CITY OF HUMBOLDT

BYLAW NO. 03/2008

A BYLAW OF THE CITY OF HUMBOLDT IN THE PROVINCE OF SASKATCHEWAN TO REGULATE AND CONTROL THE USE OF ADVERTISING DEVICES WITHIN THE CITY (HEREINAFTER REFERRED TO AS THE SIGN BYLAW)

That Council of the City of Humboldt, in the Province of Saskatchewan, enacts as follows:

I. In this Bylaw:

a) "**Advertising Device**" means a non-permanent device or sign that advertises, attracts or is intended to attract attention to or promotes publicity for an individual, business, organization, product or event and includes banners, streamers, strings or flags, lights, balloons, dirigibles, holograms and search lights and other devices that are decorative in nature and which includes, but is not limited to Portable Signs, Billboard Signs, Election Signs, and Sandwich Boards.

b) "**Authorized Person**" means an officer or employee of the City of Humboldt or any other person who is authorized by Council or the City Manager to perform the duties of and exercise the powers of the City of Humboldt or the City Manager pursuant to this Bylaw;

c) "**Corner Visibility Triangle"** means a triangular area formed by a straight line joining the intersecting property lines six meters in length from the intersection on a corner site;

d) "**Non-profit Organization**" means an association of individuals or a corporation whose activities are primarily for the benefit of the public or of its members and whose property, profits and accretions to the value of its property are not distributed, either directly or indirectly to its members, directors or officers other than reasonable remuneration for services to the organization and for expenses;

e) "**Street**" shall include every public highway, road, street, avenue, lane, drive, place, alley, square, thoroughfare or way intended for use by the general public for the passage of vehicles or pedestrians, and the land in connection with and adjacent thereto owned by the Crown-in-right of Saskatchewan or the City of Humboldt for which the property limits are defined by a Plan of Survey.

II: <u>General</u>

1. No person shall place an Advertising Device within the City of Humboldt, except in accordance with this Bylaw or upon approval of an Authorized Person.

2. Prohibited Signs

No person shall place an Advertising Device within the City of Humboldt which:

(a) displays any intermittent, flashing, or rotating light;

(b) has any animated, moving, or rotating parts; or

(c) in any way resembles a traffic sign or traffic control device.

3. Traffic Risks Prohibited

No Advertising Device shall obstruct the view of any portion of a traffic control device or signal.

4. Advertising Devices must not, in the opinion of any Authorized Person, create a potential hazard to vehicular or pedestrian traffic, or pose a distraction to any driver.

5. Without limiting the generality of the fore-going, no Advertising Device shall be located within any corner visibility triangle or, interfere with sight lines of any street or road intersection or railway crossing.

6. Maintenance Requirements

Advertising Devices shall be continually maintained by the sign owner to ensure that the sign remains in a state of good repair, reflective of the sign's original condition.

7. All signs that become aesthetically unacceptable, for any reason whatsoever, as determined by an Authorized Person shall be removed.

III: Sandwich Boards

1. Sandwich Boards may only be located directly in front of the business that the advertising on the board pertains to.

2. Any Authorized Person may, in their discretion, grant approval to a business to advertise non-profit organization's events on sandwich boards in front of their business on the day of the event only.

3. No Sandwich Board shall block or interfere with the movement of pedestrian traffic.

IV: Portable Signs

1. In this Part, "Portable Sign" means a portable, freestanding sign mounted on a wide based frame which can be readily moved or transported from one location to another.

2. Except with prior approval of any Authorized Person, no Portable Sign shall be

placed on any City owned or controlled property, including streets, boulevards and sidewalks.

3. Portable signs shall be spaced a minimum distance of twenty-five (25) meters from one another in any measurement taken in a straight line from sign to sign.

4. Portable Signs shall be constructed in compliance with the following requirements:

   (a) Portable Signs shall have a single sign face area of not less than 1.9 square meters (20.45 square feet) or greater than 5.0 square meters (54 square feet);

   (b) the maximum height of a Portable Sign shall not exceed 3.05 meters (10 feet);

   (c) if electrically wired, must be CSA approved.

5. All Portable Signs must display a message on the sign face at all times. If a portable sign is set up without a display message, the Portable Sign owner will be ordered to remove the Portable Sign within three (3) days of notification from the City.

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6. Each portable sign shall have the name, address and telephone number of the sign owner permanently affixed to the sign.

7. Portable Signs shall be permitted in Commercial and Industrial Districts and may be permitted in Residential Zones on non-residential sites, upon approval of any Authorized Person.

