THE CITY OF WINNIPEG

BY-LAW NO. 64/2003

A By-law of The City of Winnipeg to regulate the placing of temporary signs within streets.

WHEREAS temporary signs within rights-of-way may impact on the safety of motorists and pedestrians, can create traffic hazards and cause visual blight and clutter;

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

Title

1. This By-law shall be referred to as "the Temporary Street Signs By-law."

Definitions

2. In this by-law:

"A-board sign" means an A-shaped sign which is set upon the ground and has no external supporting structure;

"Boulevard" means the portion of a street on either side of the street;

(a) that is adjacent to the travelled portion of the street,

(b) that is maintained for the purpose of improving the appearance or safety of the street, and

(c) that is not intended to be used to carry vehicular traffic.

"City" means The City of Winnipeg;

"Designated Employee" means the Director of Public Works or an employee of the City to whom he or she has delegated authority to enforce or administer all or part of this by-law.

"Directional Sign" means:

(a) a sign which directs the public to or denotes the name of any thoroughfare, route, educational institution, public building, historical site, or hospital;

(b) a sign or signal installed by the City which directs and regulates traffic;

(c) a sign which denotes any public or transportation facility;

"Election Sign" means any sign used to promote a candidate or party during a municipal, provincial or federal election, or any election held pursuant to *The Local Authorities Election Act* or *The Public Schools Act* but does not include identification signs reading "(name of candidate) campaign headquarters" or "(name) constituency (or other electoral area) office."

"Garage Sale Sign" means a sign advertising the sale of personal or household goods from a residential property;

"Highway" means any place or way, including any structure forming part thereof, which or any part of which the public is ordinarily entitled or permitted to use for the passage of vehicles, with or without fee or charge therefor, and includes all the space between the boundary lines thereof; but does not include any area designed or intended, and primarily used, for the parking of vehicles and the necessary passageways thereon;

"Intersection" means the area embraced within the straight production of the lateral boundary lines of two or more highways that join one another at an angle, whether or not one such highway crosses the other;

"Median" means the portion of a street in the centre of the street as a physical barrier or area that separates traffic travelling in one direction from traffic travelling the opposite direction on the street;

"Mobile Sign" means a sign which is mounted on a trailer, vehicle, stand or similar support structure which is designed in such a manner that the sign can be readily relocated to another location and which may include copy that can be changed through the use of removable characters or panels;

"Sidewalk" means a footpath, whether or not paved or improved, that is intended primarily for the use of pedestrians and that forms part of that portion of a highway that lies between the curb line or, if there is none, the lateral boundary line, of the roadway and

(a) the adjacent property lines, or

(b) the straight production of the adjacent property lines to the curb line or if there is none, to the lateral boundary line, of an intersecting highway;

"Sign" means any writing (including letter, word or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol, logo or trademark), flag (including banner or pennant) or any other figure of similar character which is used to announce, identify, direct attention to, advertise or promote anything or inform anyone and, without restricting the generality of the foregoing, includes A-board signs, election signs and garage sale signs;

"Street" includes a highway, boulevard, median, sidewalk or traffic island;

Traffic Island" means a physical barrier or strip of land which channels traffic into a specific route, or controls turns at an intersection, or provides refuge to protect and aid pedestrians crossing a street or aids in loading and unloading transit riders.

Exemptions

3. This By-law applies to all signs placed on or in a street but does not apply to:

(1) signs permitted by City of Winnipeg by-law No. 4800/88 (Downtown Zoning By-law).

(2) signs permitted by City of Winnipeg By-law No. 4555/87 (The Winnipeg Building By-law).

(3) signs permitted by City of Winnipeg By-law No. 1481/77 (the Streets By-law).

(4) signs permitted by City of Winnipeg By-law No. 692/74 (the Encroachment By-law).

(5) signs permitted by City of Winnipeg By-law No. 1076/75 (the Handbill and Poster By-law).

