

Condominium Home Owners' Association

Serving BC's Strata Property Owners since 1976

Bulletin: 300-299

Condo Smarts

Headline: Election signs

Topic: Election signs

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Dear Condo Smarts: With the call of the election in September, many owners started erecting signs on the common property for their preferred parties and candidates. We received a notice from council last week advising that they all had to come down. Owners are now sending notices around threatening to sue each other and take a physical stand if anyone touches their signs. Can you help us quickly put an end to this dispute before it gets out of hand? MJ Bedford, Delta

Dear MJ: Over the next eight months we have three elections; federal, municipal and provincial. Elections legislation regarding signs applies to the Canada Elections Act. Provincial legislation is silent on the matter of signage but with respect to strata lots, does anyone really want to test the waters on limiting freedom of expression when it comes to use of a strata lot, and risk a human rights complaint? The strata can prohibit or limit signage on common property; however, it does require a bylaw. In MJ's strata, there is no such bylaw, so council are beyond their scope of authority to order the removal of the signs.

Canada Elections Act 322. (1) No landlord or person acting on their behalf may prohibit a tenant from displaying election advertising posters on the premises to which the lease relates and no condominium corporation or any of its agents may prohibit the owner of a condominium unit from displaying election advertising posters on the premises of his or her unit. Permitted restrictions: (2) Despite subsection (1), a landlord, person, condominium corporation or agent referred to in that subsection may set reasonable conditions relating to the size or type of election advertising posters that may be displayed on the premises and may prohibit the display of election advertising posters in common areas of the building in which the premises are found.

Avoid disputes and the competition of "whose sign is bigger." Election signage bylaws may limit or prohibit the size, type and location of signs on common areas. They may also reasonably limit the size of a sign displayed from a strata lot, but not prohibit signs displayed from the strata lots.

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