RE: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (Our File: TW/043/2016)

On June 8, 2016, the Department of Transportation and Works received your request for access to the following records/information:

Communications -- in any and all formats, including paper and electronic -- between officials in the department and external organizations including Memorial University, Newfoundland Power and/or Newfoundland Hydro, related to the removal of posters and/or ownership or jurisdiction over light poles. Date range of request is Saturday, June 4 through Tuesday, June 7 inclusive.

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Transportation and Works to provide access to some of the requested information. In particular, access is granted to the following records:

1. Responsive emails regarding the removal of posters.
2. Responsive email attachments regarding the removal of posters.

Please note that pages 2 - 4 of the document contain emails sent by the Director of Communications for Transportation and Works to inform the executive of questions asked and responses given during question period.

Access to the remaining records, and/or information contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

P.O. Box 8700, St. John’s, NL, Canada, A1B 4J6
40. (1) – The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible.

In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL A1B 3V8
Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact the undersigned by telephone at (709) 729-5351 or by e-mail at FrankWalsh@gov.nl.ca.

Sincerely,

Frank Walsh
ATIPP Coordinator
Department of Transportation and Works
Enclosures
Disclosure harmful to personal privacy

40. (1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

(2) A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy where

(a) the applicant is the individual to whom the information relates;

(b) the third party to whom the information relates has, in writing, consented to or requested the disclosure;

(c) there are compelling circumstances affecting a person's health or safety and notice of disclosure is given in the form appropriate in the circumstances to the third party to whom the information relates;

(d) an Act or regulation of the province or of Canada authorizes the disclosure;

(e) the disclosure is for a research or statistical purpose and is in accordance with section 70;

(f) the information is about a third party's position, functions or remuneration as an officer, employee or member of a public body or as a member of a minister's staff;

(g) the disclosure reveals financial and other details of a contract to supply goods or services to a public body;

(h) the disclosure reveals the opinions or views of a third party given in the course of performing services for a public body, except where they are given in respect of another individual;

(i) public access to the information is provided under the Financial Administration Act;

(j) the information is about expenses incurred by a third party while travelling at the expense of a public body;

(k) the disclosure reveals details of a licence, permit or a similar discretionary benefit granted to a third party by a public body, not including personal information supplied in support of the application for the benefit;

(l) the disclosure reveals details of a discretionary benefit of a financial nature granted to a third party by a public body, not including

(i) personal information that is supplied in support of the application for the benefit, or
(ii) personal information that relates to eligibility for income and employment support under the Income and Employment Support Act or to the determination of income or employment support levels; or

(m) the disclosure is not contrary to the public interest as described in subsection (3) and reveals only the following personal information about a third party:

(i) attendance at or participation in a public event or activity related to a public body, including a graduation ceremony, sporting event, cultural program or club, or field trip, or

(ii) receipt of an honour or award granted by or through a public body.

(3) The disclosure of personal information under paragraph (2)(m) is an unreasonable invasion of personal privacy where the third party whom the information is about has requested that the information not be disclosed.

(4) A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy where

(a) the personal information relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation;

(b) the personal information is an identifiable part of a law enforcement record, except to the extent that the disclosure is necessary to dispose of the law enforcement matter or to continue an investigation;

(c) the personal information relates to employment or educational history;

(d) the personal information was collected on a tax return or gathered for the purpose of collecting a tax;

(e) the personal information consists of an individual's bank account information or credit card information;

(f) the personal information consists of personal recommendations or evaluations, character references or personnel evaluations;

(g) the personal information consists of the third party's name where

(i) it appears with other personal information about the third party, or

(ii) the disclosure of the name itself would reveal personal information about the third party; or

(h) the personal information indicates the third party's racial or ethnic origin or religious or political beliefs or associations.
(5) In determining under subsections (1) and (4) whether a disclosure of personal information constitutes an unreasonable invasion of a third party’s personal privacy, the head of a public body shall consider all the relevant circumstances, including whether

(a) the disclosure is desirable for the purpose of subjecting the activities of the province or a public body to public scrutiny;

