

Response to EC12.8: Clarification on Municipal Licensing and Standards' Poster Enforcement Policies and By-laws - Rules Governing Affixing and Removal of Posters

Date: April 29, 2024

To: Economic and Community Development Committee

From: Executive Director, Municipal Licensing and Standards

Wards: All

SUMMARY

This report responds to the Council directive for the City Manager and the Executive Director, Municipal Licensing and Standards (MLS) to review and clarify the regulations under Chapter 693, Signs, Article IV Posters on Public Property, and process for affixing and removing posters on utility poles, kiosks, and other structures.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards recommends that:

1. The Economic and Community Development Committee receive this report for information.

FINANCIAL IMPACT

There are no current or known future year financial impacts arising from the recommendations contained in the report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact Statement.

DECISION HISTORY

At its meeting of March 20 and 21, 2024, City Council referred [Item 2024. MM16.15 - Clarification on Municipal Licensing and Standards Poster Enforcement Policies and By-laws - Rules Governing Affixing and Removing Posters](#) to the Economic and Community Development Committee. This Item directs the City Manager and MLS to review and clarify the policy for affixing and removing community posters on utility

poles, kiosks, and other structures and report back to the Economic and Community Development Committee by July 2024.

COMMENTS

Current Regulations

Chapter 693, Signs, Article IV ("Postering By-law") regulates posters on public property. A poster is defined as any device, structure, or medium that uses any colour, form, graphic, illumination, symbol, or writing to convey information of any kind to the public including but not limited to an advertisement, bill, handbill, leaflet, flyer, placard, and includes community poster. The Postering By-law prohibits any person from attaching, placing, or displaying any poster on, over or to any structure or thing located on land owned by the City of Toronto, or any of its agencies, boards, or commissions unless authorized by the City.

There are exceptions to this general prohibition. Despite the above, the Postering By-law authorizes certain posters to be displayed on kiosks, or designated structures approved by the City for the purpose of posting posters provided that specific regulations are met. Furthermore, community posters are authorized on utility poles, provided that specific regulations are met. A community poster is defined as a poster identifying missing persons, pets, or items, or promoting citizen participation in religious, civic, charitable, or non-profit activities such as advertising festivals, community events, local artistic and cultural events, local community services, and political ideas.

Posters on kiosks and community posters on utility posters must comply with regulations related to the size, material, placement, and display period, and must include valid contact information of the owner. These regulations aim to minimize community nuisance and public safety hazards (i.e. blocking sight lines or causing distractions) while allowing residents, community organizations, religious organizations, and schools to promote civic and community events.

The Postering By-law does not regulate the content of posters, but where a poster may not comply with criminal provisions, the police may review the poster and work with the City on appropriate further action.

Process for Poster Removal

The Postering By-law has regulations related to the removal of posters. The City, or the owner of a utility pole, may at any time and without notice, remove any poster for periodic cleaning or maintenance operations. The City may, at any time and without notice, remove any poster that contravenes the Postering By-law.

MLS enforcement of the Postering By-law is complaints-based, and each complaint is addressed on a case-by-case basis. If the owner of the poster can be identified, MLS will undertake compliance efforts to prevent illegal postering in the future.

After investigation, the posters are removed with support from Solid Waste Management Services and Transportation Services:

- If the poster is placed 6 feet high or less, MLS will send a request to Solid Waste Management Services for its removal; and
- If the poster is placed higher than 6 feet, MLS will send a request to Transportation Services for its removal.

Where posters may contain hate propaganda, residents should contact the Toronto Police Service (TPS), who will investigate the potential criminal offence. Where appropriate, TPS will then work with City divisions for the removal of a poster. Where there is a complaint received through 311 regarding posters with hate propaganda, By-law Enforcement Officers (BEOs) will notify their supervisor to take appropriate action, including potential consultation with Legal Services and notification to TPS.

Staff encourage residents to contact 311 regarding posters on public property that may be in contravention of the Postering By-law. When complaints are received through 311, BEOs can investigate the complaint based on the Postering By-law and take appropriate enforcement action, including coordinating removal and disposal.

Amendments to Chapter 693, Signs

In June 2023, City Council adopted amendments to Chapter 693, Signs ([2023.EC4.6](#)). The newly amended Chapter 693, Signs, Election, and Temporary, which will see changes to the postering provisions takes effect on June 3, 2024. The general prohibitions and exceptions for community posters and posters on kiosks will remain the same, including the regulations related to the size, material, placement, and display period. Posters will now be subject to the same general regulations for all temporary signs, including that they explicitly must comply with all applicable city by-laws, federal, or provincial statutes and regulations.

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SIGNATURE

Carleton Grant
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