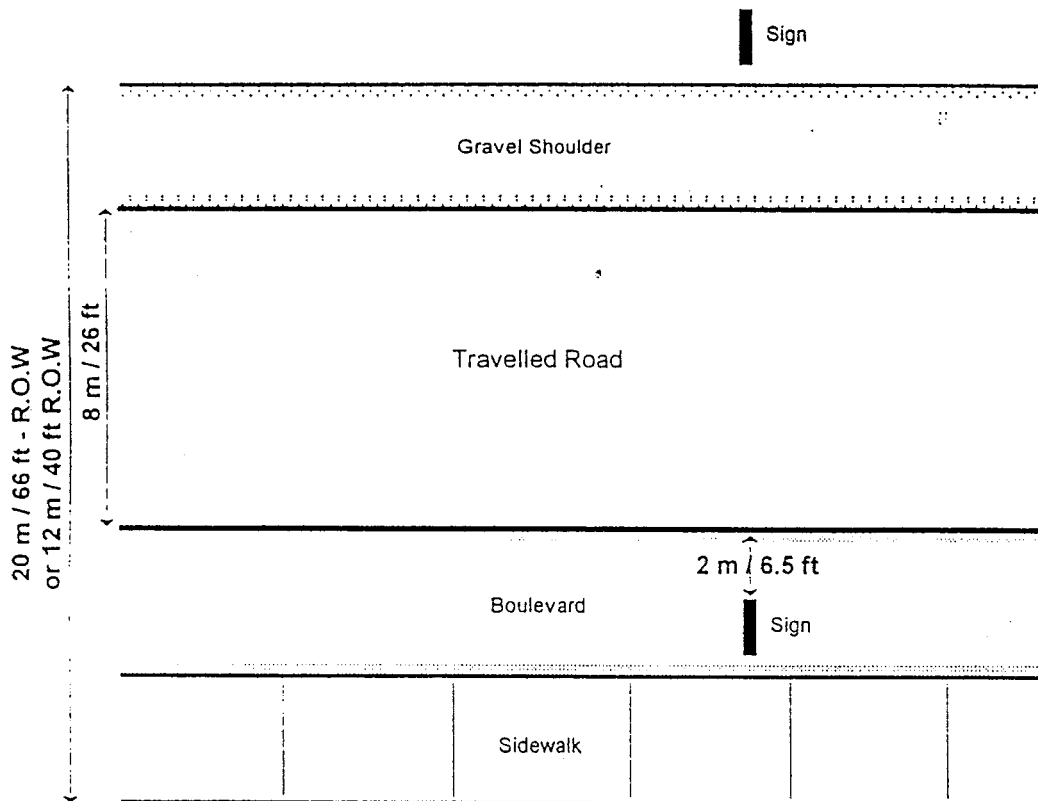
This by-law shall come into force and take effect on the date of its passing.

(By-Law No. 2000-293 – 2000)

Appendix 'A' Election Sign Bylaw

SETBACK FROM ROAD ALLOWANCE

For safety reasons no election sign shall be located within 2 metres (6.5 feet) of the travelled portion of the road allowance and in no case shall be within the gravel shoulder of the roadway.

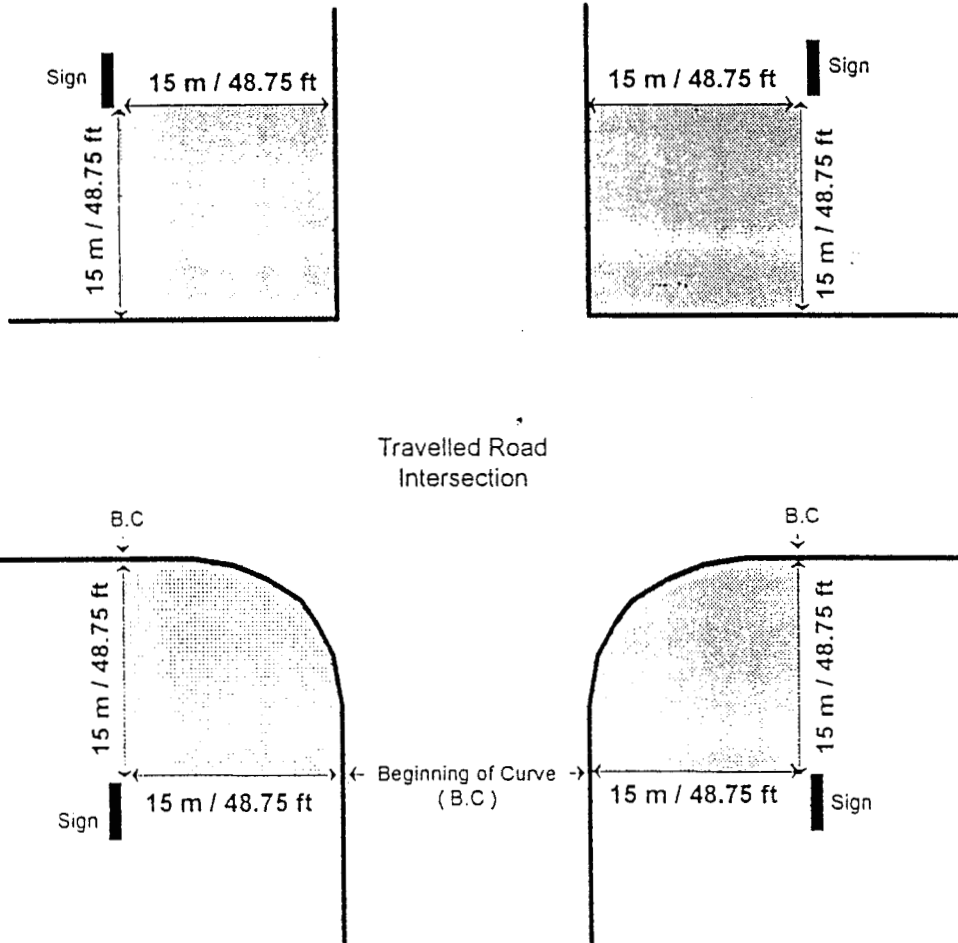


Illustrative purposes only. Not to Scale

Appendix 'B' Election Sign Bylaw

SIGHT TRIANGLE - ROAD ALLOWANCE

For safety reasons no election sign shall be located within 15 metres (48.75 feet) of an intersecting street.



Illustrative purposes only. Not to Scale