

BYLAW NO. 2100

A BYLAW OF THE CITY OF NORTH BATTLEFORD IN THE PROVINCE OF SASKATCHEWAN TO REGULATE TEMPORARY SIGNS.

WHEREAS pursuant to Section 8 of *The Cities Act*, Council has the general power to pass bylaws for city purposes that it considers expedient in relation to:

- i) the safety, health and welfare of people and the protection of people and property,
- ii) streets, including temporary and permanent openings and closings.

NOW THEREFORE the Council of the City of North Battleford enacts as follows:

SHORT TITLE

1. This Bylaw may be cited as the Temporary Sign Bylaw.

DEFINITIONS

2. In this Bylaw:

“**A-Board Sign**” means a sign which can be readily picked up and moved by an individual. These signs are typically folding sandwich boards, and pedestrian orientated.

“**Balloon Sign**” means a sign which is an inflated, three-dimensional device which incorporates a message and is anchored or affixed to a site or building but does not include a balloon 0.61 metres (2 feet) or less in size;

“**Buffer Strip**” means any land area owned or controlled by the City and used to separate one land use from another or to shield or block noise, lights or other nuisances.

“**City**” means the City of North Battleford.

“**Community-Based Event or Organization**” refers to an event that is taking place within city limits and promoted by an organization located within the confines of the city limits. The event shall be open to participation by any member of the general public. The event being promoted shall be seasonal in nature and provide a service or action benefitting the residents of the city that is not otherwise generally available.

“**Council**” shall mean the Council of the City of North Battleford.

“**Election Sign**” means any sign used to promote a candidate or party during a municipal, provincial or federal election, or any election held pursuant to an election act, or a plebiscite authorized by the Municipal, Federal or Provincial governments;

“**Garage Sale Signage**” means any temporary sign(s) used to draw attention to the display and sale of a collection of used or handmade goods from residential premises.

“**Inflatable Sign**” means a balloon or other inflatable device used as a sign.

“**Portable Sign**” means a sign mounted on a trailer, stand or similar support structure which is designed in such a manner that the sign can be readily relocated to another location.

“**Poster**” means any bill, notice or sheet of paper announcing or advertising any topic, event, election, referendum or plebiscite, but does not include any material required by Court order or Court process.

“**Sign**” means any device, letter, figure, symbol, emblem or picture which is affixed to or represented directly or indirectly upon a building, structure or a piece of land and which identifies or advertises any object, product, place, activity, person, organization or business in such a way as to be visible to the public on any street or thoroughfare;

“**Street**” means any registered public roadway including boulevards, sidewalks and improvements therein.

“**Temporary Sign**” means any sign intended to be displayed for a limited period of time and not affixed by permanent means. Temporary signs may include but are not limited to ground signs, posters or banners.

“**Traffic Control Device**” means a sign, signal marking or other device, placed upon over or adjacent to a roadway, by a public authority or official having jurisdiction, which is intended to regulate, warn or guide the road user.

PURPOSE

3. The purpose of this Bylaw is to regulate the placing of temporary signs on streets and buffer strips so as:
 - a) To afford the citizens of North Battleford an opportunity to communicate with others in a simple and affordable way;
 - b) To improve safety for motorists and pedestrians using the streets;
 - c) To minimize visual clutter; and
 - d) To facilitate necessary maintenance of the streets and buffer strips.

GENERAL

4. No person shall place a temporary sign on a street or buffer strip except in accordance with this Bylaw.

SIZE OF TEMPORARY SIGN

5.
 - a) Temporary signs must have no more than two sign faces.
 - b) Temporary signs must be self supporting and must not be attached to any City property such as fences, benches, bus shelter, trees, street light poles or traffic signal poles.

PROHIBITED SIGNS

6. The following signs are prohibited on all streets and buffer strips:
 - a) Temporary signs which are flashing, rotating, animated, illuminated or contain moving lights or other electrical features;
 - b) Balloon signs or other inflatable devices, electronic message centres or kites;
 - c) Temporary signs which resemble a traffic control device;
 - d) Portable signs.

