

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8643

A bylaw to regulate and impose requirements in relation to election signs

The Council of the Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

SECTION 1 – CITATION

1.1 This Bylaw shall be known and cited for all purposes as “**Election Sign Bylaw, 2018, No. 8643**”.

SECTION 2 – INTERPRETATION

2.1 In this Bylaw:

- (a) words importing the singular number include the plural and vice versa and words importing the neuter gender include the masculine and the feminine genders;
- (b) headings given to sections are for convenience of reference only and do not form part of this Bylaw;
- (c) an expression “include” or “including” means including without limitation and refers to a non-exhaustive list;
- (d) unless expressly stated otherwise, a reference to a “section” is a reference to a section in this Bylaw; and
- (e) unless expressly stated otherwise, a reference to an enactment is a reference to an enactment of British Columbia and regulations promulgated thereto, as amended, revised, consolidated or replaced from time to time, and a reference to a bylaw is a reference to a City bylaw, as amended, revised, consolidated or replaced from time to time.

SECTION 3 – DEFINITIONS

3.1 In this Bylaw:

- (a) “**Assent Voting**” means any political process, other than an Election, placing a matter, policy or issue for polling or voting by the electorate;
- (b) “**Banner**” has the meaning ascribed to “Sign, Banner” under the Sign Bylaw;
- (c) “**Boulevard**” has the meaning ascribed to it in the Street and Traffic Bylaw;
- (d) “**Bylaw Enforcement Officer**” means an individual who has been designated as a bylaw enforcement officer pursuant to the Bylaw Notice Enforcement Bylaw;
- (e) “**Bylaw Notice Enforcement Bylaw**” means the City of North Vancouver “Bylaw Notice Enforcement Bylaw, 2005, No. 7675”;

- (f) “**Chattel**” means any item, thing or equipment that is not affixed to the land;
- (g) “**Chief Election Officer**” means a chief election officer appointed by the City;
- (h) “**City**” means the Corporation of the City of North Vancouver;
- (i) “**City Property**” means a parcel, lot, block, strata lot, public park or other area of land that is located in the City of North Vancouver and which is either owned or occupied by the City, or in which the City has vested interest pursuant to a statute, and includes a Highway;
- (j) “**Curb**” has the meaning ascribed to it in the Street and Traffic Bylaw;
- (k) “**Election**” means any federal, provincial, local or administrative election or by-election;
- (l) “**Election Sign**” means a Sign on any matter regarding an Election, an Assent Voting, a political figure, a political party, a candidate, a candidate representative, an elector organization, a government or political policy or issue;
- (m) “**Electric Sign**” has the meaning ascribed to “Sign, Electric” in the Sign Bylaw;
- (n) “**Highway**” has the meaning ascribed to it in the Street and Traffic Bylaw and, for greater certainty, includes Lanes, Boulevards, Sidewalks and Roadways;
- (o) “**Lane**” has the meaning ascribed to it in the Street and Traffic Bylaw;
- (p) “**Mobility Device**” means a bicycle, scooter, vehicle, trailer or any other mobility device;
- (q) “**Person**” includes an individual, a corporation, a partnership, a society, an association, an elector organization, an administrative entity, a governmental authority, a government, or any other legal person, but does not include the City;
- (r) “**Place**”, “**Placement**” or other iterations thereof, means place, insert, erect, affix or attach; or permit to be placed, inserted, erected, affixed or attached;
- (s) “**Private Property**” means a parcel, lot, block, strata lot or other area of land that is located in the City of North Vancouver and owned or occupied by a Person and includes areas subject to a public statutory right of way or a utility statutory right of way;
- (t) “**Roadway**” has the meaning ascribed to it in the Street and Traffic Bylaw;
- (u) “**Sidewalk**” has the meaning ascribed to it in the Street and Traffic Bylaw;
- (v) “**Sign**” has the meaning ascribed to it in the Sign Bylaw;
- (w) “**Sign Bylaw**” means the “Sign Bylaw, 1992, No. 6363”;
- (x) “**Street and Traffic Bylaw**” means the “Street and Traffic Bylaw, 1991, No. 6234”; and

- (y) “**Traffic Control Device**” has the meaning ascribed to it in the Street and Traffic Bylaw.

SECTION 4 – ELECTION SIGN SPECIFICATIONS

4.1 No Person shall Place an Election Sign in the City, unless the Election Sign:

- (a) is permitted under this Bylaw; and
- (b) complies with the following specifications:
 - (1) has an area not exceeding 0.4 square metres;
 - (2) has a height not exceeding 1.8 metres;
 - (3) is not an Electric Sign;
 - (4) is not a Banner;
 - (5) is not in any way illuminated, electrified, animated, moving or flashing;
 - (6) is Placed in a manner and in a location that does not obscure the line of vision from a Highway to vehicular or pedestrian traffic;
 - (7) is Placed in a manner and in a location that does not hinder the safe movement of vehicular or pedestrian traffic on a Highway;
 - (8) in respect to City Property, Highways and Traffic Control Devices: is not Placed on a tree, a utility pole or a flagpole; and
 - (9) in respect to City Property, Highways and Traffic Control Devices: is not Placed on a Chattel or a Mobility Device, parked or stationed for the principal purpose of supporting the Election Sign.

