

BY-LAW CONCERNING THE INSTALLATION OF SIGNS, POSTERS no. 673

Whereas in virtue of articles 414(7), 415(16) and 415(36) of the Cities and Towns Act, Chapter C-19, of the Lois renfondus du Quebec 1977, and its amendments, the Municipal Council of the Town of Hampstead has the power to adopt a by-law concerning the installation of signs and posters in the Town;

Whereas it is in the interest of the Town of Hampstead to adopt a by-law concerning the installation of signs and posters in the Town;

Whereas a notice of motion was presented to Council at a Special meeting of the Council of the Town of Hampstead held on October 5th, 1992;

That it be enacted and ordained by the present by-law of the Town of Hampstead the following by-law as follows:

BY-LAW 673

CHAPTER I ADMINISTRATIVE DISPOSITIONS AND INTERPRETATIONS

1.1. The present by-law will be called "By-law concerning the installation of signs and posters"

1.2 **Titles contained in the By-Law**

The titles contained in the By-law form an integral part for all legal purposes, in the case of conflict between the written text and the titles, the written text prevails.

1.3 **Interpretation**

The word "property" includes all properties of the Town, buildings, or any other objects and to these purposes, with no limitations.

The word "pole" includes any pole which does or does not belong to the Town but which is situated on a parcel of land belonging to the Town.

The words "competent authority" includes the designation of a person who is charged with the enforcement of the present by-law by the Council of the Town of Hampstead.

CHAPTER II OBLIGATION TO OBTAIN A PERMIT

Whosoever wishes to post a sign, poster, ad, or any other printed matter in the roads, avenues, lanes, sidewalks, land or other public places of the Town, on poles installed on the property of the Town must obtain beforehand a permit from the Town.

As for the permit which is required by the present, it will be issued upon the following conditions:

- A) The applicant, if a natural person, must be of full age, and if the applicant is a legal person their representative must be of full age.
- B) If the applicant is acting on behalf of a non-profit organisation, he must deposit at the same time as his request:
 - 1) proof that he is authorized to act on behalf of the organisation;
 - 2) copy of the charter of the organisation
 - 3) a detailed description of the ad, poster, sign or other printed matter of which he desires to install.
 - 4) the period of time, the names of roads or sectors whereby the ads, posters, signs or other printed matter will be installed
 - 5) The applicant must furnish to the competent authority any other supplementary information which would be useful to the study of his request
 - 6) The fees required for the issuance of a permit to anyone who would want to install ads, posters, signs or other printed matter are:
 - \$ for a permit issued, per week for a maximum of four consecutive weeks
 - \$ 0.00 for permits issued as per the Elections and Referendums Act
 - 7) No permit will be issued unless all the above conditions have been met
 - 8) Under no circumstances, a permit will be issued for the following reasons:
 - a) garage sales

CHAPTER III

POWERS OF THE TOWN AND PENALTIES

1. Nuisances and infractions

Constitutes a nuisance and an infraction to the present by-law and renders the fines hereby provided the fact of anyone:

- a) to install a sign, poster, ad or other printed matter for which a permit is required in virtue of the present by-law without having beforehand obtained a permit to this effect, or that the permit has expired
- b) not removing, eliminating, destroying a sign, poster, ad or other printed matter on the date provided for in the permit.

2. Powers of application

Whosoever creates or occasions a nuisance as provided under the present by-law must, upon the orders of the competent authority and within the delays prescribed by him in a written notice to this effect remove, eliminate, destroy the nuisance, and in default of anyone in complying with the orders within the required delays, the competent authority could authorize all necessary work to remove, eliminate or destroy the nuisance and this, at the cost to the offenders.

3. Fines

Whosoever contravenes a provision of the present by-law, commits an infraction and is liable to a fine with or without costs. The fine must not be less than one hundred (\$100.00) dollars and must not exceed for a first offense: one thousand (\$1,000.00) if the offender is a natural person, or two thousand (\$2,000.00) dollars if the offender is a legal person.

For a second or subsequent offense, the fine must not exceed: two thousand (\$2,000.00) dollars if the offender is a natural person or four thousand (\$4,000.00) dollars if the offender is a legal person.

4. Rights of recourse

Nonobstaining the rights of recourse of penal actions, the Town of Hampstead could exercise in front of the Civil tribunals all the necessary recourses to have the dispositions of the present by-law respected, when the Council has judged necessary or by accumulation.

5. Penal Actions

Penal actions will be undertaken for and under the name of the Town by the designated competent authority.

CHAPTER IV

COMING INTO FORCE

The present by-law will come into force according to law.

Done in Hampstead,

this 14th day of December 1992

Mayor

Town Clerk