

Memo



Date: November 02, 2010
File: 0600-01
To: City Manager
From: City Clerk
Subject: New Election Sign Bylaw

Report Prepared by: Deputy City Clerk

Recommendation:

THAT Council receive the report dated November 02, 2010 from the City Clerk to amend Sign Bylaw No. 8235 by removing references to election signs and creating a separate Election Sign Bylaw No. 10411;

AND THAT Council give reading consideration to Bylaw No. 10411 being Election Sign Bylaw;

AND THAT Council give reading consideration to Bylaw No. 10409 being Amendment No. 16 to Sign Bylaw No. 8235;

AND FURTHER THAT Council give reading consideration to Bylaw No. 10433 being Amendment No. 77 to the Ticket Information Utilization Bylaw No. 6550-89.

Purpose:

To amend Sign Bylaw No. 8235 by removing references to election signs and creating a separate Election Sign Bylaw No. 10411 that will provide greater clarity for the permitted use and placement of signs during federal, provincial, local government, or school district election campaigns or referendums.

Background:

During recent local government elections, Council requested that regulations surrounding the use and placement of election signs be clarified. Among other general provisions, the new proposed Election Sign Bylaw addresses the placement and size of election signs generally, both on public and private property. For public property owned by the City of Kelowna, signs will be allowed, subject to the Bylaw, on property identified by the Chief Electoral Officer. A map indicating those applicable publicly owned lots will be provided electronically on kelowna.ca, and upon request, in hard copy.

The new bylaw also provides the specific duration during which signs may be erected in the event of an election, by-election or referendum. The dates for placing signs related to Federal and Provincial elections will begin when the Election Writ is dropped; for Local Government and School District elections, at the start of the nomination period; and for Referenda, thirty (30)

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days prior to the voting date. All signs must be removed following general voting on Election Day.

The City of Kelowna Ticket Information Utilization Bylaw No. 6550-89 will also be amended to include a new Schedule 29 - for the Election Sign Bylaw No. 10411 fines that will be enforced during federal, provincial, local government, or school district election campaigns or referendums.

Internal Circulation:

Community and Media Relations
Bylaw Services

Legal/Statutory Authority:

Section 8 (4) *Community Charter* allows Council, by bylaw to regulate and impose requirements in relation to matters referred to in Section 65 - Signs and other advertising.

Legal/Statutory Procedural Requirements:

Section 39 *Community Charter* specifies that bylaws created under section 39 (a), (b) or (c) must be adopted a minimum of 8 weeks before an upcoming election.

Existing Policy:

Council Policy No. 257 - Seeking of Public Input - Sign Bylaw Changes, requires that advertisements be placed in local newspapers when amending the City of Kelowna Sign Bylaw No. 8235. The advertisements will outline proposed changes and allow the public to submit correspondence.

The Office of the City Clerk will place advertisements in both the Daily Courier and the Kelowna Capital News on Friday, November 12 and Friday, November 19, 2010. The end date to receive public input regarding amending the City of Kelowna Sign Bylaw No. 8235 is Monday, November 22, 2010.

Considerations not applicable to this report:

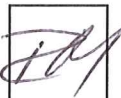
Financial/Budgetary Considerations:
Personnel Implications:
External Agency/Public Comments:
Community & Media Relations Comments:
Alternate Recommendation:

Submitted by:



S. Fleming, City Clerk

Approved for inclusion:



R. Mayne, Director Corporate Services