

GUIDELINES FOR THE DEVELOPMENT OF A SIGN BY-LAW

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The constant motion of the wheels of change require that laws governing the affairs of a nation, a province or a municipality be reviewed and adapted to meet the changing needs.

As part of a wide-ranging effort to raise awareness of the sign industry and in the spirit of co-operation between sign users, legislators and sign manufacturers, the Sign Association of Canada (SAC) is pleased to present these guidelines for the use in the development or review of sign by-laws, designed to address the needs of all three parties concerned.

Mindful of jurisdictional sensitivities and regional differences, it is not the intent of the Association to dictate regulations to be adopted, but rather provide a comprehensive document covering a broad spectrum of types of signs used in various locations. Our objective is to provide regulators with informed assistance in the formulation of sign legislation and to contribute to the development of effective by-laws.

The pages following provide a high level template for a sign by-law that contains the following key elements: Scope of Sign By-Law; Definition and Interpretations; Signs Requiring a Permit and related provisions; Illumination Requirements; Sign Permits and Inspections; Variances; as well as, Penalties and Enforcement.

The Sign Association of Canada would like to take this time to acknowledge the SAC Government Relations Committee members who participated in the development of this publication:

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BY-LAW NUMBER

THE CORPORATION OF THE CITY/TOWN/TOWNSHIP OF _____

1. TITLE AND SCOPE OF SIGN BY-LAW

1.1 This by-law shall be known and cited as the “City of _____ Sign By-law”

1.2 The purpose of this By-law is to regulate and enforce signs in the city of _____ with intent of authorizing signs that:

- a) are appropriate in size, number, and location to the type of activity or use to which they pertain;
- b) provide reasonable and appropriate means for the public to locate and identify facilities, businesses and services without difficulty and confusion;
- c) are compatible with their surroundings;
- d) are consistent with the City of _____ planning, urban design and heritage objectives;
- e) do not create distraction or safety hazard for pedestrian and motorists; and,
- f) minimize impact on nearby property.

1.3 SCOPE

- a) All signs and advertising devices located on public and private property within the corporate limits of the city of _____ are subject to the provisions of this By-law.
- b) This By-law does not apply to signs erected or displayed, or cause to be erected or displayed by Federal, Provincial or Municipal Government or by a local board as defined in the Municipal Act, _____
- c) A sign lawfully erected or displayed prior to the passing of this By-law shall be deemed to be in compliance with this By-law, provided that it is not structurally altered, moved or replaced with a new sign.

2. DEFINITIONS AND INTERPRETATION

In this By-law:

“Abandoned Sign” means a Sign located, erected or displayed on property which becomes vacant or unoccupied for a period of ninety (90) days or more, or any sign which pertains to a time, event, or purpose which no longer applies.

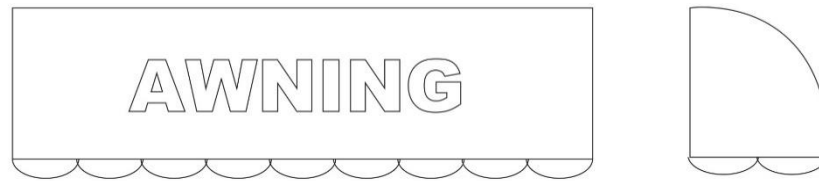
“Address Sign” means a Sign on which a copy displays the municipal address or unit number, or combination thereof, of a property on which the sign is located, erected or displayed.

“Alteration” means any change to a sign structure or sign face but does not include the changing of copy or type of illumination in compliance with this sign by-law or the replacement of similar parts for maintenance purposes.

“Animated Sign” means a sign which has any visible moving part, flashing or oscillating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means that move, change, flash, oscillate or visibly alters in appearance. [ISA model bylaw]

“Awning” means a self-supporting retractable or non-retractable structure that is attached to and projects from the exterior wall of a building and is not supported from the ground by poles or structures.

“Awning Sign” means a sign with copy painted or affixed flat to the surface of an awning and does not extend vertically or horizontally beyond the limits of awning.



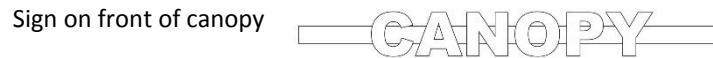
“Banner Sign” means a sign made of cloth, plastic or similar lightweight non-rigid material.

