

BYLAW NO. 1 – 2013

A BYLAW of the City of Swift Current regulating the location, size, type, and use of temporary signage placed within the City.

The Council of the City of Swift Current, in the Province of Saskatchewan, enacts as follows:

SHORT TITLE

This Bylaw may be cited as the “Temporary Sign Bylaw”.

INTERPRETATION/LEGISLATION

In this Bylaw,

- (1) “Banner” means a sign composed of lightweight, non-rigid material such as cloth, canvas or similar fabric with no enclosing framework.
- (2) “Boulevard” means that portion of a street that extends from the edge of the roadway to the property line of the adjacent property, not including the sidewalk.
- (3) “Buffer Strip” means any land or 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.
- (4) “City” means the City of Swift Current.
- (5) “Commercial Event” means a public event where a business or vendor participates with others in the purchase and sale of goods and/or services in an attempt to make a profit, where the event is held at a venue that is not the permanent or usual location of that business or vendor’s base of operations, and the duration of the event lasts no more than 14 consecutive days. Examples of a Commercial Event may include trade shows, farmers market, off-site vehicle/equipment sales event, hobby shows, or other events of a commercial nature.
- (6) “Community Event” means a public event organized for a non-profit, charitable, civic, cultural, religious, or recreational purpose. Examples of a Community Event may include Frontier Days, Windscape, Swift Current Broncos game day, church supper, or other events of a community nature.
- (7) “Digital Signage” means a sign where the message or sign copy can be altered by electric or electronic means.
- (8) “Directional Signage” means any temporary sign(s) intended solely for public information, safety or convenience in directing persons or traffic. This signage is not intended to include any advertising copy. A corporate sponsor logo or name may be incorporated into the sign if it occupies no more than 25% of the total sign area of each sign.

- (9) "Election Signage" means any temporary sign(s) designed or intended to be displayed in connection with the following:
- (a) a federal election or referendum;
 - (b) a provincial election, referendum or plebiscite;
 - (c) a local government election; or
 - (d) a district health board election.
- (10) "Event Signage" means any temporary sign(s) intended to advertise a Commercial or Community Event.
- (11) "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.
- (12) "Ground Sign" means a sign which can be readily picked up and moved by an individual. These signs are typically folding sandwich boards, and pedestrian oriented.
- (13) "Inflatable Sign" means a balloon or other inflatable device used as a sign.
- (14) "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.
- (15) "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.
- (16) "Public Property" means any site owned or controlled by the City.
- (17) "Public Structure" means any structure owned or controlled by the City, or any structure located on public property, including but not limited to fences, benches, bus shelters, trees, street light poles, traffic signal poles, telephone poles, power poles, traffic signal boxes, utility service boxes, or buildings.
- (18) "Real Estate Signage" means any temporary sign(s) used by real estate agents to draw attention towards properties for sale.
- (19) "Residential District" means those districts where any lands are designated for residential purposes under the Zoning Bylaw.
- (20) "Sign" means any device, letter, figure, symbol, emblem or picture which is affixed to or represented directly or indirectly upon the exterior of a building, structure, or parcel of land which identifies and advertises any object, product, place, activity, person, organization or business in such a way as to be visible to the public on a street or thoroughfare.
- (21) "Site" means site as defined by the Zoning Bylaw.
- (22) "Street" means any registered public roadway including the boulevards, sidewalks and improvements therein.

- (23) "Temporary Sign" means any sign intended to be displayed for a limited period of time and not affixed by permanent means; for example, attached to a building with screws or fasteners or placed in the ground using 4x4 posts. Temporary signs may include but is not limited to Portable Signs, Ground Signs, Inflatable Signs, Posters, or Banners.
- (24) "Temporary Traffic Sign" means a traffic sign displayed for a short period of time during the construction or maintenance of any building, street or utility.
- (25) "Traffic Sign" means traffic sign as defined by the Traffic Bylaw.