(b) the disclosure is likely to promote public health and safety or the protection of the environment;

(c) the personal information is relevant to a fair determination of the applicant's rights;

(d) the disclosure will assist in researching or validating the claims, disputes or grievances of aboriginal people;

(e) the third party will be exposed unfairly to financial or other harm;

(f) the personal information has been supplied in confidence;

(g) the personal information is likely to be inaccurate or unreliable;

(h) the disclosure may unfairly damage the reputation of a person referred to in the record requested by the applicant;

(i) the personal information was originally provided to the applicant; and

(j) the information is about a deceased person and, if so, whether the length of time the person has been deceased indicates the disclosure is not an unreasonable invasion of the deceased person’s personal privacy.
TW/043/2016

Removal of Posters

Table of Contents:

- Responsive email and email attachments on the removal of posters.
Fyi

Sent from my BlackBerry 10 smartphone on the Bell network.

Original Message
From: Howard, Jacquelyn <jacquelynhoward@gov.nl.ca>
Sent: Tuesday, June 7, 2016 2:15 PM
To: Companion, Lori Anne; Grandy, Cory; Fancey, Jody
Cc: Power, Bradley
Subject: Re: QP on Posters

Why were resign taken down when others were not touched.

Good Q. I asked that question myself this morning. The director was in montreal, he was phoned, didn’t discuss any other signs. I have no reason to question that. That’s why we need clear policy in place. And we will do that.

Communications
Executive Council
Government of Newfoundland and Labrador
P.O.Box 8700
St.John’s, NL
Canada
A1B 4J6

----- Original Message -----​
From: Howard, Jacquelyn
Sent: Tuesday, June 07, 2016 02:13 PM
To: Companion, Lori Anne; Grandy, Cory; Fancey, Jody
Cc: Power, Bradley
Subject: Re: QP on Posters

Back to poster issue. Minister says no real policy. If no policy, why were they removed?

As I have stated, it was operational. We have pippy park. Since yesterday, we have reached out to city and pippy park....that’s an exercise we will continue to do. We need clear policies. That will be my intent to develop.

Communications
Executive Council
Government of Newfoundland and Labrador
P.O.Box 8700
St.John’s, NL
Canada
A1B 4J6

----- Original Message -----
From: Howard, Jacquelyn  
Sent: Tuesday, June 07, 2016 02:12 PM  
To: Companion, Lori Anne; Grandy, Cory; Fancey, Jody  
Cc: Power, Bradley  
Subject: Re: QP on Posters

24 snow clearing eliminatd, libraries closed, how can you justify that expense to pull down posters?

Min says employee made judgement call, operational and had been done previously. Following what they thought was regular and that's about as much as I can say.

First they cut snacks and stickers. Today you cut funding for teddy bears picnic. Is your gov completely out of control?

Communications  
Executive Council  
Government of Newfoundland and Labrador  
P.O.Box 8700  
St.John's, NL  
Canada  
A1B 4J6

----- Original Message -----  
From: Howard, Jacquelyn  
Sent: Tuesday, June 07, 2016 02:09 PM  
To: Companion, Lori Anne; Grandy, Cory; Fancey, Jody  
Cc: Power, Bradley  
Subject: Re: QP on Posters

Minister says they are on routine contract and they could have been fixing a roof last night. Knows they haven'y taken any signs down. Contractor is kelloway construction.

Communications  
Executive Council  
Government of Newfoundland and Labrador  
P.O.Box 8700  
St.John's, NL  
Canada  
A1B 4J6

----- Original Message -----  
From: Howard, Jacquelyn  
Sent: Tuesday, June 07, 2016 02:08 PM  
To: Companion, Lori Anne; Grandy, Cory; Fancey, Jody  
Cc: Power, Bradley  
Subject: Re: QP on Posters

What's name of company and have they done any work since the initial job?

