

Subject: FW: Notice of Motion Report Councillor Crist;

Date: Mon, 17 Jun 2002 23:43:55 -0700

From: Ernie Crist <ernie_crist@dnv.org>

To: "FONVCA (E-mail)" <fonvca@fonvca.org>


A MESSAGE FROM ERNIE CRIST:

The Motion below was on the Council Agenda of June 17 but was not seconded with the result that there was no further action. Indeed I was not even allowed to explain the motion to the audience.

Ernie Crist.

> *From: Ernie Crist*
> *Sent: Monday, May 27, 2002 2:48 PM*
> *To: Nathalie Valdes*
> *Cc: FONVCA (E-mail)*
> *Subject: Notice of Motion Report Councillor Crist;*
>
> *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:*
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>
> *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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