

CITY OF RICHMOND



***ELECTION AND POLITICAL SIGNS***

**BYLAW NO. 8713**

EFFECTIVE DATE – JULY 31, 2011



## Election and Political Signs Bylaw No. 8713

The Council of the City of Richmond enacts as follows:

### PART ONE: PLACEMENT & LIMITS ON POLITICAL SIGNS

#### 1.1 Political Signs – Duration & Size / Height Limits

1.1.1 A **person** shall not **place**, or permit to be **placed**, a **political sign** on public or private property, except:

- (a) in relation to federal elections and by-elections, from the time the writ of election is issued until seven days after **general voting day**;
- (b) in relation to provincial elections and by-elections, from the time the writ of election is issued until seven days after **general voting day**;
- (c) in relation to local government and school elections and by-elections, from the first day of the nomination period until seven days after **general voting day**;
- (d) in relation to federal or provincial referenda or plebiscites, from the day that the text of the question is approved by the federal Parliament or by the provincial Legislature, as the case may be, until seven days after **general voting day**;
- (e) in relation to local government referenda or plebiscites, from the day that the text of the question is approved by **Council** or a regional board by bylaw or by resolution, as the case may be, until seven days after **general voting day**; and
- (f) in relation to provincial recall or initiative campaigns, from the day that an application for recall or initiative is approved by the Chief Electoral Officer for BC until seven days after the final disposition of the matter.

1.1.2 A **person** shall not **place**, or permit to be **placed**, on public or private property a **political sign**:

- (a) with a **sign face** exceeding three sq. metres (3) m<sup>2</sup> in area; nor
- (b) that exceeds three (3) metres in height, as measured from the grade of the site on which the **political sign** is **placed** to the top of the **political sign** or its supporting structure, whichever is greater.

## 1.2 Political Signs - Placement on City Property

1.2.1 A **person** must not **place**, or permit to be **placed**, a **political sign** on:

- (a) a **City highway** or right of way;
- (b) a **boulevard, centre median** or sidewalk, or in a **park**;
- (c) any **roadway structure** or **traffic control device**;
- (d) a tree, planter, waste receptacle, newspaper box or mail box located on **City**-owned land; or
- (e) any other **City**-owned property, including land, **buildings, structures**, and equipment.

1.2.2 As an exception to subsection 1.2.1(b), **political signs** with a **sign face** no larger than 0.6m<sup>2</sup> may be erected on a **boulevard** immediately in front of a parcel used solely for residential purposes with the consent of the property owner, or the strata corporation in the case of a parcel containing strata lots.

## 1.3 Political Signs – Hazardous Placement

1.3.1 A **person** must not **place**, or permit to be **placed**, on public or private property, a **political sign**:

- (a) that overhangs **City**-owned property;
- (b) within one metre of a fire hydrant;
- (c) that obstructs, simulates or detracts from any **traffic control device**;
- (d) that is unsightly or dilapidated;
- (e) in a manner that may constitute a hazard to pedestrians, cyclists or vehicles; or
- (f) that obstructs 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 such curb, as measured from the crown of the roadway, in that area bounded by the property lines adjoining the streets and a line drawn to connect the property lines at a distance of 7.5 metres (24.61 feet) from their point of intersection (as generally shown on the diagram set-out in Schedule A attached to and forming part of this bylaw).

## PART TWO: ENFORCEMENT

- 2.1** A **bylaw enforcement officer** may remove, and the **Chief Election Officer** may order the removal of, any **political sign** that is **placed**, or permitted to be **placed**, in contravention of any provision of this bylaw.
- 2.2** **Political signs** removed pursuant to section 2.1 will be stored at a **City** facility and may be claimed by a **candidate** or **candidate representative**, or a person authorized by a **candidate** or **candidate representative**.
- 2.3** **Political signs** removed pursuant to section 2.1 and not claimed within seven (7) days after the period set-out in subsection 1.1.1 of this bylaw become the property of the **City** and may be destroyed or otherwise disposed of by the **City** without notice to any **person**.

## PART THREE: OFFENCE AND PENALTIES

- 3.1** A violation of any of the provisions identified in this bylaw shall result in liability for penalties and late payment amounts established in Schedule A of the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*.
- 3.2** A violation of any of the provisions identified in this bylaw shall be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122* in accordance with the *Local Government Bylaw Notice Enforcement Act, SBC 2003, c. 60*.
- 3.3** A person who:
- (a) contravenes, violates or fails to comply with any provision of this bylaw;
  - (b) suffers or allows any act or thing to be done in contravention or violation of this bylaw; or
  - (c) fails or neglects to do anything required to be done under this bylaw,

is deemed to have committed an infraction of, or an offence against, this bylaw and is liable on summary conviction to fine of not more than Ten Thousand Dollars (\$10,000.00), and each day such infraction is caused, or allowed to continue, constitutes a separate offence.

