

TOWN OF HIGH RIVER
IN THE PROVINCE OF ALBERTA

BYLAW 4561/2019 – ELECTION SIGN BYLAW

A BYLAW OF THE TOWN OF HIGH RIVER
TO ESTABLISH REGULATIONS CONCERNING ELECTION SIGNS

WHEREAS pursuant to Sections 7 and 8 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, Council may pass bylaws for municipal purposes that regulate matters affecting the safety, health and welfare of people and the protection of people and property, or in relation to people, activities and things in, on or near a public place or place that is open to the public;

WHEREAS pursuant to 13(1) of the *Traffic Safety Act*, R.S.A. 2000, c.T-6, Council may, with respect to a highway under its direction, control and management, make bylaws that are not inconsistent with said Act;

AND WHEREAS, Council deems it necessary to regulate the placement or installation of Election Signs during Election Campaign periods on public roads, highways, and other areas or properties that are under the Town's direction, control and management and considered Public Land and, to a certain extent, to include Private Lands, to prevent the unrestrained proliferation of Election Signs that would create hazardous situations affecting pedestrians and motorists, while maintaining effective dissemination of the Candidates' information to the electorate;

NOW THEREFORE, the Town of High River Council, duly assembled, enacts as follows:

PART I – PURPOSE, APPLICATION, DEFINITIONS, INTERPRETATION AND GUIDELINES

Purpose and Application

1. The purpose of this Bylaw is to regulate the placement or installation of Election Signs within the Town of High River and it applies to all Election Signs placed or installed on Public Lands that are within the Town's boundaries, direction, control and management and on Private Lands, to the extent permitted under this Bylaw.

Short Title

2. This Bylaw may be cited as the "Election Sign Bylaw".

Definitions

3. Words used in this Bylaw have the same meaning as defined in the *Municipal Government Act*, with the following changes or additions:
 - (a) "Bylaw" means Bylaw 4561/2019 also known as the Election Sign Bylaw;
 - (b) "Campaign Office" means the building or establishment where the Candidate or a Political Party holds office for purposes of Election Campaign within the Town of High River and includes the authorized representative of the Candidate or Political Party;
 - (c) "Candidate" means an individual or Political Party who is nominated to run for an Election and whose name appears on Election Signs;
 - (d) "Council" means the governing body of the Town of High River;
 - (e) "Election" means the Federal, Provincial or Municipal Election, including the School Board Trustee Election, duly conducted within the Town of High River, in the Province of Alberta;
 - (f) "Election Campaign" means an organized effort to create awareness of a Candidate and/or Political Party during an Election;
 - (g) "Election Sign(s)" means any sign announcing or supporting a Candidate and/or Political Party in connection with an Election;
 - (h) "Highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, that are under the direction,

control and management of the Town of High River, as defined under the *Traffic Safety Act*, R.S.A. 2000, c-T-6;

- (i) "Land Use Bylaw" means the Land Use Bylaw of the Town of High River and any amendments thereto;
- (j) "Peace Officer" means the person employed for the purposes of preserving and maintaining the public peace, as defined under Section 1(j) of the *Police Act*, R.S.A. 2000, c.P-17;
- (k) "Police Officer" means an individual who is a member of the Royal Canadian Mounted Police, as defined under Section 1(k)(ii) of the *Police Act*, R.S.A. 2000, c.P-17;
- (l) "Political Party" means an organized group established for political purposes and registered under the *Election Finances and Contribution Disclosure Act*;
- (m) "Private Land" means any part of the land or structure owned by or leased from a private individual, group or corporation;
- (n) "Public Land" means any part of the land, building or structure that are publicly-owned and within the boundaries, direction, control and management of the Town of High River;
- (o) "Town" means the municipal corporation of the Town of High River;
- (p) "Town Manager" means the Town Manager of the Town or his or her delegate.