LOCATION OF TEMPORARY SIGNS

7. Temporary signs must not be located where the sign may:
 - a) Create a potential hazard to vehicular or pedestrian traffic.
 - b) Obstruct the view of any portion of a traffic control device or signal.

DURATION OF SIGN DISPLAY

8. All Temporary signs regulated in this bylaw must be removed from a permitted area within fourteen (14) days after placement of the sign(s) unless otherwise specified herein.

SIGNAGE NOT REQUIRING PERMITS

9. No sign permit is required for the following sign types provided the sign complies with all other requirements and provisions of this Bylaw:
 - a) Real estate directional signs;
 - b) Directional signs;
 - c) A-board signs;

- d) Posters and signs approved for transit shelter/transit bench signs and bus signs;
- e) Private sale signs;
- f) Signs located inside a building and not intended to be viewed from the outside.

TEMPORARY TRAFFIC SIGNS

10. This Bylaw does not apply to any temporary traffic signs placed on a street or buffer strip by or with the approval of the City.

A-BOARD SIGNS

11. A business shall be permitted one A-Board sign on the public sidewalk adjacent to their place of business, during those times they are open for business. Advertisements on signs shall be limited to the product or service offered for sale on the premises.
- a) Signs may consist of two face panels to a maximum of 30 inches (76cm) wide by 36 inches (91cm) tall and shall be constructed as follows:
 - i) All necessary supporting parts will be located inside the dimension of the sign face panels.
 - ii) Signs shall be constructed of good quality material so that they are stable in inclement weather and be painted or otherwise suitably finished to present a clean, professional image.
 - iii) Exterior edges and corners shall be sufficiently smooth so as not to present a hazard to pedestrians.
 - b) Signs shall be placed to create the least possible obstruction to the use of the sidewalk by pedestrians. At the option of the business owner, signs may be placed flush against the building containing the advertised business premises or opposite the business premises adjacent to the nearest curb. Where curb locations are chosen, signs shall be located not less than 18 inches (46 cm) nor more than 20 inches (51 cm) from the face of the curb. No signs shall be located within 25 feet (7.6 m) of a street corner, measured from the intersecting property lines.

DEVELOPMENT SIGNAGE

12. A builder/contractor/developer may erect signage to advertise their project on the site of their project if there is a valid Development Permit or Building Permit. No sign face area shall exceed 14.0 square metres.

THIRD PARTY SIGNS

13. Third party signs are not permitted in any zone with the exception of non-profit organizations.

NON-PROFIT THIRD PARTY SIGNS

14. a) Community and non-profit event information will be allowed on signs that are located on designated City owned property or in any commercial, industrial, park, or institutional zone.
- b) Prior to the display of an event, proof shall be provided to the Inspector that:
 - i) The property owner has approved the placement of the sign on the property;
 - ii) Any sign located at a City owned facility, which has a governing body, has approved from both the City and the governing body; and
 - iii) Non-profit and community-based signs placed on designated properties are located in accordance with all other regulations within this Bylaw.
- c) These locations will not allow the advertisement, sale or promotion of any goods or service for profit. Only community based, non-profit events and/or organizations will be allowed.
- d) Non-profit organizations will be required to provide their non-profit registry number when applying for a permit.

GARAGE/YARD SALE SIGNS

15. a) Signs can be placed on private property as long as the property owner consents and must be placed in locations where the sign will not create a safety hazard.
- b) No property owner, tenant or occupant of a property or abutting property, shall cause, allow, permit, place or consent to the placement of a temporary sign on City owned property or public property, which advertises a yard sale or garage sale. This includes boulevards, curb-side trees, street light standards, public signage, public mailboxes and intersections.
- c) The address contained on the garage sale sign is deemed to belong to the property owner, tenant or occupant, where the sale is advertised on the sign.
- d) Garage sale or yard sale signs must be taken down at the end of every sale.