Communications  
Executive Council  
Government of Newfoundland and Labrador  
P.O.Box 8700  
St.John's, NL  
Canada  
A1B 4J6
----- Original Message ----- 
From: Howard, Jacquelyn 
Sent: Tuesday, June 07, 2016 02:07 PM 
To: Companion, Lori Anne; Grandy, Cory; Fancey, Jody  
Cc: Power, Bradley  
Subject: QP on Posters 

Who in gov ordered posters removed?

Answer no different. Management personell made. I have spoken to the employee and undrstands sensitive issue should come to me. He was just exercising what he felt was right to do.

TW engaged private contractor? Has this contractor done any work since this initial work?

Minister tables quote.  
Communications  
Executive Council  
Government of Newfoundland and Labrador  
P.O.Box 8700  
St.John’s, NL  
Canada  
A1B 4J6
Roberts, Dave

From: Roberts, Dave
Sent: Tuesday, June 07, 2016 1:20 PM
To: Companion, Lori Anne; Howard, Jacquelyn
Subject: FW: Scan From Kelloway Construction
Attachments: doc05227020160606153503.pdf

----- Original Message ----- 
From: Roberts, Dave
Sent: Tuesday, June 07, 2016 11:44 AM
To: Grandy, Cory
Subject: FW: Scan From Kelloway Construction

Cory
Invoice attached.
Dave

----- Original Message ----- 
From: Davis, William G
Sent: Tuesday, June 07, 2016 11:43 AM
To: Roberts, Dave
Subject: FW: Scan From Kelloway Construction

Dave:
Invoice from Kelloway's

William G. Davis
Area Manager
Mt. Scio Central
Avalon Region, Works Division
Transportation and Works
P. O. Box 8700
St. John's, NL, Canada
A1B 4J6

T: 709.729.3378
C: 709.685.2905
F: 709.729.0036
E: williamgdavis@gov.nl.ca
www.gov.nl.ca

----- Original Message ----- 
From: Roberts, Dave
Sent: 06 June, 2016 3:35 PM
To: Davis, William G
Subject: Scan From Kelloway Construction

Thank You
-------------
FS-3640MFP
[00:c0:ee:9b:1e:dc]
-------------
Sold To:
Dept. of Work Services & Transport. Avalon Region
P.O. Box 8700
St. John's, NL A1B 4J6

Ship To:
Dept. of Work Services & Transport. Avalon Region
PO # 216011968

Quote No.: 216011968
Date: 06/06/2016
Page: 1
Ship Date:

Business No.: 889001087RP0001

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<td></td>
<td>To supply labor to remove signs at Conderation building and surrounding area</td>
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<td>180.00</td>
<td></td>
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<td></td>
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<td>G - GST 13.00%</td>
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<td></td>
<td></td>
<td>GST</td>
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Shipped by

Comments

Sold By:

Total Amount 203.40
Information

This notification has been closed and did not require a response.

Standard Purchase Order 216011968 has been approved

From: Davis, William
To: Davis, William
Sent: 06-Jun-2016 15:21:46
Closed: 06-Jun-2016 15:23:38
ID: 5822115

Responder
Standard Purchase Order 216011968 has been approved.

Standard Purchase Order 216011968 Amount: CAD 180.00;
Tax: CAD 0.00.
Supplier: KELLOWAYS CONSTRUCTION LTD
Supplier Site: POR-1388 PORTUG
Description: Confed Bldg - Sign removal

Preparer: Davis, William

Note:

Purchase Order Lines

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<th>Item Description</th>
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<td>Please remove signs on utility poles on Parkway and Allendale Road as per telephone request. (0648-1002)</td>
<td>EACH</td>
<td>180</td>
<td>1.00</td>
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Approval Sequence

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<td>Davis, William G</td>
<td>Approve</td>
<td>06-JUN-2016</td>
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References

- Edit Document
- View Document Details
Thanks for the quick response. Much appreciated.

Dave

Dave,

Signage is not discussed in the Pippy Park Commission Act but it is in the Pippy Park By-Laws (http://www.assembly.nl.ca/Legislation/sr/Regulations/rc960967.htm). Section 3c states that “In the park area, a person shall not display or exhibit a notice, poster, advertisement or sign without a permit.”

