

# **DISCUSSION DOCUMENT**

This document shows proposed changes to the Temporary Signs on Highways Bylaw 29M97.

- Proposed deletions are indicated by ~~striketrough text~~.
- Proposed additions are indicated by underlined text.

## **OFFICE CONSOLIDATION**

### **BYLAW NUMBER 29M97**

#### **BEING A BYLAW OF THE CITY OF CALGARY TO REGULATE TEMPORARY SIGNS ON HIGHWAYS**

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(As Amended by Bylaw Numbers 1M2000, 42M2004, 38M2012)

**WHEREAS** the *Municipal Government Act*, R.S.A. 2000, c. M-26 provides that a council may pass bylaws respecting people, activities and things in, on or near a public place or place that is open to the public;

**AND WHEREAS** the *Traffic Safety Act*, R.S.A. 2000, c. T-6 empowers a council to pass bylaws respecting the use of highways;

**AND WHEREAS** it is desirable to regulate temporary signs placed on highways in order to balance the need for signage and expression with safety and aesthetics;

**AND WHEREAS** limiting sign proliferation helps to reduce visual clutter and allows for more effective communication of information for all sign users;

**AND WHEREAS** regulating the size, location and structure of signs ensures that informational and community signs have access to public places in order to communicate with the public;

**NOW THEREFORE THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

#### **Title**

1. This Bylaw may be referred to as the "Temporary Signs on Highways Bylaw".

#### **Interpretation**

2. In this Bylaw,
  - (a) "Boulevard" means that part of a Highway that
    - (i) is not ~~R~~oadway, and

- (ii) is that part of the Sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians;
- (b) “Bylaw Enforcement Officer” means any person designated as such pursuant to City Bylaw The By-Law Enforcement Officers Appointment By-law 60M86;
- (c) “City Manager” means the person ~~designated by the City as its chief administrative officer or his designate~~ appointed by City Council as its chief administrative officer or that person’s designate;
- (d) “City” means The City of Calgary, a municipal corporation of the Province of Alberta, ~~or the land lying within the corporate limits of the City of Calgary, as the context requires~~;
- ~~(e) “Community Association Sign” means a Sign which is used by a community association to advertise community meetings or events;~~
- ~~(f) “Community Identification Sign” means a Sign which states the name of a residential community area and may contain a logo or symbol which is related of the community name;~~
- (g) “Crosswalk” means any part of a ~~R~~roadway at an Intersection or elsewhere distinctly indicated for pedestrian crossing by Signs or by lines or by other markings on the ~~road~~ Roadway surface;
- ~~(h) “Decorative Street Light Pole” means any street light pole that is not a Standard Street Light Pole; and, for greater clarity, includes, but is not limited to, any street light pole which is similar to the street light poles set out in the diagrams in Schedule “C”;~~
- (h.1) “Election Period” means:
- ~~(a) for a federal election or by-election, the period starting from the issuance of the writ and ending after the close of polls;~~
- ~~(b) for a provincial election or by-election, the period starting from the issuance of the writ and ending after the close of polls; or~~
- ~~(c) for a municipal election or by-election or school board election or by-election, the period starting from the close of nominations and ending after the close of polls;~~
- (i) “Election Sign” means any Sign used to promote a candidate or party during a ~~municipal~~, provincial or federal election or by-election, or any election or by-election held pursuant to the Local Authorities Election Act, S.A. 1983, c.L-27.5 R.S.A. 2000, c. L-21;
- ~~(j) “Garage Sale” means the sale of personal or household goods from a residential property;~~

- (k) “Highway” means any public thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, or trestle way owned by the City or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes;
- (i) a Sidewalk (including the Boulevard portion of the Sidewalk);
  - (ii) if a ditch lies adjacent to and parallel with the Roadway, the ditch; and
  - (iii) if a Highway right of way is contained between fences or between a fence and one side of the Roadway, all the land between the fence and the edge of the Roadway, as the case may be;
- but excludes any street or road located on privately owned land;
- (l) “Intersection” means the area embraced within the prolongation or connection of;
- (i) the lateral curb lines or, if none,
  - (ii) if there are not any lateral curb lines, the exterior edges of the Roadways, of two or more Highways which join one another at an angle whether or not one Highway crosses the other;
- of 2 or more highways which join one another at an angle whether or not one highway crosses the other;
- (m) “Median” means a physical barrier or area that separates traffic travelling in one direction from traffic travelling on the opposite direction on a Highway;
- (n) “Municipal Property” means structures, equipment or things owned by the City and which are on Highways;
- (o) “Owner” is any Person who is described on a Sign, whose name or address or telephone number appears on a Sign, who created a Sign, who installed a Sign, who is in lawful control of a Sign or who is the subject of or otherwise benefits from the message of a Sign, and for the purposes of this Bylaw there may be more than one Owner of a Sign;
- (p) “Person” means a natural person or a body corporate and includes a partnership, a group of Persons acting in concert or an association;
- (q) “Poster” means a Sign which is not self-supporting and is attached with its entire back surface in contact with a pole or wall or other structure and is secured by tape, glue, staples or other means;
- (r) “Poster Board” means a structure placed by the City along certain streets within the City on a Highway for the purpose of posting bills, notices and Posters;

