



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2025

Election Signs By-Law

WHEREAS Section 10(3) of the *Municipal Act*, 2001, S.O. 2001, c.25 (hereinafter the "*Municipal Act*") provides that a municipality may pass by-laws with respect to Highways and Signs over which it has jurisdiction;

AND WHEREAS subsection 63(1) of the *Municipal Act* provides that a municipality may provide for the removal and impounding or restraining and immobilizing of any object placed on or near a Highway in contravention of a by-law prohibiting or regulating the placing of an object or vehicle on or near a Highway;

AND WHEREAS section 391 of the *Municipal Act* provides that a municipality may pass by-laws imposing fees or charges on Persons for the use of its property including property under its control and for services provided or done by or on behalf of it;

AND WHEREAS Section 425 of the *Municipal Act* provides that a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under the Act is guilty of an offence;

AND WHEREAS section 429(1) of the *Municipal Act* provides that a municipality may establish a system of fines for offences under a by-law of the municipality passed under the *Municipal Act*;

AND WHEREAS section 434.1 of the *Municipal Act* authorizes a municipality to require a Person to pay an administrative penalty if the municipality is satisfied that the Person has failed to comply with a by-law of the municipality passed under the *Municipal Act*;

AND WHEREAS the Council of The Corporation of the City of Brampton deems it appropriate through CW064-2025 to enact this By-law for the purpose of regulating election signs in the City of Brampton;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

PART 1 INTERPRETATION

1. Short Title

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

2. Interpretation

2.1. Wherever a word is used in this By-law with its first letter capitalized, the term is being used as it is defined in this By-law.

2.2. References in this By-law to items in the plural include the singular, and references to the singular include the plural, as applicable.

2.3. The words “include,” “includes” and “including” are not to be read or interpreted as limiting words, phrases, or descriptions that precede them.

2.4. In this By-law, unless the context otherwise requires, words imparting the singular number shall include the plural, and words imparting the masculine gender shall include the feminine, and further, the converse of the foregoing also applies where the context so requires.

3. Definitions

3.1. In this By-law:

“Candidate” means a person who has been nominated under the *Canada Elections Act*, S.C. 2000, c. 9, the *Election Act*, R.S.O. 1990, c. E.6 or the *Municipal Elections Act, 1996*, S.O. 1996, c. 32;

“City” means The Corporation of the City of Brampton;

“Election Sign” means a sign advertising, promoting, supporting or opposing or taking a position with respect to any candidate or political party in a municipal, provincial, or federal election or by-election or a sign that intends to influence electors to vote for or against any candidate, political party, law, by-law or any question, submitted to the electors.

“Highway” means a common and public highway, and includes one or both of the following:

(a) any street, road, avenue, parkway, lane, driveway, boulevard, sidewalk, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles or persons, or

(b) the area between the lateral property lines of any highway or road allowance including any curbs, gutters, boulevards, culverts, ditches and retaining wall;

“Officer” means a person employed by the City and appointed as a Municipal Law Enforcement Officer or any other person duly appointed by the City Council to administer the provisions of this By-law;

“Person” means an individual, partnership, association, firm, corporation, business entity, club, incorporated group or organization;

“Public Property” means property which is owned by the municipality, the regional municipality or any other public authority and shall include the entire municipal highway;

“Private Property” means a parcel of real property under registered ownership and includes all buildings and structures thereon;

“Proclaimed Election” means an election, or by-election, proclaimed by either the *Canada Elections Act*, as amended, the *Election Act*, as amended, or the *Municipal Elections Act, 1996*, as amended;

“Road Right-Of-Way” shall mean the *highway*;

“Sign Owner” means the registered Candidate during a municipal election or the registered political party during a provincial or federal election or the third party advertiser. If the registered candidate is not affiliated with a registered political party during a provincial or federal party they are deemed to be the sign owner.

“Third Party Advertiser” means:

- (a) In the case of a federal or provincial election, a person, entity or group, other than a registered party, registered association, candidate or nomination contestant, that conducts election advertising;
- (b) In the case of a City of Brampton municipal election, an individual, corporation or trade union that is a registered third party pursuant to section 88.6 of the *Municipal Elections Act, 1996*, as amended.