ELECTION SIGNS

16. a) Election signs may be placed on public property, if the placement of the sign does not in any way impede, impair, disrupt, or disturb traffic, both pedestrian and/or vehicular. The sign may not in its placement cause any manner of visual impairment or obstruction that may be considered a safety hazard or a contribution to urban blight.

- b) Elections signs must be removed within seven (7) days following the date of the election, and any other provisions of the elections act.
- c) The City recognizes that individual property owners are deemed responsible for the care of City owned boulevard immediately abutting their property. Pursuant to this, the City entrusts the property owner with the right to remove any election signage from the portion of boulevard abutting the frontage of their property.
- d) No signs will be placed in or on City facilities and City owned parking lots, or on City Hall property, or on the public property immediately abutting City Hall.

ENFORCEMENT OF BYLAW

- 17. a) The Director of Planning and Development Services and the Bylaw Manager for the City of North Battleford is hereby authorized to further delegate the administration and enforcement of this Bylaw.
- b) Inspections under this Bylaw shall be carried out in accordance with Section 324 of *The Cities Act*.

OFFENCES AND PENALTIES

- 18. a) Subject to Subsection 18(b) hereof, any person who violates a provision of this Bylaw shall be guilty of an offence and shall be liable upon summary conviction to a fine not exceeding:
 - i) \$2,000.00 in the case of an individual; or
 - ii) \$5,000.00 in the case of a corporation.
- b) Notwithstanding Subsection 18(a), an Officer may issue a summary offence ticket for the violation of this Bylaw in the amount of \$100.00 which, if paid within the time prescribed, will be accepted as a guilty plea to that offence.
- c) No person shall:
 - i) Fail to comply with an order made pursuant to this Bylaw; or
 - ii) Obstruct or hinder any Officer or any other person acting under the authority of this Bylaw.

LIABILITY

- 19. a) Nothing in this Bylaw relieves or limits the liability of any person placing a portable sign or temporary sign on a street or buffer from claims for personal injury or property damage resulting from the placing of the sign or resulting from the negligence of the person in the maintenance or removal of the sign.

- b) Nothing in this Bylaw imposes any liability of the City, its officers, employees or agents for claims for personal injury or property damage resulting from the placement, maintenance or removal of any portable sign or temporary sign on property owned or controlled by the City.

SEVERABILITY

- 20. If a Court of competent jurisdiction should declare any section or part of a section of this Bylaw to be invalid, such section or part of a section shall not be construed as having persuaded or influenced the Council to pass the remainder of the Bylaw, and it is hereby declared that the remainder of the Bylaw shall be valid and shall remain in force and effect.

REMOVAL OF SIGNS BY THE CITY

- 21.
 - a) Temporary signs which contravene any provision of this Bylaw may be removed immediately and without notice by the City whether or not any person has been charged or convicted or an offence under this Bylaw.
 - b) Temporary signs which impede or interfere with the repair or maintenance work of the City employees on any property owned or controlled by the City may be removed by the City without notice.
 - c) The City will retain any signs removed under Subsections 21(a) and (b) for three (3) business days, during which time the signs may be reclaimed.
 - d) The City may without notice dispose of any signs which are not reclaimed under Subsection 21(c).
 - e) The City is not responsible for the loss or damage to any temporary signs removed or stored by the City.
 - f) The City may, if necessary, enter upon private property in order to remove a temporary sign from a street or buffer strip.

COMING INTO FORCE

- 22. This Bylaw shall come into force and effect on the day of its final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS 14th DAY OF December, A.D., 2020.

READ A SECOND TIME THIS 11th DAY OF JANUARY, A.D., 2021.

READ A THIRD TIME AND PASSED THIS 25th DAY OF JANUARY, A.D. 2021.

"David Gillan"
MAYOR

"Debbie Wohlberg"
CITY CLERK