

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 275-2006

A By-law to amend City of Vaughan Sign By-Law 203-92, as amended.

WHEREAS the Municipal Act 2001, S.O. 2001, c. 25 provides in Section 11(2), that Councils of lower-tier municipalities may pass by-laws respecting matter pertaining to structures, including fences and signs.

AND WHEREAS The Corporation of the City of Vaughan deems it advisable to pass an amendment to the City's Sign By-Law;

NOW THEREFORE the Council of the Corporation of City of Vaughan ENACTS AS FOLLOWS:

1. That By-law 203-92 as amended, is hereby further amended by:
 - (1.) Adding the following as Section 2.46 –

SIGN, UNLAWFUL – means a sign not complying with the requirements of the By-law.
 - (2.) Deleting the preamble of Section 3.0 of By-Law 203-92 in its entirety and replacing it with the following:

This Bylaw shall be administered by the Director of Building Standards and enforced by the Enforcement Services Department.

- (3.) Adding the following as Section 3.10 a) to By-Law 203-92.

3.10 a) PRESUMPTION CLAUSE.

Where an unlawful sign is found on private property, the owner of the private property, its manager, tenant and / or person in charge of the property, shall be presumed to have been the person who unlawfully placed or erected the unlawful sign, which presumption may be rebutted by evidence to the contrary, on a balance of probabilities.

Where an unlawful sign is found on a highway as defined under s. 1(1) of the Highway Traffic Act R.S.O. 1990, c. c. H.8. as amended, public property, on rights-of-way, or on utility poles, any person named on the unlawful sign and any officer or director of the person, or any partner of the person where the person is a partnership, or any proprietor of the person where the person is sole proprietorship shall be presumed to have been the person who placed or erected the unlawful sign, or to have caused or permitted the unlawful sign to be placed or erected; and where no name appears on the unlawful sign, but a telephone number appears, any person to whom the phone number is listed according to a telephone directory, shall be presumed to have been the person who

placed or erected the unlawful sign, or to have caused or permitted the unlawful sign to be placed or erected. The presumption herein may be rebutted by evidence to the contrary on a balance of probabilities

Where more than one person is presumed to have been the person who erected, or caused or permitted the unlawful sign to be placed or erected under this section, said persons shall be jointly and severally liable of an offence under this section.

- (4.) Deleting Section 4.1 (f) of By-Law 203-92 in its entirety and replacing it with the following:

4.1 (f) Public election lists, public election signs, and candidate signs subject to the following:

(i) No Candidate or his or her agent shall erect, attach, place, display, cause or permit the erection, attachment, placement or display of Election Signs which would normally be permitted under section 4.1 (f) unless the Candidate has paid the applicable election sign deposit to the City.

- a) \$300.00 per candidate running for the office of Mayor, Regional Councillor, or for Provincial or Federal Office.
- b) \$150.00 per candidate running for the office of Ward Councilor
- c) \$50.00 per candidate running for the office of School Trustee

(ii) If an unlawful Election Sign is removed by the City from Public Property in accordance with section 3.9 of bylaw 203- 92, the Candidate to whom the sign relates will be charged a twenty dollar (\$20.00) fee to be deducted from the refundable portion of the Candidate's election sign deposit.

- a) If the costs incurred by the City in removing a Candidate's signs from Public Property exceed the election sign deposit paid by the Candidate, the Candidate shall be liable for payment.
- b) Notwithstanding section 3.9(d) of Bylaw 203-92, signs so removed shall be stored by the municipality for a period of time of not more than 7 (seven) days.
- c) Notwithstanding section 3.9(e) of Bylaw 203-92, where a sign has been removed by the municipality and stored for a period of seven days and has not been redeemed, such sign may be forthwith destroyed or otherwise disposed of by the Municipality

(iii) A Candidate is entitled to have the unused portion of the election sign deposit refunded after Election Day.

(iv) No person shall cause or permit the erection of an election sign that exceeds a maximum sign area of 5.0 square metres. No person shall cause or permit the erection of an election sign unless in accordance with the following:

- a) be setback a minimum of 1.0 metre from all street lines

b) be set back a minimum of 1.5 m from any common lot boundary with an adjacent lot

c) not be located within a daylighting triangle as defined in Section 2.

(v) No person shall cause or permit election signs to be erected more than twenty-one (21) days prior to the Election Day.

(vi) Every election sign shall be removed within forty-eight hours after Election Day.

(vii) No person shall cause or permit the erection of election signs on municipal property under the jurisdiction of The Corporation of the City of Vaughan.

(viii) No person shall cause or permit the erection of election signs on all public road allowances.

READ a FIRST, SECOND and THIRD time and finally passed this 5th day of September, 2006.

Michael Di Biase, Mayor

J. D. Leach, City Clerk