(6) signs permitted by City of Winnipeg By-law No. 1573/77 (the Traffic By-law).

(7) signs permitted by City of Winnipeg By-law No. 6400/94 (the Winnipeg Zoning By-law).

(8) any signs erected or placed or authorized by any federal, provincial or municipal government.

(9) Directional Signs.

Prohibited Areas

4. No person shall place or cause to be placed a sign in or on any of the streets or portions thereof listed in Appendix "A" to this by-law.

General Requirements

5. No person shall place or cause to be placed in or on any street a sign which:

(1) is attached to, supported by, or obstructs a Directional Sign, including the post or standard supporting the sign;

(2) is lit or electrified, flashes, spins or rotates;

(3) is within 30 metres of an intersection as measured from the nearest curb line of the intersection;

(4) is within 30 metres of a turning, deceleration, acceleration or traffic storage lane;

(5) is supported by string, rope, wire or metal stakes;

(6) is within 2 metres of a curb or edge of the travelled portion of a highway;

(7) is displayed for longer than 14 consecutive days or more than 24 hours following the day any event identified in the sign concludes, whichever is less;

(8) is permanently affixed;

(9) is greater than 0.6 square metres in size;

(10) has a height greater than 1 metre as measured from the existing grade to the top of the sign;

(11) is a Mobile Sign;

(12) is within 0.5 metres of the edge of any sidewalk;

(13) is within 5 metres of any driveway;

(14) has more than 2 faces per sign;

(15) does not display the name and phone number of the person responsible for placing the sign or causing it to be placed, and the date the sign was placed, on the face of the sign;

(16) is a hazard or dangerous to vehicular or pedestrian traffic;

(17) causes any damage to property of The City of Winnipeg;

(18) is within any median or traffic island.

Removal Of Temporary Signs

6. Any sign which does not comply with the requirements of this by-law may be removed by a designated employee of the City and destroyed forthwith without notice.

7. Any sign may be removed by a designated employee of the City forthwith in order to perform any maintenance or repairs in, on or under a street, without notice, but any sign so removed shall be retained for three business days by the Public Works Department of the City and may be reclaimed within that period by the person responsible for placing the sign or causing it to be placed.

Garage Sales

8. Notwithstanding subsection 5(7) a garage sale sign shall not be displayed earlier than the day prior to the garage sale.

Election Signs

9. Notwithstanding subsection 5(7), election signs may be displayed for longer than 14 consecutive days provided that such signs are not erected or placed prior to the date notice is given of the opening of nominations and shall be removed within 7 days after the close of the polls for that election.

Offence

10. Any person who contravenes any provision of this By-law is guilty of an offence.

Consequential Amendments

11. The Handbill and Poster By-law, being By-law No. 1076/75 is amended:

(1) in Section 2 by adding the following definitions in alphabetical order:

"Directional Sign" means:

(a) a sign which directs the public to or denotes the name of any thoroughfare, route, educational institution, public building, historical site, or hospital;

(b) a sign or signal installed by the City which directs and regulates traffic;

(c) a sign which denotes any public or transportation facility;

"Poster" means a sign which is not self-supporting and is attached with its entire back surface against a pole or wall or other structure;

"Sign" means any writing (including letter, word or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol, logo or trademark) flag (including banner or pennant) or any other figure of similar character which is used to announce, identify, direct attention to, advertise or promote anything or inform anyone.

(2) Subsections 8.1 and 8.2 are repealed and the following is substituted:

"8.1 No person shall place in any public place a poster which:

(a) is attached to a Directional Sign;

(b) is secured or supported by any means other than clear adhesive tape;

(c) is not attached with its entire back surface in contact with a pole or wall;

(d) does not display the name and phone number of the person responsible for the posting of the poster or causing it to be posted, and the date the poster was posted, on the face of the poster;

(e) is a hazard or dangerous to vehicular or pedestrian traffic;

(f) causes any damage to property of The City of Winnipeg;

(g) is within any median or traffic island;

(h) is displayed for longer than 14 consecutive days or more than 24 hours following the day any event named in the sign concludes, whichever is less;

(i) is permanently affixed;

8.2 Notwithstanding clauses (b) and (c) of Subsection 8.1, posters, notices and signs may be placed:

(a) upon a notice board or within a poster area located within a building which is owned or under the control of the City where the notice board or poster area has been designated in writing for such purpose by the department head having authority over the building and the posting or placement in compliance with Schedule "A" thereto.