(r.1) "Prohibited Highway" means a Highway or portion of Highway, as designated by the Traffic Engineer, where the placement of Signs is prohibited unless otherwise authorized by this Bylaw;

(s) "Roadway" means that part of a Highway intended for use by vehicular traffic;

(t) "Sidewalk" means that part of a Highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a Highway between the curb or edge of the Roadway and the adjacent property line, whether ~~of~~ or not paved or improved;

(u) "Sign" means an inscribed board, bill, placard, Poster, banner, flag or device which is intended to promote anything or inform anyone;

(u.1) "Sound Attenuation Wall" means an exterior structure designed to reduce transportation-related sound levels in adjacent residential areas;

~~(v) "Standard Street Light Pole" means a circular or octagonal street light pole that is either metal or wood with the luminaire facing downwards;~~

(w) "Traffic Control Device" means any Sign, ~~S~~signal, marking or device placed, marked or erected under the authority of the Highway Traffic Act R.S.A. 1980, Chapter H-7 Traffic Safety Act, R.S.A. 2000, c. T-6, and the Calgary Traffic Bylaw 26M96, for the purpose of regulating, warning or guiding traffic;

(w.1) "Traffic Engineer" means the person appointed to the designated officer position of Traffic Engineer established by the Calgary Traffic Bylaw 26M96, or that person's designate ~~the designated officer appointed to that position under the Traffic Bylaw;~~

(x) "Traffic Island" means a physical barrier or strip of land which channels traffic into a specific route or controls turns at an Intersection or provides refuge to protect and or aid pedestrians crossing a Highway ~~or aids in loading or unloading transit riders;~~

(y) "Traffic Signal Pole" means any pole with an electronic or illuminated Traffic Control Device attached to it.

(B/L 1M2000, 2000 January 24)

(B/L 42M2004, 2004 June 21)

2.1 (1) Nothing in this Bylaw relieves a Person from complying with any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order or licence.

(2) Specific references to laws in this Bylaw are meant to refer to the current laws applicable within the Province of Alberta as at the time this Bylaw was enacted and as they are amended from time to time, including successor legislation.

### **General Prohibitions and Requirements**

3. (1) This Bylaw applies to Signs placed on Highways but does not apply to Signs



permitted by:

- (a) ~~Signs permitted by the City~~ Land Use Bylaw ~~Number 2P80~~ 1P2007;
  - ~~(b) Signs permitted by City Sign Bylaw Number 8M80;~~
  - ~~(c) Signs permitted by the City's~~ Stephen Avenue Mall Bylaw ~~Number~~ 52M87;
  - ~~(d) Signs permitted by the City's~~ Barclay Mall Bylaw ~~Number~~ 17M84<sub>1</sub>;
  - ~~(e) Signs permitted by the Municipal Complex Bylaw Number~~ 38M2012<sub>1</sub>;  
(B/L 38M2012, 2012 July 30)
  - (e) the Residential Directional Sign Bylaw 37P97;
  - (f) the Real Property Bylaw 52M2009;
  - (g) the Sign Licensing Bylaw 23M2001; or
  - (h) the Mall Between Second Street S.E. and First Street S.E. on Eighth Avenue Bylaw 26M85.
- ~~(2) Except as provided in this Bylaw, a Person shall not place a Sign on a Highway which:~~
- ~~(a) obstructs a Traffic Control Device;~~
  - ~~(b) is lit or electrified;~~
  - ~~(c) is a hazard or dangerous to vehicular or pedestrian traffic;~~
  - ~~(d) is inflatable;~~
  - ~~(e) is displayed for more than fourteen consecutive days or more than 24 hours following the date any advertised event concludes, whichever is less;~~
  - ~~(f) is within 30 metres of an Intersection;~~
  - ~~(g) is within 2 metres of a curb or edge of any road;~~
  - ~~(h) is permanently affixed;~~
  - ~~(i) is supported by string, rope, wire or metal stakes; and~~
  - ~~(j) has a Sign face larger than 0.6 square metres.~~
- ~~(3) Except as provided in this Bylaw, a Person shall not:~~
- ~~(a) attach a Sign to any sound attenuation wall;~~