I have also attached a working policy that the Commission has on assessing signage requests.

As we discussed, temporary signage is sometimes put in place in the Park without permits and we have not always removed it or requested an application (E.g. federal, provincial, and municipal election signage, few, small business signs). If any sign is deemed to be a hazard or covers park signage it has been removed.

Please feel free to call me if you would like to discuss this further,

C.A. Pippy Park Commission  
P.O. Box 8861, Mount Scio House  
St. John's, NL A1B 3T2  
709- (w)  
709- (c)  

709- (w)  
709- (c)  

709- (w)  
709- (c)  

s. 40(1)
Dave,

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Please feel free to call me if you would like to discuss this further,

C.A. Pippy Park Commission
P.O. Box 8861, Mount Scio House
St. John’s, NL A1B 3T2
709- 
709- (w)
709- (c)
Rick Mercer

From: [Redacted]
Sent: Tuesday, August 10, 2010 11:40 AM
To: Rick Mercer; [Redacted]
Subject: PPC Signage Policy work 2004
Attachments: Signage Policy July 2004.doc

Here is work that [Redacted] and I did re developing a signage policy for Pippy Park.
SIGNS AND SIGNPOSTING for TOURISM and OTHER PURPOSES IN THE C. A. PIPPY PARK

1. INTRODUCTION

These notes have been written to help people who are thinking about using advertising or directional signs in C. A. Pippy Park. It is best to talk through ideas at an early stage either with the area planning officer at the C. A. Pippy Park (for advertising signs) or, for highways signs (e.g. ‘white and brown’ tourism signposting), the traffic manager of the highways authority. If you are unclear as to which category signs you are considering, make contact with the C. A. Pippy Park Commission in the first instance. Addresses and telephone numbers are listed on the back page.

The local economy relies heavily on tourism and adequate signing is important, however, as most visitors come to the area because of the quality of its landscape, it would be very shortsighted if those special qualities were destroyed by more signs and signposts. Tourism itself would suffer, the quality of life for many local residents would be lowered, and we may have spoilt the enjoyment of Pippy Park by future generations.

It is also vital that road safety is not adversely affected, as could be the case if there were too many signs.

Outdoor advertising is only one means of providing information which travellers require. The location of a facility or attraction, together with a route map, should be included in any literature such as brochures or advertisements. If the Internet is used for advertising, potential visitors can download and print a map if one is included on the site.

It is always good practice to include a location map with any booking confirmation or further details that are sent to potential visitors or guests.

The following pages outline policies that apply to C. A. Pippy Park. If you have any queries, please get in touch with the relevant contact.

2. TOURISM AND OTHER PURPOSES INCLUDES SIGNAGE AND SIGNPOSTING FOR:

A. Directional and Locational Signage – how to get to the Park or specific places in the Park.
B. Boundary Signage
C. Identification with Partner Institutions
D. Park Partner Signage
E. Commercial Signage – Commercial signage, eg for Tim Horton’s, for Macdonald’s, and other billboard-style signage used for commercial enterprises will not be acceptable, with the following exceptions:
   Non-Government Organizations
   Not-for-Profit Organizations
Commercial enterprises within the Park, such as the Fluvarium, the Golf Course, the Mini-Golf, the Trailer Park, Rainbow Riders
F. Temporary Event Signage
G. Traffic Signs
3) SIGNAGE AND SIGNPOSTING CHECKLIST

A) Is a sign necessary?
   $ Have I explored the alternative ways of communicating the information?

B) Will it be on the highway (e.g. along the Trans Canada, outer ring or arterial road)?
   $ If so a ‘white on brown, blue or green’ sign application will be necessary to the appropriate agency, e.g., the City or the Provincial Government.
   $ A fee would be payable for the application and, if successful, further payment will be required for the manufacture, erection and maintenance of the sign.

C) Will it be ‘off-the-highway’ (e.g. on private land, in a field, on a building, or along a roadway within the park)?
   $ If so, advertising regulations consent (or planning permission) may be required.
   $ Contact the area planning officer at the C. A. Pippy Park Commission.
   $ If an application is required, a fee will be payable.

