TOWN OF LAKE COWICHAN
BYLAW NO. 1068-2022

Sign Regulation Amendment Bylaw

WHEREAS pursuant to the Community Charter, a municipality may by bylaw regulate and impose requirements applicable to signs and advertising;

AND WHEREAS by authority of the *Local Government Act* and subject to the Transportation Act and the Motor Vehicle Act a municipality may regulate the number, size, type, form, appearance, and location of any sign;

AND WHEREAS the Council of the Town of Lake Cowichan deems it expedient and desirable to amend *Town of Lake Cowichan Sign Regulation Bylaw No. 1060-2021* on the matter of signs relating to elections;

NOW THEREFORE, the Municipal Council of the Town of Lake Cowichan, in open meeting assembled, ENACTS as follows:

1. TITLE

This bylaw may be cited as the *Town of Lake Cowichan Sign Regulation Amendment Bylaw No. 1068-2022.*

2. AMENDMENTS

Section 9 will be replaced in its entirety by the following:

9. ELECTION AND POLITICAL SIGNS, POSTERS AND HANDBILLS

9.1 It shall be unlawful for any person to post election signs, posters, or handbills contrary to the regulations contained in this bylaw or the Guide to Election Sign Placement which is attached as Schedule "A" will constitute Schedule "B" of the *Town of Lake Cowichan Sign Regulation Bylaw No. 1060-2021*.

9.2 The Corporate Officer before issuing the authorization shall require each applicant to pay a deposit of one hundred dollars ($100.00) to ensure the removal of the signs, posters, or handbills within four days after Election Day, which sum shall be forfeited if the removal is not completed.

9.3 No person shall scatter or drop from any aeroplane, motor vehicle or by hand any advertisement, poster notice, placard, or handbill.

9.4 Signs may not be illuminated, animated, use flashing or other electrical features.

3. FORCE AND EFFECT

That upon adoption of this Bylaw, *Town of Lake Cowichan Sign Regulation Bylaw No. 1060-2021, shall be* hereby amended and take effect.

READ A FIRST TIME on the 25th day of January, 2022.

READ A SECOND TIME on the 25th day of January, 2022.

READ A THIRD TIME on the 25th day of January, 2022.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the 22nd day of February, 2022.

Bob K. Day Mayor	Joseph A. Fernandez Corporate Officer

Schedule "A"
(Attached to and forming part of Bylaw No. 1068-2022)

Guide to Election Sign Placement

Duration of Election and Political Sign Placement

General rule for local elections:

Election signs for general local elections may be erected starting on the 28th day before general voting day and must end at the close of general voting for the election. Signs must be taken down no later than four days after the general election. This guide as outlined below is also applicable to federal and provincial elections.

Election Signs on Town Lands, Buildings, or Structures

- Election and political signs **must not be placed on Town-owned property** including (but not limited to):
    - on highways, roads, lanes, bridges and right of ways;
    - on boulevards* and medians or roundabouts;
    - in parks, on playing fields, trees, or planters;
    - on waste receptacles or newspaper box; or
    - on Town buildings or structures.

***As an exception**, election and political signs that have a sign face of no more than 0.6 metres square in area (approximately 2 x 3 feet) may be placed on a Town-owned boulevard immediately in front of a residential or commercial property with the consent of the property owner.

An additional exception is Town owned property at the Cowichan Lake entry sign at the "Y' between Youbou Road and Cowichan Valley Highway where election signs may be placed.

Election Signs on Private Property

- Election signs are permitted on private property, without the need for a sign permit, between the 28th day before general voting day and must end at the close of general voting for the election provided that the property owner consents to the placement of the sign.
- Property owners would be within their rights to remove and/or dispose of signage that has
- been placed on their property without permission.
- Election signs on private property at intersections must not obstruct sight lines as shown in the diagram attached to this information sheet.

