



## Amendments to the Election Sign Bylaw

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Electoral Division: All

File: N/A

Date:	July 9, 2024		
Presenter:	Tyler Andreasen, Lead Legislative Officer		
Department:	Legislative Services		
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director	and/or	<input checked="" type="checkbox"/> Chief Administrative Officer

### REPORT SUMMARY

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Council adopted an updated *Election Sign Bylaw* ahead of the 2021 municipal election. Administration committed to a review of the bylaw after nearly 100 election signs were removed and impounded and approximately 35 complaints were made by the public during the 2021 municipal election.

Administration completed a review of the *Election Sign Bylaw*, which included an internal review by Agricultural and Environmental Services, Enforcement Services, Legislative Services, Planning Services, and Transportation Services, as well as an external best practice review of other municipalities in Alberta.

Administration determined that significant amendments to the *Election Sign Bylaw* are not required as the regulations in the bylaw are well-aligned with other municipalities in the province. Administration, however, is proposing several amendments outlined further in this report. These amendments would standardize setback distances in the bylaw, clarify how setback distances are measured, and revise the enforcement sections of the bylaw.

### ADMINISTRATION'S RECOMMENDATION

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THAT Bylaw C-8536-2024 be given first reading.

THAT Bylaw C-8536-2024 be given second reading.

THAT Bylaw C-8536-2024 be considered for third reading.

THAT Bylaw C-8536-2024 be given third and final reading.

### BACKGROUND

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Neither the *Municipal Government Act* nor the *Local Authorities Election Act* provide guidance to municipalities on election sign regulations, which means that municipalities have the discretion to establish regulations on their own. Municipalities may do so under their general powers under the *Municipal Government Act*, as well as the *Traffic Safety Act* because election signs are often placed on road rights-of-way.

Most municipalities regulate election signs through their *Land Use Bylaw* or rely on [provincial guidelines published by Alberta Transportation and Economic Corridors](#) that regulate the placement of election signs on provincial highways. Along with some other municipalities, the County instead regulates election signs through a standalone *Election Sign Bylaw* for ease of reference during elections.

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Council adopted an updated *Election Sign Bylaw* in 2021 to regulate election signs in the County. The bylaw regulates the dimensions of election signs, where they can be placed, when election signs can be placed, and when they must be removed.

For municipal elections administered by the County under the *Local Authorities Election Act*, election signs may be placed after nomination day, which is four weeks before the day of a municipal election, and they must be removed three days after the close of voting stations on election day.

The County's election sign regulations apply to federal elections administered by Elections Canada, provincial elections administered by Elections Alberta, and municipal elections and plebiscites held under the *Local Authorities Election Act*. The bylaw also applies to school board elections held under the *Education Act*.

As noted in the [2021 Municipal Election Debrief](#) report presented to Council, Administration committed to reviewing the *Election Sign Bylaw* ahead of the 2025 municipal election after nearly 100 election signs were removed and impounded and around 30 complaints were made by the public for contraventions of the bylaw during the 2021 municipal election.

### ANALYSIS

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Administration conducted a best practice review of election sign regulations across the province. The best practice review included municipalities within the Calgary Metropolitan Region Board to ensure consistency within the region, as well as municipalities outside of the region for comparison.

Administration determined that the County's election sign regulations are well-aligned with other municipalities in the province and that no amendments are required as a result of its best practice review. Based on its internal review, however, Administration is proposing the following amendments:

- Standardizing a number of setback distances in sections 7 and 8 of the bylaw for simplicity and consistency, including:
  - Increasing the 10 metre setback distance from fire hydrants to 30 metres to align with the setback distance from other election signs and permanent signs.
  - Increasing the 15 metre setback distance from road approaches to 30 metres to align with the setback distance from uncontrolled intersections.
  - Reducing the 100 metre setback distance from construction zones to 90 metres to align with the setback distance from controlled intersections.
- Adding a new Schedule 'B' to the bylaw with diagrams of how the setback requirements of the bylaw are measured. This would provide additional clarity to candidates and the public when placing election signs, as well as to Enforcement Services when responding to complaints.
- Adding new wording in section 7 of the bylaw that would require election signs to be able to break apart if they are impacted by a vehicle and prohibit election signs from being illuminated. This would ensure the safety of the travelling public.
- Adding a new section to the bylaw clarifying that the vandalism or theft of election signs would be referred to the proper authorities for investigation and prosecution, as the County does not investigate or prosecute instances of election sign vandalism or theft.

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- Removing the prosecution and penalties sections of the bylaw (sections 27 through 31) as Enforcement Services' preferred method of enforcing the *Election Sign Bylaw* is to remove and impound election signs that are in contravention of the bylaw rather than issuing violation tickets.
- Minor wording changes throughout the bylaw. For example, changing references to traffic signals to traffic control devices for consistency with the *Traffic Safety Act*, as well as referencing sidewalks separately from pathways or trails in section 8(1)(e) of the bylaw.

As mentioned earlier in the report, the County removed and impounded nearly 100 election signs during the 2021 municipal election, which reflects the County's preference to enforce the regulations of the *Election Sign Bylaw* by removing and impounding election signs that contravene the bylaw rather than issuing violation tickets.

To that end, Administration recommends removing the prosecution and penalties sections (sections 27 through 31) of the bylaw as the decreased presence of a candidate's election signs is seen as a sufficient penalty for contravention of the bylaw.

While there were a significant number of election signs removed and impounded by the County during the 2021 municipal election, Administration finds it unlikely that these numbers were a result of the updated *Election Sign Bylaw* passed in 2021. Most of the regulations are consistent between the 2015 and 2021 versions of the *Election Sign Bylaw*.

Administration instead suggests that more clarity on how the regulations of the *Election Sign Bylaw* are enforced, particularly with the addition of diagrams in Schedule 'B' of the bylaw, would help mitigate election sign issues during the 2025 municipal election.

## COMMUNICATIONS / ENGAGEMENT

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If the proposed amendments to the *Election Sign Bylaw* are approved by Council, an office consolidation of the amended bylaw would be made available to the public on the County's website. No additional communication would be undertaken immediately following approval of the proposed amendments.

However, whether the *Election Sign Bylaw* is amended or not, election sign regulations will be included in the County's communication plan for the 2025 municipal election to ensure candidates and the public are aware of election sign regulations.

## IMPLICATIONS

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### Financial

No financial implications have been identified at this time.

## STRATEGIC ALIGNMENT

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This report is a requirement of section 191(1) of the *Municipal Government Act* which requires bylaws to be adopted, amended, and repealed by Council.

## ALTERNATE DIRECTION

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No alternate options have been identified for Council's consideration.

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### ATTACHMENTS

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Attachment A: Draft Bylaw C-8536-2024

Attachment B: *Election Sign Bylaw* (redline version)