

THE CITY OF WINNIPEG

BY-LAW NO. 65/2009, AS AMENDED

**A By-law of THE CITY OF WINNIPEG to amend
the Neighbourhood Liveability By-law 1/2008.**

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

- 1 *The Neighbourhood Liveability By-law 1/2008 is amended by this By-law.*
- 2 *Section 2 is amended by adding the following definition in alphabetical order:*

 "roadside memorial" means a marker constructed, erected, posted or placed within the street to memorialize an event that resulted in a fatality.
- 3 *The heading for Part 4 is amended by adding **"ROADSIDE MEMORIALS"** after **"POSTERS,"**.*
- 4 *Section 60 is amended by adding "roadside memorials" after "Posters," in the section heading.*
- 5 *Subsection 60(1) is amended by adding "or roadside memorial" after "sign".*
- 6 *Clause 60(1)(a) is amended by adding "or obstruction" after "hazard".*
- 7 *Subsection 60(2) is amended by replacing everything before clause (a) with the following:*

 60(2) Subject to section 62, a person must not place or post, or cause the placing or posting of a sign or roadside memorial within any street unless the sign or roadside memorial displays on its face
- 8 *The following is added after subsection 60(4):*

 60(5) Notwithstanding subsection 60(3), the person placing or posting, or causing to be placed or posted, a roadside memorial within any street must remove it within ~~120~~**365** days of the date of the event that resulted in a fatality.

9 *The following is added after subsection 61(2):*

61(3) Subsections 61(1) and 61(2) do not apply to roadside memorials.

61(4) Subject to subsection 61(5) and section 62, a person must not place or post, or cause the placing or posting of a roadside memorial that:

- (a) is larger than (1) metre in height as measured from the roadway surface
- (b) is larger than (1) metre in width as measured along the roadway;
- (c) is larger than (1) metre in depth as measured perpendicular to the roadway; or
- (d) contains or uses breakable objects, including items made of glass or ceramic.

61(5) Notwithstanding subsection 61(4)(d) breakable objects are permitted to be used during a memorial service but must be removed immediately following the completion of the service.

10 *Section 62(1) is amended by adding "roadside memorials" after "sign" in the section heading.*

11 *Subsection 62(1)(a) is amended by adding "and roadside memorials" after "signs".*

12 *Subsection 63(1) is amended by adding "and roadside memorials" after "signs" in the section heading.*

13 *Subsection 63(1) is amended by striking out "sign" wherever it occurs and substituting "sign or roadside memorial".*

14 *The following is added after subsection 63(2):*

63(2.1) Notwithstanding subsection 63(2) a roadside memorial removed pursuant to subsection (1) shall not be retained by the City for reclaiming.

15 *Subsection 63(3) is replaced with the following:*

63(3) A sign or roadside memorial that contravenes this By-law or is damaged or falls into disrepair may be removed by a designated employee and destroyed forthwith without notice.

DONE AND PASSED this 25th day of March, 2009.