“Valid Election Period” means the time period between, and inclusive of, 5:00 p.m. on the day of issuance of the Writ of Election or By-Election in accordance with the *Canada Elections Act*, as amended, and the *Election Act*, as amended through to 11:59 p.m. on the date of the election vote.

“Visibility Triangle” means

- (a) In the case of an intersection of two highways the triangular area formed by measuring from the actual and projected point of intersection of the property boundaries abutting the highway, a distance of 15 m (50 ft) along each such property boundary to two points, and joining those two points; or
- (b) In the case of an intersection of a driveway with a highway, the triangular area formed by measuring from the point of intersection of the property boundary abutting the highway and the edge of the driveway, a distance of 6 m (20 ft) along the property boundary and the edge of the driveway to two points and joining these two points.

PART 2 SCOPE

4. Application

4.1. This By-law shall apply to federal, provincial and municipal candidates or Third Party Advertisers as it relates to election signs.

5. Exemptions

5.1. This By-law shall not apply to:

- (1) A wall sign for which a permit has been obtained in accordance with the [Sign Bylaw](#) identifying the constituency office of an elected official or campaign office of an election candidate;
- (2) A Class A ground sign for which a permit has been obtained in accordance with the [Sign By-law](#) identifying the constituency office of an elected official or campaign office of an election candidate;
- (3) An awning, canopy or overhead sign for which a permit has been obtained in accordance with the [Sign By-law](#) identifying the constituency office of an elected official or campaign office of an election candidate;
- (4) Signs placed by the City, Region 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;
- (5) Signs displayed in accordance with the policy for Advertising on City Property; Signs on urban furniture which are subject to the approval of Council through Committee, signs on urban furniture erected pursuant to an agreement with The Corporation of the City of Brampton.

PART 3 REGULATIONS AND PROHIBITIONS

6. General

- 6.1. No Sign Owner shall erect or display or cause to be erected or displayed an Election Sign within the geographic limits of the City except in accordance with this By-law.
- 6.2. No Sign Owner shall erect or display or cause to be erected or displayed an Election Sign upon Public Property, a Highway, or parts thereof.
- 6.3. The erection or display of an Election Sign shall only be permitted where the Election Sign is in connection with a Proclaimed Election.

- 6.4. Where an Election Sign is permitted to be displayed or erected on Private Property in connection with a Proclaimed Election, the sign may either be secured in the ground or affixed inside a window forming part of a building.
- 6.5. The erection or display of an Election Sign shall only be permitted where the Candidate's or political party's official agent authorizes the sign. Where the Election Sign was placed by a Third Party, it shall include the Third Party's name, telephone number, and physical or Internet address.
- 6.6. Every Sign Owner shall ensure the Election Signs are maintained in a state of good repair, free from damage or defects.
- 6.7. Every Sign Owner responsible for the erection or display of an Election Sign shall cause the Election Sign to be removed and appropriately disposed of or stored:
- (1) within 72 hours immediately after 11:59 p.m. of the day of the close of the election for which it was erected;
 - (2) if it becomes damaged or discarded; or,
 - (3) if it contravenes this By-law.
- 6.8. The occupant of a dwelling may remove and dispose of an Election Sign that has been placed or permitted to be placed on their property, or on a road allowance or boulevard adjacent to their residence without their consent.

7. Physical Sign Requirements

- 7.1. Every Election Sign shall identify who is responsible for the messaging.
- 7.2. Every Third Party Election Sign shall identify the name of the Third Party Advertiser, the municipality where the Third Party is registered where applicable and a telephone number, mailing address or email address at which the registered Third Party Advertiser may be contacted.
- 7.3. Where an Election Sign is permitted in connection with a Proclaimed Election, no Sign Owner shall erect or display, or cause to be erected or displayed an Election Sign:
- (1) that exceeds 2 m² (21.5 ft²) in sign area for a property zoned residential and 2 m² (21.5 ft²) in sign area for a property not zoned residential;
 - (2) that exceeds 1.5 m (4.9 ft) in height measured from the grade for a property zoned residential and 3.6 m (12 ft) in height for a property not zoned residential;
 - (3) that is damaged or discarded;
 - (4) that is illuminated, animated or digitalized; or,
 - (5) that displays the City's logo or the City's municipal election logo, in whole or in part.