- ~~(b) — attach a Sign to any Standard Street Light Pole or Traffic Signal Pole;~~
- ~~(c) — attach a Sign to any Decorative Street Light Pole;~~
- ~~(d) — permit a Sign to cause any damage to Municipal Property;~~
- ~~(e) — allow a Sign to become unsightly;~~
- ~~(f) — place a Sign on or within any Traffic Island or Median;~~
- ~~(g) — place a Sign within 10 metres of a Crosswalk that is not located at an Intersection;~~
- ~~(h) — place a Sign on a fire hydrant; and~~
- ~~(i) — attach a Sign on or within a Plus 15 bridge.~~
- ~~(4) — A Person who places or posts a Sign shall legibly state on the face of the Sign:~~
  - ~~(a) — the name of an Owner of the Sign and the address and phone number of the Owner; and~~
  - ~~(b) — the date of posting of the Sign.~~

### **General Rules**

#### **3.1 A Person must not place a Sign on a Highway which:**

- (a) obstructs a Traffic Control Device;
- (b) has a position, shape, colour, format or illumination which is similar to a Traffic Control Device;
- (c) is a hazard, obstructs or is dangerous to vehicular or pedestrian traffic;
- (d) is attached to or within 2 metres of a fire hydrant;
- (e) is permanently affixed;
- (f) is lit or electrified;
- (g) is inflatable;
- (h) is supported by string, rope, or metal guide-wire to add stability to the freestanding structure;
- (i) is unsightly, damaged or in disrepair or becomes unsightly, damaged or in disrepair;
- (j) is attached to any Traffic Signal Pole;

- (k) is attached to any street light pole;
- (l) is attached to any Sound Attenuation Wall placed by the City;
- (m) is attached on or within a Plus 15 bridge;
- (n) causes or could cause any damage to Municipal Property;
- (o) is attached to any Calgary Transit Sign, Sign pole or structure; or
- (p) is:

- (i) within 30 metres of; and

- (ii) on the same side of the Highway as:

- a City bus shelter, transit bench, bus zone, Light Rail Transit Station, or Light Rail Transit platform without the written permission of the City Manager.

3.2 A Person must not place a Sign on a Highway which:

- (a) has a Sign face that is larger than 0.6 square metres; or
- (b) is higher than 0.92 metres when measured from grade to the highest part of the Sign.

3.3 A Person must not place a Sign on a Highway:

- (a) within 15 metres of an Intersection;
- (b) within 2 metres of a curb or edge of any Roadway;
- (c) on or within any Traffic Island or Median;
- (d) within a Playground Zone or School Zone;
- (e) within 10 metres of a Crosswalk that is not located at an Intersection; or
- (f) that is:
  - (i) within 20 metres of; and
  - (ii) on the same side of the Highway as:
    - a Sign that is posted by the same Owner and depicts, advertises or promotes the same idea.

3.4 A Person must not allow a Sign to remain on a Highway:

- (a) for more than fourteen consecutive days; or

(b) for more than 24 hours following the date any advertised event concludes,  
whichever is sooner.

3.5 A Person who places a Sign on a Highway must legibly state on the Sign:

- (a) the name of an Owner of the Sign and the address and phone number of the Owner; and
- (b) the date the Sign was placed.

### **Prohibited Areas**

~~4. (1) A Person shall not place a Sign on the following Highways:~~

- ~~(a) Anderson Road;~~
- ~~(b) Barlow Trail;~~
- ~~(c) Beddington Trail;~~
- ~~(d) Blackfoot Trail;~~
- ~~(e) Crowchild Trail;~~
- ~~(f) Deerfoot Trail;~~
- ~~(g) East Freeway;~~
- ~~(h) Glenmore Trail;~~
- ~~(i) John Laurie Boulevard from McKnight Boulevard to Sarcee Trail;~~
- ~~(j) 16<sup>th</sup> Avenue North for 6<sup>th</sup> Street East to the eastern City boundary and from 19<sup>th</sup> Street West to 44<sup>th</sup> Street West;~~
- ~~(k) Marquis of Lorne Trail;~~
- ~~(l) Macleod Trail from Anderson Road to the southern City Boundary;~~
- ~~(m) McKnight Boulevard;~~
- ~~(n) Sarcee Trail south of the Trans Canada Highway;~~
- ~~(o) Stoney Trail; and~~
- ~~(p) Trans Canada Highway from Home Road to the western City boundary.~~

~~(2) Except for Posters attached to poles or Standard Street Light Poles in accordance with Section 5, a Person shall not place a Sign on the following Highways:~~