“Billboard Sign” means a sign advertising a business, use, products or services not located on the same lot as the sign is located.

“Building elevation” means all exterior walls of a building facing in the same direction.

“Canopy” means a roof-like structure, un-enclosed by building walls and may be intended to provide shelter. It may be freestanding or project from a building. This definition does not include an awning.

“Canopy Sign” means a sign located, erected or display on a canopy and shall not include an awning sign.



See “Under-Canopy” sign for signs beneath a canopy

“Changeable Copy Sign”: a sign or portion thereof on which the copy or symbols change. This can either be automatically through electronic means, or manually through placement of letters or symbols on a panel mounted in or on a track system.

“Construction Sign” means a sign which identifies or provides information relating to or advertising the development or the construction of a building on the lands on which the sign is erected.

“Copy” means the wording, symbols or images on a sign.

“Council” means the council of the city of _____.

“Directional Sign” means a sign which gives direction or instructions for the control of vehicular or pedestrian traffic and shall include entry and exit sign. This sign may display a commercial logo.

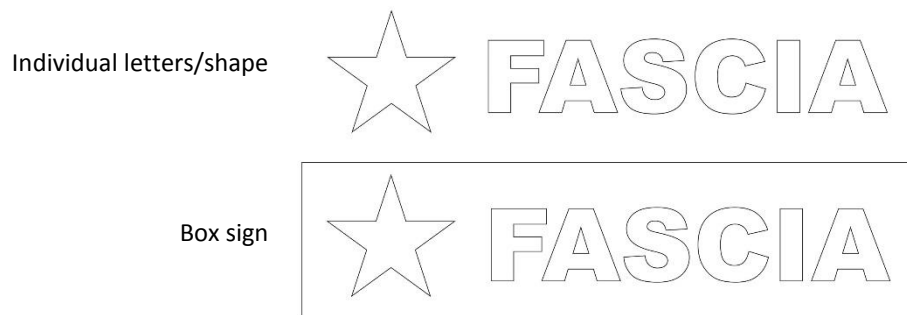
“Driveway visibility triangle” means a triangular area formed within a lot by the intersection of a driveway line and a lot line abutting a street

“Election Sign” means a sign used to advertise any person or political party for a public office in a federal, provincial or municipal election.

“Entrance Feature Sign” means a sign located, erected or displayed on a property or premises, at an entrance of a development in a residential, commercial, industrial, or institutional zone for the purpose of identifying the development.

“Erected” means attached, altered, built, displayed, constructed, re-constructed, placed or moved.

“Fascia Sign/Wall Sign” means a sign attached to and parallel to a wall of a building. This sign to include signs located on a parapet, mansard roof and painted signs.

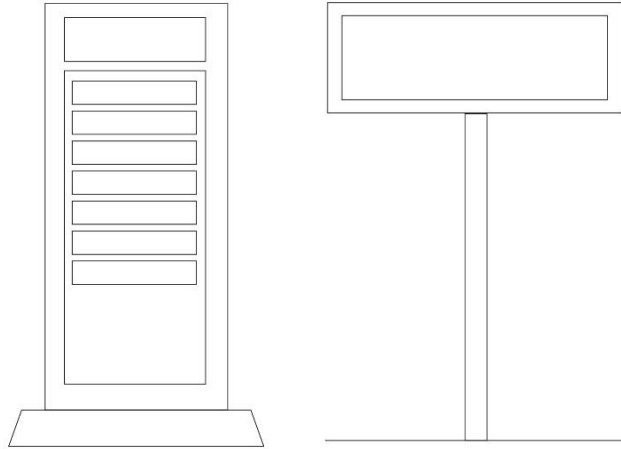


“Flag Sign: see Pennant Sign”

“Flashing Sign” means a sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted light source but does not include an automatic changing copy sign.

“Grade” means the elevation of ground directly beneath a sign.

“Freestanding [more common term] /Ground Sign” means a sign directly supported by the ground and not attached to any building or structure.



“Illumination” means lighting by any artificial means whatsoever, and shall include direct, indirect, internal or external source of illumination.

“Inflatable Sign” means a sign designed to be inflated and tethered to the ground, building or any other structure.

