

COMMITTEE OF THE WHOLE (WORKING SESSION) - NOVEMBER 25, 2008

SIGN BY-LAW ENFORCEMENT

Recommendation

The Commissioner of Legal & Administrative Services and City Solicitor, in conjunction with the Director of Enforcement Services recommend:

1. That this report be received

Economic Impact

N/A

Communications Plan

N/A

Purpose

This report is to provide information related to Sign Bylaw Enforcement, present and future.

Background - Analysis and Options

The proliferation of illegal signs continues to present challenges to Staff tasked with the enforcement of the Sign By-law 203-92, as amended (hereinafter the "Sign By-law").

The Sign By-law restricts the use of Mobile Signs in the City of Vaughan to:

- one sign per lot at any given time;
- 30 days on followed by 30 days off;
- Single coloured letters;
- Must be located entirely on private property ;
- Not in a parking space;
- Not in or within 8 metres of a driveway;
- Must display a valid permit issued by the Building Standards Department.

Mobile sign companies continue to erect mobile signs contrary to these provisions. On November 3, 2008, Committee of the Whole received a deputation from three representatives of the local mobile sign industry. In this presentation, the deputants complained that enforcement was inconsistent and insufficient, and explained that as the reason they violate the City's Sign Bylaw. They complained that the Sign Bylaw is too restrictive and should be amended to allow for more signs to be erected in the City.

Enforcement of the Sign By-law is conducted by Enforcement Services Staff. Currently, two Enforcement Officers have been re-assigned from Parking Enforcement to patrol both proactively and reactively to identify violations and remove the mobile signs in violation. In 2008, year to date, staff have received approximately 100 complaints relating exclusively to illegal mobile signs, many of which involve multiple violations. Responding to this number of complaints regarding sign violations with existing staff resources forces staff to be strictly reactive to complaints.

These complaints and sign impounds are predominantly related to Regional Roads. Very few mobile signs are removed from City of Vaughan road allowances.

The table below outlines the breakdown of staff hours dedicated to sign enforcement for the City of Vaughan.

Sign Type	Staff Allocation	Hours per Week
Mobile/Placard	2 full time employees temporarily re-assigned from parking enforcement duties	(2 x 35) 70
Placard/Other	Night staff assigned to 3 hours per day	40
	(total)	110

Due to the size and weight of mobile signs, the process of loading and unloading, and the administrative processes, approximately eight signs per shift can be impounded. Also, as there are only two staff members assigned to this function, the optimum amount of coverage is four days per week. Staff are curtailed in impounding more signs as they are also called upon to deal with placard and election sign complaints, and attend court.

In 2007, approximately 300 signs were impounded and yet only 42 were recovered by the offending sign companies. The recovery fee is \$300 per sign. The confiscated signs that are not claimed by the companies are disposed of as scrap on a regular basis.

Despite charging the companies each time signs are impounded, there has been no significant improvement in the level of compliance. Staff have laid in excess of 275 charges relating to mobile sign violations in the past 18 months. Although numbers for 2005 and 2006 are not available, it is a safe assumption that the numbers of sign confiscations and charges were dramatically lower as sign enforcement was conducted in an ad hoc manner.

Enforcement Services sent a letter in August 2007 to all sign companies known to be operating in Vaughan advising that their business licenses would be in jeopardy should they not comply with the By-law. Given that mobile sign companies are required to be licensed and required to comply with City's Bylaws, the Licensing Department is currently reviewing two companies for potential business license revocation.

In June 2008 Council approved amendments to the Sign Bylaw which will allow for increasing the set fine for violations of the Bylaw from \$175 per offence to \$400 per charge. These amendments have not yet been enacted as other amendments to the Sign Bylaw in other areas are expected in the near future. It is anticipated that all the amendments will be enacted early in 2009.

The City of Vaughan issued 530 mobile sign permits in 2007, and approximately 450 year to date in 2008. Based on the number of permits issued, signs impounded, and an anecdotal estimate of remaining illegal signs, it may be that the City of Vaughan is only permitting half of all mobile signs appearing across the City.

The City increased Mobile Sign permitting fees to the current level during the 2008 budget process. A further increase may deter increased compliance. The fee does not appear to be an issue, rather, the stricter provisions and shorter permit time frames are what the deputatants complained about.

Future Steps

Increased enforcement cannot be realized without additional resources. To re-assign resources from existing enforcement roles within the department has a significant detrimental effect on other services offered to the public.

Staff have submitted an additional resource request in the 2009 Operating Budget process for staff to perform sign enforcement.

City Mobile Signs

There has been discussion in the past related to Mobile Signs erected at City facilities or by the City at other locations. The City is currently exempt from the provisions of the Sign By-law, and as such, have undertaken to responsibly manage the placement of signs.

The Recreation Department has a policy relating to the erecting of signs at Community Centres. This policy effectively restricts the number of signs posted on Community Centres through the issuance of a permit and a tracking mechanism for the signs.

The Public Works Department places signs across the City with community messages, such as garbage pick up information, or other relevant messages. Public Works has 33 sites across the City designated for temporary mobile signs. Occasionally, there are more than 33 signs posted, such as during the Greening Vaughan project.

Relationship to Vaughan Vision 2020

This Report is in keeping with the Vaughan Vision in that it speaks to enhancing and ensuring community safety, health and wellness, and it speaks to the pursuit of excellence in service delivery.

Regional Implications

York Region does not enforce its Sign Bylaw, and empowers lower tier municipalities to enforce on its behalf.

Conclusion

Enforcement Services has taken steps in the past 18 months to improve the level and consistency of sign enforcement across the City. Without sufficient additional resources assigned to this task, there will be little improvement in the level of service and enforcement related to signs.

Attachments

N/A

Report prepared by:

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Respectfully submitted,

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Commissioner of Legal & Administrative Services
and City Solicitor

Tony Thompson
Director, Enforcement Services