- ~~(a) — Bow Trail;~~
- ~~(b) — Bowness Road N.W.;~~
- ~~(c) — Centre Street North;~~
- ~~(d) — Country Hills Boulevard;~~
- ~~(e) — Elbow Drive;~~
- ~~(f) — John Laurie Boulevard from Sarcee Trail to the western City boundary;~~
- ~~(g) — Macleod Trail north of Anderson Road;~~
- ~~(h) — Memorial Drive;~~
- ~~(i) — Nosehill Drive;~~
- ~~(j) — Parkdale Boulevard N.W.;~~
- ~~(k) — Shaganappi Trail;~~
- ~~(l) — Southland Drive;~~
- ~~(m) — 3<sup>rd</sup> Avenue N.W. from Parkdale Boulevard to Bowness Road;~~
- ~~(n) — 16<sup>th</sup> Avenue North from 6<sup>th</sup> Street East to 19<sup>th</sup> Street West;~~
- ~~(o) — 17<sup>th</sup> Avenue South, East of Deerfoot Trail;~~
- ~~(p) — 14 Street West;~~
- ~~(q) — 36 Street East;~~
- ~~(r) — 52 Street East from 17<sup>th</sup> Avenue South to McKnight Boulevard; and~~
- ~~(s) — 68 Street East from 17<sup>th</sup> Avenue S.E. to the northern City boundary; and~~
- ~~(t) — 85 Street N.W.~~

#### **Prohibited Highways**

4. (1) A Person must not place a Sign on a Prohibited Highway.
- (2) The Traffic Engineer is authorized to designate any Highway or portion of Highway as a Prohibited Highway for the purposes of this Bylaw.
- (3) The Traffic Engineer must keep a record of every Prohibited Highway that has been designated pursuant to subsection (1) and the record must be available for

public inspection at the office of the Traffic Engineer during normal business hours.

## **Posters**

5. (1) Posters are subject to all of the provisions of this Bylaw except as modified by this section.
- (12) Notwithstanding ~~Despite~~ Sections ~~3(2)(g)~~ 3.1(d), 3.1(k), and ~~3(3)(b)~~ 3.3(b) but subject to Section 5(2), a Person may ~~is permitted to~~ attach a Poster to a pole or a Standard Street Light Pole an unpainted street light pole on a Highway provided that:
- (a) no more than one Poster, per Owner, is placed on ~~a single pole or Standard Street Light Pole~~ the street light pole; and
  - (b) ~~Posters shall only be~~ the Poster is attached to a pole or a Standard Street Light Pole with clear adhesive tape or securable plastic banding;
  - (c) the Poster does not exceed 0.12 square metres;
  - (d) the Poster is constructed of a non-rigid material; and
  - (e) the street light pole is not within 150 metres of a Poster Board.
- (2) — A Person shall not attach a Poster to any pole or streetlight pole:
- (a) — that is within 150 metres of a Poster Board; and
  - (b) — unless a fee has been paid to the City as set out in Schedule “B”.
- (3) Despite subsection 4(1), a Poster may be placed on a street light pole on a Prohibited Highway.
- (4) Despite any other provision in this Bylaw, a Poster may be placed on a Poster Board provided by the City.

## **Garage Sales**

6. — Notwithstanding any other provision of this Bylaw an Owner or occupant of a residence who holds a Garage Sale may only display in accordance with this Bylaw a maximum of three Signs for the purpose of advertising the Garage Sale and only on the day prior to and on the day of the Garage Sale.

## **Authorized Signs**

7. — (1) — A Person shall not cause a Sign to be attached to or be within 30 metres of a City bus shelter, transit bench, bus zone, LRT station or LRT platform without the written permission of the “City Manager”.

- ~~(2) A Person shall not place a Sign over a street or on or within a pedestrian walkway or any other overpass without the written permission of the Traffic Engineer.~~

(B/L 1M2000, 2000 January 24)

(B/L 42M2004, 2004 June 21)

### **Signs on Overpasses and Pedestrian Walkways**

- 7.1 (1) Signs over a Highway or on or within a pedestrian walkway or any other overpass are subject to all the provisions of this Bylaw except sections 3.1(h), 3.1(m), 3.2, 3.3, 3.4 3.5, and 4, or as modified by this section.
- (2) A Person must not place a Sign over a Highway or on or within a pedestrian walkway or any other overpass without a valid and subsisting permit issued by the Traffic Engineer.
- (3) Despite subsection 10(1)(b), a Person must not hold or display a Sign over a Highway or on or within a pedestrian walkway or any other overpass.
- (4) The Traffic Engineer is authorized to establish fees for and impose conditions on any permit issued under this section.
- (5) A Person who obtains a permit from the Traffic Engineer pursuant to this section must comply with all of the provisions and conditions of the permit.

