

## **COMMITTEE OF THE WHOLE - JUNE 23, 2009**

### **SIGN BY-LAW AMENDMENTS**

#### **Recommendation**

The Commissioner of Legal and Administrative Services & City Solicitor and the Director of Enforcement Services recommend that a by-law be enacted to further amend Sign By-law 203-92, as amended (the "Sign By-law"), substantially in the form attached hereto.

#### **Contribution to Sustainability**

The proposed amendments should assist in reducing the proliferation of mobile signs.

#### **Economic Impact**

There is no economic impact as a result of this report

#### **Communications Plan**

Public notice has been given in accordance with Notice By-law 394-2002.

#### **Purpose**

The purpose of this report is to provide an opportunity for public comment concerning proposed amendments to the Sign By-law.

#### **Background - Analysis and Options**

On June 23, 2008, Council directed Staff to amend to the Sign By-law to reflect the new fine system authorized by the *Municipal Act, 2001*, and to prohibit signs erected on vehicles. Sections 1 and 6 respectively of the attached draft by-law will effectuate these changes.

On April 14, 2009, Council directed Staff to amend the Sign By-law by:

- (i) Aligning the time for posting election signs with the issuance of the writ for federal and provincial elections, and with the close of nominations for municipal elections;
- (ii) Making the election sign deposit a non-refundable fee;
- (iii) Deleting the confiscation fee for election signs;
- (iv) Allowing a second mobile sign on a lot where there are two lot frontages, provided that no sign faces a residential property;
- (v) Modifying the mobile sign permit time from 15 and 30 days to 21 days for all permits, and adjusting the moratorium to 21 days on and 21 days off;
- (vi) Increasing control over not for profit signs; and
- (vii) Requiring sign companies to obtain written authorization from the advertising business owner.

Sections 2 to 5 and 7 to 10 of the attached draft by-law will effectuate these changes.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Regional Implications**

N/A

**Conclusion**

Further to Council direction, staff provided public notice pursuant to Notice By-law 394-2002 so as to provide opportunity for public comment regarding proposed amendments to the Sign By-law. The attached draft by-law will amend the mobile sign and election sign provisions of the Sign By-law.

**Attachments**

1. Draft Sign By-law Amendment

**Report prepared by:**

Chris G. Bendick  
Solicitor

Respectfully submitted,

Janice Atwood-Petkovski  
Commissioner of Legal and Administrative Services  
& City Solicitor

Tony Thompson  
Director of Enforcement Services

**BY-LAW NUMBER -2009**

**A By-law to further amend Sign By-law 203-92, as amended.**

**WHEREAS** section 11(3) of the *Municipal Act, 2001*, provides that a municipality may pass by-laws respecting structures, including fences and signs

**AND WHEREAS** section 429(1) of the *Municipal Act, 2001*, provides that a municipality may establish a system of fines for offences under a by-law

**AND WHEREAS** the Council for The Corporation of the City of Vaughan, after holding a public meeting on June 23, 2009 to consider public input on proposed amendments, considers it desirable and necessary to further amend Sign By-law 203-92, as amended

**NOW THEREFORE** the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. Section 3.10 of the Sign By-law 203-92, as amended (the "Sign By-law") is hereby deleted and the following substituted therefor:

3.10 PENALTY

- (a) A person who contravenes a provision of this By-law is guilty of an offence.
  - (b) Every director or officer of a corporation who knowingly concurs in the contravention of a provision of this By-law is guilty of an offence.
  - (c) A person who is convicted of an offence is liable on first conviction to a fine not less than \$400 and not more than \$20,000, and is liable on subsequent convictions to a fine of not less than \$400 and not more than \$50,000.
  - (d) If the person convicted is a corporation, the corporation is liable on first conviction to a fine of not less than \$400 and not more than \$50,000, and is liable on subsequent convictions to a fine of not less than \$400 and not more than \$100,000.
  - (e) In addition to the fines in section 3.10(c) and 3.10(d), a person convicted of a subsequent offence is liable to a fine not more than \$1,000 for each day or part of the day on which the contravention has continued after the day on which the person was first convicted
2. Section 4.1(f)(v) of the Sign By-law is hereby deleted and the following substituted therefor:
    - (v) No person shall cause or permit the erection of election signs prior to the issuance of writs for a provincial or federal election or until the close of nominations for a municipal election.

3. Section 4.1(1)(f)(i) of the Sign By-law is hereby amended by replacing the term “deposit” with the phrase “non-refundable fee”.
4. Section 4.1(1)(f)(ii) of the Sign By-law is hereby deleted.
5. Section 4.1(1)(h) of the Sign By-law is hereby deleted and following substituted therefor:
  - (h) Temporary Signs advertising festivals and community events operated by charitable non-profit organization subject to the following:
    1. The charitable non-profit organization shall apply for a permit pursuant to section 3.3, but shall be except from section 3.8.
    2. The charitable non-profit organization shall provide to the City proof of their charitable non-profit status.
    3. Such sign shall be directly associated with the charitable non-profit organization.
    4. A maximum of one (1) sign per event and shall be located on the property of the charitable non-profit organization or the location of the festival and community event.
    5. Such sign shall comply with section 8.11(d)(i)-(x).
    6. Such sign shall be permitted to be displayed for a maximum of thirty (30) days prior to and shall be removed immediately after the event.
6. The following section is hereby added:
  - 5.17 Signs erected, attached, affixed or displayed on a vehicle or trailer that is parked or located for the primary purpose of displaying said sign.
7. Section 8.11(1)(a) of the Sign By-law is hereby deleted and the following substituted therefor:
  - a) A maximum of one mobile sign shall be permitted along each street frontage of a lot, provided that no mobile sign faces a residential property.
8. Section 8.11(1)(b) of the Sign By-law is hereby amended by replacing the phrase “fifteen (15)” with the phrase “twenty-one (21)”.
9. Section 8.11(1)(c) of the Sign By-law is hereby amended by deleting the phrase “A maximum of two (2) occasions may be taken consecutively”, and replacing the phrase “thirty (30)” with the phrase “twenty-one (21)”.
10. The following section is hereby added:
  - 8.11(1)(g) In addition to the requirements of section 3.0, the applicant for a mobile sign permit shall submit to the City written authorization from the owner of the commercial or industrial premises to which the mobile sign relates.

READ a FIRST, SECOND and THIRD time and finally passed this            day of            , 2009.