

Staff Report

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Report To:	General Government Committee		
Date of Meeting:	September 8, 2025	Report Number:	LGS-031-25
Authored by:	Kristina Bergeron, Manager of Municipal Law Enforcement		
Submitted By:	Rob Maciver, Deputy CAO/Solicitor, Legislative Services		
Reviewed By:	Mary-Anne Dempster, CAO	Resolution#:	
File Number:		By-law Number:	
Report Subject:	Election Sign By-law Review		

Recommendations:

1. That Report LGS-031-25, and any related delegations or communication items, be received;
2. That the By-law attached to Report LGS-031-25, to repeal and replace the Election Sign By-law 2016-004 and amendments, be approved; and
3. That all interested parties listed in Report LGS-031-25, and any delegations be advised of Council's decision.

Report Overview

Staff are recommending administrative enhancements to the [Election Sign By-law](#) to provide clarity and protection to residents. While the core rules and regulations remain unchanged, the by-law has been reorganized to enhance clarity and flow. Improvements to the layout and wording will help candidates, their agents, and citizens better understand election sign regulations in Clarington.

1. Background

Why do we Regulate Election Signs?

1.1 Subsection 11(3)(7) of the Municipal Act states that:

A lower-tier municipality and an upper-tier municipality may pass by-laws, subject to the rules set out in subsection (4), respecting matters within the following spheres of jurisdiction: “structures, including fences and signs”.

1.2 The Election Sign By-law regulates election signs, both on private and public property, specifically, the location, size and timing for which signs are allowed to be installed. The by-law places the responsibility on a candidate, their agent or any representative of a candidate, or registered third party for compliance with the By-law related to election signs.

1.3 Election Signs:

- Provide name recognition for candidates;
- May encourage electors to research candidates or election issues;
- May raise the visibility and profile of the election;
- May create roadside clutter (aka sign pollution);
- May distract motorists, cyclists, and pedestrians; and
- May not be environmentally friendly and generate waste.

1.4 It is important that election signs:

- Do not interfere with the safe movement and visibility of motorists, cyclists, and pedestrians;
- Do not obstruct or interfere with any emergency access or egress;
- Comply with all applicable legislation; and
- Do not negatively impact abutting properties or the visual appeal of the Municipality.

Current By-law

- 1.5 The current Election Sign By-law, [By-law 2016-004](#), was passed arising out of the Election Sign By-law [Report CLD-004-16](#). The current by-law separated the “election sign matters” from Clarington’s Sign By-law and has been amended several times since. It applies to elections at all three levels of government.
- 1.6 At least once every term of Council, preferably well before the regular Municipal Elections, the Election Sign By-law is reviewed, and changes are recommended to Council.
- 1.7 The last review took place in 2021, with [Report LGS-023-21](#), to reflect the delegation of authority from the Region to the lower-tier municipalities, as well as some housekeeping measures.
- 1.8 Since the passing of the 2016 by-law, there have been several by-elections, three general Federal Elections, two Provincial Elections, and two municipal elections. Additionally, there have been changes in how Clarington handles fees. Based on those experiences, Staff are recommending administrative updates to the current by-law.

2. Review of Election Sign By-law

General

- 2.1 It is important to recognize that election signs remain an important communication tool for many candidate’s campaigns, although candidates are increasingly relying on social media. Signs play a role in making the public both aware of the candidates and signal that there is an upcoming election.

2.2 The review of the Municipality's Election Sign By-law has been conducted with the following goals in mind:

- Balance interests of public, election participants and the Municipality to ensure an equitable election process;
- Ensure public health and safety is provided for and protected;
- Clarify and simplify language and formatting to improve compliance;
- Modernize the By-law to reflect changes to the Municipal Election Act; and,
- Provide standards that establish a consistent, fair and unbiased process.

2.3 To achieve these goals, the By-law was reviewed and benchmarked against other municipalities based on but not limited to the following provisions:

- Allowance of signs on public property;
- Allowance of signs on private property;
- Restrictions on the placement of signs according to voting areas such as associated wards and ridings;
- Restrictions on the placement of signs with regard to public infrastructure;
- Time restrictions on placement both before, and after, Voting Day;
- Size restrictions including height and width;
- Other types of election signs such as vehicle signs and campaign office signs;
- Enforcement practices;
- Penalties, and fees; and,
- Retention periods and destruction practices.