D) An unauthorized sign, whether on or off the highway, may be a hazard. It could also result in prosecution. Unauthorized signs will be removed at cost to the sign owner.

E) If you have any doubt, contact the C. A. Pippy Park Commission.
3) SIGNAGE POLICY

Background

C. A. Pippy Park extends, in places, over land that accommodates developments and uses that require the erection and placement of signage. The continued growth of C. A. Pippy Park will see an increasing demand for advertising in the Park, and if not controlled, may adversely affect the visual amenity and public safety of the Park environment.

All commercial developments require signs. In most places contemporary signs are unsatisfactory; signs on one business tend to obscure signs on neighbouring business; a clutter of signs detracts from the overall presentation of the adjacent business premises, and the character and charm of a place, town or river environment can be lost. It is clearly desirable to develop a coherent and coordinated sign policy which not only ensures that advertising signs fulfil their function, but also that they do not detract from the perceived image of the place, town or river environment.

Controlling sign type, style and location will provide a mechanism for ensuring that the established character of a building, development, street scape, natural area or foreshore is not displaced or significantly altered by the impact of signage.

Kinds of Signage

A. Directional, Locational Signage – how to get to the Park or specific places in the Park. May need 10 signs or so.

For example, here are some spots around the city that should have the ‘How to get to Pippy Park’ message:

- Torbay Rd – entering the city
- Kenmount Rd entering the city
- Trans Canada Highway
- near Soldier’s Pond or Paddy’s Pond (to take Allandale Rd exit)
- Pitt’s Memorial Drive, as you enter the Harbourfront
- Just before Allandale Rd exit ramp.

All Grand Concourse Authority signage of the different paths/trails throughout the City should include signage indicating all points that lead to Pippy Park.

B. Boundary Signage – there should be some marker with PP logo at strategic places demarcating the extreme boundaries of the Park, including and especially the northern boundary. The sign could say ‘You are entering Pippy Park’. Boundary signage may consist of 6 – 8 signs. These would be at:

- Penetanguishene
- Parker’s Pond Road
- Grove’s Road
- Thorburn Road
- Torbay and Portugal Cove Road
• Pitcher’s Path
• Allandale Road
• Prince Philip Drive
• The top of Nagles Place or Ridge Rd where people go to ski and walk their dogs off leash.

C. Identification with Partner Institutions, such as the College of the North Atlantic, MUN, Confederation Bldg. Etc. These should have a small sign stating ‘A Partner in Pippy Park’ and/or our PP logo, at least at certain strategic locations on or near their respective grounds.

Two options:
1. Place our logo on their signage
2. Add additional signage with Pippy Park logo

D. Park Partner Signage – this is different from ‘C’ in that there would be two or three locations, along the Parkway, along the highway, explaining the multiple partners involved in making the land available to the public. This sign idea is similar to the signs you read upon entering a town, where you can see the logos of the various service organizations operating there, eg, Kiwanis, Rotary, the Water Buffalo Lodge – it makes you feel as if this town knows how to work together to get things done! The sign message could be ‘This Park is brought to you by… PPC, MUN, CONA, City of St. John’s, Govt of NL, etc – words could be replaced by logos.

E. Commercial Signage – Well with little deliberation, we agreed that commercial signage, eg for Tim Horton’s, for Macdonald’s, and other billboard-style signage used for commercial enterprises would not be acceptable, with the following exceptions:
  • Non-Government Organizations
  • Not-for-Profit Organizations
  • Commercial enterprises within the Park, such as the Fluvarium, the Golf Course, the Mini-Golf, the Trailer Park, Rainbow Riders
These groups need permanent, locational and temporary event signage.
In these cases the Commission would review signage requests, and using a set of criteria, be able to advise the groups.

