

Improving the Temporary Signs Bylaw to Address Election Sign Complaints

RECOMMENDATION:

That the Executive Committee recommend that Council give three readings to the proposed bylaw to amend the Temporary Signs on Highways Bylaw 29M97 (Attachment 2)

HIGHLIGHTS

- Candidates for municipal, provincial, and federal elections use temporary signs to promote their campaigns during an election period. These election periods are short in duration but result in the placement of many temporary signs on public lands.
- Council requested Administration to recommend changes to the Temporary Signs on Highways bylaw that would address public concerns related to the over-abundance of signs and the impact it has on the public streetscapes.
- What does this mean for Calgarians? Clear rules for sign placement may improve compliance with the bylaw, resulting in fewer signs bunched together at the side of the roads. It also ensures that sign owners understand the consequences of improperly placing signs, including sign removal and/or the issuance of violation tickets.
- Why does this issue matter? The City of Calgary receives about 3200 Service Requests (311) related to improper sign placement each year. Actions taken by The City to address the rules around temporary signs could have a positive impact on both pedestrian safety and the visual environment of our neighbourhoods. It can also improve public confidence in The City's responsiveness to their concerns.

DISCUSSION

On 20 December 2022, Council approved the Notice of Motion on Reducing Election Sign Complaints by Improving the Temporary Sign Bylaw (EC2022-1372). Concerns were raised about the number of signs placed next to the roads, particularly during the 2021 federal and municipal election periods. Administration was directed to return with proposed bylaw amendments to support a reduction in the number of temporary signs no later than 2023 Q1. Administration was also asked to consider temporary signs as part of the Single-Use Items Reduction Strategy, as most signs are made of corrugated plastic which are not accepted for recycling through City of Calgary facilities and end up as landfill waste.

There is no question that the placement of signs can impair visibility and sightlines in and along the roadway. Reasonable restrictions as to location and size, and other requirements within a bylaw that supports these guidelines are defensible and easily understood. This was the focus of the 2017 update to the Temporary Signs on Highways bylaw (29M97). The rules and language were amended to better address issues related to safety, as well as concerns about the large number of signs being used in public spaces. These rules were also found to be comparable to the guidelines for the installation of temporary or election signs along Alberta highways.

Election signs are a category of temporary signs. While they may be larger in size and stay up for the duration of an election period, they are required to be placed in the manner required by the bylaw. This means ensuring a minimum distance from intersections and crosswalks, and no placements within playground zones or along prohibited highways. Signs used by the same

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candidate must also be a minimum distance away from each other, to allow for space for other signs and reduce overall clutter. 311 Service Requests regarding improperly placed temporary signs are common during election periods. In years where an election was held, the overall sign complaint numbers for the year increased by 27% on average (Attachment 4).

Administration reviewed current practices in responding to sign complaints and discussed areas within the current legislation that could be amended to provide additional tools for The City to use in educating and enforcing the sign rules. Some opportunities were identified to further address the volume of signs, safe placement, and enforcement. Administration also examined the issue of unwanted election signs ending up in the garbage at the end of campaigns, and if there were either policy or recycling service options available to help to divert plastic signs away from the landfill.

Volume of Signage

The bylaw addresses the volume of signage, or too many signs in a single area, by including minimum distance requirements between signs placed by the same owner, business, or campaign. Minimum distances between signs do help control and decrease overall sign numbers. Increasing the distance required between signs from the same owner to 30 metres should ensure no single owner monopolizes a particular area and limits overcrowding. This distance is simple to measure and should encourage voluntary compliance.

Administration is also reviewing locations with high complaint numbers for consideration to be added to the list of prohibited roadways for sign placement. The criteria for prohibiting certain roadways were established in 2017 and includes the speed of the roadway and other safety and visibility factors. The Mobility business unit maintains the list of such roadways, and ensures this information is available and up to date on The City's website (Calgary.ca).

Safety

The main objective of sign placement rules within the bylaw is to ensure there are clear sightlines for pedestrians and drivers as vehicles approach intersections and crossings. Signs must be placed two metres away from the curb, fifteen metres from an intersection, and cannot be placed on centre medians. One potential conflict area that is not addressed in the current bylaw is where vehicles enter or exit the roadway at a driveway crossing or entrance to private property. It is recommended that signs should be placed a minimum of two metres away from such crossings.