### **Election Signs**

- ~~8. (1) Notwithstanding Section 3(2)(e), an Election Sign may be displayed for more than 14 days but a Person shall not permit an Election Sign to be displayed for more than 36 hours after the local polls have closed for that election.~~
- ~~(2) Notwithstanding Section 3(2)(j), an Election Sign shall not exceed 3.0 square metres.~~
8. (1) Election Signs are subject to all of the provisions of this Bylaw except as modified by this section.
- (2) Despite subsection 3.4(a), a Person may place an Election Sign on a Highway for more than 14 consecutive days during an Election Period.
- (3) Despite subsection 3.4(b), a Person must not place an Election Sign on a Highway for more than 72 hours following the end of an Election Period.
- (4) Despite section 3.2, a Person must not place an Election Sign on a Highway during an Election Period if the:
- (a) the Sign face exceeds 3.0 square metres;
- (b) the height exceeds 2.5 metres when measured from grade to the highest point of the Sign; or



- ~~(c) the width exceeds 3.05 metres when measured from the widest points of the Sign.~~
- ~~(5) Despite subsection 3.3(a), a Person must place an Election Sign a minimum of 30 metres from an Intersection if the Sign face measures more than 0.6 square metres.~~
- ~~(6) Further to subsection 2.2(b), where any provision regulating an Election Sign under this Bylaw conflicts with any other federal or provincial election legislation, the federal or provincial legislation prevails to the extent of the conflict.~~

### **Community Identification Signs and Community Association Signs**

- ~~9. (1) The location, size, design and character of a Community Identification Sign shall be to the satisfaction of and approved by the Traffic Engineer.~~
- ~~(2) Approval for a Community Identification Sign will be given for a maximum of 10 years. Renewal of an approval of an existing Community Identification Sign is a new application.~~
- ~~(3) Community Identification Signs are allowed provided the Sign:~~
  - ~~(a) is for community identification purposes only;~~
  - ~~(b) displays no third party advertising; and~~
  - ~~(c) is constructed of maintenance free material.~~
- ~~(4) Prior to approval of a Community Identification Sign, the Owner of such Sign shall deliver to the City, in a form to the satisfaction of the Traffic Engineer, a licence agreement that provides that the Owner shall:~~
  - ~~(a) maintain the Sign for the approval period;~~
  - ~~(b) indemnify the City against any claim made against the City by reason of the existence of the Community Identification Sign;~~
  - ~~(c) remove the Community Identification Sign on 30 days notice where required by the Traffic Engineer for a municipal purpose; and~~
  - ~~(d) where approval of an existing Community Identification Sign has expired and has not been given a new approval, at its cost remove the Sign and rehabilitate the Highway to the satisfaction of the Traffic Engineer.~~
- ~~(5) A Community Identification Sign, where located on a Highway, shall be placed either on the Boulevard or Median of a roadway designated as a major roadway standard or lesser standard.~~

- ~~(6) The number of Community Identification Signs allowed per community will be determined by the Traffic Engineer.~~
- ~~(7) Notwithstanding Subsections 3(2)(j) and 3(3)(f), a community association may, with the prior written approval of the Traffic Engineer, locate a Community Association Sign in reasonable proximity to a Community Identification Sign or at any other location in a Highway.~~
- ~~(8) A Community Association Sign shall be no larger than 3.0 square metres.~~

### **MOBILE COMMUNITY SIGNS**

- 9.1 ~~(1) Despite section 3.2, the Traffic Engineer may issue a permit to allow for the placement of a Sign on a Highway where:~~
- ~~(a) the Sign face does not exceed 3.0 square metres;~~
  - ~~(b) the height does not exceed 2.5 metres when measured from grade to the highest point of the Sign; or~~
  - ~~(c) the width does not exceed 3.05 metres when measured from the widest points of the Sign.~~
- ~~(2) A Sign for which a permit has been issued pursuant to subsection (1) shall be referred to as a Mobile Community Sign.~~
- ~~(3) Mobile Community Signs are subject to all of the provisions of this Bylaw except as modified by this section.~~
- ~~(4) The Traffic Engineer is authorized to establish fees for and impose conditions on any permit issued for a Mobile Community Sign.~~
- ~~(5) A Person who obtains a permit from the Traffic Engineer pursuant to this section must comply with all of the provisions and conditions of the permit.~~
- ~~(6) A Mobile Community Sign may only be used to advertise community events organized by the following groups:~~
- ~~(a) community associations and Business Improvement Areas;~~
  - ~~(b) registered not-for-profit or charitable organizations;~~
  - ~~(c) elementary schools, secondary schools or post-secondary institutions;~~
  - ~~(d) not-for-profit amateur sports organizations;~~
  - ~~(e) hospitals; and~~
  - ~~(f) elected officials for the purposes of non-partisan events.~~

(7) For the purposes of subsection (6), a “community event” means any event that is open to the public and is not for a purely commercial purpose.

(8) Despite subsection 3.3(a), a Person must not place a Mobile Community Sign within 30 metres of an Intersection.

### **Exemptions**

10. (1) The following Signs are exempt from the application of this Bylaw:
- (a) Signs used by the City for operational, public safety, display, advertising or ornamental purposes; and
  - (b) any Sign carried by or on a Person.