F. Temporary Event Signage – this kind of signage seems to create the most friction, especially when they are the unattractive, wheeled black boards with Neon Letters attached. The events that we have considered appropriate include Pippy Park Days, Monte Carlo Days, the Rennies River Duck Race, and any other events that are occurring within the Park boundaries. We would like to see the construction of two large temporary event signs upon which space could be rented for a small fee. We could explain to all partners that ‘we have structures at locations A, B, C, D that we can make available – and, say, ‘Your sign has to be this size, pay a nominal fee.’

G. Traffic Signs – stop, go, pedestrian crossing, street signs – should we have all the streets within the park have a unique street sign style? Cost prohibitive and difficult to monitor for vandalism, but a neat idea. After our discussion with the Partners in January, I think we have some clear ideas about what the City will do, what the Province will do and that they would be very cooperative with our requests, but that we must make the requests.


**Signage Character**

Signage has a number of elements, both individually and combined, that determine its impact. These elements include:

1. **Typefaces**

Typefaces of advertising signs generally varies from one business to another and this variance, if well planned can create an interesting and creative environment. However, the opposite may result where signage is overly wordy, or crowded with information and product advertising. “Less is more” is considered to best describe successful advertising signage.

The standard treatment of letters in terms of size or colour is one mechanism which can be used to enhance the visual amenity of an area, providing an enhanced identity for a locality.

2. **Size, shape and location of Advertising Signage**

Signs generally need to be considered in association with the overall colour, scale, design and identifying theme of the locality in which it is proposed, so that the overall impact of the collective advertising is appropriate and sympathetic to the locality.

Advertising signage should endeavour to “fit” the landscape. The landscape rather than that individual building or development should be the context of assessment for signage proposals in the natural environment.

3. **Colour Scheme**

When selecting colours for signage, there needs to be a balance between the development or use being advertised, its surroundings and other developments; the locality and the environment in general. Simple co-ordination of colours in a street scape or landscape is desirable.

4. **Quantity**

Generally, too many signs create clutter visually and physically. Excessive signage detracts from the visual amenity of a locality. Signage for a development or use should preferably be all encompassing and not ad-hoc.

5. **Illumination**

Illumination of signage creates a light enhanced or flashing sign. Illumination may adversely impact on pedestrian or vehicular safety, and the amenity of the locality. In general, the light source should be as inconspicuous as possible. Flashing lights, dynamic illumination effects and clashing colours should be avoided.

6. **Corporate Images**
Corporate symbols and images can be large and obtrusive. Corporate symbols should be considered in relation to the total environment in which they are located.

Without limiting the generality of the matters which may be taken into account when considering an application to erect, place or display advertising signage, the Commission will examine such applications in the light of the intent of this policy, with particular reference to the character and the amenity of the locality within which the signage is to be displayed, including its historic and landscape significance, and the effect on both pedestrian and vehicular safety, the amenity of adjacent areas, and the maintenance of such signage.

**Objectives**

The objectives of the policy are to:

- Maintain a high standard of design and integration of outdoor advertising signage to protect and enhance the visual amenity of the Park environment;
- Rationalization of advertising signs on individual structures and within specific locations or precincts in order to maintain the established character of the location or precinct and to minimize signage clutter; and
- Discourage advertising signs that are misleading or dangerous to pedestrian and/or vehicular movement, superfluous or detrimental by virtue of their number, position, colour(s), height, prominence, visual impact, size, illumination and relevance to the premise(s) or location to which they are associated.

**Policy**

1. Without limiting the intent and content of this policy, the Commission encourages advertising proposals to incorporate the following design principles:

- Use symbols and graphics and minimal wording to convey information;
- Compliment the character of the locality (built form and landscape), and harmonize with the Park environment in its design, scale, size and colour;
- Utilize non-obtrusive and common support structures for signage to minimize clutter and reduce the total number of signs in the locality or precinct.

2. Advertising signage will need to reflect the function or purpose of the approved business, development or use in the locality. The Commission discourages advertising signage within its management area that:

- Does not advertise the approved and existing use of the site.
- Is not directly related to the Park or approved Park activities;
- Includes pricing details and excessive, unrelated product advertising.
3. Advertising, which in the opinion of the Commission, would be likely to significantly alter or adversely affect the established amenity of a locality or the anticipated future amenity of a locality (taking into consideration future planning projections or proposals) will not be supported.

