



CITY OF FORT SASKATCHEWAN

A BYLAW OF THE CITY OF FORT SASKATCHEWAN, IN THE PROVINCE OF ALBERTA, TO AUTHORIZE THE REGULATION AND USE OF ELECTION SIGNAGE ON PUBLIC LAND WITHIN THE MUNICIPALITY

BYLAW C12-17

NOW THEREFORE, The Council of the City of Fort Saskatchewan in the Province of Alberta, duly assembled, enacts the following:

1. SHORT TITLE

This Bylaw shall be referred to as the “Election Signage Bylaw”.

2. DEFINITIONS

For the purposes of this Bylaw:

- a. “Boulevard” shall mean the portion of public property between the curb or road’s edge and the adjacent private property line. Boulevards may also border sidewalks, multi-use trails, and alleys;
- b. “Candidate” shall mean:
 - i. a person running for the office of Mayor or Councillor in the City of Fort Saskatchewan Council, pursuant to the *Local Authorities Election Act* (LAEA);
 - ii. a person running for the office of an Elk Island Public or Catholic School Trustee, pursuant to the *School Act*;
 - iii. a person running in a federal election, pursuant to the *Canada Elections Act*;
or
 - iv. a person running in a provincial election, pursuant to the *Election Act*.
- c. “City” shall mean the City of Fort Saskatchewan;
- d. “City Manager” shall mean the City’s Chief Administrative Officer or designate;
- e. “Council” shall mean the municipal Council for the City of Fort Saskatchewan;
- f. “Crosswalk” shall mean any part of a roadway at an intersection or elsewhere distinctly used for pedestrian crossing with signs, lines, or other markings on the road surface;

- g. "Election Sign" shall mean any sign on public land used in relation to a Candidate, party, or vote on a question or bylaw:
- i. for a municipal election held pursuant to the LAEA;
 - ii. for a vote on a question or bylaw held pursuant to the LAEA;
 - iii. for an election for School Trustee held pursuant to the *School Act*,
 - iv. for a federal election held pursuant to the *Canada Election Act*; or
 - v. for a provincial election held pursuant to the *Election Act*;
- h. "Intersection" shall mean a roadway which is connected by:
- i. lateral curb lines; or
 - ii. if no lateral curb lines, the exterior edges of the roadway;
- where two or more roadways join or intersect with one another;
- i. "Median" shall mean a physical barrier or area that separates traffic travelling in one direction from traffic travelling on the opposite direction on a roadway;
- j. "Municipal Property" shall mean structures, equipment, land, or things owned by the City and which may or may not be on a roadway;
- k. "Owner" shall mean any person:
- i. whose name and/or any other identifiable information appears on an election sign;
 - ii. who is deemed to be in lawful control of an election sign; and/or
 - iii. who is the subject of and benefits from the message of an election sign;
- l. "Peace Officer" shall mean a Peace Officer as defined in the *Provincial Offences Procedure Act*;
- m. "Person" shall mean a natural person or a group of persons acting in association, or on behalf of a Candidate, party or idea;
- n. "Roadway" shall mean any thoroughfare, street, road, trail, avenue, parkway, viaduct, lane, alley, square, bridge, trestle way, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes:
- i. A sidewalk, including a boulevard adjacent to the sidewalk, adapted for use by pedestrians, whether or not paved or improved; and
 - ii. a ditch, if it lies adjacent to and parallel with the roadway;
- o. "Street Light Pole" shall mean a street light pole that is either metal or wood with a light facing downwards;

- p. "Street Furniture" shall include, but not be limited to mean street light poles, traffic signal poles, benches, garbage receptacles, or any physical structure deemed to be Municipal Property;
- q. "Traffic Control Device" shall mean any sign, signal, marking, or device placed, marked, or erected to regulate, warn, or guide traffic; and
- r. "Traffic Signal Pole" shall mean any pole with an electronic or illuminated traffic control device attached to it.

3. APPLICATION

- 3.1 For all municipal elections, election signs shall be permitted to be posted as of the close of Nomination Day and shall be removed within 3 days after the closing of polls on Election Day.
- 3.2 For all federal or provincial elections, election signs shall be permitted to be posted for 28 days prior to Election Day and shall be removed within 3 days after the closing of polls on Election Day.
- 3.3 Election signs are permitted to have a maximum dimension of 0.6 meters by 1.0 meter.
- 3.4 Election signs may be:
 - a. mounted on a frame structure;
 - b. mounted on a wire frame;
 - c. mounted on a wood stake; and
 - d. installed to a maximum depth of 30 centimeters below grade.
- 3.5 The Candidate identified on an election sign shall be responsible for the removal of the election signs within 3 days after the closing of polls on Election Day, pursuant to the LAEA, or applicable federal or provincial legislation.
- 3.6 Election signs may be placed adjacent to a roadway, in accordance with this Bylaw;
- 3.7 A person who places an election sign on City land shall ensure the name of the owner is legibly stated on the election sign.
- 3.8 Election signs on public property may be in the following forms:
 - a. an inscribed board;
 - b. a poster;
 - c. a banner;

- d. a flag; or
- e. a form which meets the size requirements of this Bylaw, and is intended for the promotion of a Candidate, or to provide information on a question put to a vote of the public.

