

ITEM	
MANAGER'S REPORT #	07
COUNCIL MEETING	21
	96/08/12

**TO: CITY MANAGER** **1996 August 07**

**FROM: DIRECTOR PLANNING & BUILDING**

**SUBJECT: ENFORCEMENT OF BYLAWS REGULATING SIGNS  
LETTER FROM MR. LEO A. PELKE**

**PURPOSE:** To respond to a letter from Mr. Leo A. Pelke concerning a proliferation of election and development signs on City boulevards.

**RECOMMENDATION:**

- 1. **THAT** a copy of this report be sent to:

Leo A. Pelke  
402-7139 18th Avenue  
Burnaby, B. C.  
V3N 1H2

**R E P O R T**

**1.0 BACKGROUND INFORMATION:**

On 1996 July 22, Council received an item of correspondence dated 1996 June 21 from Mr. Leo A. Pelke expressing his concerns about excessive signage on City boulevards. Mr. Pelke's letter cited election campaign signs and new real estate development signs as an issue.

Signs in Burnaby are regulated by two bylaws. Burnaby Street and Traffic Bylaw 1961 governs the use of public road rights-of-way, including boulevards and sidewalks. The Engineering Department, Traffic Division, administers and enforces this bylaw. Burnaby Sign Bylaw 1972 generally regulates signs on private property. This Bylaw is administered and enforced by the Planning and Building Department, Bylaw Services Section.

**2.0 SIGNS ON PUBLIC PROPERTY:**

The Street and Traffic Bylaw 1961 essentially prohibits the placement of signs on City boulevards without prior approval. Section 24(1) of the bylaw states that:

*"no person shall excavate in, do or construct any works upon, cause a nuisance upon, encumber, obstruct, injure, foul, or damage any portion of a highway or other public place without written permission so to do from the Council and except under such terms and conditions as may be imposed by the Council in such permission."*

Section 27 further adds that *"no person shall use any street, or highway for the purpose of selling or displaying for sale any article or thing, except with the written permission of Council..."*

Sign crews routinely monitor and remove illegal signs on public property. Where possible, staff contact owners of signs to request their removal, generally with reasonable compliance from Burnaby resident businesses. In addition to making and installing all City signs, staff also respond to requests for removal of more substantial signs where the sign owner has not been compliant.

Despite the above noted restrictions for signs on public property, the Sign Bylaw does provide an exemption for election signs as stated in Schedule No. 1, Section (9):

*"Temporary signs pertaining to campaigns, drives or events of political, civic, philanthropic, educational or religious organizations. Provided that if an applicant shall obtain the consent of council and shall agree in writing to remove such signs within three days after the campaign, drive or event has concluded, such signs may be erected upon public property in the possession or control of the municipality, except public property designated for parks purposes and under the jurisdiction of the Parks and Recreation Commission."*

On 1996 April 29 Council received a report from this Department with respect to the placement of campaign signs on public property during the course of the 1996 Provincial Campaign. Council adopted the report and granted permission to all participants in the election to erect political signs providing they agreed in writing to remove the signs within the prescribed 3 days. It is acknowledged that election signs were placed on City boulevards in great numbers during this past campaign and perhaps not always removed as promptly as required. Burnaby's political associations and independent candidates, however, exhibited a responsible attitude, as in previous campaigns, and removed signs in a timely fashion after the election.

**3.0 SIGNS ON PRIVATE PROPERTY:**

The type, location and size of signs on private property are generally dependent on the zoning of a particular property. Some signs, such as those advertising the sale of a property, or the nature of a construction project, are permitted in all zones, subject to certain physical criteria. In most cases, Burnaby Sign Bylaw 1972 requires that permits be issued for signs. Staff in the Building Division of the Planning and Building Department issue such permits as well as respond to complaints about unauthorized signs. Where a violation is noted, staff contact the property owner who usually cooperates in bringing his property into compliance with the Sign Bylaw.

**4.0 CONCLUSION:**

Staff have discussed Mr. Pelke's concerns with him, noted the specific signs and locations at issue and outlined the procedure employed in dealing with this issue. Mr. Pelke was satisfied with the approach outlined and agreed to telephone us directly should he note the problem recurring.

Staff in both the Engineering and Planning and Building Departments will continue to monitor unauthorized signs and arrange for their removal when necessary.



D. G. Stenson,  
Director Planning and Building

PJA/TDA/ds

cc: Director Engineering  
Chief Building Inspector