Interpretation

- 4. References in this Bylaw to a statute, regulation or other bylaw refer to the current laws at the time this Bylaw was enacted and as they are amended from time to time, including successor legislation.
- 5. Headings and sub-headings in this Bylaw are included for convenience only and shall not be considered in interpreting the substantive content of this Bylaw.
- 6. The preamble paragraphs that precede the numbered paragraphs of this Bylaw are an integral and necessary part of this Bylaw and not a mere recital.
- 7. Every provision of this Bylaw is independent of all provisions and it is the intention of the Council that if any provision of this Bylaw is declared invalid by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

Guidelines

- 8. Candidates are expected to be respectful and courteous of other Candidates when displaying Election Signs and, notwithstanding the issuance of this Bylaw, the democratic process of Elections shall be preserved.
- 9. Upon passage of this Bylaw, the Town will communicate to the Candidates or their Campaign Offices and the public the regulations set forth herein. The Town will also inform the Candidates or their Campaign Offices of their responsibility to remind their supporters of the regulations regarding the placement or installation of Election Signs within the Town. A violation of any of the provisions of this Bylaw, even without the personal knowledge of the Candidates or their Campaign Offices, shall be dealt with in accordance with this Bylaw.
- 10. Reports received by the Town of Election Signs being taken down illegally will be referred to the concerned Candidate or Campaign Office and they shall be responsible in taking the necessary steps in addressing any Election infraction against them.
- 11. The Town's Protective Services Division, in consultation with the Legislative Services Division, shall conduct the necessary training or information dissemination to the concerned Peace Officers, Police Officers and persons duly authorized to enforce this Bylaw regarding the implementation of the provisions set forth herein. The training or information dissemination shall be scheduled immediately upon approval of this Bylaw and, thereafter, at least thirty (30) days prior to the start of every Election Campaign of succeeding Elections.
- 12. Any and all procedures or directives that are necessary to properly implement and enforce the provisions of this Bylaw, including the delegation of authority to persons other than the Peace Officers and Police Officers, shall be issued by the Town Manager.

PART II – PLACEMENT, STANDARDS AND MAINTENANCE

Placement or Installation on Public Land

13. The basic site locations for the placement or installation of Election Signs on Public Land are as follows and included as Appendix “A” to this Bylaw:
 - a. Site 1 – East corner of Highwood Village Gate NW and Longview/Coal Trail NW;
 - b. Site 2 – East side of the Centre Street N at the intersection of 7th Street NW;
 - c. Site 3 - East corner of High Country Drive NW and Centre Street N;
 - d. Site 4 – Northwest corner of Macleod Trail SW and Centre Street S;
 - e. Site 5 – Northwest and Southeast corners at the traffic circle on 12 Avenue SE and Centre Street S;
 - f. Site 6 – Northwest corner of 5th Street SE and 3rd Avenue SE;
 - g. Site 7 – Northeast corner of 12th Avenue SE and 5th Street SE;
 - h. Site 8 – Southeast corner of 12th Avenue SE and 10th Street SE;
 - i. Site 9 – Northeast corner of 12th Avenue SE and the South portion of the intersection at 12th Avenue SE and 18th Street SE.
14. Candidates are given equal opportunity to present themselves to the electorate and, therefore, each Candidate is only allowed to place or install one (1) Election Sign per approved site location listed and identified in the preceding paragraph and Appendix “A”.
15. Any person placing or installing an Election Sign that penetrates the ground is expected to know the location of underground utilities, which can be obtained from Alberta One Call and is solely responsible in ensuring that no interference or damage is caused to the underground utilities.

Placement or Installation on Private Land

16. The placement or installation of Election Signs on Private Land must be with the prior consent of the owner or lessee, must not impede traffic safety and must meet the standards in terms of size and style as described in this Bylaw.

Size and Style Standards

17. All Election Signs, whether on Public Land or Private Land, are considered temporary signs and the placement or installation thereof do not require the issuance of a Development Permit.
18. All Election Signs must not exceed the maximum sign measurement of 1.5 square metres in area and 2 metres in height, as provided under the existing Land Use Bylaw. However, this Bylaw shall align with any future amendments to the Land Use Bylaw on the size and style standards of Election Signs.
19. Pursuant to the Highways Development and Protection Regulation, Alberta Regulation 326/2009, the following types of Election Signs will not be allowed:
 - a. Any sign that displays an intermittent flashing, rotating or moving light;
 - b. Any sign that is flood-lighted in such a manner as to cause interference to the public;
 - c. Any sign that has any moving or rotating part; or
 - d. Any sign that in any way imitates a standard or commonly used highway or road traffic signs.

Duration of Placement

20. Election Signs must identify an Election Campaign and be placed or installed on the approved site locations no sooner than thirty (30) days prior to an Election and removed within seven (7) days following the Election day. All remaining Election Signs after such period will automatically be removed by the designated Peace Officer, Police Officer or person duly authorized to enforce this Bylaw and stored in the Town’s maintenance facility.

