

**BY-LAW NUMBER 21-2018**

OF

**THE REGIONAL MUNICIPALITY OF DURHAM**

Being a by-law to amend By-law #76-2017 being a by-law to regulate temporary signs and banners and devices on or adjacent to Regional roads.

**WHEREAS** Section 2.02 of the By-law with respect to Election Signs requires amendment to clarify the height and width criteria for election signs, and corresponding revisions are also required in Schedule A;

**WHEREAS** Section 2.03 of the By-law with respect to Election Signs – Removal and Storage Charges requires amendment in order to remove the 48-hours' notice provision; and

**WHEREAS** Section 6.01 requires an amendment in order to clarify that the Area Municipalities may enforce the by-law.

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

That Section 2.02 of By-law #76-2017 be amended in part (c) and (f) to read as follows:

- (c) All of the criteria in section 2.01 must be met with the exception of clauses 2.01(c) and 2.01(d) and the requirement for municipal elections candidates to indicate their address and telephone number on election signs;
- (f) Any person erecting a sign must have on their person at the time that the sign is being erected copies of Schedule 'A' to this by-law which provide a list of applicable criteria and all such persons must be familiar with the criteria; and

That Schedule 'A' of By-law #76-2017 be amended in part 4 to read as follows:

- 4. No sign may be higher than 1.2 metres above the surface of the curb shoulder or boulevard, as the case may be (measured to the top of the sign), or wider than 1.2 metres.

That Schedule 'A' of By-law #76-2017 be amended to include illustrations depicting election sign restrictions.

That Section 2.03 of By-law #76-2017 be amended to read as follows:

- 2.03 Any election sign found to be in violation of this by-law will require removal or will be removed and stored or disposed of at the expense of the candidate or third party advertiser:
  - (a) Signs found to be in violation may be removed by the Region immediately without notice;
  - (b) Signs that have been removed by the Region under clause 2.03(a) will be stored for up to 15 days during which time the owner of the sign may retrieve the sign by:
    - i. Paying any amounts owing to the Region under this by-law including the charges stated in 2.03(d) and 2.03(e); and

- ii. Providing a signed acknowledgement of receipt and release in a form acceptable to the Region;
- (c) Signs that have been removed and stored for more than 15 days may be destroyed or otherwise disposed of by the Region without notice and without compensation;
- (d) The charge for the removal of a sign by the Region will be \$60.00;
- (e) The charge for the storage of a sign by the Region will be \$5.00 per day;
- (f) The charges incurred by the candidate or third party advertiser in clauses 2.03(d) and 2.03(e) are payable to the Region within 30 days of receipt of notice of same, or at the time the candidate or third party advertiser picks up their signs. Any amount outstanding 30 days after such notification has been sent may be recovered from the candidate or third party advertiser by the Region by legal action or in like manner as municipal taxes where such an arrangement exists with the applicable area municipality.

That Section 6.01 of By-law #76-2017 be amended to add a new part (d) to read as follows:

- (d) All employees of the Area Municipalities whose duties include enforcement of this by-law, as outlined in By-law #12-92 inclusive of any subsequent amendments as may be required.

That a new Section 13 be added to By-law #76-2017 as follows:

That Paragraph 2 of Schedule "B" of By-law Number 12-92 is hereby deleted and the following substituted:

- 2. By-law Number 76-2017, as amended, a by-law to regulate temporary signs and banners devices on or adjacent to Regional roads.

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 13<sup>th</sup> day of June, 2018.

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G.L. O'Connor, Regional Chair and CEO

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R. Walton, Regional Clerk