Enforcement

To responsibly address repeat violations of the Temporary Signs on Highways bylaw by the same owner, it is recommended that penalties should increase for continuing non-compliance. Similar to other City bylaws, the recommendation is to add a provision for increased penalties to "any person that has been convicted of the same violation within a twenty-four-month period". The specified penalty payable would double for the second conviction, and triple for the third.

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The specified penalty values were also reviewed and found to be consistent with the fines found in other bylaws for similar categories of offences. However, the minimum penalty amounts – which the Courts may consider assigning to the owner upon conviction – are recommended to be increased. All minimum penalty amounts of \$75 shall be changed to the amount of \$100, while values of \$125 shall be changed to \$200.

Plastic Sign Waste

At the completion of an election period, all election signs must be removed from the roadways within 72 hours. Most election signs are made from corrugated plastic sheets, which are durable and reusable even when used outdoors, making them an attractive option for Calgary's climate. Despite this, hundreds of used signs are usually thrown away following elections, ending up in landfill. Administration was asked to consider temporary signs as part of The City's Single-Use Items Reduction Strategy, but plastic signs do not fit within the types of single-use items included in the bylaw nor the policy options considered (Fee per item, by request or ban).

The availability of recyclers for plastic signs is unreliable due to changing material composition of the signs as well as changing market demand for the plastic. However, The City's Waste & Recycling Services (WRS) has confirmed that they can offer a drop-off service for unwanted election signs at the landfill sites for the upcoming 2023 provincial election period. For this trial run, plastic election signs would be received at all three 'Throw N' Go' locations at no charge. WRS will continue to work with recycling processors and will offer plastic sign recycling at City waste facilities when recycling markets allow.

EXTERNAL ENGAGEMENT AND COMMUNICATION

Internal Stakeholders

- Emergency Management;
- Community Safety;
- Mobility;
- Law

Any changes to the sign placement rules will be communicated through The City's webpage on election signs and would be included in the 'campaign packages' that Administration develops for all election campaign offices.

IMPLICATIONS

Social

Providing access for temporary signage along city roads supports the needs of community groups to inform residents of the recreation, sports, arts, cultural, social, and educational opportunities that are available. These programs enrich and strengthen our neighbourhoods, and support Calgary's reputation as a vibrant and liveable city.

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Environmental

The City has responsibilities to protect open spaces from overuse and misuse and ensure the pedestrian realm remains safe and accessible so that people of all means can get where they need to go. Providing a service to accept unwanted plastic election signs for eventual recycling helps to reduce non-biodegradable materials from entering the landfill.

Economic

Temporary signs are one of the most cost-effective ways for small businesses and campaigns to attract the public's attention. Having clear rules on how they may be used on the right of way provides a fair environment for businesses to succeed and prosper. These opportunities contribute to both economic growth and community well-being.

Service and Financial Implications

There are no anticipated financial impacts regarding the information contained in this report. The management and enforcement of temporary signs on highways is conducted within existing operating and capital budgets for Mobility, Emergency Management and Community Safety, and Waste and Recycling Services.

RISK

The Alberta provincial election period begins 2023 May 2 when the writ is dropped. Making changes to the Temporary Signs on Highways bylaw this close to the election may generate negative commentary from provincial candidates or campaigns, and from the companies that supply the election signage. The additional public attention on election sign placement rules may increase both complaint numbers and expectations of enforcement follow-through during this election period.

The recommended changes to the bylaw are aligned with best practices found elsewhere, and address community concerns of safety and accessibility. However, the rules still support the responsible use of temporary signs, which many residents feel are unattractive and too numerous. The ongoing enforcement strategy will need to provide an efficient and consistent approach to these sign complaints, using existing resources, to improve public confidence in The City's response.

ATTACHMENTS

1. Background and Previous Council Direction
2. Proposed wording for a bylaw to amend Bylaw 29M97
3. Summary of proposed amendments to Bylaw 29M97
4. Summary of service request (SR) and action data 2019-2022