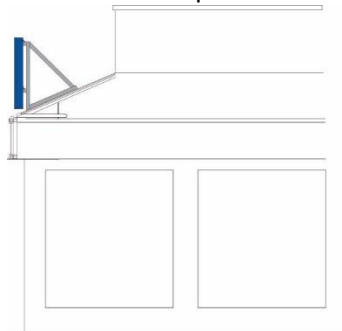
“Lot” means a parcel of land that can be legally conveyed pursuant to _____.

“Lot line” means the line formed by the boundary of any lot.

“Light Standard Sign” means a sign displayed on a light standard, entirely located on private property and may advertise the business or service offered on the same premises.

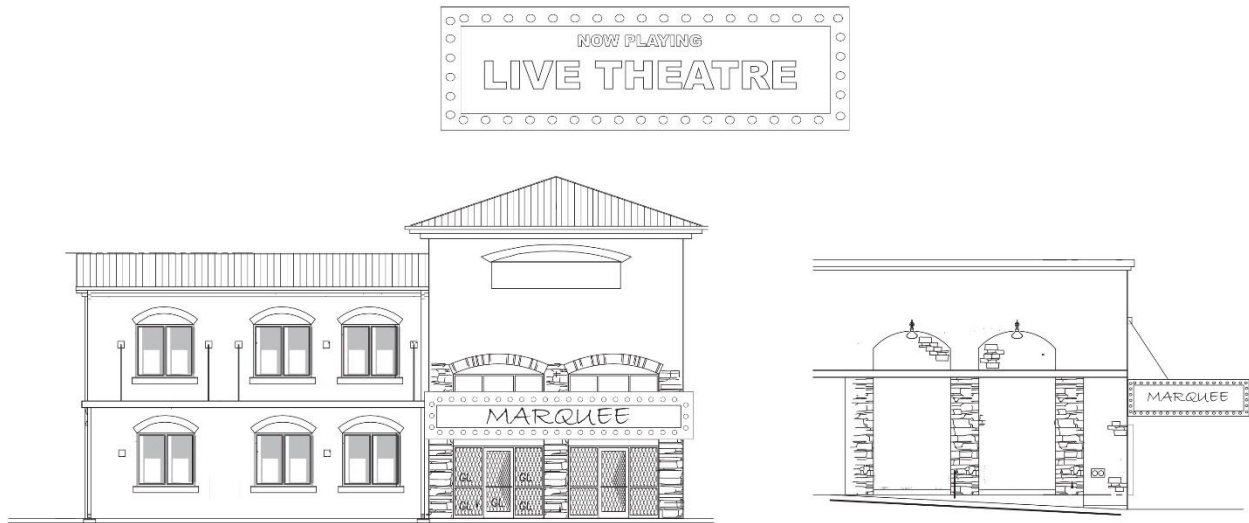
“Mansard Roof” means any portion of a roof which has a pitch of 30 degrees or less when measured against a vertical plane.

“Mansard Roof Sign” means a sign attached to the slope of a mansard roof.



“Marquee” means a permanent structure attached to the building and projecting over the entrance.

“Marquee Sign”: a sign attached to a marquee.



“Menu Board Sign” means a sign erected as a part of drive-through facility and used to display and order products and services available in association with a drive-through business.

“Mural” means painting, illustration or decoration applied or affixed directly to any external wall of a building or structure which may or may not include any words of advertisement or any other direct or indirect promotional message or content.

“New home development sign” means a non-illuminated sign which is not permanently installed or affixed to the ground and where the purpose of this sign is to direct attention to the sale of new homes.

“Parapet” means a portion of the building wall that rises above the roof level of the structure.

“Pennant” means any lightweight plastic, fabric, or other material, whether or not containing any message of any kind, suspended from a rope, wire or string, designed to move in the wind, but does not include banners or recognized flags.

“Plaque” means a commemorative or identifying inscribed tablet.

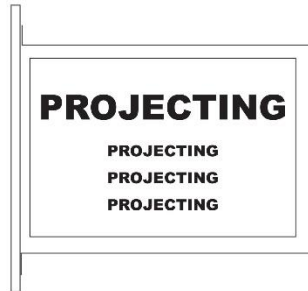
“Portable Sign” means a sign designed to be capable of being readily moved from one location to another and is usually built on a trailer or other solid platform and may include wheels. This definition shall include but not limited to signs commonly referred to as mobile or trailer signs, T-frame, A-frame, sandwich board or sidewalk signs.