## PART FOUR: INTERPRETATION

- 4.1** In this bylaw, unless the context requires otherwise:

**BOULEVARD**

means:

- (a) where there is no curb and gutter, the area between the **shoulder** of the road and the adjacent property line;

- (b) where there is curb and gutter, the area from the back of the curb to the adjacent property line; and
- (c) where there is curb and gutter and a sidewalk, the area from the back of the sidewalk to the adjacent property line.

**BUILDING**

means a temporary or permanent **structure** having a roof supported by columns or walls, for the shelter or enclosure of persons, animals, materials, chattels or equipment.

**BYLAW ENFORCEMENT OFFICER**

means an employee of the **City**, appointed by **Council** to enforce **City** bylaws.

**CANDIDATE**

means a person who is a candidate for election pursuant to the *Local Government Act*, the *School Act (BC)*, the *Election Act (BC)*, or the *Canada Elections Act*, or a person represented as a candidate on a **political sign**.

**CANDIDATE REPRESENTATIVE**

means a person who is appointed by a **candidate** as a candidate representative for the purposes of the *Local Government Act*, the *Election Act (BC)*, or the *Canada Elections Act*.

**CENTRE MEDIAN**

means an area designated for the segregation of lanes of traffic on a roadway, designated either by lines or by landscaping.

**CHIEF ELECTION OFFICER**

means the person appointed by **Council** as the chief election officer pursuant to the *Local Government Act*, or the deputy chief election officer in the absence of the chief election officer.

**CITY**

means the City of Richmond.

**COUNCIL**

means the Council of the **City**.

**GENERAL VOTING DAY**

means "polling day" under the *Canada Elections Act*, or "general voting day" under the *Local Government Act*, *School Act (BC)* or *Election Act (BC)*, whichever is applicable.

**HIGHWAY**

includes street, road, lane, road allowance, bridge, and viaduct, but does not include a private right-of-way on private property.

**PARK**

means **City-owned** land or right of way used for passive or active recreation including open space, sports fields, pitch-and-putt golf courses, playgrounds, walkways, trails, nature reserves, natural areas, wildlife sanctuaries, greenbelts, conservation areas, buffers, nature interpretation areas and similar land uses.

**PERSON**

includes a property owner, strata corporation, **candidate, candidate representative, political organization**, or any other person under the direction of such an individual or organization.

**PLACE**

means place, erect, affix or attach.

**POLITICAL ORGANIZATION**

includes:

- (a) an “elector organization” within the meaning established in the *Local Government Act*;
- (b) a “campaign organizer” within the meaning established in the *Local Government Act*;
- (c) a “political party” within the meaning established in the *Election Act (BC)* or *Canada Elections Act*;
- (d) any incorporated or unincorporated organization which promotes or opposes the election of a **candidate**;
- (e) any incorporated or unincorporated organization which approves or disapproves of a course of action advocated by a **candidate** or another **political organization**;
- (f) any incorporated or unincorporated organization which promotes or opposes an issue that is the subject of a referendum or plebiscite; and
- (g) any incorporated or unincorporated organization which promotes or opposes a recall or initiative campaign.

**POLITICAL SIGN**

means a temporary display **structure** bearing lettering, symbols or pictures used to:

- (a) promote or oppose the election of a **candidate**;
- (b) approve or disapprove of a course of action advocated by a **candidate**;
- (c) promote or oppose a **political organization** or its program;
- (d) approve or disapprove of a course of action advocated by a **political organization**;
- (e) promote or oppose an issue that is the subject of a referendum or plebiscite; or
- (f) promote or oppose a recall or initiative campaign.

**ROADWAY STRUCTURE**

means a bridge, overpass, guardrail, retaining wall, fence, concrete barrier, fire hydrant, street light pole, utility pole and crosswalk pole.

**SHOULDER**

means where there is no curb and gutter, the area between the edge of the road and a line two metres, fifty centimetres (2.5 m.) parallel to the edge of the road.

**SIGN FACE**

means the display area of a **political sign** on which lettering, symbols or pictures appear.

**STRUCTURE**

means a construction of any kind whether fixed to or supported by or sunk into land or water.

**TRAFFIC CONTROL DEVICE**

means a sign, line, meter, marking, space, barrier, or device that is painted, placed or erected to guide, regulate warn, direct, restrict, control or prohibit traffic.

**PART FIVE: SEVERABILITY AND CITATION**

**5.1** If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

**5.2** This bylaw comes into force and effect on July 31, 2011.

5.3 This bylaw is cited as “**Election and Political Signs Bylaw No. 8713**”.

FIRST READING

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SECOND READING

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THIRD READING

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ADOPTED

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CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

Schedule A to Bylaw No. 8713