(b) upon an outdoor notice board or kiosk designated in writing for such purpose by the Chief Administrative Officer.

8.3 This by-law does not apply to:

(a) the existence or mounting of banners, flags, signs or other devices by any government authority or crown corporation upon its own utility poles where the mounting of the banners, flags, signs or devices has been approved pursuant to Schedule "G" of The City of Winnipeg Streets By-law.

(b) The existence or placement of advertising on transit passenger shelters and benches pursuant to agreements with the City for the design, manufacture, installation and maintenance of the said transit passenger shelters and benches; or

(c) Notices, posters, signs or other papers or devices authorized or required by law.

12. The Streets By-law, being By-law No. 1481/77 is amended:

(1) by repealing subsection 4.04(a) and substituting the following:

"4.04(a) No person shall suspend, fasten or place any poster or sign as defined in By- law No.1076/75 (the Handbill and Poster By-law) in, on or over a street, traffic control device or

structure except as hereinafter provided."

(2) by repealing clause 4.04(b)(i) and (ii) and substituting the following:

(b)(i) The placing of any poster as permitted by By-law No. 1076/75 (the Handbill and Poster By-law);

(ii) The placing of temporary signs as permitted by By-law No. 64/2003 (the Temporary Street Signs By-law); and

(3) by repealing Schedule "F".

13. The Winnipeg Zoning By-law being By-law No. 6400/94 is amended by repealing subsection 1212(4).

14. The Boulevard Maintenance By-law, being By-law No. 5895/92, is amended by repealing Section 10.

Effective Date

15. This By-law shall come into force and effect as of May 1, 2003.

DONE AND PASSED in Council assembled, this day of 2003.

Mayor

City Clerk

Certified as to form:

City Solicitor/
Manager of Legal Services

APPENDIX "A" to BY-LAW 64/2003 The Temporary Street Signs By-law.

STREETS	BETWEEN
Bishop Grandin Boulevard	Kenaston Boulevard and Lagimodiere Boulevard
Bison Drive	Waverley Street and Pembina Highway
Brookside Boulevard / Oak Point Highway / King Edward Street / Century Street / St. James Bridge /	
Kenaston Boulevard (ROUTE 90)	Inkster Boulevard and Bishop Grandin Blvd
Chief Peguis Trail	Main Street and Henderson Highway
Donald Street and Midtown Bridge	Red River and Osborne Street
Dunkirk Drive and St. Vital Bridge	Red River and Fermor Avenue
Fermor Avenue	Dunkirk Drive and Plessis Road
Henderson Highway	Red River and Glenway Avenue
Lagimodiere Boulevard	Prairie Grove Road and North City Limit
Moray Street & Moray Bridge	Roblin Boulevard and Portage Avenue
Osborne Street and Osborne Bridge	Assiniboine River and St. Vital Bridge
Pembina Highway	Osborne Street and South City Limit
Portage Avenue	Spence Street and St. Charles Street
St. James Street	Portage Avenue and Wellington Ave
Waverley Street	Taylor Avenue and Bison Drive
Wellington Avenue	Winnipeg International Airport and St. James St
Grant Avenue	Shaftesbury Blvd to Charleswood Parkway
Main Street	Logan Avenue to North City Limit
St. Annes Road	Fermor Avenue to St Marys Road
St. Marys Road	St. Annes Road to Queen Elizabeth Way
Corydon Avenue/Roblin Boulevard/ Grant Avenue	Shaftesbury Blvd to West City Limit