

THE CORPORATION OF THE TOWN OF SMITHS FALLS

BY-LAW NO. 10531-2024

BY-LAW TO ADOPT A LIGHTING OF MUNICIPAL ASSETS POLICY

WHEREAS Section 8 of the Municipal Act, SO 2001, 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 9 of the Municipal Act, SO 2001, as amended provides that Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS pursuant to Section 5(3) of the Municipal Act, 2001, as amended provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Smiths Falls enacts as follows:

1. THAT the Town of Smiths Falls adopt the Lighting of Municipal Assets Policy attached as "Schedule A" forming part of this by-law is hereby adopted.
2. THAT this by-law shall take effect on the date of its passing.

Read a first and second time this 4th day of March, 2024

Read a third time and passed this 4th day of March, 2024

Mayor

Clerk



SMITHS FALLS

RISE AT THE FALLS

LIGHTING OF MUNICIPAL ASSETS POLICY

POLICY STATEMENT

This policy sets out the requirements and process for the lighting of municipal assets within the Town of Smiths Falls.

PURPOSE

The purpose of this policy is to provide consistent direction, general principles, criteria, application process, and communications regarding the lighting of municipal assets.

APPLICATION

This policy is applicable to any person or organization who meet the criteria and are eligible to request the illumination in recognition of a cause, event, or commemoration of significance to the Town of Smiths Falls and its citizens.

GENERAL PROVISIONS

Lighting Requests

- a) All requests must be approved at the discretion of the Clerk, in collaboration with appropriate departments, and include the following:
 - 1.0 Name of organization/campaign or other
 - 2.0 Contact Information
 - 3.0 Details of organization/campaign
 - 4.0 Timeline of request for the illumination
 - 5.0 Colour of illumination requested
 - 6.0 Any other information requested by staff
- b) Lighting requests will be considered for the following:
 - 1.0 non-profit or charitable organizations that are community-focused;
 - 2.0 public awareness campaigns;
 - 3.0 Town of Smiths Falls sanctioned events;
 - 4.0 an event of international, national, or provincial significance.
- c) Lighting requests shall not be considered for the following:
 - 1.0 personal or private occasions (such as birthdays or anniversaries);
 - 2.0 commercial purposes;
 - 3.0 political parties, organizations, or events;
 - 4.0 religious organizations or the celebration of religious events;
 - 5.0 any purpose that is contrary to town policies or by-laws;
 - 6.0 any purpose that defames the integrity of the Town.

- d) Applications must be received at least 30 days prior to the requested light-up date. Any amendments to the original date requested must be received in writing no later than 14 days before the new date being requested.
- e) The Town reserves the right to deny requests if operational requirements conflict with the installation and/or operation of the lighting.
- f) All illuminations will be posted to the Town's official social media accounts and/or website. All other forms of publicity are the responsibility of the applicant.
- g) Requests are processed in the order in which they are received and are considered on a case-by-case basis.
- h) A new request must be initiated by the applicant each year and shall not automatically be held or reserved for the same date in a subsequent year.

Procedure

- a) All illuminations will take place at the Bandstand located in Town Square and/or the Municipal Complex at 77 Beckwith Street North, Smiths Falls.
- b) The Community Services Department shall be responsible for the provision, maintenance, and coordination of the illumination in accordance with this procedure. The Clerk's Office will keep all appropriate record keeping of all requests.
- c) Illuminations shall remain for the timeline that was approved by staff. Timelines approved may deviate from the timeline requested.
- d) Colour requests will be fulfilled as best as possible using the closest hue that can be achieved.
- e) The Town of Smiths Falls reserves the right to deactivate an illumination as required.

ENFORCEMENT

Responsibility for administering this policy shall be delegated to the Office of the Clerk. In the event there is a dispute between an outside organization and the Clerk as to the eligibility of a request, the appeal will be processed through Town Council and Council shall have full and final say as to whether or not the lighting request will be granted.