



ELECTION AND POLITICAL SIGNS

BYLAW NO. 8713

EFFECTIVE DATE – JULY 31, 2011

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

AMENDMENT BYLAW

DATE OF ADOPTION

EFFECTIVE DATE
(If different from Date of Adoption)

Bylaw No. 9718

October 23, 2017

Bylaw No. 9887

June 25, 2018



Election and Political Signs Bylaw No. 8713

The Council of the City of Richmond enacts as follows:

PART ONE: PLACEMENT & LIMITS ON POLITICAL SIGNS

1.1 Political Signs – Duration & Size / Height Limits

1.1.1 A **person** shall not **place**, or permit to be **placed**, a **political sign** on public or private property, except:

- (a) in relation to federal elections and by-elections, from the time the writ of election is issued until seven days after **general voting day**;
- (b) in relation to provincial elections and by-elections, from the time the writ of election is issued until seven days after **general voting day**;
- (c) in relation to local government and school elections and by-elections, from the first day of the nomination period until seven days after **general voting day**;
- (d) in relation to federal or provincial referenda or plebiscites, from the day that the text of the question is approved by the federal Parliament or by the provincial Legislature, as the case may be, until seven days after **general voting day**;
- (e) in relation to local government referenda or plebiscites, from the day that the text of the question is approved by **Council** or a regional board by bylaw or by resolution, as the case may be, until seven days after **general voting day**; and
- (f) in relation to provincial recall or initiative campaigns, from the day that an application for recall or initiative is approved by the Chief Electoral Officer for BC until seven days after the final disposition of the matter.

1.1.2 A **person** shall not **place**, or permit to be **placed**, on public or private property a **political sign**:

- (a) with a **sign face** exceeding three sq. metres (3) m² in area;
- (b) that exceeds three (3) metres in height, as measured from the grade of the site on which the **political sign** is **placed** to the top of the **political sign** or its supporting structure, whichever is greater;
- (c) that is a container sign, being a **political sign** of any type displayed on a shipping container that is placed primarily for the purpose of displaying the **political sign**;
- (d) that is a flashing sign, being a **political sign**, other than a **changeable copy sign**, that incorporates an intermittent or flashing light source or effect whether actual or simulated;

- (e) that is an inflatable sign, being a gas-supported three dimensional device anchored or attached to land or a **building**, that displays a **political sign** or attracts attention to the property;
- (f) that is a roof sign, being a **political sign** erected on the parapet or roof of a **building**, or attached to the wall of a building and extending above the roof line; or
- (g) that is a vehicle sign, being a **political sign** of any type displayed on a vehicle, including any truck trailer, that is parked or stored primarily for the purpose of displaying the **political sign**.

1.2 Political Signs - Placement on City Property

1.2.1 A **person** must not **place**, or permit to be **placed**, a **political sign** on:

- (a) a **City highway** or right of way;
- (b) a **boulevard, centre median** or sidewalk, or in a **park**;
- (c) any **roadway structure** or **traffic control device**;
- (d) a tree, planter, waste receptacle, newspaper box or mail box located on **City**-owned land; or
- (e) any other **City**-owned property, including land, **buildings, structures**, and equipment.

1.2.2 As an exception to subsection 1.2.1(b), **political signs** with a **sign face** no larger than 0.6m² may be erected on a **boulevard** immediately in front of a parcel used solely for residential purposes with the consent of the property owner, or the strata corporation in the case of a parcel containing strata lots.

1.3 Political Signs – Hazardous Placement

1.3.1 A **person** must not **place**, or permit to be **placed**, on public or private property, a **political sign**:

- (a) that overhangs **City**-owned property;
- (b) within one metre of a fire hydrant;
- (c) that obstructs, simulates or detracts from any **traffic control device**;
- (d) that is unsightly or dilapidated;
- (e) in a manner that may constitute a hazard to pedestrians, cyclists or vehicles; or
- (f) that obstructs the line of vision at an intersection between the height of 0.9 metres (2.95 feet) and 3.0 metres (9.84 feet), as measured from the top of any curb fronting a parcel, or if there is no such curb, as measured from the crown of the roadway, in that area bounded by the property lines adjoining the streets and a line drawn to connect the property lines at a distance of 7.5 metres (24.61 feet) from their point of intersection (as generally shown on the diagram set-out in Schedule A attached to and forming part of this bylaw).

PART TWO: ENFORCEMENT

- 2.1** A **bylaw enforcement officer** may remove, and the **Chief Election Officer** may order the removal of, any **political sign** that is **placed**, or permitted to be **placed**, in contravention of any provision of this bylaw.
- 2.2** **Political signs** removed pursuant to section 2.1 will be stored at a **City** facility and may be claimed by a **candidate** or **candidate representative**, or a person authorized by a **candidate** or **candidate representative**.
- 2.3** **Political signs** removed pursuant to section 2.1 and not claimed within seven (7) days after the period set-out in subsection 1.1.1 of this bylaw become the property of the **City** and may be destroyed or otherwise disposed of by the **City** without notice to any **person**.

