The Corporation of the Town of South Bruce Peninsula

By-Law Number 51-2016

Being a By-Law to Amend By-Law Number 44-2009 Being a By-Law to Adopt the Manual Governing the Policies and Procedures for the Corporation of the Town of South Bruce Peninsula (Banners)

Whereas Section 8 of the Municipal Act, 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And whereas Section 11 of the Municipal Act, 2001, c.25, as amended, authorizes municipalities to pass by-laws regarding the accountability and transparency of the municipality and its operations;

And whereas Section 270 (1) 5 of the Municipal Act, 2011, c.25, as amended authorizes the municipality to adopt and maintain policies with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public;

And whereas the Council of the Corporation of the Town of South Bruce Peninsula adopted a Municipal Policy Manual and desires to amend said by-law by adding a policy regarding banners.

Now therefore the Council of the Corporation of the Town of South Bruce Peninsula enacts as follows:

1) That the policy named Banners, as attached hereto, shall be numbered appropriately and shall hereby be included in the Municipal Policy Manual.

2) That all by-laws and policies inconsistent with this by-law are hereby repealed.

3) That this by-law shall come into full force and effect upon the final passing thereof.

Read a first and second time this 21st day of June, 2016.

[Signatures]

Mayor

[Signatures]

Clerk

Read a third time and finally passed this 21st day of June, 2016.

[Signatures]

Mayor

[Signatures]

Clerk
Banners

Purpose:

To provide the terms and conditions which govern the attachment of banners to Town infrastructure.

Policy:

Definitions

Banners for the purpose of this policy shall mean a strip of cloth or other material containing words and photos which is strung between two poles in a public place.

Community Event for the purpose of this policy shall mean an event held within the physical boundaries of the Town of South Bruce Peninsula which may be attended by any member of the community and is approved by Town staff to be an event having benefit for the Town of South Bruce Peninsula community as a whole.

Home Base for the purpose of this policy shall mean the headquarters; the primary meeting, planning and administrative location for an organization.

1. Location of Banners

1.1 In various locations, streetlight standards are equipped to hold vertical banners.

1.2 In select location, banners may be secured between light standards so that they stretch overhead from one side of a street to another.

1.3 Other locations not mentioned herein may be approved by the Town in their sole discretion.

2. Who May Advertise

2.1 Non-profit groups and organizations hosting a community event to be held in the Town of South Bruce Peninsula may make requests to display advertising.

2.2 No businesses or for-profit groups or organizations within the Town of South Bruce Peninsula or outside of the Town of South Bruce Peninsula will be permitted to display advertising.
2.3 No non-profit groups or organizations will be permitted to display advertising for a community event being held outside of the Town of South Bruce Peninsula unless the community event is sponsored in whole or in part by a non-profit group or organization with a home base in the Town of South Bruce Peninsula.

3. Making an Application

3.1 Non-profit groups and organizations meeting the criteria outlined in Section 1 of this policy may make application for advertisement by submitting a completed application on the prescribed form to Town Hall.

3.2 Applications must be received a minimum of sixty (60) days prior to the requested installation date.

3.3 Applications will be received and approved on a first-come first-served basis.

3.4 Applications will include the preferred installation date and the end date of the community event.

3.5 Applications will include the number of banners which the applicant wishes to have installed, the preferred location and the preferred length of time the banner will remain in place.

4. Advertising Content and Approval

4.1 Advertising will not contain any message which would violate the Ontario Human Rights Code, contain any offensive language or graphics or otherwise contain any information deemed inappropriate by Town staff, in their sole discretion.

4.2 Proposed banner designs will be provided to the Town and will include all proposed graphics, slogans, colours and other content.

4.3 Final design will be approved by the Town. Where the applicant does not agree to the final design approved, no banner will be displayed.
4.4 Depending on the location for installation, the Town will provide the applicant with the information about the size of banner and type of material which will be required.

4.5 The Town will approve a location or locations and will also approve a length of time for the banner to remain in place.

4.6 Subject to the provisions contained herein, the applicant will order and pay for the banner to be made. Applicants must not order any banner until final design approval is received from the Town.

4.7 If the same banner is to be used in any subsequent year, future use will be subject to the condition of the banner and all other provisions herein.

5. Advertising Display

5.1 The applicant will provide the banner to the Town for installation.

5.2 The Town will install or arrange for the installation of the banner in the location approved by the Town. The Town will use any method required to ensure that the banner is installed and secured to the Town infrastructure.

5.3 Banners will not be permitted to be displayed for a period of longer than two (2) months unless expressly permitted by Town staff, in their sole discretion.

5.4 Banners must be in good repair. The Town will take all reasonable precautions to ensure that the banners are not damaged however no guarantee will be given. Damaged banners will not be displayed. Banners will be removed if they sustain damage. The Town will make no compensation for any damaged banners.

5.5 The Town will remove the banners from the Town infrastructure.

5.6 The Town will contact the applicant and notify the applicant to pick up their banner. The Town will not store any banner.

5.7 Banners not picked up by the applicant within seven (7) days of contact by the Town will be disposed of by the Town, in their sole discretion.
6. **General Provisions**

6.1 There is no guarantee from year to year that any banner will be installed or reinstalled. An application and Town approval is required each year.

6.2 No banner will be installed or reinstalled without the submission of an application and approval as outlined herein.

6.3 In the case of an emergency or scheduling difficulty, the Town does not make any guarantee that any banner will be installed on any particular date, despite any request or communication.

6.4 Where the Town infrastructure is damaged or unable to sustain the banner, there is no guarantee that banners will be installed or that banners once installed will remain installed (ie. if the banner falls down due to an act of vandalism or an act of God).

6.5 An application form will be available from the Town in the manner and in such format as is deemed appropriate by the appropriate Department Head.

6.6 The Town makes no representation with respect to the location of any Town infrastructure upon which banners are placed under this policy.

6.7 There will be no charge for the installation or removal of banners.