2.4 Staff have not considered a municipal-wide prohibition of election signs. Although some municipalities have banned election signs on public road allowances, our approach retains these allowances with sensible placement regulations to balance public safety, sightlines, and visual aesthetics while ensuring candidates can still advertise.

2022 Municipal Election Experience

- 2.5 During the 2022 Municipal and School Board Elections, the Municipality enforced the Election Sign By-law on both a complaint-driven and proactive basis. The Municipal Law Enforcement (MLE) received 36 complaints related to election signs and removed 101 election signs.
- 2.6 The most common reasons for election sign removal were placement of signs within a visibility triangle and the placement of signs too close to other signs for the same candidate, followed by placement of election signs outside the allowed time frame.

2024 Federal By-Election Experience

- 2.7 During the 2024 Federal by-election, the Municipality removed 290 election signs. The common violations being: signs erected without registering and paying deposit, signs within a visibility triangle, signs too close to other signs of the same candidate, followed by signs not being removed 48 hours after election day.

2025 Provincial Election Experience

- 2.8 An updated Election Sign Guidance document was provided to candidates upon registering, summarizing the regulations and removal fees. Commonly observed violations included signs erected without registering and paying the deposit, signs within a visibility triangle, and signs too close to other signs of the same candidate.
- 2.9 Stakeholders indicated that the sign recovery regulations and process were difficult to interpret. Specifically, the requirement to issue invoices only after a 61-day period created challenges for candidates attempting to retrieve confiscated signs within the designated timeframe. The delay in invoicing meant candidates were unable to complete the recovery process promptly, leading to confusion and inefficiencies. The cost and election sign recovery (now found in Section 7) was updated to remove the fixed timeline restriction for invoicing. The update would allow for invoicing to be completed as soon as practicable after all infractions have been resolved.

2025 Federal Election Experience

- 2.10 Consistent with the provincial election, the most observed violations included erecting signs without registering or paying the required deposit, placement of signs within visibility triangles, and signs positioned too close to other signs belonging to the same candidate.
- 2.11 Notably, the number of violations observed during the federal election was significantly lower compared to the provincial election.

Third Party Advertisers

- 2.12 The introduction of the concept of “Third Party Advertisers” to the Municipal Elections Act (MEA) in 2016 could have had the possibility of increasing the signs although it has not gotten much use in Clarington and therefore hasn’t affected the volume of signs, yet.
- 2.13 One third party advertiser displayed signs during the Federal by-election in 2024.

When is a Candidate a Candidate?

- 2.14 During the recent federal by-election, confusion arose regarding the timing of when a candidate may submit their election sign deposit. Due to the compressed timelines typical of by-elections, candidates often prepare signage in advance and seek to submit deposits prior to the official commencement of the election period. However, the existing Election Sign By-law did not define when an individual officially becomes a candidate, leading to uncertainty and inconsistent practices.
- 2.15 To address this issue, Section 4.2 of the draft by-law now provides clear direction on when election signs may be displayed and when deposits must be submitted. Specifically:
- Federal or Provincial Elections/By-elections: No election sign may be displayed prior to the issuance of the Writs of Election.
 - Municipal Elections: Election signs may not be displayed until the candidate has filed their nomination with the Municipal Clerk, or in the case of a registered third party, has registered with the Clerk.
 - Deposit Requirement: In all cases, no election sign may be displayed without first registering and submitting the election sign deposit fee, including any applicable accrued costs as outlined in Schedule “A”.
- 2.16 This clarification ensures consistency in enforcement and provides candidates with a transparent framework for compliance, particularly in time-sensitive election scenarios.

Fees

- 2.17 In keeping with the administrative fee structures established in other regulatory by-laws, such as the Property Standards By-law 2007-070, Boulevard By-law 2013-066, and Site Alteration By-law 2024-017, a 25% administrative fee has been incorporated into the fee schedule. This fee will be applied exclusively in instances where the Municipality is required to remove a sign located on private property due to non-compliance following the issuance of a notice. All other fees remain unchanged from the previous by-law.