“Poster” means a printed notice conveying information intended to be displayed for a temporary period of time and includes but not limited to a bill, handbill, leaflet, notice, placard or election sign.

“Pre-menu board” means a sign erected as part of the drive-through facility and only used to display products and services available in association with drive-through business.

“Premises” means a lot under registered ownership and includes all buildings and structures thereon.

“Projecting Sign” means a sign attached to a building wall and projecting horizontally from a building at a right angle.



“Public Property” means property owned by or under control of the Corporation of the city of ____ or any of its agencies, boards or commissions_____.

“Roof Sign” means a sign entirely supported by the roof structure but shall not include the sign erected on a parapet or a mansard roof.

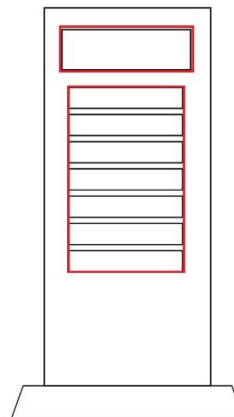
“Sign” means any devise, object, surface or other component parts which are used or capable of being used as a visual medium to attract attention to a specific subject matter for identification, information or advertising purposes and includes an advertising device or notice.

“Sign area” means the total area within the outer edge of the frame or border of a sign. Where a sign has no frame, border or background the area of the sign shall be the area contained within the shortest line surrounding the whole group of letters, figures or symbols of such sign. [Burnaby & Surrey]. In the case of a multi-faced sign, only one side of the sign shall be counted.

Fascia sign area



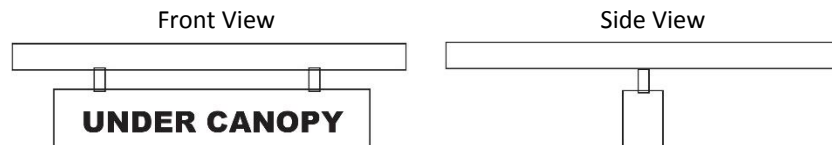
Freestanding sign area



"Third Party Advertising" means content on a sign which directs attention to products sold or services provided which cannot be considered as sold or provided on the premises at which the sign is located.

Under-Awning Sign: suspended from an awning and entirely under the awning, usually at a right-angle to the building face.

Under-Canopy Sign: suspended from a canopy, entirely under the canopy, and usually at a right-angle to the building face.



"Variance": A variance is a legal device that allows local Government or a separate board to provide relief from the normal application of the sign bylaw. Variances are granted when government determines that there are special circumstances unique to this property.

"Visibility triangle" means a triangular area formed by intersection of two lot lines abutting intersecting streets or projections thereof and the straight line connecting them ___ meters from there point of intersection.

"Window Sign" means a sign posted, painted, placed or displayed in or on a window. Exposed to public view and shall include an interior sign that faces a window exposed to public view and intended to be seen from outside.

"Zone" means an area designated for a particular land use as determined by a zoning by-law of the Corporation pursuant_____.

3. PROHIBITED SIGNS

Example provisions could include the following:

- Anything not expressly permitted by the Sign By-law is prohibited
- Sign on a tree/bridge
- Sign obstructing use of fire escape
- Sign discharging a gas/liquid/solid
- Signs in a visibility area unless have a clearance from grade of 2.4 m

4. SIGNS NOT REQUIRING PERMITS

Example provisions could include the following:

- First party sign under prescribed size e.g. 0.5 sq m
- Flag/banner or emblem of country/province, municipality, educational or religious organizations/institutions
- Sign identifying matters of memorial, commemorative or historical interest under a prescribed size e.g. 2 sq m

5. SIGNS REQUIRING A PERMIT

5.1 Ground Signs (Freestanding Signs)

Example general provisions could include the following:

- Number i.e. max number per frontage/lot
- Location and spacing i.e. min distance from property line/intersection;
- Height & clearance i.e. max height
- Area and dimension i.e. max sign face area

5.2 Fascia Signs

Example general provisions could include the following:

- Location and spacing i.e. not beyond end of wall
- Height & clearance i.e. not above wall/building parapet
- Area and dimension i.e. max sign face area; max sign face area as percentage of building wall

