

What you need to know about: Election Signs and Canvassing

While The *Strata Property Act* may be silent on election signs and canvassing, strata corporations and their respective bylaws in British Columbia must comply with all enactments and laws, including the *Canada Elections Act*, the provincial *Election Act* and the *Local Government Act*.

Can a strata corporation prohibit an owner or tenant from displaying an election sign?

Strata corporations must not prohibit an owner or tenant from displaying election signs from their strata lot. However, a strata corporation may, by bylaw, prohibit election signs from being displayed on common property. For the purpose of bylaws and enforcement, limited common property as defined by the *Act* is common property designated for the exclusive use of the owners of one or more strata lots.

What type of sign can be displayed?

Strata corporations may set reasonable conditions on the type and size of sign that may be displayed. For example, a strata corporation may, by bylaw, prohibit digital or neon signs but allow cardboard signs that are 3 feet by 3 feet.

See [section 322](#) of the *Canada Elections Act* and [section 228.1](#) of the provincial *Election Act*.

What if we have a bylaw or rule that prohibits the display of election signs or canvassers from accessing our building?

It is important for strata corporations to review their bylaws and rules to ensure they comply with the *Canada Elections Act*, the BC *Elections Act* and the *Local Government Act*. As per [section 121](#) and [section 125](#) of the *Strata Property Act*, a bylaw or rule is not enforceable if it contravenes any enactment or law.

Do we have to allow canvassers access to the building during an election?

A strata corporation may not prevent or unreasonably restrict access to their buildings during a campaign period. Candidates or an authorized candidate representative may canvass for voters and distribute candidate information. However, the hours are limited to 9:00am and 9:00pm.

- Federal: see [section 81](#) of the *Canada Elections Act*
- Provincial: see [section 228.01](#) of the provincial *Election Act*
- Municipal: see [section 160.1](#) of the *Local Government Act*

What can our strata corporation do to be prepared for an upcoming election?

- Identify a contact person in the building for candidates to contact in order to provide access to the building to avoid unnecessary disruptions to owners and tenants.
- Review your bylaws and rules:
 - Do they comply with the three laws?
 - To avoid disputes, do you have a bylaw that limits size, type or location of where election signs may be displayed?
 - Is a bylaw amendment required?

Remember a bylaw amendment requires the approval of a $\frac{3}{4}$ vote resolution of the owners at annual or special general meeting and must be filed in the land title office to take effect.

For further information please contact

- **Elections Canada** at 1-800-463-6368 or visit their website at www.elections.ca
- **Elections BC** at 1-800-661-8683 or visit their website at www.elections.bc.ca

Note: While CHOA updates bulletins as soon as possible, kindly note legislation changes from time to time. We recommend referring back to the applicable legislation, in the appropriate jurisdiction, at the time you are relying on this bulletin.