

**Subject: Notice of Motion Report Councillor Crist;**

**Date:** Mon, 27 May 2002 14:48:19 -0700

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Notice of Motion

Report Councillor Crist

That staff provide an update report to Council about the ongoing proliferation of advertising material appearing in the District of North Vancouver including on telephone polls put there by advertising companies most of whom are not even located in the District.

Rationale:

The District continues to be plagued by largely outside advertising companies who put posters on telephone posts in the District. Apart from the nuisance there is also the question of paying for removal of such signs usually put out of reach so that they have to be removed by using a ladder which is time consuming and subsequently expensive.

Despite various appeals by the District to some of these companies to desist from uglifying the District some of them do not comply taking the position that what they are doing is legal.


The issue of legality arose some years ago when Councillor Crist made a motion that any and all such signs be removed at the owners expense and or that the respective advertising companies be fined.

However it came to light that on or about this time a Supreme Court Judge in Ontario ruled that such advertising is a constitutional right and that a municipality does not have the right to prevent it. The judge did not of course put a time limit as to how long such signs may be left on polls.

Several possibilities exist. The municipality could take the matter to court and challenge the ruling on the basis that it constitutes an unreasonable interference in the ambiance and appearance of the District. It could remove the signs immediately after they have been put up so they would lose their value and or three the municipality could enact a bylaw stipulating that although people are empowered to put up signs they must also remove them at their own expense within a period of three days or another limited period. This would be extremely effective since it is unlikely that any advertising company or any individual would wish to incur expenses of that kind. At the same time refusal to do so on their part could result in fines in addition to the expense of removing them.

Notwithstanding, the District should not tolerate such anti social behavior by private companies at the expense of the District.

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