### **Enforcement**

11. (1) Any Sign that impedes or interferes with the work of a City operation may be removed and disposed of by a City Employee, officer or agent affected without notice to the Owner of the Sign.
- (2) Any Sign which a Bylaw Enforcement Officer finds in breach of this Bylaw may be removed and impounded without prior notice to the Owner.
- (3) Any Sign impounded for a period of ~~14~~ 30 days which has not been claimed by the Owner may be destroyed without compensation by the City to the Owner.
- (4) An Owner of a Sign is liable for any and all damage, loss and expense caused by or arising from the erection, maintenance or removal of the Sign.
- (5) The Traffic Engineer may revoke any permit issued under this Bylaw if an Owner contravenes any provision of this Bylaw.

### **Prosecutions and Penalties**

12. ~~(1) An Owner of a Sign shall be liable for any and all damage, loss and expense caused by or arising from the erection, maintenance or removal of the Sign.~~
- (1) If a Sign is involved in an offence referred to in this Bylaw, the Owner of the Sign is guilty of an offence.
- (2) Subsection (1) does not apply if the Owner of the Sign satisfies the Court that the Owner did not place the Sign, and that the Person who placed the Sign did so without the Owner's express or implied consent.
- (23) Any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon conviction to a fine not exceeding \$10,000.00 and in default of payment to imprisonment for a period not exceeding six months, or both.

- (34) Where a Bylaw Enforcement Officer or a Peace Officer believes that a Person has contravened any provision of this Bylaw, ~~he~~ the Bylaw Enforcement Officer or Peace Officer may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 of the Provincial Offences Procedure Act, S.A. 1988 Chap. P-21.5 R.S.A. 2000, c. P-34.
- (45) The minimum and specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule "A" of this Bylaw.
- ~~(5) Notwithstanding Subsection 12(4), where anyone has been convicted of the same provision of this Bylaw twice within one 12 month period, the specified penalty payable shall be double the fine amount shown in Schedule "A".~~

### **Repeal**

13. The following City Bylaws are repealed:
- (a) Temporary Sign Bylaw Number 33M95;
  - (b) Election Sign Bylaw Number 12M95; and
  - (c) Decorative Light Pole Bylaw Number 41M94.

### **Consequential Amendments**

1. The City's Street Bylaw Number 20M88 is amended by the repeal of Sections 2(20), 64 and 83(2).

### **Commencement**

2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS 28<sup>TH</sup> DAY OF JULY, 1997.

READ A SECOND TIME, AS AMENDED, THIS 28<sup>TH</sup> DAY OF JULY, 1997.

READ A THIRD TIME, AS AMENDED, THIS 28<sup>TH</sup> DAY OF JULY, 1997.

(Sgd.) A. Duerr  
MAYOR

(Sgd.) D. Garner  
CITY CLERK

### **SCHEDULE "A"**

#### **MINIMUM AND SPECIFIED PENALTIES**

<u>Section</u>	<u>Fine</u>
<del>3(2) and 3(3)</del>	<del>\$100.00</del>
<del>3(3)(c)</del>	<del>\$200.00</del>
<del>3(4)</del>	<del>\$50.00</del>
<del>4(1) and 4(2)</del>	<del>\$100.00</del>
<del>5(1) and 5(2)</del>	<del>\$50.00</del>
<del>All other Sections</del>	<del>\$75.00</del>

<u>SECTION</u>	<u>OFFENCE</u>	<u>MINIMUM PENALTY</u>	<u>SPECIFIED PENALTY</u>
<u>3.1(a)</u>	<u>Obstruct a Traffic Control Device</u>	<u>\$250</u>	<u>\$500</u>
<u>3.1(b)</u>	<u>Replicate a Traffic Control Device</u>	<u>\$125</u>	<u>\$250</u>
<u>3.1(c)</u>	<u>Hazardous to or obstruct vehicular or pedestrian traffic</u>	<u>\$125</u>	<u>\$250</u>
<u>3.1(d)</u>	<u>Placed within 2 metres of a fire hydrant</u>	<u>\$125</u>	<u>\$250</u>
<u>3.1(e)</u>	<u>Permanently affixed</u>	<u>\$250</u>	<u>\$500</u>
<u>3.1(f)</u>	<u>Illuminated or electrified</u>	<u>\$125</u>	<u>\$250</u>
<u>3.1(g)</u>	<u>Inflatable</u>	<u>\$75</u>	<u>\$125</u>
<u>3.1(h)</u>	<u>Supported with prohibited material</u>	<u>\$125</u>	<u>\$250</u>
<u>3.1(i)</u>	<u>Unightly, damaged or in disrepair</u>	<u>\$75</u>	<u>\$125</u>
<u>3.1(j)</u>	<u>Attached to Traffic Signal Pole</u>	<u>\$75</u>	<u>\$125</u>