4. Advertising signage should not have the potential to endanger or impede public access, maritime or vehicular traffic safety by virtue of its location, colour, height, prominence, visual impact, size, illumination or inscription.

5. Roof or skyline signage, billboard advertising and constant and flashing illuminated signage will not generally be supported by the Commission where, in the opinion of the Commission:

$ the advertising dominates the site or the landscape;
$ may adversely affect the amenity of the area; or
$ can pose a safety hazard to the public, maritime or vehicular traffic.

For the Commission to consider an application for such signage, an applicant will have to demonstrate to the satisfaction of the Commission:

$ the justification and need for such signage over less obtrusive signage;
$ that the signage will not adversely affect the established amenity of the area or locality; and
$ that the signage will not endanger or impede public access, maritime and vehicular traffic safety.

6. **In the opinion of the Commission, where a proposal for an advertising sign has the potential to impact on an area or locality, or the public of an area or locality, the Commission may require that the proposal be advertised for public information and comment in accordance with Section ____ of the C. A. Pippy Park Act and that the proponent is to pay the costs of the advertising.**

7. Where signage is proposed in an identifiable commercial area, the Commission shall have due regard for any existing adopted guideline.

In cases in which guidelines do not exist, the Commission will require the applicant to demonstrate the following:

$ that the signage does not adversely impact the Park’s environment;
$ it is not obstructive with navigation or public safety
$ signage must not advertise products or services unrelated to the general commercial purpose of the area
$ compliments the character of the area by using materials and design compatible with the commercial area and harmonizes with Park’s environment.

8. As part of its consideration of any application, the Commission may seek advice from
any agency or organization which it considers has a legitimate interest in the application. In relation to fuel storage tanks, it is expected that the following authorities/organizations would be consulted:

- Landowner
- Main Roads Department
- Local Government

9. All other City ordinances applicable to the area must be followed and are in no way preempted or superseded by these guidelines. It is the responsibility of the property owner to see that all is in accordance with, but not limited to Zoning and Urban Renewal requirements.

10. The Commissioners will consider the following in the review of proposed signs:

- the way in which the sign relates to the building, in size, colour, details and materials
- the way in which the sign relates to the adjacent buildings and signs on those buildings
- the way in which the sign is to “be attached to the building” to achieve both safety and good design
- the durability of materials
- the clarity of lettering and graphics in terms of their size, style, colour, and contrast with the background
- the way in which the proposed lighting will affect the building and adjacent buildings.

11. All lighting and electrical elements shall be concealed from view as much as possible.

12. Flat signs shall be placed parallel to the building fact and shall not project more than 8" from the surface of the building.

13. Signs attached at right angles to a building are permitted provided that there is no more than one such sign for each entrance door and it projects no more than three feet across a building line. The proposed bracket or fixture must be considered as well.

14. Flashing or moving signs are not allowed.

15. Temporary signs will not be approved for periods longer than 30 days - 3 months??

16. Flags and banners will be reviewed to assess their compatibility with the use and architectural design of adjacent buildings. Banners will not be approved in predominantly residential areas. Flag and banner designs must be decorative in nature.

17. Decals are permitted if they are kept small and neatly displayed.
18. Carefully designed non-flashing neon signs that are compatible in size and placement with the architectural style of a building will be considered.

19. Acceptable lighting methods include recess downlights or wallwashers; shielded fluorescent lamps diffusers “gooseneck” incandescent on bent metal tube arm; and internally-illuminated box sign. Unacceptable lighting includes exposed fluorescent lighting; exposed quartz or mercury vapour lamps; exposed incandescent lamps other than low-wattage, purely decorative lighting.