PURPOSE

- 3 The purpose of this Bylaw is to regulate the placing of temporary signs so as to:
 - (a) afford the citizens and businesses of Swift Current an opportunity to communicate with others in a simple and affordable way;
 - (b) ensure the safety for motorists and pedestrians using the streets;
 - (c) minimize visual clutter; and
 - (d) facilitate necessary maintenance of the streets, buffer strips, public property and public structures.

GENERAL

- 4 No person shall place a temporary sign except in accordance with this Bylaw.
- 5 This Bylaw does not apply to:
 - (a) any temporary traffic signs or work zone signs placed on a street, buffer strip, public property, or other public structure by or with the approval of the City;
 - (b) posters that are displayed on doors or windows of a building;
 - (c) any temporary signs contained within a building or out of view from any street;
 - (d) signs provided for by The Zoning Bylaw.
- 6 Except as specifically provided for elsewhere in this Bylaw, temporary signs shall direct attention to a business, commodity, service or event which is conducted, sold or offered on the site on which the temporary sign is located.
- 7 Despite Section 6 and subject to any other provisions in this Bylaw, temporary signs used for Event, Directional, Election, or Real Estate Signage may be placed off-site.
- 8 Despite any provision in this Bylaw, a temporary sign may be placed by the City for any City purpose or operation.

PROHIBITED SIGNS

- 9 The following signs are prohibited on all streets, buffer strips, public property, and other public structures:
 - (a) temporary signs which are flashing, rotating, animated, or contain moving lights;
 - (b) inflatable signs or temporary digital signs;
 - (c) temporary signs which resemble a traffic control device.

PROHIBITED LOCATIONS

- 10 Temporary signs must not create a potential hazard to vehicular or pedestrian traffic.
- 11 Temporary signs must not obstruct the view of any portion of a traffic control device or signal.
- 12 Temporary signs must not block or obstruct any exits, windows, required off-street parking spaces, driveways, or access to public utilities and/or right-of-ways.
- 13 Except as specifically provided for elsewhere in this Bylaw, temporary signs are prohibited:
 - (a) on any center median or traffic island;
 - (b) in any residential district;
 - (c) on any street, buffer strip, public property, or public structure;
 - (d) in the sight triangle as provided for in The Traffic Bylaw.

SETBACK REQUIREMENTS

- 14 Except as specifically provided for elsewhere in this Bylaw, temporary signs must be placed:
 - (a) a minimum of 2.0 metres from the curb on a street; where no curb exists, signs must be a minimum of 6.0 metres from the nearest driving lane on the street;
 - (b) a minimum of 1.0 metre from any City sidewalk or pathway;
 - (c) a minimum of 2.0 metres from any private driveway;
 - (d) a minimum of 2.0 metres from any fire hydrant.

DURATION OF TEMPORARY SIGNS

- 15 Except as specifically provided for elsewhere in this Bylaw, temporary signs must be removed within 14 days after the placement of the signs.

GROUND SIGNS

- 16 Ground signs must:
 - (a) have a sign face area of 1.2 square metres or less on each sign face;
 - (b) have no more than two sign faces;
 - (c) be self supporting, and must not be attached to any public structure;
 - (d) be less than 1.5 metres from top of sign to grade.
- 17 Despite Clause 13(c) and Section 14, ground signs may be placed on a sidewalk or boulevard:
 - (a) if only one ground sign per site is placed for each street frontage;
 - (b) if parked vehicles are not impeded, and a minimum unobstructed width of 1.5 metres to accommodate pedestrian traffic is maintained;
 - (c) if the sign advertises the operation of the abutting business and is removed during the hours that business is closed to the public.
- 18 Despite Clause 15, ground signs may be placed on private property for any length of time.

PORTABLE SIGNS

19 Portable signs must:

- (a) have a sign face area of 3.0 square meters or less on each sign face;
- (b) have no more than two sign faces;
- (c) be of sturdy construction, meeting the approval of the authority having jurisdiction;
- (d) be less than 2.5 metres from top of sign to grade.