2.18 The fee structure remains reasonable and aligned with practices in other municipalities, ensuring fairness while supporting effective enforcement.

Definition Updates and Additions

2.19 The following table outlines the updates made to the definitions.

Original Definition	Updated Definition
Display	Expanded to include install, build, construct, reconstruct, move, place, and affix for clarity and enforcement.
Person	Updated for consistency with other regulatory by-laws.
Public Park & Public Utility Pole	Removed; restrictions now addressed directly in Sections 4.7(j) and 4.18.
Public Works Department	Removed; term not referenced in the by-law.
Zone and Urban Area	Removed; terms not referenced in the by-law.
New definitions added	<p>Election Assistance Centre (EAC) – Reflects new electronic voting practices.</p> <p>Expense – Enables recovery of costs related to sign removal from private property.</p> <p>Sign By-law – Added for cross-referencing purposes.</p>

Summary of Key Revisions to the Election Sign By-law:

2.20 The following table outlines the key revisions found in the draft by-law.

Current Provision	Revised Provision
References, Word Usage, Severability, Application, and Schedule Sections .	Consolidated into a dedicated “Administration” section (Section 3) for improved organization and clarity.
Deposits Required section are found towards the end of the by-law.	Consolidated into a dedicated “Administration” section (Section 3) for improved organization and clarity.
Section 10.1 – No consent required to display signs on the boulevard adjacent to residential property.	Section 4.8 – Updated to require property owner consent for displaying signs fronting residential properties.

Current Provision	Revised Provision
No previous provision.	Section 4.17 – Introduced a new requirement for safety caps on rebar to promote public safety as a best practice.
Section 25 – Restriction for parking a vehicle displaying an election sign within a one block radius of the Municipal Administrative Centre at 40 Temperance Street Bowmanville, on the voting day of a Municipal election.	Section 4.19 – Expanded vehicle election sign restrictions to include Election Assistance Centres (EACs) and all voting places.
Section 17 and 17.1 – Private Property regulations.	Sections 5.1, 5.2, and 5.3 – Removed the term “reasonable” size due to enforcement challenges. Maximum size limits remain unchanged and are detailed in Section 4.16.
Section 32. – Deposits (less deductions) returned 61 days after Voting Day.	Section 7.4 – Deposit may be refunded at the discretion of the Manager of Municipal Law Enforcement or designate, once all infractions are resolved. No fixed timeline; more flexible and enforcement-driven.
Section 39. – Confiscated signs required to be stored for minimum 30 days; however, error in wording provides allowance for redemption “during this period” which is contradictory. The intent of the provision was to act as a deterrent to placing signs in violation of the by-law.	Section 7.5 – Signs may be retrieved during regular business hours within 30 days of the issuance of an invoice or deposit refund, provided all outstanding fees have been paid in full. Retrieval will not be permitted prior to the issuance of the invoice or refund. Any signs not claimed within the 30-day period will be considered forfeited and will be disposed of by the Municipality.
Sign Disposal Timeline - Signs held for more than 60 days may be destroyed.	Disposal timeline is no longer explicitly stated; instead, signs not retrieved within 30 days are forfeited, streamlining the process.

3. Financial Considerations

- 3.1 No additional staffing or financial resources are required. The updated cost and election sign recovery provisions simplify invoicing and reduces potential disputes, likely enhancing efficiency in enforcement and administration.

4. Strategic Plan

C.2.5: Support the proactive management of community safety and well-being.

5. Climate Change

Not applicable.

6. Concurrence

Not Applicable.

7. Conclusion

It is respectfully recommended that Council repeal By-laws 2016-004, 2017-091, 2018-045, 2018-062, 2018-092, and 2021-074 and pass the draft by-law in replacement.

Staff Contact: Kristina Bergeron, Manager of Municipal Law Enforcement,
kbergeron2@clarington.net.

Attachments:

Attachment 1 – Draft Election Sign By-law

Interested Parties:

There are no interested parties to be notified of Council's decision.