20. Proposals for canopies and awnings will be considered if there is a clear need for this type of installation. Design must be compatible with the architectural style and materials of the building and adjacent buildings.
Signage Review Process

1. All signage requests will be reviewed using the previous sets of criteria.
2. Requests must be received before sign is erected.
3. Request must include graphic details, a visual representation of the sign and a commitment that it will not contain corporate advertising for other than Park Partners.
4. Signage requests will be reviewed by signage committee with a commitment for a two week turnaround.
5. Signs not receiving approval will be removed at owner's expense.
Bill,

We were all in a Commission meeting this morning. Sorry for the delay.

I just got off the phone with Dave Roberts and believe I have answer your questions but feel free to call me. I am in my office and can be reached at [contact information removed].

Thanks,

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C.A. Pippy Park Commission
P.O. Box 8861, Mount Scio House
St. John's, NL, A1B 3T2

Could you give me a call asap, I have a request that is time sensitive.
Dave:

Could you give me a call.

I spoke with [Name] at Pippy Park, he says there is a bylaw in the Commission bylaws about pole signage inside Pippy Park. He will hunt for it and get it sent by email to me. Pippy Park extends from Avalon Mall to Holiday Inn and to the Golf Course. Signs can only put on poles with permission from Pippy Park Commission.
Hi.

Please ensure minister has this info and follow up with pippy park if they have a policy on litter, etc.

Many thanks
LA

Sent from my BlackBerry 10 smartphone on the Bell network.

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Good Morning Peter:

Further to our discussion, I provide the following regarding light poles and City of St. John’s policy. I will provide further info as soon as I can:

i) The poles along the Parkway in front of Confederation Building are owned by Newfoundland Power. We are still trying to contact a person at Newfoundland Power to confirm their policy regarding placement of posters.

ii) The following is obtained from the City of St. John’s website regarding their downtown pole policy:

Flyers on Poles

To keep a clean appearance in our downtown core the City regularly installs sheathing (Tyvek) on downtown poles to place event and show posters on. The arts community, area businesses, and other interested parties should take notice that the removal of the Tyvek occurs on the 3rd Monday of each month (except February, April & December and holidays).
Tyvek will be removed and replaced from poles in 2016 on the following dates:

• January 18
• March 21
• May 16
• June 20
• July 18
• August 15
• September 19
• October 17
• November 21

Advertisers should also note that the removal and replacement of the Tyvek may take more than one day and the schedule may be delayed by adverse weather conditions.

Help us eliminate litter by making sure that your posters are securely attached and by using only the designated poles which have Tyvek attached to them.

This program is sponsored jointly by The Downtown Development Commission, Newfoundland Power and The City of St. John's.
According to a contact (though recently retired this person was confident in their understanding of this topic) we have at Newfoundland Power they advise that the poles along the Parkway in front of Confederation Building are owned by Newfoundland Power. The City of St. John’s pays Newfoundland Power for the lighting service. Permission is needed from Newfoundland Power to put things (such as posters/flyers) on poles owned by Newfoundland Power.

We are still trying to reach someone at City of St. John’s to get formal policy on flyers on poles in all areas. Below is info off the City of St. John’s website about flyers on poles in downtown.

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This program is sponsored jointly by The Downtown Development Commission, Newfoundland Power and The City of St. John’s.

If you require additional information please contact us by calling 311.

Litter Clean-Up
In 1991 the City of St. John's established St. John's Clean & Beautiful as the lead agency to promote a clean and beautiful city. Today the City of St. John's remains a major sponsor of the organization.

Among other things, St. John's Clean & Beautiful conducts 'Take Pride, Take Action', an annual five week campaign that runs from May 15th to June 15th that is designed to encourage citizens to organize litter clean-ups on their streets, in their neighbourhoods, on school grounds and surrounding areas.

We encourage you to participate in Take Pride, Take Action and to clean up your own area and the City as a whole. Get in touch with St. John's Clean & Beautiful by calling [phone number].

Street Cleaning

Street cleaning removes dirt and debris from City streets to provide an aesthetically pleasing and healthy environment for City residents and visitors.
http://www.curbitstjohns.ca/default.aspx?Content=Other_Services#flyers

Ann Marie Williams
Secretary to the Deputy Minister
Department of Transportation and Works
(709) 729-2445
williamsa@gov.nl.ca
Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45(2).