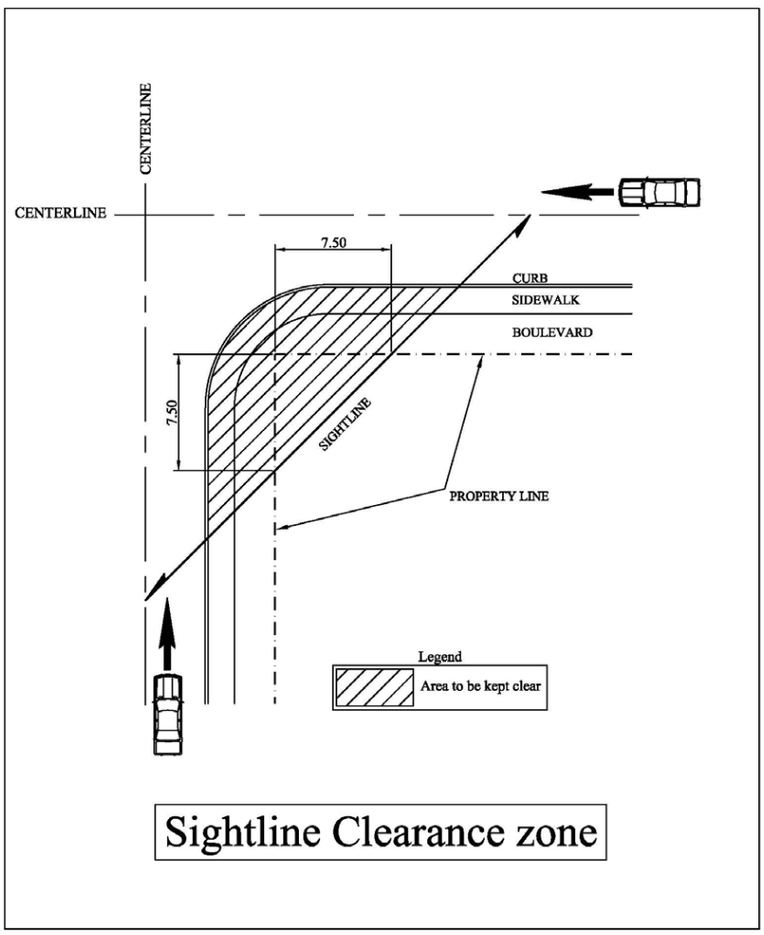
Hazardous Placement of Election Signs

- Election and political signs must not be placed on public or private property in such a
- manner as to create a hazard for pedestrians, cyclists, or vehicles.
- As an example, election signs:
    - must not overhang Town-owned property;
    - must not be placed within one metre of a fire hydrant;
    - must not obstruct, simulate, or detract from a traffic control device or traffic sign;
    - must not become unsightly or dilapidated if damaged; and
    - must not obstruct sightlines at intersections (as shown in the attached diagram).

Schedule "A"

Guide to Election Sign Placement (Continued)

- Election signs must not obstruct the line of vision at an intersection between the height of 0.9 metres (2.95 feet) and 3.0 metres (9.84 feet), as measured from the top of any curb fronting a parcel (or if there is no curb, as measured from the crown of the roadway) in the area shown in the illustration below.



Election Signs Near Voting Places at the time of Voting

Under the Local Government Act, it is an election offence for an election sign to be located within 100 metres of a voting place during voting proceedings. This includes signage on private property.

- Contraventions of this law and other election offences carry serious penalties which could include fines, imprisonment, and prohibitions against voting in local elections and/or holding an elected local government office.

- Election signs found within 100 metres of a voting place on General Voting Day or on any of the advance voting days, will be removed immediately without notice under the authority of the Chief Election Officer and costs for such removal may be recovered from the deposit.

Schedule "A"

Guide to Election Sign Placement (Continued)

Enforcement and Penalties

- The Town Bylaw Officer and Election Office staff are available to answer your questions about the lawful placement of election signs.
- It is the responsibility of each candidate, elector organization and any other individual who places election signs in the community to ensure compliance with the bylaw in order to avoid the potential inconvenience and cost of enforcement and/or sign removal.
- Where time permits and the sign is not considered a safety hazard, the candidate or elector organization may be given the opportunity to remove the improperly placed sign.
- The Town will remove signage without prior notice if a sign is considered to be a safety hazard; if it is located within 100 meters of a voting place at the time of voting; or if a candidate or elector organization has not removed a sign in a timely manner after being notified or has been non-responsive to such requests.
- The Town is not responsible for the loss or damage of election signs that are placed in the community or removed under the bylaw.
- Election signs that are removed by the Town will be held at the Town Works Yard and may be disposed of without further notice if not claimed within seven days. Signs may be claimed at the yard from Monday through Friday, 8:15 am – 4:30 pm.
- A person who places election signs in contravention to the bylaw or fails to comply with the bylaw may be subject to a $100 penalty per day. For signs that are placed in a manner that constitutes a hazard, a penalty of $100 may apply. Penalties may be applied for each sign and for each day in violation of the bylaw.
- **Complaints:** Complaints regarding illegal sign placement should be directed to the Bylaw Enforcement Officer at 250-749-6681.