Method of Installation

21. The placement or installation of the Election Sign must be secure enough as to prevent potential hazards to pedestrians, motorists and surrounding areas but must also be easy to uninstall or remove without causing damage to Public Land. Any damage caused arising from the placement, installation or removal of the Election Signs shall be dealt with in accordance with the provisions of this Bylaw on Damages.

Maintenance

22. Throughout the Election Campaign, the Candidate or Campaign Office is responsible for maintaining the Election Signs, including general litter management. For Election Signs that are not maintained in a reasonable manner, the Candidate or Campaign Office will be notified in writing by the Peace Officer, Police Officer or person duly authorized to enforce this Bylaw to remove or restore the Election Sign, as the case maybe, within twenty-four (24) hours from receipt of notice.
23. Election Signs placed or installed on Private Lands are also required to be properly maintained by the owner or lessee thereof. Failure to maintain the Election Signs in a reasonable manner resulting in damage to Public Land or to any person shall be dealt with in accordance with the provisions of this Bylaw on Damages.
24. Maintenance includes, but is not limited to, removal of vandalized, wind damaged and unkempt Election Signs.

PART III – ENFORCEMENT, REMOVAL, STORAGE AND DISPOSAL

Enforcement

25. The Town's Peace Officers, Police Officers and other persons duly delegated by the Town Manager are authorized to enforce the regulatory provisions of this Bylaw.
26. All notices to restore, remove or uninstall the Election Signs on the grounds of either improper maintenance or installation outside the approved site locations shall also serve as first notice of violation, with a reminder to the Candidate or Campaign Office that a repetition of the same shall result in the automatic removal and storage of the Election Signs at the Town's maintenance facility without prior notice.
27. Any person who is caught by a Peace Officer, Police Officer or by the person duly authorized to enforce this Bylaw in the act of placing or installing Election Signs outside the approved site locations shall be prohibited to proceed with the placement or installation and shall be reminded that a repetition of the same will result in the confiscation of the Election Signs. Confiscated Election Signs will be stored at the Town's maintenance facility.

Removal

28. When the removal of an Election Sign placed or installed on any of the approved site locations is necessary for safety reasons or to give way to official works done by the Town's crews or contractors, the Peace Officer, Police Officer or person duly authorized to enforce this Bylaw shall notify the responsible Candidate or Campaign Office in writing to take down the Election Sign within twenty-four (24) hours from receipt of notice.
29. For Election Signs placed or installed outside the approved site locations, the Candidates or Campaign Offices shall be notified in writing by the Peace Officer, Police Officer or person duly authorized to enforce this Bylaw to remove the Election Signs within twenty (24) hours from receipt of said notice.

Storage and Disposal of Election Signs

30. Failure of the Candidate or Campaign Office to take the necessary action within the period stated in any of the notices mentioned in this Bylaw will result in the automatic removal of the Election Sign by the Peace Officers, Police Officers or persons duly authorized to enforce this Bylaw. The Election Signs collected will be stored at the Town's maintenance facility.
31. The Candidate or Campaign Office will be notified in writing to arrange for the pick up of all Election Signs stored at the Town's maintenance facility. All stored Election Signs shall automatically be disposed of if the Candidate or Campaign Office fails to pick up the Election Signs within ten (10) days from the conclusion of the Election.

PART IV – DAMAGES

Damages


32. The Candidate or Campaign Office or the owner/lessee of a Private Land shall be liable for damage, loss or expense to underground utilities, Public Land, or to any person or Private Land caused by or arising from the placement or installation, maintenance or complex removal of the Election Signs.


PART IV - EFFECTIVE DATE

Effective Date

33. This Bylaw comes into effect when it is passed by the Council.


READ A FIRST TIME THIS 9TH DAY OF SEPTEMBER, 2019.




MAYOR/DEPUTY MAYOR


Acting TOWN MANAGER

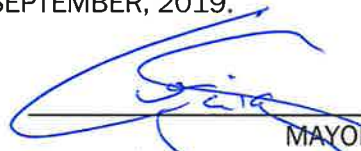
READ A SECOND TIME THIS 9TH DAY OF SEPTEMBER, 2019.




MAYOR/DEPUTY MAYOR


Acting TOWN MANAGER


READ A THIRD TIME THIS 9TH DAY OF SEPTEMBER, 2019.