8. Location Requirements

- 8.1. No Sign Owner shall Place or permit to be Placed an Election Sign for a municipal election in any ward that they are not officially nominated or registered in.
- 8.2. No Sign Owner shall erect or display, or cause to be erected or displayed an Election Sign that:
- (1) is located on Public Property;
 - (2) is within a Visibility Triangle;
 - (3) is within 0.6 metres of a curb, shoulder, sidewalk or pavement edge;
 - (4) creates a real or potential safety hazard for pedestrians, cyclists, or motorists;
 - (5) obstructs the visibility of any traffic control device, intersection, driveway, or sidewalk;
 - (6) obstructs or impede any fire escape, fire exit, door, window, 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;

- (7) is affixed to a tree, fence, construction hoarding, building wall, pipe, telephone pole, hydro pole, light standard or any other utility infrastructure;
- (8) in the opinion of an Officer, constitutes a physical hazard or obstruction to public safety.

9. Timing of Placement Requirements

- 9.1. No Sign Owner shall erect or display or cause to be erected or displayed an Election Sign for a federal or provincial election earlier than 5:00 p.m. on the day of issuance of the Writ of Election or By-Election in accordance with the *Canada Elections Act*, as amended, and the *Election Act*, as amended.
- 9.2. No Sign Owner shall erect or display, or cause to be erected or displayed an Election Sign for a municipal election earlier than the day that the Candidate has been nominated or Third Party Advertiser has been registered, but no earlier than 5:00 p.m. twenty-four (24) days prior to Voting Day as defined in the *Municipal Elections Act, 1996*, as amended.

10. Limits to Placement on Private Property

- 10.1. Where an Election Sign is permitted to be erected on Private Property in connection with a Proclaimed Election, consent from an occupant of the residential unit shall be obtained prior to the erection or placement of the Election Sign.
- 10.2. Where an Election Sign is permitted to be displayed or erected on Private Property containing a residential unit in connection with a Proclaimed Election, no more than one Election Sign per Candidate or per Third Party Advertiser shall be placed or permitted to be placed on any one residential property.
- 10.3. Notwithstanding Section 10.2, Where there are registered additional residential units on a residential property, each registered unit shall be permitted to place or permit to be placed one Election Sign per candidate or per Third Party Advertiser.
- 10.4. Notwithstanding Section 10.3, no more than three Election Signs shall be placed or permitted to be placed on any one residential property.
- 10.5. Where an Election Sign is permitted to be erected on Private Property in connection with a Proclaimed Election, the following limits shall apply to developed properties not containing a residential unit:
 - (1) No more than three Election Signs per Candidate shall be placed or permitted to be placed on any one property;
 - (2) No more than three Election Signs per Third Party Advertiser shall be placed or permitted to be placed on any property;
 - (3) Election signs are not permitted on vacant and/or undeveloped land.

PART 4 ENFORCEMENT

11. Inspection

- 11.1. An Officer may at any reasonable time enter upon land near a Highway for the purpose of carrying out an inspection to determine compliance with this By-law.
- 11.2. An Officer may at any reasonable time enter upon Private Property for the purpose of carrying out an inspection to determine compliance with:
 - (1) This By-law;
 - (2) A direction or order of the municipality; or,
 - (3) An order made under section 431 of the *Municipal Act, 2001*.

12. Orders

- 12.1. Where an Officer is satisfied that a contravention of the By-law has occurred, the Officer may make an order requiring the Person who contravened the By-law or who caused

or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity and/or do work to correct the contravention.

