

**BYLAW 21-025
OF
LAC LA BICHE COUNTY**

A BYLAW OF LAC LA BICHE COUNTY TO ESTABLISH REGULATIONS FOR ELECTION SIGNS.

WHEREAS the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, provides that a Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS the said *Municipal Government Act* provides that a Council may pass bylaws for municipal purposes respecting people, activities and things in, on or near a public place or a place that is open to the public;

AND WHEREAS the *Traffic Safety Act*, R.S.A. 2000 Chapter T-6, provides that a Council may, with respect to a highway under its direction, control and management, make bylaws that are not inconsistent with the said Act;

AND WHEREAS the Lac La Biche County Land Use Bylaw establishes certain provisions for election signs, and also requires election signs to comply with the requirements of any relevant federal or provincial legislation, and any relevant municipal bylaws;

AND WHEREAS the said Land Use Bylaw states that election signs to be located on County property are only permitted on property designated by Council;

AND WHEREAS it is deemed expedient for Council to establish regulations respecting election signs, including the placement of signs on County property;

NOW THEREFORE under the authority and subject to the provisions of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended, and by virtue of all other powers enabling it, the Council of Lac La Biche County, duly assembled, enacts:

Title

1 This bylaw is called the "Election Sign Bylaw".

Definitions

2 For the purposes of this Bylaw:

- (a) "Council" means the municipal Council for Lac La Biche County;
- (b) "County" means Lac La Biche County;
- (c) "Election Sign" is as defined by the Land Use Bylaw;

- (d) "Land Use Bylaw" means the Lac La Biche County Land Use Bylaw 17-004, as amended;
- (e) "Highway" is as defined in the *Traffic Safety Act*;
- (f) "Owner" means any person:
 - i. whose name or any other identifiable information appears on an Election Sign; or
 - ii. who is deemed to be in lawful control of an Election Sign;
- (g) "Peace Officer" means any sworn member of the Royal Canadian Mounted Police, a Peace Officer appointed under the *Peace Officer Act*, SA 2016, P-35 and amendments thereto and employed by the County or a Bylaw Enforcement Officer employed by the County; and
- (h) "Roadway" is as defined in the *Traffic Safety Act*;

Placement on County Property

- 3(1)** Pursuant to section C5.5(6)(d) of the Land Use Bylaw, and subject to subsection (2), Council authorizes the placement of Election Signs within the right-of-way of municipally controlled Highways, but not within the Roadway, provided the placement complies with the provisions of this Bylaw and the Land Use Bylaw.
- (2)** Election Signs are not permitted on or within any municipal property which is used as a park, playground or that has a County facility on it.
- (3)** Election Signs shall not be placed in a marked or active construction zone.
- (4)** Any person placing or installing an Election Sign that penetrates the ground is expected to know the location of underground utilities, which can be obtained from Alberta One Call, and is solely responsible in ensuring that no interference or damage is caused to the underground utilities or municipal property.
- (5)** Election Signs shall be placed with a minimum spacing distance of 20 metres between the same candidate's signs.
- (6)** Election Signs shall not be placed in a manner that obstructs signs placed by other candidates.
- (7)** Election Signs cannot be attached or affixed to any sign, utility pole, tree, fence, or other fixture located on municipal property.
- (8)** A person who places an Election Sign shall ensure the name of the Owner is legibly stated on the Election Sign.

Placement on Private Property

- 4** Election Signs on private property require the consent of the owner or occupant.

Election Sign Guidelines

- 5** Election Signs of the following types are not permitted on municipal or private property:
- (a) signs that display an intermittent flashing, rotating or moving light;
 - (b) signs that are floodlit which could cause visual distractions to the motoring public;
 - (c) signs that have moving or rotating parts;
 - (d) signs that imitate the wording of a standard or commonly used highway traffic sign, such as stop, stop ahead or yield; and
 - (e) signs that imitate or resemble the visual appearance of a traffic control device.

Exceptions

- 6(1)** This Bylaw does not regulate the placement of election signs within the right-of-way of provincially controlled Highways, which are under the jurisdiction and guidelines of Alberta Transportation.
- (2)** This Bylaw does not prohibit the Returning Officer, or designate, from placing signage for the purpose of disseminating information relating to the administration of an election, within any property that is owned, controlled, managed or occupied by the County.
- (3)** This Bylaw does not apply to signs permitted under the Land Use Bylaw.
- (4)** This Bylaw does not preclude candidates from other permitted methods of advertising, which would be routinely available to the public-at-large.

Enforcement

- 7(1)** Any election sign that impedes, interferes, or is in contravention with County operations or this Bylaw may be removed and disposed of by a Peace Officer without prior notice or compensation to the owner.
- (2)** Any election sign impounded and which has not been claimed by the owner within seven days of the close of polls on election day, may be destroyed by the County without compensation to the owner.

- (3) A person shall not interfere with or attempt to obstruct a Peace Officer who is removing an election sign pursuant to this Bylaw.
- (4) The Owner of an election sign shall be liable for any and all damage, loss and expense caused by or arising from the installation, maintenance, or removal of the election sign.
- (5) Fines related to signage may be imposed, pursuant to the County's Land Use Bylaw.

Severability

- 8 Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

Effective Date

- 9 This Bylaw shall come into force and effect upon third reading.

THAT BYLAW 21-025 BE GIVEN FIRST READING THIS 3RD DAY OF AUGUST, 2021.

THAT BYLAW 21-025 BE GIVEN SECOND READING THIS 3RD DAY OF AUGUST, 2021.

THAT BYLAW 21-025 BE SUBMITTED FOR THIRD READING THIS 3RD DAY OF AUGUST, 2021.

THAT BYLAW 21-025 BE GIVEN THIRD READING THIS 3RD DAY OF AUGUST, 2021.

"Original Signed"

Mayor

"Original Signed"

Chief Administrative Officer