

By-law Number 52-2020

of The Regional Municipality of Durham

Being a by-law to adopt and delegate the authority for enforcement of sign by-laws enacted by area municipalities, to those area municipalities, on Regional Roads within their jurisdiction; and to repeal By-law #76-2017, as amended, being a by-law to regulate temporary signs and banners and devices on or adjacent to Regional roads.

Whereas the *Municipal Act*, 2001, S.O. 2001, c. 25 provides in paragraph 11(3)7. that a lower tier and upper tier municipality may pass by-laws, subject to rules set out in subsection (4) within the following spheres of jurisdiction: Structures, including fences and signs;

And Whereas the *Municipal Act*, 2001, S.O. 2001, c. 25 provides in subsection 27(1) that a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. For the purposes of this by-law:
 - a. "Area Municipality" means the Town of Ajax, the Township of Brock, the Municipality of Clarington, the City of Oshawa, the City of Pickering, the Township of Scugog, the Town of Whitby, and the Township of Uxbridge;
 - b. "Highway and Road" has the same meaning as in the Highway Traffic Act, R.S.O. 1990 c. H.8;
 - c. "Region" means The Regional Municipality of Durham;
 - d. "Regional Road" means a Road forming part of the Regional road system. By virtue of the regional municipality passing a by-law to include it as part of the Regional Road system in accordance to the provisions of Sections 31(2) and 52(1) of the Municipal Act, 2001 S.O. c. 25. where an upper tier municipality may pass by-laws adding or removing roads to its Regional road system; and
 - e. "Temporary Sign By-law" means a by-law to regulate any device, including its structure or other component parts, which is used or is capable of being used to attract attention to a specific subject matter for identification, information or advertising purposes and includes, without limiting the generality of the foregoing, all banners, banner display systems and will include election signs and Third Party Advertisements.
2. Where an Area Municipality has enacted a temporary sign and/or election sign by-law, the Region adopts those provisions of the Area Municipality by-law which apply to Regional Roads within the geographic jurisdiction of that Area Municipality.
3. Where an Area Municipality has enacted a temporary sign or election sign by-law the Region delegates the authority to enforce the provisions of that by-law on Regional Roads in the Area Municipality to the Municipal Law Enforcement Officers of that Area Municipality.
4. Nothing in this by-law precludes the Region from enforcement of area municipal sign

by-law provisions on Regional Roads.

5. That Paragraph 2 of Schedule "B" of By-law Number 12-92 is hereby deleted.
6. By-laws 76-2017 and 21-2018 are hereby repealed.

This By-law shall come into force on the day it is approved by the Council of the Region.

This By-law Read and Passed on the 25th day of November, 2020.

J. Henry, Regional Chair and CEO

R. Walton, Regional Clerk