4. PROHIBITIONS & REQUIREMENTS

4.1 Unless otherwise permitted, a person shall not place an election sign adjacent to a roadway which:

- a. obstructs a traffic control device;
- b. is lit or electrified;
- c. is a hazard or danger to vehicular or pedestrian traffic;
- d. is inflatable;
- e. is within 30 meters of a signalized intersection (Appendix "A");
- f. is within 15 meters of an unsignalized intersection (Appendix "B");
- g. is within 10 meters of a crosswalk that is not located at an intersection;
- h. is within 3 meters of a curb or sidewalk (Appendix "C");
- i. is permanently affixed;
- j. is larger than 0.6 meters by 1.0 meter in dimension;

4.2 Election signs shall not be:

- a. attached to any sound attenuation wall, bridge or overpass;
- b. attached to any street light pole or traffic signal pole;
- c. permitted to cause any damage to municipal property;
- d. permitted to become unsightly;
- e. placed within the boulevard of 98th Avenue and 99th Avenue, due to placement of the underground irrigation system (Appendix "D"). Election signs placed within this area will be removed immediately, with any repairs to be the sole responsibility of the Candidate;
- f. permitted on any roadway;
- g. located on any traffic control device, or in a location which could interfere with the interpretation of a traffic control device;

- h. placed on a fire hydrant;
- i. where signs may interfere with the safe and orderly movement, or obstruct sightlines of pedestrians and vehicles;
- j. on City transit property, unless a Candidate or campaign has purchased such advertising space, also available to the public-at-large;
- k. on street furniture or any other physical structure located within a roadway right-of-way, including guardrails, retaining walls, or concrete barriers; and
- l. on private property, without the landowner's consent.

5. ENFORCEMENT

- 5.1 Any election sign that impedes, interferes, or is in contravention with City operations or this Bylaw may be removed and disposed of by a Peace Officer without prior notice or compensation to the owner.
- 5.2 Any election sign impounded and which has not been claimed by the owner within 3 days of the close of polls on Election Day, may be destroyed by the City without compensation to the owner.
- 5.3 A person shall not interfere with or attempt to obstruct a Peace Officer who is removing an election sign, pursuant to this Bylaw;
- 5.4 For the purpose of this Bylaw, an act or omission by the owner or other person acting on their behalf is deemed to be an act or omission of the owner, if the act or omission occurred in the course of exercising the powers or performing any duties on behalf of the owner.
- 5.5 The owner of an election sign shall be liable for any and all damage, loss and expense caused by or arising from the erection, maintenance, or removal of the election sign.

6. EXEMPTIONS

- 6.1 This Bylaw does not apply to signs permitted under the City's current Land Use Bylaw.
- 6.2 This Bylaw does not preclude Candidates from other permitted methods of advertising, which would be routinely available to the public-at-large.

7. POWERS OF THE CITY MANAGER

- 7.1 Without restricting any other power, duty, or function granted by this or any other Bylaw, the City Manager may:
 - a. take steps or carry out actions required to enforce this Bylaw;

- b. take necessary steps or carry out actions required to remedy a contravention of this Bylaw;
- c. delegate powers, duties or functions under this Bylaw to an employee of the City.

8. NUMERIC & GENDER REFERENCES

All references in this Bylaw will be read with such changes in number and gender as may be appropriate, and references shall be read as a corporation or partnership, and pronouns shall be deemed to not be gender specific.

9. INTERPRETATION

- 9.1 References to provisions of statutes, rules or regulations shall be deemed to include references to such provisions as amended, modified or re-enacted from time to time.
- 9.2 Nothing in this Bylaw relieves any person from compliance with any other bylaw or enactment, or applicable federal or provincial legislation.
- 9.3 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the Bylaw shall be deemed valid.

10. EFFECTIVE DATE

This Bylaw becomes effective upon third and final reading.

READ a first time this day of 2017.

READ a second time this day of 2017.

READ a third time and passed this day of 2017.

MAYOR

DIRECTOR, LEGISLATIVE SERVICES

Date Signed: _____