



BY-LAW 60-18

of the

CORPORATION OF THE CITY OF CAMBRIDGE

Being a by-law to amend By-law 191-03
in respect of election signs

WHEREAS the Canadian Charter of Rights and Freedoms guarantees the freedom of expression subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society;

AND WHEREAS section 11 of the *Municipal Act, 2001* provides that the council of a lower tier municipality may pass by-laws dealing with the installation of signs;

AND WHEREAS section 128 of the *Municipal Act, 2001* authorizes the municipal council to pass by-laws to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of the municipal council are or could become public nuisances;

AND WHEREAS in the opinion of the municipal council of the City of Cambridge the installation of certain signs on municipal property may become a public nuisance;

AND WHEREAS the municipal council considers it desirable to regulate the installation of certain signs in order to maintain the safety of municipal property and to reduce the potential occurrence on municipal property of public nuisances resulting from signs;

AND WHEREAS By-law 191-03 permits the installation of signs in the Corporation of the City of Cambridge subject to various conditions including the issuance of permits;

NOW THEREFORE BE IT RESOLVED THAT the Corporation of the City of Cambridge enacts as follows:

1. Section 1 of By-law 191-03 is amended

(1) by the deletion of the definition of the word "Municipal Election Sign", and

- (2) by the addition of the following definitions:

“City” means the Corporation of the City of Cambridge,

“Election Sign” means a sign used to advertise any person or political party participating in an election and includes an election campaign advertisement, a third party advertisement, and a mobile read-a-board sign,

“Official Sign” means a sign installed by, or under, the jurisdiction of the federal or provincial government, the City, the Regional Municipality of Waterloo, a public utility, or similar public entity,

“Person” includes an individual, a corporation, a trade union and a registered third party in a municipal election,

“Third Party Advertising” means advertising by an establishment or other activity that is not conducted on the land on which the sign is installed, erected or displayed, but does not include a third party advertisement,

2. Section 4 of By-law 191-03 is amended by the deletion of the word “Municipal” prior to the words “Election Sign” in the chart.
3. Section 25 of By-law 191-03 is amended

- (1) by the deletion of the following heading,

MUNICIPAL ELECTION SIGN

and the substitution therefor of the following heading,

ELECTION SIGN

- (2) by the deletion of the following unnumbered paragraph,

“Municipal Election sign means a sign, including a mobile read-a-board sign, used to advertise any person or political party participating in an election for public office, but excluding Provincial and Federal office.”

- (3) by the deletion of the word “municipal” in subsection 2 wherever it appears in the subsection,

- (4) by the addition of the following subsections,

- “3. No person shall erect, locate, install or display an election sign
- (a) on or within any road allowance abutting any City building,
 - (b) overhanging any City property except a road allowance,
 - (c) on any utility pole, official sign or official sign structure,
 - (d) on any tree or fence on City property,
 - (e) at any location on City property where the election sign might obstruct any door, window, fire exit or any opening required for light, ventilation, ingress, egress or firefighting,
 - (f) in any City cemetery, and, in or on a war memorial, cenotaph, mausoleum, tomb, headstone, pergola or similar structure located on City property,
 - (g) at any location on City property where the election sign might interfere with any underground services,
 - (h) on any City lands where the sign might interfere with the maintenance of the lands, including grass cutting, cleaning, and other similar activities,
 - (i) at any location where the election sign constitutes a safety hazard to the general public,
 - (j) on any City, Region of Waterloo, provincial or federal building or lands where the building or lands have been placed on the register, or have been designated by by-law, as lands or buildings that are properties of cultural value or interest ,
 - (k) on any City, Region of Waterloo, provincial or federal building or lands where the building or lands are located in a heritage conservation district that has been placed on the register, or has been designated by by-law, as a heritage conservation district, or
 - (l) on or in any part, or parts, of the Cambridge City Hall building and lands located at 50 Dickson Street.

4. No person shall erect, locate, install or display an election sign in regard to a provincial or federal election prior to the issuance of the writ for the election.”

4. Section 27 of By-law 191-03 is amended by the deletion of subsection 13 and the substitution therefor of the following subsection

“13. (a) Signs that are not specifically permitted by this by-law are prohibited in the City.

(b) Subsection 13 (a) shall not apply to third party advertising signs.

(c) Third party advertising signs shall comply with all provisions of By-law 191-03, as amended.”

5. Section 32 subsection 8 of By-law 191-03 is amended

(1) by the deletion of the words “municipal election signs” wherever they appear in section 32, subsection 8 and the substitution of the words “election sign” therefor, and

(2) by the deletion of the words “Commissioner of Planning for the City of Cambridge” and the substitution of the words “By-law Enforcement Officer” therefor.

6. Section 35 of By-law 191-03 is amended

(1) by the deletion of the words “by the City of Cambridge” in subsection 4 (a), and

(2) by the deletion of section 35, subsection 4 (d).

7. The Index of By-law 191-03 is amended by the deletion of the words “Municipal Election Signs” and the substitution therefor of the words “Election Signs”.

8. This by-law shall come into full force on the day it is passed.

PASSED AND ENACTED this 17th day of April, 2018

MAYOR

CLERK