SECTION 5 – TIME PERIOD FOR DISPLAY OF ELECTION SIGNS

5.1 No Person shall Place an Election Sign earlier than:

- (a) in case of an Election for which a writ of election is issued – the date of the writ;
- (b) in case of an Election for which a writ of election is not issued – the date on which the nomination period is closed; and
- (c) in case of an Election to which neither 5.1(a) nor 5.1(b) applies, and in case of an Assent Voting – 30 days before the voting opportunity.

5.2 A Person that Placed an Election Sign shall remove the Election Sign within 7 days after the last voting opportunity for the Election or the Assent Voting.

SECTION 6 – LOCATION OF ELECTION SIGNS

6.1 A Person may Place an Election Sign on Private Property, subject only to section 4.1(b), section 5.1 and section 5.2.

- 6.2 No Person shall Place an Election Sign on City Property, on a Highway, or on a Traffic Control Device, unless the Election Sign is expressly permitted pursuant to section 6.3 or section 6.4, and complies with section 6.5.
- 6.3 A Person may Place an Election Sign on a Boulevard abutting the Private Property owned or occupied by the Person Placing the Election Sign, if:
- (a) the fence or hedge on or adjacent to the Private Property exceeds 1.2 metres in height; and
 - (b) the Election Sign is Placed within 0.6 metres of the property line adjacent to the fence or hedge.
- 6.4 A Person may Place an Election Sign on a Boulevard in areas of the City coloured in dark red on the map attached as Schedule A to this Bylaw, provided that there is no Private Property abutting the portion of the Boulevard on which the Election Sign is Placed.
- 6.5 Elections Signs Placed pursuant to section 6.3 and section 6.4 must be located more than 1.5 metres from the Curb, unless the Election Sign is fully contained within a structure that is approved by the City for containing Signs.

SECTION 7 – ENFORCEMENT

- 7.1 The Chief Election Officer and the Bylaw Enforcement Officer may enter upon and inspect Private Property at all reasonable hours and with reasonable notice to the owner or occupier, as necessary to determine whether the provisions of this Bylaw are being complied with.
- 7.2 The Chief Election Officer and the Bylaw Enforcement Officer may:
- (a) verbally or in writing, order a Person who has contravened this Bylaw to correct their contravention within a specified time-period;
 - (b) with or without a prior order, remove and impound the following if Placed or used in contravention of this Bylaw:
 - (1) an Election Sign;
 - (2) a Chattel or a Mobility Device; and
 - (3) an Election Sign, together with a Chattel or a Mobility Device to which the Election Sign is attached, and cannot be removed without damaging the Chattel or the Mobility Device.
- 7.3 An Election Sign impounded pursuant to section 7.2 will be:
- (a) impounded by the City for 7 days; and
 - (b) if not claimed within those 7 days, destroyed.
- 7.4 A Chattel or a Mobility Device impounded pursuant to section 7.2 will be dealt with in accordance with section 813 of the Street and Traffic Bylaw.

7.5 Neither the City nor its employees will be liable for any damage, loss or expense of any nature or kind whatsoever arising out of or related to the exercise of its or their powers under section 7.

SECTION 8 – OFFENCES AND PENALTIES

8.1 A Person who:

- (a) contravenes any provision of this Bylaw or does any act or thing which contravenes any provision of this Bylaw, or suffers or allows any other Person to do any act or thing which contravenes any provision of this Bylaw;
- (b) neglects to do or refrains from doing anything required to be done by any provision of this Bylaw; or
- (c) fails to comply with an order issued under this Bylaw, or suffers or allows any other Person to fail to comply with an order under this Bylaw,

is guilty of an offence against this Bylaw and liable to the penalties imposed under this Bylaw.

8.2 Every Person who commits an offence against this Bylaw is punishable on summary conviction by a fine of not less than \$5,000.00 and not more than \$10,000.00.

8.3 Where a contravention of this Bylaw is a continuing one, each day that the contravention occurs, or is allowed to continue, constitutes a separate offence subject to the penalties set out in section 8.2.

8.4 Designated contraventions of this Bylaw may be enforced pursuant to the Bylaw Notice Enforcement Bylaw.

SECTION 9 – SEVERABILITY

9.1 If any part, section, subsection, clause or sub-clause of this Bylaw is, for any reason, held to be invalid by the decision of a court of competent jurisdiction, it will be severed and the validity of the remaining provisions of this Bylaw will not be affected.

READ a first time on the 7th day of May, 2018.

READ a second time on the 7th day of May, 2018.

READ a third time on the 7th day of May, 2018.

ADOPTED on the 14th day of May, 2018.

“Darrell R. Mussatto”

MAYOR

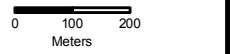
“Karla D. Graham”

CITY CLERK

Schedule A

Election Sign Bylaw
2018 No. 8643

Legend
Permitted Election Signage



DISCLAIMER
This map was produced on the City of North Vancouver's Geographic Information System. Data provided herein is derived from sources with varying levels of accuracy and detail. The City of North Vancouver disclaims all responsibility for the accuracy or completeness of information contained herein.

GIS Division, Information Technology,
City of North Vancouver

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PATH: H:\GIS\MapCrews
COORDINATE SYSTEM: NAD 83 UTM Zone 10

