

TO: CITY MANAGER

DATE: 1998 March 17

FROM: DIRECTOR PLANNING AND BUILDING
DIRECTOR ENGINEERING
DIRECTOR PARKS, RECREATION AND CULTURAL SERVICES

SUBJECT: ELECTION CAMPAIGN SIGNS ON PUBLIC PROPERTY AND THE EFFECTS
ON INTEGRATED PEST MANAGEMENT

PURPOSE: To request Council approval to amend Burnaby Sign Bylaw to not permit the placement of signs in front of flower shrub beds and that signs be restricted to turfed area of boulevards.

RECOMMENDATION:

1. THAT Burnaby Sign Bylaw #6163 under Clause (9) of Schedule No. 1 be amended to not permit placement of signs in or in front of flower or shrub beds, and that signs be restricted to the turfed areas of boulevards.

REPORT

Council at its meeting of 1997 May 05 received a report with a request to place campaign signs on public property during the course of the 1997 Federal election. This is a standard request considered by Council prior to virtually all elections. Council approved the request, but asked staff to provide a report after the election, on the effects of the signs on the integrated pest management weed control program.

The Burnaby Sign Bylaw 6163 under Clause (9) of Schedule No. 1 reads as follows:

"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."

ELECTION CAMPAIGN SIGNS ON PUBLIC PROPERTY & THE EFFECTS ON INTEGRATED PEST MANAGEMENT

Page 2 of 3

In accordance with the Sign Bylaw, Council has in the past allowed campaign signs on public property except those designated for park purposes. The campaign signs are normally placed on boulevards within public road allowances, and are directed towards passing traffic. In the initial stages of the campaign the signs are few in number but within about two weeks of voting day the signs begin to fill the boulevards.

The boulevards along which signs were most abundant during the 1997 elections were at Deer Lake Parkway, Cariboo Road, Lougheed Highway, Kensington Avenue, Boundary Road, Griffiths Street, Imperial Street at Walker, Kingsway at Patterson Avenue, and Willingdon Avenue in front of B.C.I.T. The areas of concern when signs are placed on boulevards are as follows:

- ▶ Signs in shrub beds damage weed control fabric when stakes are pounded into the ground and shrubs are trampled when signs are being installed. As part of the Integrated Pest Management Program which began in 1994, a geotextile fabric is used in the shrub bed and pinned into the ground, with bark mulch spread over the fabric to minimize weed growth. Weeds are prevented from growing through the fabric, but water can percolate through to the soil. When signs with stakes are placed in shrub beds they leave holes in the fabric through which weeds can grow and gradually infest the shrub bed.
- ▶ Signs in flower beds cause damage to the annuals as they get trampled. Gaps are left in the flower beds and the damaged annuals have to be replaced.
- ▶ The installation of signs located in boulevards interfere with the grass cutting operations. There are occasions when a gang mower accidentally hits a sign, and when this happens the wires from the sign get entangled in the reels of the mower and damage the reels. In the two week period prior to voting day when the boulevards are filled with signs, the operator cannot cut grass on these boulevards resulting in these areas looking unkempt.

A review after the Federal election indicates that there was some damage to shrubs and annuals when the signs were being installed and removed after the election. At the Bonsor Park Cenotaph and at Royal Oaklands Park stakes were left on the sidewalk for two weeks before being removed. In the Canada Way at Boundary Road boulevard 4" x 4" posts had been installed, leaving big holes after the posts were removed. The boulevards mentioned earlier in the report were not mowed for 2 and some 3 weeks prior to voting day. Except for a few isolated signs, the Federal parties on the whole removed their campaign signs immediately after the Election.

The City of Vancouver has provided some locations on public property but limited them to specific areas, based on a Supreme Court of Canada ruling that a bylaw that totally prohibits posting on public property was unlawful and interfered with the freedom of expression guaranteed by the Charter of Rights and Freedoms. The Court held that it was appropriate for the municipality to "regulate" posters and signs, in so far as these might create traffic hazards, cause litter or aesthetic blight, but that some means must be provided to convey political, social and cultural messages on public property.

**ELECTION CAMPAIGN SIGNS ON PUBLIC PROPERTY &
THE EFFECTS ON INTEGRATED PEST MANAGEMENT**


A survey of other municipalities was conducted. The City of New Westminster prohibits the placement of signs on all public property. When an election is called, the City sends out letters to the political organizations informing them of the Bylaw, that no campaign signs are permitted on public property. As mentioned earlier, the City of Vancouver prohibits the placement of signs or other advertising on City property under its Street and Traffic Bylaw, except in designated locations where poster cylinders have been provided. There are about 50 locations where poster cylinders have been provided for campaign and other advertising.

Conclusion

It has been determined that damage occurs to the geotextile fabric in shrub beds, and trampling of flower beds by the placement of election campaign signs leaves these areas looking unkempt. Council is therefore requested to approve amending Burnaby Sign Bylaw #6163 under Clause (9) of Schedule No. 1 to include no placement of signs in or in front of shrub or flower beds, and that signs be restricted to turfed areas of boulevards.


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