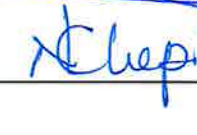


MAYOR/DEPUTY MAYOR


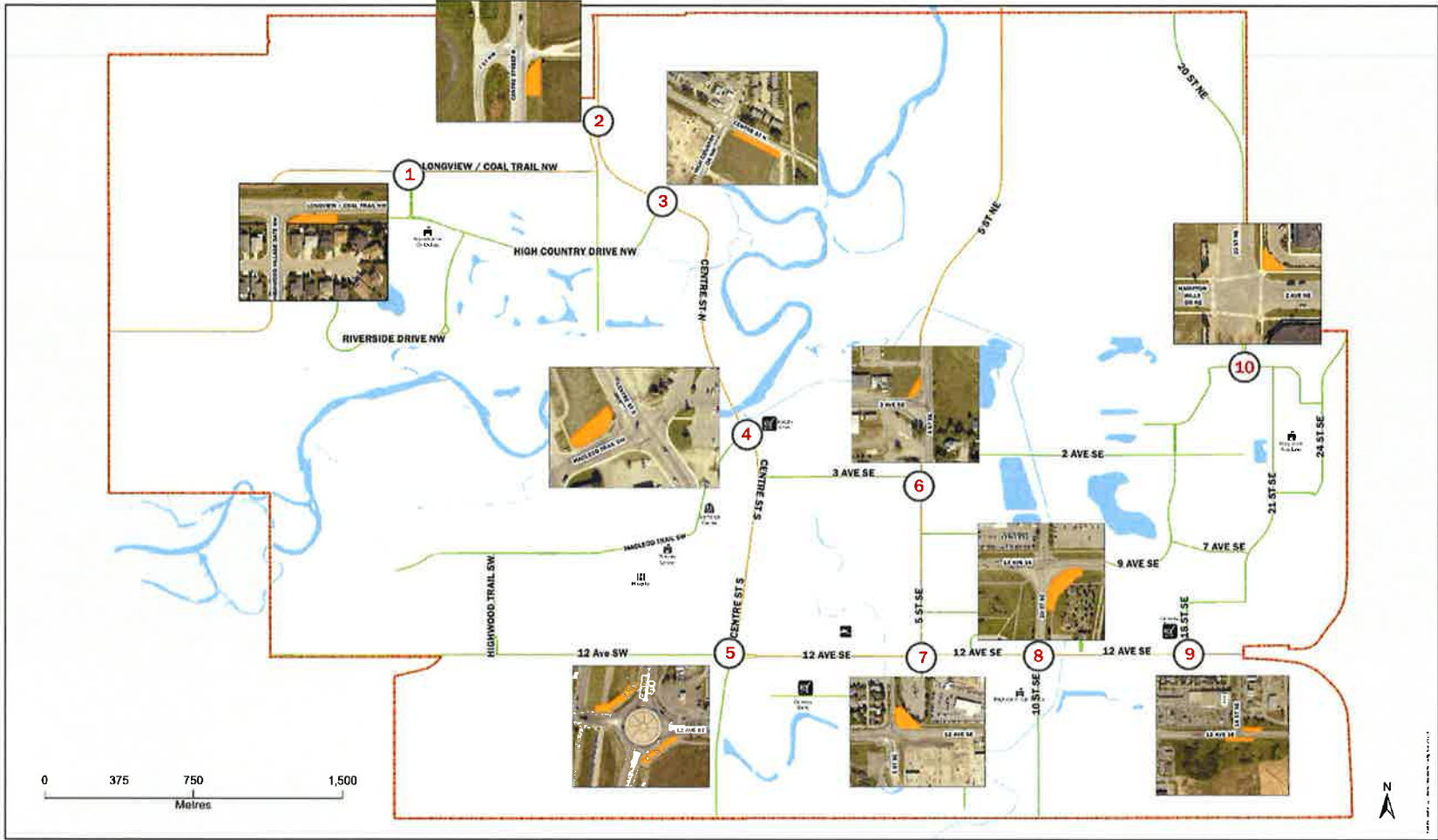
Acting TOWN MANAGER

SIGNED AND PASSED THIS 9TH DAY OF SEPTEMBER, 2019.



MAYOR/DEPUTY MAYOR


Acting TOWN MANAGER



Appendix A
High River Election Signage Sites:
Locations Based On The Intersection
of Arterial Roads and Collector Roads

- Collector Roads
- Arterial/Highway Roads
- All Other Roads
- Area For Signage