20 Despite Clauses 13(c), 14(a) and 14(b), one portable sign may be placed on a site, and:

- (a) if the total street frontage and/or flankage for the site exceeds 60 metres, an additional portable sign may be permitted for every 30 metre increment (for example: a site with frontage up to 60 metres is allowed one portable sign, a site with frontage up to 90 metres may have two portable signs, and so on);
- (b) the portable sign(s) may be placed within the adjacent boulevard if parked vehicles are not impeded, and a minimum unobstructed width of 1.5 metres to accommodate pedestrian traffic is maintained.

21 Despite Section 15, a permit for a portable sign may be issued for a maximum period of 12 months in total duration.

BANNERS

22 Banners must:

- (a) have a sign face area of 5.0 square metres or less on each sign face;
- (b) be securely attached.

23 A banner may be mounted on a building or with a freestanding sign:

- (a) if not more than two banners are placed at any one time;
- (b) if there is a minimum of 2.4 metres clearance above ground surface;
- (c) despite Section 15, for up to 90 days in total duration within any consecutive 12-month time period.

24 Banners may be mounted on a fence having frontage on a street

- (a) if not more than six banners are placed at any one time on a site;
- (b) despite Section 15, for up to 30 consecutive days in total duration.

DIGITAL SIGNS

25 In addition to the provisions of this Bylaw, digital signs must comply with the provisions of The Zoning Bylaw.

INFLATABLE SIGNS

26 Inflatable signs are permitted for up to 30 days in total duration within any consecutive 12-month time period, if it is of a temporary promotional nature and would not create a hazard with respect to its proximity to traffic or surrounding land uses and development.

DEVELOPMENT SIGNAGE

- 27** 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.

EVENT SIGNAGE

- 28** Any temporary sign(s) used to advertise a Commercial Event or Community Event, as defined in this Bylaw, will be considered Event Signage.
- 29** Event Signage may be any type of temporary sign provided for in this Bylaw, if:
- (a) the sign(s) is placed entirely:
 - (i) on private property, with permission from the affected property owner;
 - (ii) within a boulevard, with permission from the adjacent property owner; or
 - (iii) on public property where the event is being held, with permission from the City;
 - (b) a maximum of six signs per event are placed;
 - (c) the duration of the sign(s) is as follows:
 - (i) Event Signage may be placed up to ten days prior to the start of the event and must be removed within 24 hours after the end of the event; or
 - (ii) if more than two occurrences of the same type of event are scheduled within a consecutive 12-month period (for example: the Swift Current Broncos game days or the Market Square weekly events) and a multi-date permit is obtained, Event Signage may be placed up to 24 hours prior to the start of each event occurrence and must be removed within 24 hours after the end of the event occurrence.
- 30** Where an event is scheduled for the purposes of having multiple organizations, businesses or vendors at the same site for the same event (for example: a trade show), only one event signage permit shall be issued.

DIRECTIONAL SIGNAGE

- 31** Directional Signage will be permitted only in conjunction with a Commercial Event or Community Event.
- 32** Directional Signage shall be limited to Ground Signs only.
- 33** Directional Signage shall be placed:
- (a) entirely:
 - (i) on private property, with permission from the affected property owner;
 - (ii) within a boulevard, with permission from the adjacent property owner; or
 - (iii) on public property where the event is being held, with permission from the City;
 - (b) up to 24 hours prior to the start of the event and must be removed within 24 hours after the end of the event.

REAL ESTATE SIGNAGE

- 34 Despite Clause 13(b), temporary signs displaying properties for sale/rent or open houses are permitted in residential districts, if they are placed immediately before and removed immediately after the sale/rental, viewing or event.

GARAGE SALE SIGNAGE

- 35 Despite Clause 13(b), ground signs displaying garage sales are permitted in residential districts, if they are removed immediately after the event, and must only be placed on the site of the garage sale.

ELECTION SIGNAGE

- 36 Election Signage may be erected at the following times:
- (a) in the case of a federal or provincial election, after an election writ has been issued;
 - (b) in the case of a federal referendum, after a proclamation has been issued;
 - (c) in the case of a provincial referendum, after an order by the Lieutenant Governor in Council;
 - (d) in the case of a provincial plebiscite, after a direction by the Assembly or the Minister; and
 - (e) in the case of a local government or district health board election, after a call for nomination has been issued.
- 37 Despite Clause 13(b), Election Signage is permitted in residential districts.
- 38 Election Signage must be removed within seven days after the date of the election, referendum or plebiscite.

