

Amendments to the Temporary Sign Bylaw and the Recreation Facilities and Parks Usage Bylaw

ISSUE

This report recommends amendments to Bylaw No. 7491, Temporary Sign Bylaw, 1995 and Bylaw No. 7767, Recreation Facilities and Parks Usage Bylaw, 1998.

RECOMMENDATION

That the Standing Policy Committee on Planning, Development and Community Services recommend to City Council:

1. That the proposed amendments to Bylaw No. 7491, Temporary Sign Bylaw, 1995 and Bylaw No. 7767, Recreation Facilities and Parks Usage Bylaw, 1998, be approved; and
2. That the City Solicitor's Office be instructed to amend the above bylaws as outlined in this report.

BACKGROUND

Currently unauthorized signs on City of Saskatoon (City) property are addressed through [Bylaw No. 7200 – Traffic Bylaw, 1991](#) (Traffic Bylaw), rather than [Bylaw No. 7491 Temporary Sign Bylaw, 1995](#) (Temporary Sign Bylaw), since The Traffic Bylaw provides for a ticketing option.

The Temporary Sign Bylaw establishes process for the City to remove unauthorized signs from streets and buffer strips; however, a similar process is not currently set out in [Bylaw No. 7767, Recreation Facilities and Parks Usage Bylaw, 1998](#) (Recreation Facilities and Parks Usage Bylaw) with respect to the removal of signs from parks, recreation facilities and public squares.

DISCUSSION/ANALYSIS

Proposed amendments to The Temporary Sign Bylaw, 1995

The Traffic Bylaw generally prohibits the placement of any material on a street, boulevard or sidewalk without the permission of the City. Material is defined as:

“...any object or article, including building waste, sand, gravel, earth and building products”

Currently, the City issues tickets, pursuant to the Traffic Bylaw, for unauthorized signs on City property, subject to a fine of \$500.

Ideally, the Temporary Sign Bylaw, which deals specifically with temporary signs on City streets and buffer strips, would be used to enforce unauthorized temporary signs; however, enforcement measures included in this bylaw are generally not used since it does not permit the City to issue notice of violation tickets. Temporary signs include signs constructed of cloth, canvas, fabric, plywood, cardboard, plastic or other similar

light material (e.g. election signs, garage sale signs, contractor signs, etc.) and designed or intended to be displayed for a short period of time. Common bylaw contraventions include the placement of temporary signs on high-speed roadways which can create safety risks resulting from motorist distraction and from parties stopping in traffic lanes to put out or retrieve signage. Portable signs, as defined under [Bylaw no. 8770, Zoning Bylaw, 2009](#) (Zoning Bylaw), are not permitted as temporary signs under the Temporary Sign Bylaw.

To improve enforceability, it is recommended that the Temporary Sign Bylaw be amended to enable the City to issue tickets for unauthorized temporary signs. The proposed ticketing process would replace the current practice of ticketing under the Traffic Bylaw. It is further recommended that fines be structured in a manner similar to [Bylaw 7860, Animal Control Bylaw, 1999](#), with first offences subject to a minimum fine of \$100, second offences subject to a minimum fine of \$250 and third and subsequent offences subject to a minimum fine of \$500. These proposed amounts are in line with fines charged in other jurisdictions across Canada (see Appendix 1) and provide a stepped approach as opposed to the \$500 fine under the Traffic Bylaw. Given Bylaw Compliance's education-first approach, enforcement through ticketing occurs infrequently (see Appendix 2). During times when ticketing is more frequent, it is generally a result of multiple tickets being issued to a small number of individuals/corporations. These tickets are generally not related to election signs but other types of temporary signage.

For clarity, it is further recommended that definitions for the terms, "portable sign" and "traffic control device", be added to the bylaw, with definitions mirroring how these terms are defined in the Zoning Bylaw, 2009 and the Traffic Bylaw.

Proposed Amendments to the Recreation Facilities and Parks Usage Bylaw

Section 14 of The Temporary Sign Bylaw sets out the process followed by the City with respect to removing unauthorized signs from City streets and buffer strips.

Unauthorized signs removed from streets and buffer strips by the City are retained for a period of 3 business days, during which time they may be reclaimed. Portable signs which require specialized removal and storage may be towed and impounded at the City Impound Lot. Signs not reclaimed within the required time period may be destroyed or otherwise disposed of.

In practice, a similar process is followed with respect to the removal of unauthorized signs from City municipal reserve (Parks). For consistency between the two bylaws, it is recommended that a process to remove signs be added to the Recreation Facilities and Parks Usage Bylaw, which mirrors the process set out in the Temporary Sign Bylaw.

To align with current practice, it is further recommended that both bylaws be amended to state that the City may require payment of towing and impounding fees prior to returning signs.

Additionally, the City Solicitor's Office, with support of the Parks Department, recommends amending the Recreation Facilities and Parks Usage Bylaw to add a prohibition against soliciting in parks, recreation facilities and public squares. Currently, [Council Policy No. C10-001 - Soliciting in Public Parks](#) prohibits soliciting in public parks; however, moving this prohibition to a bylaw would ensure this requirement is enforceable. Once this is done, the policy could be repealed.

FINANCIAL IMPLICATIONS

Proceeds from tickets issued are directed to general revenue. With ticketing generally being an infrequent approach, financial impacts are anticipated to be negligible.

NEXT STEPS

Should the bylaw amendments be adopted, the City will implement a communication plan, focused primarily on educating residents and businesses on bylaw requirements, enforcement and fines, to proactively discourage placement of temporary signs within the identified areas. This will include updates on the City's website, News Release(s), social media and other targeted measures as identified.

APPENDICES

1. Municipal Scan – Temporary Sign Fines Across Canadian Jurisdictions
2. City of Saskatoon Unauthorized Sign Ticketing 2019 to 2023

REPORT APPROVAL

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