

BYLAW #1034-23
The City of Beaumont Election Signage Bylaw

Whereas Section 7 of the Municipal Government Act, RSA 2000, c M-26 provides that a municipality may pass bylaws respecting the safety, health and welfare of people and the protection of people and property; and nuisances, including unsightly property; and

Section 13 of the Traffic Safety Act, RSA 2000, c T-6 provides that a municipality may pass bylaws with respect to highways under its direction, control and management;

Therefore, Council enacts:

PART I – DEFINITIONS, AND INTERPRETATION

Definitions

1 In this bylaw:

- a) "Active Construction Zone" means an area on a public Roadway where construction, repair, maintenance, or survey work is being performed by the City, a utility company, or a private contractor under contract with City;
- b) "Chief Administrative Officer" means the chief administrative officer of the City or delegate;
- c) "Crosswalk" means:
 - (i) that part of a Roadway at an Intersection included within the connection of the lateral line of the Sidewalks on opposite sides of the Roadway measured from the Curbs; or
 - (ii) any part of a Roadway at an Intersection or elsewhere distinctly indicated for pedestrian crossing by Traffic Control Devices or by line or by other markings on the road surface;
- d) "City" means the municipal corporation of the City of Beaumont;
- e) "Curb" means the lateral boundaries of that portion of a Roadway designated or intended for the use of vehicles, whether marked by curbing construction or not;
- f) "Election Sign" means any federal, provincial, municipal, and/or school board election signs as may be regulated by the Elections Canada Act, Alberta Elections Act or Local Authorities Election Act. References to "Election Sign" in this bylaw shall include all structural elements or other supporting materials associated with a sign.

- g) "Intersection" means the area where two or more Roadways which join one another at an angle, whether or not one Roadway crosses the other;
- h) "Highway" means any thoroughfare, street, road, lane, bridge or other place or any part of any of them that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles;
- i) "Median" means a physical barrier or area that separates vehicular traffic travelling in one direction from traffic travelling on the opposite direction on a Roadway;
- j) "Owner" means 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 on an Election Sign;
- k) "Peace Officer" means:
 - (i) a police officer under the Police Act, RSA 2000, c P-17;
 - (ii) a peace officer appointed pursuant to the Peace Officer Act, SA 2006, C P-3.5 for the purposes of this bylaw; and
 - (iii) a bylaw enforcement officer appointed pursuant to the Municipal Government Act, RSA 2000, c M-26 for the purposes of this bylaw;
- l) "Playground Zone" means that portion of a Roadway identified as a playground zone by a Traffic Control Device;
- m) "Roadway" means that part of a Highway intended for use by vehicular traffic;
- n) "Sidewalk" means that part of a Highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a Highway between:
 - (i) the curb line, or
 - (ii) where there is no curb line, the edge of the Roadway, and the adjacent property line, whether or not it is paved or improved;
- o) "Street Furniture" includes poles, Traffic Control Devices, waste receptacles, benches, bus enclosures, trees, utilities, planters, bicycle racks, newspaper boxes or any other similar property placed along a Roadway; and

p) "Traffic Control Device" means any sign, signal, marking or device placed, marked or erected for the purpose of regulating, warning or guiding traffic.

Interpretation

- 2 The following rules apply to interpretation of this bylaw:
 - a) Headings, titles, and margin notes in this bylaw are for ease of reference only;
 - b) Gender-specific words, phrases, and references are intended to be gender-neutral, and the singular includes the plural as the context requires;
 - c) Every provision of this bylaw is independent of all other provisions and if any provision of this bylaw is declared invalid by a Court, all other provisions of this bylaw remain valid and enforceable; and
 - d) References to bylaws and enactments in this bylaw include amendments and replacement bylaws and enactments, and regulations and orders thereunder.

PART II – GUIDELINES

Timeline

- 3 For Provincial and Federal elections, Election Signs are only permitted from the date the election is called until three (3) days after the day of the election.
- 4 For Municipal or School Board elections, Election Signs are only permitted from the date that is 30 days in advance of the election date until three (3) days after the day of the election.

Contact Information

- 5 Prior to placement of any Election Signs on any private or public property, the candidate whose name and/or any other identifiable information appears on the Election Sign or campaign which is the subject of and benefits from the message on the Election Sign must advise the Chief Administrative Officer of the intention to use and distribute Elections Signs and provide contact information for the individual responsible for the Election Signs.

Design

- 6 Election Signs are permitted to be erected only if the Election Sign:
 - a) has a maximum surface area of 0.6m²;
 - b) has a maximum height of 1 metres;
 - c) is not lit or electrified;
 - d) is not inflatable; and
 - e) is not designed to resemble, or does not resemble, a Traffic Control Device.

