



LEGISLATIVE AND COURT SERVICES DEPARTMENT MEMORANDUM

TO: MAYOR J. LEHMAN AND MEMBERS OF COUNCIL

FROM: T. BANTING, MANAGER OF ENFORCEMENT SERVICES AND W. COOKE, ACTING CITY CLERK / DIRECTOR OF LEGISLATIVE AND COURT SERVICES

NOTED: D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES

M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RE: UPDATED WORDING - ELECTION SIGN BY-LAW SECTION 7.5.0.0.0

DATE: FEBRUARY 5, 2018

The purpose of this memorandum is to provide members of Council with information on a wording clarification related to Section 7.5.0.0.0 of the proposed Election Sign By-law. This clarification outlines the use of an approved document by the candidate that allows for the waiving of service fees when a sign(s) are found in violation.

The previous wording outlined in the original Election Sign By-law required staff to automatically waive all service fees when documentation (an affidavit) was provided by the candidate, no matter the circumstances related to the signs found in violation of the By-law.

General Committee had expressed the need to continue to allow a mechanism for candidates where the placement of the sign was not within the control of the candidate (i.e. acts of vandalism, pranks) while still permitting staff to address clear or deliberate violations of the By-law.

Following General Committee discussions on January 8th, 2018, staff considered the original proposed wording in Section 7.5.0.0.0 and will be including new wording in the proposed By-law which would address comments provided by General Committee.

The new wording would continue to allow the candidate to submit documentation (an affidavit) outlining the circumstances behind the alleged placement of the signs found in violation and request that any subsequent service fees be waived. Rather than providing for an automatic waiver of the fees, the new wording would permit staff to review each circumstance and determine if the waiving of the fees is warranted for one or more of the signs confiscated. Staff believe that this wording change would address the potential misuse of affidavits and provide the balance that members of Council were seeking related to matters outside of the control of the candidate, as it would allow for a more fulsome review of the circumstances regarding the illegal placement of the signs.

The new Election Sign By-law, with the revised wording in Section 7.5.0.0.0, will be included on the City Council agenda on February 12, 2018 as Bill #010.