

The Temporary Sign Amendment Bylaw, 2025 and The Recreation Facilities and Parks Usage Amendment Bylaw, 2025

ISSUE

This report submits two bylaws (“Bylaws”) for City Council’s Consideration; Bylaw No. 10057, *The Temporary Sign Amendment Bylaw, 2025* and Bylaw No. 10058, *The Recreation Facilities and Parks Usage Amendment Bylaw, 2025*. The Bylaws enhance the regulation of temporary and portable signs, prohibit soliciting in parks and public squares and make housekeeping amendments.

RECOMMENDATION

1. That City Council consider:
 - Bylaw No. 10057, *The Temporary Sign Amendment Bylaw, 2025*; and
 - Bylaw No. 10058, *The Recreation Facilities and Parks Usage Amendment Bylaw, 2025*.
2. That City Council instruct the City Clerk to:
 - repeal Council Policy No. C10-001, *Soliciting in Public Parks*; and
 - amend Council Policy No. C10-026, *Seasonal Commercial Enterprise in Parks*, as outlined in this report.

BACKGROUND

At its [November 22, 2023 Regular Business Meeting](#), City Council considered a report of the City Solicitor’s Office dated November 8, 2023 and resolved in part:

That the Use of Civic Square Protocol be included in the comprehensive Protocol Policy; and

That the City Solicitor be instructed to amend Bylaw No. 7767, *The Recreation Facilities and Parks Usage Bylaw, 1998* as outlined in the November 8, 2023 report of the City Solicitor.

At its [June 26, 2024 Regular Business Meeting](#), City Council considered a report of the Community Services Division dated June 5, 2024 and resolved:

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

That the City Solicitor’s Office be instructed to amend the above bylaws as outlined in the report dated June 5, 2024 of the Community Services Division.

DISCUSSION/ANALYSIS

In accordance with City Council's instructions, we are pleased to submit the Bylaws for City Council's consideration.

Enhancement of Temporary Sign Regulations

The Temporary Sign Amendment Bylaw, 2025 repeals section 15, Offences, and replaces it with a more comprehensive enforcement scheme that includes the ability for Bylaw Enforcement Officers to issue notices of violation for offences under the Bylaw.

Under the new provisions, notices of violation are subject to a tiered penalty system to discourage repeat offences, where first offences are subject to a fine of \$100, second offences, a fine of \$250, and subsequent offences, a fine of \$500. In the event that prosecution, in lieu of a notice of violation is pursued or a notice of violation is not paid in accordance with the Bylaw, the specified notice of violation fines will become the minimum that a judge can order up to the maximum fines prescribed in the Bylaw; that being \$2,000 for an individual and \$5,000 for a corporation, except for election related offences which are currently subject to a \$200 maximum for a first offence and \$500 for subsequent offences. The election related offence fine maximums respect the provisions that are currently provided for in the Bylaw.

The new sections also clarify departmental responsibility for administration and enforcement of temporary signs under the Bylaw.

The amendments to *The Temporary Sign Bylaw* also provide the ability for the City, when required to remove a portable sign placed in contravention of the Bylaw, to recover the costs of immobilizing, removing and storing the portable sign pending retrieval by the owner.

Removal of Unauthorized Advertising Signs

To mirror the provisions of *The Temporary Sign Bylaw* regarding the removal of signs, *The Recreation Facilities and Parks Usage Amendment Bylaw, 2025* introduces a new section 13.1 to similarly allow the City to remove unauthorized advertising signs from parks and public squares that are placed in contravention of the Bylaw and permits the City to recover the costs of immobilizing, removing and storing freestanding advertising signs (portable signs) pending retrieval by the owner.

Consequential Amendments to Parks Provisions Resulting from Update to Use of Civic Square Provisions

The Recreation Facilities and Parks Usage Amendment Bylaw, 2025 adds a reference to "Public Square" alongside Park and Recreational Facility, where appropriate.

Prohibition of Soliciting in Parks and Public Squares

The Recreation Facilities and Parks Usage Amendment Bylaw, 2025 introduces a new section 16.1 to establish a prohibition against soliciting in parks and public squares.

This amendment is included to permit the repeal of an old Council Policy No. C10-001, *Soliciting in Public Parks*.

Housekeeping Amendments

New definitions are introduced into *The Temporary Sign Bylaw* to provide clarity and improve enforceability.

Additionally, the Bylaws contain minor housekeeping amendments, such as updating the definition sections, department names and simplifying the language of various sections, among other things.

Consequential Amendments to Council Policy No. C10-026, *Seasonal Commercial Enterprise in Parks*

In order to ensure consistency between *The Recreation Facilities and Parks Usage Bylaw, 1998* and Council Policy No. C10-026, *Seasonal Commercial Enterprise in Parks* (“Policy”) a consequential amendment to the Policy is proposed.

The definition of “Park” contained in the current Policy is very broad; encompassing spaces that are not currently considered appropriate for Seasonal Commercial Enterprises. The current definition reads:

“Park” means Municipal Reserve or other lands maintained for recreational purposes owned by the City.”

The amendment would change this definition to include the specific parks and public squares (as defined in *The Recreation Facilities and Parks Usage Bylaw, 1998*) that can currently host Seasonal Commercial Enterprises. The proposed definition would read:

“Park” means the lands that comprise River Landing, Isinger Park, Friendship Park, Kiwanis Memorial Park and Mendel Site Park.”

Finally, a housekeeping amendment is proposed to section 3.5 to correct the reference to Bylaw No. 7767 and include its proper name, *The Recreation Facilities and Parks Usage Bylaw, 1988*.

APPENDICES

1. Proposed Bylaw No. 10057, *The Temporary Sign Amendment Bylaw, 2025*.
2. Proposed Bylaw No. 10058, *The Recreation Facilities and Parks Usage Amendment Bylaw, 2025*.

Report Approval

Written by: Christine G. Bogad, Deputy City Solicitor
Approved by: Cindy Yelland, City Solicitor