- 7 Multiple Elections Signs of the same candidate or campaign that are placed together to form a larger Election Sign will be considered one (1) Election Sign in its entirety and must comply with the requirements of section 6.
- Design Exclusion 8 Notwithstanding section 6, Election Signs up to 2.4m² in surface area may be placed, with the consent of the property owner, on a fence facing a Highway.
- Placement on public property 9 Election Signs are permitted to be erected within a Highway only if the Election Sign:
- a) is not located within the Roadway;
 - b) is located with at least 15 metres separating the Election Signs for the same candidate;
 - c) is located at least 15 metres from an Intersection or a Crosswalk; and
 - d) is located at least 1.5 metres from the Curb.
- 10 Election Signs are not permitted to be erected:
- a) within public parks;
 - b) along multi-use trail corridors;
 - c) within municipally owned parking lots;
 - d) within municipal and school reserve and public utility lots;
 - e) within a Playground Zone;
 - f) within an Active Construction Zone;
 - g) on, centre medians, traffic islands, or traffic circles;
 - h) on any Highway structures such as guardrails, retaining walls, or concrete barriers;
 - i) on utility poles, fire hydrants, or any municipally owned street furniture;
 - j) in City garden or flower beds;
 - k) on City transit property, unless a candidate or campaign has purchased such advertising space, also available to the public at large;
 - l) on any municipally owned structure not specifically referenced herein; and
 - m) in any location such that it interferes with the safe and orderly movement of pedestrians or with the sight lines between pedestrians and/or vehicles.
- Placement on private property 11 Election Signs may only be placed on private property with the consent of the property owner and shall not be placed:
- a) within 1.5 metres of a Curb or the edge of a public sidewalk;
 - b) within 1.5 metres of the edge of a private driveway; and
 - c) in any location such that it interferes with the safe and orderly movement of pedestrians or with the sight lines between pedestrians and/or vehicles.

- 12 An Election Sign placed on private property pursuant to this bylaw does not require a development permit.
- General
- 13 An Election Sign may not be erected in any place that may obstruct or impede any exit routes, escape routes, or the free access of emergency vehicles.
- 14 No person may use or display the City of Beaumont logo or brand, in whole or in part, on any Election Sign.
- 15 Nothing in this bylaw relieves a person from complying with any federal or provincial legislation or regulation, other municipal bylaws, or requirement of any lawful permit, order, or license.
- Damage to Property
- 16 The Owners of an Election Sign shall be jointly and severally responsible for any and all damage, loss, and expense caused by or arising from the installation, maintenance, or removal of the Election Sign.

PART III – ENFORCEMENT

- Sign Removal
- 17 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.
- 18 Any Election Sign impounded, and which has not been claimed by the Owner within three (3) days of the close of polls on election day, may be destroyed by the City without compensation to the Owner.
- 19 A person shall not interfere with or attempt to obstruct a Peace Officer who is removing an Election Sign, pursuant to this bylaw.
- Offence
- 20 A person who contravenes this bylaw is guilty of an offence.
- 21 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw for each such day.
- 22 For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred in the course of the employee's employment with the person or in the course of the

agent's exercising the powers or performing the duties on behalf of the person under their agency relationship.

23 A person who is guilty of an offence is liable to a fine in the amount not less than \$250 and not exceeding \$10,000.00.

Municipal Tag

24 If a Municipal Tag is issued in respect of an offence the Municipal Tag must specify the fine amount established by this bylaw for the offence.

Payment in Lieu of Prosecution

25 A person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by this bylaw for the offence and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.

26 A Municipal Tag may also set out a reduced fine amount established by this bylaw as an incentive for early payment conditional on the amount being paid on or before a certain date.

27 For the purpose of this bylaw if payment is received by the City within seven (7) days of the offence date, the fine amount for the offence as set out in Schedule A may be reduced by 50%.

Violation Ticket

28 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

- a) specify the fine amount established by this bylaw for the offence; or
- b) require a Person to appear in court without the alternative of making a voluntary payment.

Voluntary Payment

29 A Person who commits an offence may:

- a) if a Violation Ticket is issued in respect of the offence; and
- b) if the Violation Ticket specifies the fine amount established by this bylaw for the offence;
- c) make a voluntary payment equal to the specified fine.

Applicability

30 This bylaw applies to all persons who reside in the City of Beaumont and to all persons placing an Election Sign in the City of Beaumont.

PART IV – Transitional

Transitional 31 On the coming into force of this bylaw, Council Policy C-43 –
Election Signs is repealed.

FIRST READING: July 11, 2023

SECOND READING: July 11, 2023

THIRD READING: July 11, 2023

SIGNED THIS 11th day of July 2023.

Bill Daneluik
MAYOR

Chelaine Winter
CLERK