



District of West Vancouver

## **Election Sign Bylaw No. 5114, 2021**

Effective Date: May 10, 2021

# Election Sign Bylaw No. 5114, 2021

## Table of Contents

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Part 1	Citation.....	1
Part 2	Severability .....	1
Part 3	Interpretation.....	1
Part 4	Definitions .....	2
Part 5	Siting.....	2
Part 6	Time Period .....	3
Part 7	Size and Design.....	3
Part 8	Impoundment.....	3
Part 9	Notification .....	4
Part 10	Offence and Penalty .....	4

District of West Vancouver

## **Election Sign Bylaw No. 5114, 2021**

A bylaw to provide for the regulation of election and campaign signs relating to federal, provincial and local elections and referenda

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for the regulation of election and referenda signs in order to protect the public from unsafe signs, reduce distractions that may impede road safety, prevent the proliferation of unsightly signs, preserve the unique character of the municipality, and reduce the generation of litter and waste in the form of discarded or unclaimed signs;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

### **Part 1 Citation**

- 1.1 This Bylaw may be cited as Election Sign Bylaw No. 5114, 2021.

### **Part 2 Severability**

- 2.1 If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed part, section, subsection, paragraph, subparagraph, clause or phrase.

### **Part 3 Interpretation**

- 3.1 Subject to compliance with the provisions of applicable Provincial or Federal Statutes, Orders, Bylaws or Regulations relating thereto, Election Signs are permitted for election purposes which advertise a particular party or candidate, plebiscite or issue subject to the regulations of this Bylaw.

## Part 4 Definitions

### 4.1 In this Bylaw:

**“Boulevard”** means any portion of a dedicated highway that is not improved for general vehicular or pedestrian traffic, whether such portion is naturally vegetated, artificially landscaped or unimproved.

**“District”** means the District of West Vancouver.

**“District Staff”** means the Chief Election Officer, Deputy Chief Election Officer, a person appointed by the Chief or Deputy Chief Election Officer as a presiding or alternate presiding election official, or a bylaw enforcement officer.

**“Election Sign”** means a sign related to a municipal, provincial or federal election, by-election, referendum, plebiscite, or other statutory voting process that addresses an issue in the public interest, advertises a candidate seeking public office or advertises a political party.

**“Responsible Person”** means the person responsible for an Election Sign and ensuring that the Election Sign complies with this Bylaw.

## Part 5 Siting

- 5.1 No Election Sign may be placed on a highway or public place, including a District park, or on other District property, except for a District Boulevard.
- 5.2 No Election Sign may be placed on a District Boulevard which may damage or destroy any plantings or ground cover.
- 5.3 No Election Sign may be placed which:
  - a) obstructs or detracts from any traffic control device or signage;
  - b) obstructs a line of vision at an intersection;
  - c) creates a safety hazard for pedestrians, cyclists, or vehicles; or
  - d) is placed within one metre of a fire hydrant.
- 5.4 No Election Sign may be placed within 100 metres of a voting place on a general voting day or on an advance voting day.

## **Part 6 Time Period**

- 6.1 An Election Sign related to a general local election or by-election, a general school election or by-election, or a municipal referendum or other statutory voting process may be posted no earlier than 36 days before general voting day.
- 6.2 An Election Sign related to a provincial or federal election, by-election, referendum, or plebiscite may only be posted on or after the day on which the election writ is issued.
- 6.3 An Election Sign must be removed no later than four days after the close of voting.

## **Part 7 Size and Design**

- 7.1 An Election Sign must not exceed 3 m<sup>2</sup> [32.29 sq. ft.] in size.
- 7.2 An Election Sign must not exceed 2.5 m [8.2 ft.] in height above the ground on which the Election Sign is placed or erected.
- 7.3 An Election Sign must not have more than two sides.
- 7.4 An Election Sign must not be illuminated, animated or flashing.
- 7.5 An Election sign must not contain any logo, mark, or symbol owned by the District.
- 7.6 An Election Sign must comply with applicable provincial and federal enactments.

## **Part 8 Impoundment**

- 8.1 District Staff may remove any Election Sign that is placed:
  - a) in an unpermitted location on a District Boulevard;
  - b) on a highway, public place, or other District property in contravention of section 5.1 of this Bylaw; or
  - c) on a District Boulevard and does not comply with Parts 6 or 7 of this Bylaw or for which the District has not received notification under Part 9 of this Bylaw.
- 8.2 Before removing an Election Sign under section 8.1 of this Bylaw, District Staff will make reasonable efforts to provide 24 hours' notice to the Responsible Person, or where a Responsible Person has not been identified, the applicable candidate or elector organization. Where an

Election Sign poses a safety concern or may damage District property, District Staff may immediately remove the Election Sign and subsequently notify the Responsible Person, candidate, or elector organization, as applicable.

- 8.3 An Election Sign removed under Part 8 will be held by the District for thirty days, after which time the District may dispose of it.
- 8.4 An Election Sign removed under Part 8 may be recovered by the Responsible Person, candidate, or elector organization, as applicable, between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, except holidays.

## **Part 9 Notification**

- 9.1 A person must notify the District at least 48 hours prior to placing an Election Sign on a District Boulevard.
- 9.2 The notification required in section 9.1 must:
  - a) be done in writing in the manner specified by the Chief Election Officer; and
  - b) include the name, email address, phone number, and civic address of the Responsible Person.

## **Part 10 Offence and Penalty**

- 10.1 Every person who violates a provision of this Bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this Bylaw, is guilty of an offence and is liable to the penalties imposed under this Bylaw, and is guilty of a separate offence each day that a violation continues to exist.
- 10.2 Every person who commits an offence is liable on summary conviction to a fine or to imprisonment, or to both a fine and imprisonment, not exceeding the maximum allowed by the *Offence Act*.

READ A FIRST TIME on April 26, 2021

READ A SECOND TIME on April 26, 2021

READ A THIRD TIME on April 26, 2021

ADOPTED by the Council on May 10, 2021.

*[Original signed by Mayor*

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Mayor

*[Original signed by Corporate Officer]*

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Corporate Officer