



CORPORATE SERVICES – LEGISLATIVE SERVICES
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December 12, 2013

CORPORATE SERVICES – LEGISLATIVE SERVICES
INFORMATION REPORT – 2013-50

TO: Mayor Van Bynen & Members of Council

COPY: SLT

SUBJECT: Additional Information, Sign By-law Review

ORIGIN: Andrew Brouwer, Director, Legislative Services/Town Clerk & Lesley Long,
Supervisor, By-Law Enforcement

COMMENTS

The purpose of this information report is to provide Council with additional information related to the sign by-law review feedback provided by Council at the December 9, 2013 Special Committee of the Whole and December 16, 2013 Council meetings. The draft sign by-law will be considered at the January 20, 2014 Council meeting.

BACKGROUND

At the December 9, 2013 Special Committee of the Whole and December 16, 2013 Council meeting, additional information related to the review of the Town's sign by-law was requested, as outlined below. The draft by-law will incorporate the fee structure amended at the December 16, 2013 Council meeting to reflect the 2006-2013 fee schedule for businesses on Davis Drive between Yonge Street and Leslie Street for a two (2) year period.

- Whether the proposed sign by-law deposit fee (\$250.00) would be considered a campaign expense in accordance with the *Municipal Elections Act, 1996*.

Staff have confirmed with representatives of the Ministry of Municipal Affairs and Housing that the cost of election signs (and a current market value associated with signs used in a previous election) as well as any election sign deposit fees are considered campaign expenses and must be reported on a candidate's financial filing statement accordance with the *Municipal Elections Act, 1996*.

- Consideration of applying the \$250.00 election sign deposit fee to Regional Councillor and Mayoral candidates only.

It is possible to establish an election sign deposit fee for Regional/Mayoral candidates (and presumably Town-wide school board candidates) only, or separate election sign deposit fees for Town-wide and Ward Councillor candidates. In the review process, all municipalities surveyed established one fee, regardless of the nature of the office being elected.

Staff received feedback from the public indicating support for enhanced election sign by-law compliance. Municipalities having introduced an election sign deposit fee have seen improvements in sign by-law compliance.

Staff feel that there would be limited benefit to introducing an election sign deposit fee for Town-wide candidates only, given that non-compliance is an issue existing in the election of Ward-based and Town-wide offices. Council could give consideration to an alternate election sign deposit fee for Ward-based candidates (e.g., \$125.00), should there be concern with cost.

Election sign deposit deductions will only occur after a period of education and warnings from Legislative Services staff. This approach aims to balance sign by-law compliance with the exercise of the democratic process.

- Consideration of language in the draft sign by-law requiring consent of property owners prior to the placement of election signs.

Language will be included in the draft sign by-law requiring consent of a property owner prior to the placement of an election sign. Permission is not required to be given in writing.

- Sign by-law requirements related to events in the Riverwalk Commons.

The draft sign by-law restricts the use of banners by businesses in Historic Downtown Urban Centre Zone (which includes the Riverwalk Commons). Temporary banners may, however, be erected for events in the Riverwalk Commons, and would be identified and approved through the Town's special event request procedures.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report relates to the Well-equipped and Managed link of the Town's Community Vision – implementing policy and processes that reflect sound and accountable governance.

HUMAN RESOURCE CONSIDERATIONS

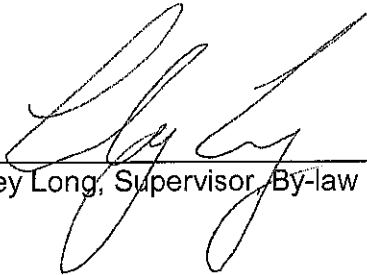
There are no human resources considerations related to this report.

BUDGET IMPACT

It is anticipated that there will be a positive impact on the budget should Council adopt the proposed sign by-law fees; however, it is difficult to estimate the number of sign permits that will be issued in any one calendar year. The 2015 Budget will reflect a more accurate account of sign fee revenue.

CONTACT

For more information on this report, contact Lesley Long, Supervisor, By-law Enforcement, (ext. 2222, llong@newmarket.ca)



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