5.3 Overhanging Signs (Awning, Canopy, Marquee Signs)

Example general provisions could include the following:

- Location and spacing i.e. not beyond end of wall
- Height & clearance i.e. min height from grade
- Area and dimension i.e. max sign face area; max sign face area as percentage of surface area

5.4 Projecting Signs

Example general provisions could include the following:

- Location and spacing i.e. max storey above grade, max projection from wall
- Height & clearance i.e. max height from grade
- Area and dimension i.e. max sign face area

5.5 Signs on Light Standards

Example general provisions could include the following:

- Number i.e. max number per lot
- Location and spacing i.e. min distance from property line/intersection
- Height & clearance i.e. max height
- Area and dimension i.e. max sign face area

5.6 Billboard Signs

Example general provisions could include the following:

- Must be 3rd party
- Number i.e. max number per lot
- Location and spacing i.e. prescribed separate distance from other billboards/residential properties
- Height & clearance i.e. min clearance from grade; max height
- Area and dimension i.e. min sign face area; max sign face area

5.7 Entrance Feature Signs

General Provisions

- Number i.e. max number per lot;
- Location and spacing i.e. min distance from property line/intersection;
- Height & clearance i.e. max height
- Area and dimension i.e. max sign face area

5.8 Portable Signs

Example general provisions could include the following:

- Sign Permit required
- First party sign only
- Number: i.e. max number per business/lot
- Location and spacing i.e. does not obstruct pedestrian sidewalk; in proximity to business

- Height & clearance i.e. max height
- Area and dimension i.e. max sign face area
- Hours of display e.g. during business operation

5.9 Changeable Copy Sign

Example general provisions could include the following:

- Also see general provisions for the relevant sign type
- Static or moving images only
- Min/Max luminance levels and hours
- Max/Min image dwelling/transition times
- Number i.e. max number per lot/building/elevation/tenancy
- Location and spacing i.e. prescribed separate distance from other Changeable Copy Sign/residential properties; not on sidewalk or impede drivers' visibility
- Height & clearance i.e. max height
- Area and dimension i.e. max sign face area

6. ILLUMINATION REQUIREMENTS

Example general provisions could include the following:

- All signs can be illuminated unless expressly prohibited in this by-law
- All signs within 30m and visible from a residential zone shall be turned off from dusk till dawn
- Renewable energy must be used to illuminate billboard signs

7. SIGN PERMITS AND INSPECTIONS

7.1 Application for a Sign Permit

- Every Person applying for a sign permit shall properly and fully:

- Complete a sign permit application form
- Provide 2 sets of all plans, drawings and photographs as required by the City
- Provide an authorization from the owner of the property on which the sign to be erected or displayed
- Pay applicable fee as set _____

7.2 Expiration of a Sign Permit

- A sign permit issued by the city for a permanent sign shall expire after a period of 6 months to 1 year from the date of issue if the erection of the sign has not commenced or been completed.
- Before a sign permit for a permanent sign has passed expiration date, an application may be made to extend the sign permit for a further 6 months. Prior to the extension of a sign permit, a sign renewal permit fee shall be paid in accordance with the fee schedule _____ of this by-law.
- A sign permit issued by the city to erect or display a temporary sign shall expire on the expiry date indicated on the said sign permit.

7.3 Revocation of a Sign Permit

The city may revoke a sign permit at any time if it is determined that:

- The permit has been issued in error
- The sign does not conform to this by-law, the Building Code or any other applicable regulation or legislation, or
- The sign permit has been issued as a result of false, mistaken, incorrect or misleading information, or undertaking shown on the sign permit application.

7.4 Inspections

The Installer shall notify the City upon completion of construction so that the work may be inspected. For freestanding signs inspections are required at the time of excavation, concrete pour and at the time of completion. For all other signs final inspection is required.

8. VARIANCES

9. PENALTIES AND ENFORCEMENT

10. VALIDITY AND SEVERABILITY OF THE BY-LAW

If a court of a competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section shall or part of a section shall not be constructed as having persuaded or influence Council to pass the remainder of the By-law, and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.

Where a provision of this By-law conflicts with the provisions of another by-law in force within the city, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

11. REPEAL

By-law _____ are hereby repealed, effective _____.

12. EFFECTIVE DATE

This by-law takes effect on _____.

Passed _____

Signed _____



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