- 12.2. An order may require work to be done even though the facts which constitute the contravention of the By-law were present before the By-law making them a contravention came into force.
- 12.3. An order issued under this By-law may be served Personally, by email or by mail to the last known email or mailing address of the Person and such other Persons affected by it as determined by the Inspector
- 12.4. Where an order is served by registered mail, the service shall be deemed to have been made five (5) days after mailing.

13. Removal of Signs

- 13.1. Employees or agents of the City may at any reasonable time remove and store any Election Sign placed on or near a Highway in contravention of this By-law.
- 13.2. All costs and charges incurred by a municipality for the removal, care and storage of Election Sign that is erected or displayed on or near a Highway in contravention of the By-law shall be a lien on the Election Sign that may be enforced by the municipality under the *Repair and Storage Liens Act*.
- 13.3. All costs and charges incurred for disposing of an Election Sign may be recovered by the municipality as a debt owed by the owner of the device.
- 13.4. Employees or agents of the City may at any reasonable time enter Private Property to remove an Election Sign that contravenes this by-law where an Order to do so made under this By-law has not been complied with.
- 13.5. All costs and charges incurred by a municipality for the removal, care and storage of Election Sign that is erected or displayed on Private Property may be collected by adding the costs to the tax roll and collecting them in the same manner as property taxes.

PART 5 STORAGE AND DISPOSITION OF SIGNS

14 Storage of Signs

- 14.1. Any Election Signs removed by the City under this By-law shall become property of the City and shall be stored at a City facility for 30 days.

15 Disposal of Signs

- 15.1. Any Election Sign stored at a City facility for more than 30 days and for which a Sign Owner has not collected, may be disposed of by the City in any manner that it deems appropriate at the Owner's expense, without further notice or compensation.

PART 6 OFFENCES AND PENALTIES

16 Offences

- 16.1. Every Person who contravenes a provision of this By-law or an order made under it, whether deliberately or inadvertently, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, and the *Municipal Act, 2001*, as both may be amended from time to time.

16.3 Every Person who contravenes an order made under this By-law is guilty of an offence.

- 16.2. Every Person who hinders or obstructs, or attempts to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law is guilty of an offence.

17 Fines

- 17.1. Every Person who is guilty of an offence is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, as amended, and the *Municipal Act, 2001* as amended.

- 17.2. Every Person charged with an offence under this By-law by the laying of an information under Part III of the *Provincial Offences Act*, as amended, upon conviction, is liable pursuant to the *Municipal Act, 2001*, to the following fines:
- 17.3. Any person who contravenes any provision of this by-law is guilty of an offence, and upon conviction shall be subject to a penalty of not more than five thousand dollars (\$5,000.00)

18 Administrative Penalties

- 18.1. An Officer may require a Person, subject to the conditions set out within the Administrative Penalties (Non-Parking) By-law 218-2019, as amended, or successor by-law, to pay an administrative penalty if the Officer is satisfied that the Person has failed to comply with a provision within this By-law or an Order issued under this Bylaw.
- 18.2. Every Person who is served a penalty notice is liable to pay to the City of Brampton an administrative penalty in the amount set out in the Administrative Penalties (Non-Parking) By-law 218-2019, as amended.
- 18.3. Notwithstanding Section 18.2, the cumulative total of administrative penalties imposed under this By-law during a Proclaimed Election shall not exceed \$2,000 per individual Candidate or Third Party Advertiser.

PART 7 SEVERABILITY

- 18.4. Where a court of competent jurisdiction declares any section or part of a section of this By-law to be invalid, or to be of no force and effect, it is the intention of the City in enacting this By-law that the remainder of this By-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

PART 8 CONFLICT

- 18.5. Where there is a conflict between a provision of this By-law and a provision in any other By-law, the provision that shall prevail, subject to the greater paramountcy of provisions that protect the health or safety of persons.

ENACTED and PASSED this 25th day of June 2025.

Approved as to
content.

2025/June/19

R. Higgs

Patrick Brown, Mayor

Approved as to
form.

2025/06/19

Colleen Grant

Genevieve Scharback, City Clerk