PART THREE: OFFENCE AND PENALTIES

- 3.1** A violation of any of the provisions identified in this bylaw shall result in liability for penalties and late payment amounts established in Schedule A of the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*.
- 3.2** A violation of any of the provisions identified in this bylaw shall be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122* in accordance with the *Local Government Bylaw Notice Enforcement Act, SBC 2003, c. 60*.
- 3.3** A person who:
- (a) contravenes, violates or fails to comply with any provision of this bylaw;
 - (b) suffers or allows any act or thing to be done in contravention or violation of this bylaw; or
 - (c) fails or neglects to do anything required to be done under this bylaw,
- is deemed to have committed an infraction of, or an offence against, this bylaw and is liable on summary conviction to fine of not more than Ten Thousand Dollars (\$10,000.00), and each day such infraction is caused, or allowed to continue, constitutes a separate offence.

PART FOUR: INTERPRETATION

- 4.1** In this bylaw, unless the context requires otherwise:

BOULEVARD

means:

- (a) where there is no curb and gutter, the area between the **shoulder** of the road and the adjacent property line;
- (b) where there is curb and gutter, the area from the back of the curb to the adjacent property line; and
- (c) where there is curb and gutter and a sidewalk, the area from the back of the sidewalk to the adjacent property line.

BUILDING	means a temporary or permanent structure having a roof supported by columns or walls, for the shelter or enclosure of persons, animals, materials, chattels or equipment.
BYLAW ENFORCEMENT OFFICER	means an employee of the City , appointed to the job position or title of bylaw enforcement officer or licence inspector, or acting in another capacity, on behalf of the City for the purpose of the enforcement of one or more of the City bylaws.
CANDIDATE	means a person who is a candidate for election pursuant to the <i>Local Government Act</i> , the <i>School Act</i> (BC), the <i>Election Act</i> (BC), or the <i>Canada Elections Act</i> , or a person represented as a candidate on a political sign .
CANDIDATE REPRESENTATIVE	means a person who is appointed by a candidate as a candidate representative for the purposes of the <i>Local Government Act</i> , the <i>Election Act</i> (BC), or the <i>Canada Elections Act</i> .
CENTRE MEDIAN	means an area designated for the segregation of lanes of traffic on a roadway, designated either by lines or by landscaping.
CHANGEABLE COPY SIGN	means changeable copy sign as defined in the <i>City's Sign Regulation Bylaw No. 9700</i> .
CHIEF ELECTION OFFICER	means the person appointed by Council as the chief election officer pursuant to the <i>Local Government Act</i> , or the deputy chief election officer in the absence of the chief election officer.
CITY	means the City of Richmond.
COUNCIL	means the Council of the City .
GENERAL VOTING DAY	means "polling day" under the <i>Canada Elections Act</i> , or "general voting day" under the <i>Local Government Act</i> , <i>School Act</i> (BC) or <i>Election Act</i> (BC), whichever is applicable.
HIGHWAY	includes street, road, lane, road allowance, bridge, and viaduct, but does not include a private right-of-way on private property.
PARK	means City-owned land or right of way used for passive or active recreation including open space, sports fields, pitch-and-putt golf courses, playgrounds, walkways, trails, nature reserves,

natural areas, wildlife sanctuaries, greenbelts, conservation areas, buffers, nature interpretation areas and similar land uses.

PERSON

includes a property owner, strata corporation, **candidate, candidate representative, political organization**, or any other person under the direction of such an individual or organization.

PLACE

means place, erect, affix or attach.

POLITICAL ORGANIZATION

includes:

- (a) an “elector organization” within the meaning established in the *Local Government Act*;
- (b) a “campaign organizer” within the meaning established in the *Local Government Act*;
- (c) a “political party” within the meaning established in the *Election Act (BC)* or *Canada Elections Act*;
- (d) any incorporated or unincorporated organization which promotes or opposes the election of a **candidate**;
- (e) any incorporated or unincorporated organization which approves or disapproves of a course of action advocated by a **candidate** or another **political organization**;
- (f) any incorporated or unincorporated organization which promotes or opposes an issue that is the subject of a referendum or plebiscite; and
- (g) any incorporated or unincorporated organization which promotes or opposes a recall or initiative campaign.

POLITICAL SIGN

means a temporary display **structure** bearing lettering, symbols or pictures used to:

- (a) promote or oppose the election of a **candidate**;
- (b) approve or disapprove of a course of action advocated by a **candidate**;
- (c) promote or oppose a **political organization** or its program;
- (d) approve or disapprove of a course of action advocated by a **political**

organization;

- (e) promote or oppose an issue that is the subject of a referendum or plebiscite; or
- (f) promote or oppose a recall or initiative campaign.

ROADWAY STRUCTURE

means a bridge, overpass, guardrail, retaining wall, fence, concrete barrier, fire hydrant, street light pole, utility pole and crosswalk pole.

SHOULDER

means where there is no curb and gutter, the area between the edge of the road and a line two metres, fifty centimetres (2.5 m.) parallel to the edge of the road.

SIGN FACE

means the display area of a **political sign** on which lettering, symbols or pictures appear.

STRUCTURE

means a construction of any kind whether fixed to or supported by or sunk into land or water.

TRAFFIC CONTROL DEVICE

means a sign, line, meter, marking, space, barrier, or device that is painted, placed or erected to guide, regulate warn, direct, restrict, control or prohibit traffic.

PART FIVE: SEVERABILITY AND CITATION

- 5.1** If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.
- 5.2** This bylaw comes into force and effect on July 31, 2011.
- 5.3** This bylaw is cited as “**Election and Political Signs Bylaw No. 8713**”.

Schedule A to Bylaw No. 8713