8. Any Authorized Person may, in their discretion, grant approval to a non-profit organization for the placement of a Portable Sign on City owned or controlled properties, or streets, subject to the following:

   (a) the location at which the portable sign may be placed, shall be in the discretion of the Authorized Person;

   (b) where the purpose of the Portable Sign is to advertise an event held by a non-profit organization, the Portable Sign shall not be erected more than fifteen (15) days before the event advertised, and shall be removed before the end of the third day following the event advertised.

V: Election Signs

1. In this Part, “Election Sign” means any sign placed to encourage voters in an election held pursuant to the *Canada Elections Act, The Election Act* or *The Local Elections Act*.

2. Election Signs shall not exceed up to three (3) square meters in area.

3. Election Signs shall not be erected until:
   (a) in the case of a federal or provincial election, after the election writ has been issued; or
   (b) in the case of municipal elections, one month in advance of the election date.

4. Election Signs must be removed by the end of the third day following the election.

5. Election Signs must be placed a minimum of two (2.0) meters from the curb on a street, road, or provincial highway.

VI. Billboard Signs

1. In this Part, “Billboard Sign” means a sign that is an aesthetically designed poster, panel or painted bulletin and includes any panel structure, pole, board, or object designed exclusively to support such poster, panel or painted bulletin.

2. Billboard Signs shall only be erected in the City’s designated sign corridors located on the east and west entrances of the City, and only upon approval by any Authorized Person.

3. All approved Billboard Signs shall be installed by the City. The owner of the Billboard Sign shall pay to the City an installation fee as established by resolution of City Council from time to time.

4. All Billboard Signs shall be constructed in accordance with the following requirements:

   (a) the face of all Billboard Signs shall be 2.438 meters (8 feet) by 3.658 meters (12 feet) in size;

   (b) Billboard Signs shall be mounted with the bottom edge of the sign face at least 1.829 meters (6 feet) from the ground;

(c) Billboard Signs must be freestanding and shall be supported by three steel posts, or three 4 x 6 wooden posts painted white;

(d) the back side of the Billboard Sign shall be white;

(e) all Billboard Signs must be designed and constructed by a professional sign manufacturer;

(f) all Billboard Signs will be subject to approval by any Authorized Person, prior to the erection of the sign, as to the quality of construction.

5. Maintenance Requirements

(a) In addition to the General Maintenance requirements, all Billboard Sign owners shall, not later than February 28th in each year, pay to the City a ground maintenance fee, in the sum determined by resolution of City Council from time to time. Fees unpaid at February 28th in any given year will result in removal of the Billboard Sign from the corridor.

6. In the event of future development on property adjacent to the sign corridors, Billboard Signs may be removed from the corridor.

VII: Removal of Advertising Devices by the City

1. Any Advertising Device placed in violation of this Bylaw may be immediately removed by the City and without notice by the City whether or not any person has been charged or convicted of an offence under this Bylaw. The City shall not be liable for any expenses or loss of revenue to the owner of any Advertising Device so removed, or any person affected by removal of any Advertising Device.

2. Any Advertising Device which impedes or interferes 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.

3. Upon removal, the City shall place the Advertising Device in a storage place of the City's choosing. Costs of removal and storage of any Advertising Device removed by the City shall be borne by the owner of the said Advertising Device. Any Advertising Device removed and stored by the City, which is not reclaimed by the owner within ten (10) business days may be disposed of by the City, without notice.

4. The City is not responsible for the loss or damage to any Advertising Device removed or stored by the City.

VIII: Offences and Penalties

1. Any person who contravenes or fails to comply with any provision of this Bylaw,

obstructs or hinders any person in the performance of his/her duties under this Bylaw is guilty of an offence and is liable on summary conviction to:

(a) in the case of an individual, a fine not more than $2,000.00;
(b) in the case of a corporation, a fine not more than $5,000.00.

2. Conviction of a person for a contravention of this Bylaw does not relieve the person from compliance with any provision(s) of the bylaw.

IX. Liability

1. Nothing in this Bylaw relieves or limits the liability of any person erecting or utilizing an Advertising Device from claims for personal injury or property damage resulting from the placing of the Advertising Device or resulting from the negligence of the person in the maintenance or removal of the device.

2. 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 Advertising Device on property owned or controlled by the City.

X. Repeal

1. Bylaw No. 07/2000 and Bylaw No. 30/2000 are hereby repealed.

This Bylaw shall come into force and take effect on the date of the final reading thereof.

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Mayor: Malcolm Eaton City Clerk: Sandra Pauli

Introduced and read a first time this 28th day of April, 2008.

Read a second time this 28th day of April, 2008.

Read a third and final time this 28th day of April, 2008.