<u>3.1(k)</u>	<u>Attached to street light pole</u>	<u>\$75</u>	<u>\$125</u>
<u>3.1(l)</u>	<u>Attached to a Sound Attenuation Wall</u>	<u>\$75</u>	<u>\$125</u>
<u>3.1(m)</u>	<u>Attached on or in a Plus 15 bridge</u>	<u>\$500</u>	<u>\$1000</u>
<u>3.1(n)</u>	<u>Cause damage to Municipal Property</u>	<u>\$250</u>	<u>\$500</u>
<u>3.1(o)</u>	<u>Attached to any Calgary Transit Sign, pole or structure</u>	<u>\$125</u>	<u>\$250</u>
<u>3.1(p)</u>	<u>Placed within 30 metres of any Calgary Transit property</u>	<u>\$125</u>	<u>\$250</u>
<u>3.2(a)</u>	<u>Oversized Sign</u>	<u>\$125</u>	<u>\$250</u>
<u>3.2(b)</u>	<u>Over height Sign</u>	<u>\$125</u>	<u>\$250</u>
<u>3.3(a)</u>	<u>Placed within 15 metres of an Intersection</u>	<u>\$125</u>	<u>\$250</u>
<u>3.3(b)</u>	<u>Placed within 2 metres of a curb or edge of Roadway</u>	<u>\$125</u>	<u>\$250</u>
<u>3.3(c)</u>	<u>Placed on a Traffic Island or Median</u>	<u>\$125</u>	<u>\$250</u>
<u>3.3(d)</u>	<u>Placed within a Playground or School Zone</u>	<u>\$125</u>	<u>\$250</u>
<u>3.3(e)</u>	<u>Placed within 10 metres of a Crosswalk</u>	<u>\$125</u>	<u>\$250</u>
<u>3.3(f)</u>	<u>Placed with 20 metres of a Sign posted by same Owner</u>	<u>\$75</u>	<u>\$125</u>
<u>3.4(a)</u>	<u>Posted longer than 14 days</u>	<u>\$75</u>	<u>\$125</u>
<u>3.4(b)</u>	<u>Posted longer than 24 hours after event</u>	<u>\$75</u>	<u>\$125</u>
<u>3.5(a)</u>	<u>Posted without Owner information</u>	<u>\$75</u>	<u>\$125</u>
<u>3.5(b)</u>	<u>Posted without required date</u>	<u>\$75</u>	<u>\$125</u>
<u>4(1)</u>	<u>Placed on a Prohibited Highway</u>	<u>\$125</u>	<u>\$250</u>
<u>5(2)(a)</u>	<u>Multiple Posters on street light pole</u>	<u>\$75</u>	<u>\$125</u>
<u>5(2)(b)</u>	<u>Poster improperly attached</u>	<u>\$75</u>	<u>\$125</u>
<u>5(2)(c)</u>	<u>Oversized Poster</u>	<u>\$75</u>	<u>\$125</u>
<u>5(2)(d)</u>	<u>Poster composed of improper material</u>	<u>\$75</u>	<u>\$125</u>
<u>5(2)(e)</u>	<u>Poster placed within 150 metres of a Poster Board</u>	<u>\$75</u>	<u>\$125</u>

<u>7.1(2)</u>	<u>Placed Sign on overpass without a permit</u>	<u>\$500</u>	<u>\$1000</u>
<u>7.1(3)</u>	<u>Hold a Sign over a Highway</u>	<u>\$500</u>	<u>\$1000</u>
<u>7.1(5)</u>	<u>Fail to comply with conditions of permit</u>	<u>\$125</u>	<u>\$250</u>
<u>8(3)</u>	<u>Placed longer than 72 hours after Election Period</u>	<u>\$75</u>	<u>\$125</u>
<u>8(4)(a)</u>	<u>Oversized Election Sign</u>	<u>\$125</u>	<u>\$250</u>
<u>8(4)(b)</u>	<u>Over height Election Sign</u>	<u>\$125</u>	<u>\$250</u>
<u>8(4)(c)</u>	<u>Over width Election Sign</u>	<u>\$125</u>	<u>\$250</u>
<u>8(5)</u>	<u>Election Sign placed within 30 metres of an Intersection</u>	<u>\$125</u>	<u>\$250</u>
<u>9.1(5)</u>	<u>Fail to comply with conditions of permit</u>	<u>\$125</u>	<u>\$250</u>
<u>9.1(6)</u>	<u>Unauthorized use of Mobile Community Sign</u>	<u>\$250</u>	<u>\$500</u>
<u>9.1(8)</u>	<u>Mobile Community Sign placed within 30 metres of an Intersection</u>	<u>\$125</u>	<u>\$250</u>

