

**Authority: Item 15, Committee of the Whole  
Report 04-007 (FCS02115(a))  
CM: August 12,2004**

**Bill No. 181**

## **CITY OF HAMILTON**

### **By-law No. 04-181**

#### **Being a Bylaw to amend Bylaw 02-368, being a By-law to regulate Election signs in the City of Hamilton**

**WHEREAS** Section 11 (1) paragraph 7 of the *Municipal Act, 2007*, provides for the power to pass by-laws respecting signs;

**AND WHEREAS** the Council of the City of Hamilton enacted By-law 02-368 on the 11<sup>th</sup> day of December, 2002 to regulate election signs;

**AND WHEREAS** it is necessary to amend by-law 02-368;

**NOW THEREFORE** the Council of the City of Hamilton hereby enacts as follows:

1. That the first and third paragraphs of the preamble section of By-law 02-368 be repealed and the following enacted in their place:

“ WHEREAS Section 11 (1) of the *Municipal Act, 2007* provides for the power to pass by-laws respecting signs;”

“WHEREAS Council may pass by-laws for permitting any person under such conditions as may be agreed upon to place objects in, on, under or over sidewalks and highways under its jurisdiction and for prescribing the terms and conditions upon which such object!; are to be placed; and”

2. That section 1 be amended to include the following definitions:

“Campaign Offices” shall mean the actual building or portion of a building in which a candidate maintains his or her office for the purpose of running the election campaign.

“Illuminated Sign” shall mean a sign that emits intermittent or non-intermittent light; an intensity of light; a bearn of light; or, which displays any manner of animated message.

“Voting Day” shall have the same meaning as in the *Municipal Elections Act, 1996*, and means the day on which the final vote is to be taken in an election;

3. That section 3(2) be amended to add the words “and any access ramp leading thereto or egress ramp leading therefrom” to read as follows:

“3(2) “Election Signs may be erected or displayed on public highways, except highways upon which pedestrians are prohibited and any access ramp leading thereto or egress ramp leading therefrom, if:”

4. That section 5(1) be repealed and the following enacted in its place:

“5(1) Election signs shall not be erected or displayed for Municipal Elections or By-elections until twenty-eight (28) days prior to voting day.”

5. That section 5(2) be repealed and the following enacted in its place:

“5(2) Election signs shall not be erected or displayed for Federal or Provincial Elections or By-elections until the day the writ of election is issued.”

6. That section 5(3) be repealed and the following enacted in its place:

“5(3) Despite subsections (1) and (2), once the candidate has filed his/her nomination papers and paid the required filing fee:

(i) election signs; may be erected on a candidate’s campaign office; and,

(ii) candidates may erect one mobile sign, where permitted by By-law, on property where the candidate’s campaign office is situated, provided that the mobile sign does not contain information other than the following:

(a) the candidate’s name;

(b) the ward name(s) and number(s);

(c) the street address of the candidate’s campaign office;

(d) the telephone number of the candidate’s campaign office;

(e) the name of the Office being sought;

- (f) directional information to the campaign office; and,
- (g) party affiliation for provincial and federal candidates.

7. That section 6(1) be repealed and the following enacted in its place:

"6(1) If a sign is erected or displayed in violation of this By-law, the appropriate City officials may cause the sign to be removed:

- (a) immediately without notice if it poses an immediate safety hazard, or,
- (b) if the candidate or his/her delegate has not removed the sign within **24** hours of being so notified, or,
- (c) immediately for second or subsequent violations of the same provision of this By-law by a specific candidate, or,
- (d) immediately, if the sign is erected or displayed in violation of this By-law on voting day."

8. That section 6(3) be repealed and the following enacted in its place:

"6(3) Candidates, or an agent with written authorization from the candidate, may reclaim all removed signs within one week following voting day, during regular office hours."

9. That a new section 7 be enacted as follows:

"7. No candidate shall cause or knowingly permit

- (a) any action which contravenes this By-law; or,
- (b) any inaction which results in a continuing contravention of this By-law."

10. That section 7 be renumbered as Section 8, Section 8 be renumbered as section 9, and section 9 be renumbered as Section 10.

ENACTED and PASSED this 12<sup>th</sup> day of August, 2004.

  
MAYOR

  
CITY CLERK