PERMIT REQUIREMENTS

- 39 No person shall use or place any portable or inflatable sign or event signage without first obtaining a permit from the City.
- 40 The application for permit shall be as prescribed by the City, and no temporary sign, as identified in Section 39, shall be used or placed unless as approved by the authority having jurisdiction.
- 41 The application for permit shall be in writing to the City, accompanied by a fee as outlined in Schedule "A" of this Bylaw.

REMOVAL OF SIGNS BY THE CITY

- 42 Temporary signs which become a potential hazard or danger to the safety of the public will be removed immediately and without notice by the City whether or not any person has been charged or convicted of an offence under this Bylaw.
- 43 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 will be removed by the City without notice.

- 44 The City will retain any signs removed under Sections 42 and 43 for ten business days, during which time the signs may be reclaimed.
- 45 The City may, without notice, dispose of any signs which are not reclaimed under Section 44.
- 46 The City is not responsible for the loss or damage to any temporary signs removed or stored by the City.
- 47 The City may, if necessary, enter upon private property in order to remove a temporary sign that contravenes any provision of this Bylaw.

VOLUNTARY PENALTY

- 48 A Bylaw Violation Tag in the amount of \$100.00 may be issued where a Bylaw Enforcement Officer believes that a person or business has contravened any provision of this bylaw.
- 49 A Bylaw Violation Tag shall be served either by regular mail or by leaving the tag at the person's or business' last known address and such service shall be adequate for the purpose of this bylaw.
- 50 A Bylaw Violation Tag shall be in such form as determined by the City and shall state the section and the amount which will be accepted by the City in lieu of prosecution.
- 51 Upon payment of a Bylaw Violation Tag within fifteen (15) days from the issue, the person or business to whom the tag was issued shall not be liable for prosecution for the contravention in respect to which the tag was issued.
- 52 Despite the provisions of this section, a person to whom a Bylaw Violation Tag has been issued pursuant to this section may exercise their right to defend any charge of committing a contravention of any provisions of this bylaw.

ENFORCEMENT AND PENALTY PROVISIONS/OFFENCES

- 53 The owner of any sign hereafter erected in contravention of this Bylaw shall remove such sign in accordance with the terms identified within a written notice or order given by the authority having jurisdiction.
- 54 If any existing sign has fallen into a state of disrepair or has become a potential hazard or danger to the safety of the public, the sign shall, upon 14 days written notice or order given by the authority having jurisdiction, be either removed or repaired by the owner to the satisfaction of the authority having jurisdiction.
- 55 The owner of any sign shall be liable for any costs incurred by the City for the removal of a sign under Sections 42 or 43, or has been removed due to a state of disrepair. Where a sign has been removed by the City, the owner of that sign may be subject to a \$100.00 impoundment fee.

LIABILITY

- 56 Nothing in this Bylaw relieves or limits the liability of any person placing a temporary sign 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.
- 57 Nothing in this Bylaw imposes any liability on the City for claims for personal injury or property damage resulting from the placement, maintenance or removal of any temporary sign on property owned or controlled by the City.

SEVERABILITY

- 58 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

EFFECTIVE DATE

- 59 This Bylaw comes into effect on the date of final passage.

_____ **MAYOR** _____ **CITY CLERK**

INTRODUCED AND READ a first time this 1st day of October, 2012.

READ a second time this 7th day of January, 2013.

READ a third time and finally passed this 7th day of January, 2013.

Schedule "A" to Bylaw No. 1 – 2013

TEMPORARY SIGN PERMIT FEES

The following is a list of sign permit application fees for the various forms of temporary signs in the City. An application shall not be considered complete until all fees have been paid.

Portable Sign:

- \$10.00 per month or part thereof
- \$25.00 minimum permit fee

Inflatable Sign:

- \$25.00

Commercial Event Signage:

- \$25.00 plus any additional fee required within this Schedule

Community Event Signage:

- No fee except where required within this Schedule