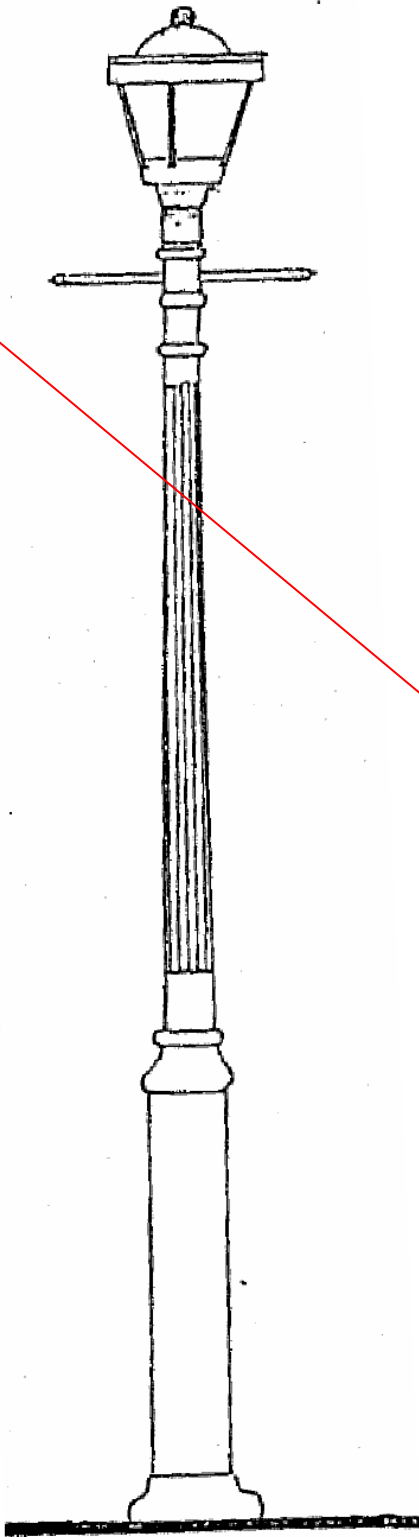


**SCHEDULE "B"**

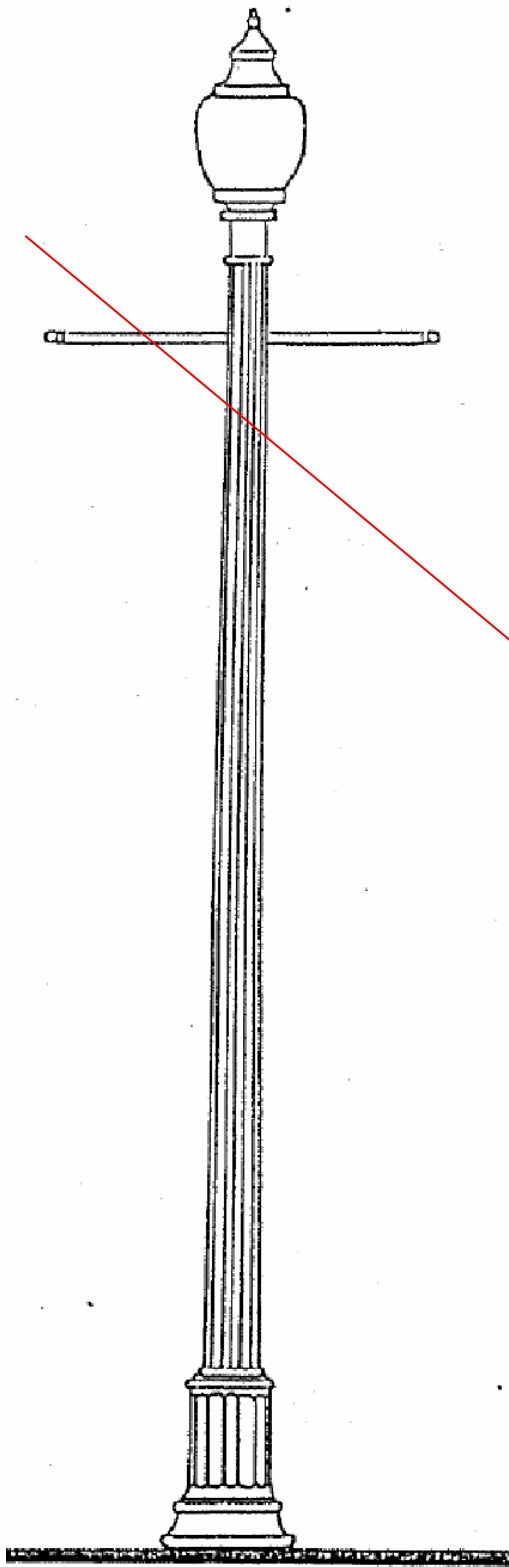
A fee of \$\_\_\_\_\_ per Poster.

FOR DISCUSSION PURPOSES

SCHEDULE "C" (1 of 3)



SCHEDULE "C" (2 of 3)



**SCHEDULE "C" (3 of 3)**

