



THE DEMOCRACY FUND

January 7, 2026

via email

City of Sault Ste. Mariee
Attn: Property Standards Appeal Committee

Attn: [REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

Re: [REDACTED]

**Appeal of Decision to Remove Sign re: Sign By-law 2017-35
File No. 6077**

We are the solicitors for [REDACTED], Sault Ste. Marie, Ontario (the “Property”).

We are writing to appeal the decision of the City of Sault Ste. Marie (the “City”) to remove a sign located at the above-noted address (the “Sign”) under Sign By-law No. 2017-35¹ (the “By-law”). By way of a letter dated July 7, 2025, and received by our client on or about July 19, 2025, the City has asserted that the Sign is a “prohibited sign” under s.6.1(a) of the By-law. Or about July 28, 2025, the City removed the Sign from the Property. As with the prior sign removal, the most recent removal also infringed the Charter² rights of [REDACTED]. This is [REDACTED] formal request that the Committee or your legal department review this matter, overturn the City’s decision and return [REDACTED] Sign.

¹ City of Sault Ste. Marie, By-law No. 2017-35, *Sign By-law*

² *Canadian Charter of Rights and Freedoms*, s 15, Part I of the *Constitution Act*, 1982, being Schedule B to the *Canada Act 1982* (UK), 1982, c 11



THE DEMOCRACY FUND

Background

██████████ displayed the Sign at his Property in or around June 2025. The Sign was made of plywood board painted with a political message of “Fuck Carney.”

On or about July 28, 2025, the City took action to remove the sign, claiming it violated provisions related to prohibited signs under the By-law. Such action involved City workers trespassing at the Property unannounced and without permission, who then proceeded to unilaterally remove the sign from the Property without the prior consent of ██████████

Improper By-law Decision

The letter from the City dated July 7, 2025, cited s.6.1(a) of the By-law for its authority that no person shall erect or maintain a sign located on premises which does not specifically identify or advertise a business, service, or occupant of the premises where it is located, unless otherwise specified in this By-law.³

However, we note that under s.4.12(e) no permit is required for a personal sign.⁴ A “personal sign” is defined as “a temporary sign used for a personal announcement or congratulatory message.”⁵

██████████’s sign clearly falls within the latter category for the following reasons:

- 1) the Sign is temporary: it is not permanent or meant to be permanent and is intended to be removed when political conditions change; and,
- 2) the Sign displays a personal announcement: the statement is a personal political expression.

The decision of the City ignores the s.4.12(e) of the By-law which states that personal signs of this type do not require a permit. ██████████ requires no permit for the Sign because, pursuant to the By-law, a sign that is “personal” does not require a permit.⁶ Since he does not require a permit, he is not in violation of the By-law and, thus, requires no variance. Hence, both the requirement that ██████████ apply for and receive a variance, and the removal by the City of the Sign, are improper.

³ Supra, footnote 1, s.6.1(a)

⁴ Supra, footnote 1, s.4.12(e)

⁵ Supra, footnote 1

⁶ Supra, footnote 1, s.4.12(e)



THE DEMOCRACY FUND

Charter Infringement

The improper and unjustifiable removal of the Sign by the City is an infringement of [REDACTED]'s s.2(b) Charter right to free expression. Pursuant to s.2(b), [REDACTED] is guaranteed the fundamental freedom to express thoughts, opinions, and beliefs particularly where, as here, the expression is political.⁷

The city's unilateral action to improperly and unjustifiably remove the Sign is an act that hinders or condemns a political view, thereby harming the openness of Canadian democracy.⁸ We note that, under s.24(1) of the Charter, damages are available to anyone who has had their Charter rights infringed by the government.⁹

Harassment

This is the third enforcement action taken against [REDACTED] for clear political expression. Removal action at times involved approximately three by-law enforcement officers, one armed police officer, and several additional city workers. Prior removals have been undertaken without proper notice. We note that in other contexts, cities and townships have been sanctioned by the Ombudsman for over-zealous and improper by-law enforcement. It is our position that, given the impropriety of these removals, the actions of the City constitute harassment of [REDACTED].

Our Proposed Solution

[REDACTED] would prefer to resolve this matter amicably. Accordingly, we require that:

- 1) The City reverse its decision to remove the Sign and provide a written acknowledgement from the City that the Sign requires no variance;
- 2) Rescind any fees or penalties levied against [REDACTED] arising from these improper removals and,
- 3) The City return the Sign to [REDACTED] Property undamaged at its own expense, or arrange for [REDACTED] to obtain the Sign at a mutually agreeable date and location.

⁷ *R v Keegstra* [1990] 3 SCR 697

⁸ Ibid: "The state therefore cannot act to hinder or condemn a political view without to some extent harming the openness of Canadian democracy and its associated tenet of equality for all."

⁹ Supra, note 2, s.24(1)



THE DEMOCRACY FUND

We look forward to your response.

Yours truly,

THE DEMOCRACY FUND

Mark A. Joseph
Litigation Director

