

## **SIGN REGULATIONS**

### **PUBLISHED BY AUTHORITY**

Pursuant to the powers conferred by Section 414, Subsection (2) (ii) (nn) (rr) (tt) of the Municipalities Act, 1999, the Town of Bay Roberts has made the following Regulations.

---

MAYOR

---

TOWN CLERK

## **SIGN REGULATIONS**

### **1. Title**

These regulations shall be cited as “The Town of Bay Roberts Sign Regulations”.

### **2. Interpretation**

In these regulations unless the context otherwise requires:

- (a) “Sign” means any fabricated sign, for which a permit to construct, erect, re-erect, relocate, or alter, is required by these regulations, including its structure consisting of any writing, reading matter, letter, word, figure, character, mark, point, plane, marquee sign, design, emblem, symbol, device, poster, pictorial picture or representation, illustration, decoration, stroke, stripe, line, trademark, flag, banner, pennant or illuminating device, constructed, attached, erected, fastened or manufactured in any manner whatsoever so that the same shall be used to announce, direct or attract the attention of the public to or advertise any place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever out of doors or visible from outside a building for recognized advertising purposes.
- (b) “Authority” means the Town Council of the Town of Bay Roberts.
- (c) “Billboard” means any advertisement described for use under these regulations and regarded as a general information package only, not necessarily promoting a local product or business, or announcing direction to a specified location. Billboard signs are meant for general advertisement (lease, rent, etc.) and are not to be confused with off-site signage.
- (d) “Off-Site” means any permanent sign described for use under these regulations and intended for the purpose of announcing direction to a particular site.

- (e) “On-Site” means any sign (permanent or temporary) described for use under these regulations and located wholly within the confines of the owner’s property.
- (f) “Permanently Fixed Signs” means any advertising device described for use under these regulations, permitted to be erected and is securely anchored through permanent measures such as footings.
- (h) “Political signage” means any advertising device described for use under these regulations, permitted to be erected solely for the purpose of election promotion.
- (i) “Portable Sign” means any sign described for use under these regulations, permitted to be erected, usually for a specified time period as set out by council, but easily moved upon notice. This type of sign is usually reusable and moved to various locations. Vehicles & trailers, etc. with advertising markings/designs or carrying signage and placed on site for the sole purpose of advertising, shall be considered Temporary/Portable Signs under these regulations.
- (j) “Sign Face Area” means the total area in height and width of the entire advertising device, excluding posts, etc. It shall include any framing or border around the actual lettering, graphics, etc. Irregular shaped signs shall have their area determined by the outermost height and width of the sign face.
- (k) “Sign Height” means the distance from the finished grade to the highest point on the existing sign.
- (l) “Temporary Sign” means any sign described for use under these regulations, permitted to be erected for a specified time period as set out by Council, after which time it shall be removed.

### **3. Section 1 - Permanently Fixed Signs / Advertising Devices**

The conditions which apply to “Permanently Fixed signs / Advertising Devices”, and which shall apply to an erection or display of a sign on any lot or site occupied by a use permitted in the pertinent zone, are as follows:

#### **(1) On-Site**

- (a) The size, shape, illumination and material construction of the sign shall be to the satisfaction of the authority, having regard to the safety and convenience of users of adjacent streets and sidewalks and the general amenities of the surrounding area. All electrical signs must be approved by the Canadian Standards Association.

- (b) No freestanding sign shall exceed 15 square meters (sign area).
- (c) Signs incorporated into the architectural design of any building in the zone shall not exceed 15 square meters. Regular attached signs are not to exceed 10 square meters.
- (d) For Comprehensive Development Schemes (large shopping centers, etc.) a sign face area of up to 30 square meters may be permitted, at the discretion of Council.

**(2) Off-Site (General)**

- (a) The location, siting and illumination of each sign shall be to the satisfaction of the authority, having regard to the grade and alignment of the streets, the location of the street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area. All electrical signs must be approved by the Canadian Standards Association.
- (b) The sign shall only show thereon the name and nature of, and the distance and direction to, the premises to which they relate.
- (c) Each sign shall not exceed 6 square meters.
- (d) The sign shall not be situated, in whole or in part, within the right of way of a public street.
- (e) The sign shall be set back from the property line a minimum distance of one half (1/2) the height of the sign.
- (f) Permanently fixed signs are not permitted on town owned property.
- (g) Not more than one (1) sign shall be permitted on any one lot.

**(3) Off-Site (Billboards)**

- (a) The location, siting and illumination of each sign shall be to the satisfaction of the authority, having regard to the grade and alignment of the streets, the location of the street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area. All electrical signs must be approved by the Canadian Standards Association.

- (b) Each sign shall not exceed 20 square meters.
- (c) The sign shall not be situated in whole or in part within the right of way of a public street.
- (d) The sign shall be set back from the property line a minimum distance of one half (1/2) the height of the sign.
- (e) Not more than one (1) sign shall be permitted on any one lot.

#### **4. Section 2 - Temporary / Portable Signs**

These conditions shall apply only to “Temporary / Portable Signs”.

- (1) No person shall erect either of the above noted signs without first obtaining a permit from the Town of Bay Roberts. No permit will be issued to erect such a sign unless all the requirements of this policy are satisfied.
- (2) No sign will be permitted to be erected in the Public Right of Way or within 15 meters of another temporary / portable sign.
- (3) Not more than one (1) sign shall be permitted on any one lot. In the case of corner lots, housing multiple businesses, one (1) sign facing each street may be permitted. (Both signs are prohibited for the same business).
- (4) The maximum sign face area is limited to 5 square meters.
- (5) The number of messages on a single sign shall be limited to those that can be read at normal driving speed without impairing safety.
- (6) Signs will not be permitted to be placed so as to obscure other permanent signs, nor shall they be permitted to obstruct access to or from a parking lot, nor interfere nor obstruct with visibility or line of sight.
- (7) The maximum sign height from ground level to the top of the sign shall be 3 meters.
- (8) During the months December to April, the sign shall be set back from the property line a minimum distance of one half (1/2) the height of the sign, and at no time shall be permitted to encroach on Town Property.

- (9) Portable lighted signs shall be approved by the Canadian Standards Association (or other recognized authority as approved by the Town of Bay Roberts) and bear the C.S.A. approval decal on the sign. If the sign is considered mobile, it shall be fully approved and licensed by the Motor Vehicle Registration Division.
- (10) The sign shall be securely anchored as approved by the Town of Bay Roberts.
- (11) The sign may be ordered removed by the Town of Bay Roberts at any time if any of the above noted stipulations are violated or if, in the opinion of Council, it is deemed unsafe or hazardous to the public.

## **5. Section 3 - Political Signage**

These conditions shall apply only to “Political Signage” erected on a temporary basis and solely for the purpose of election promotion.

- (1) Maximum size of this class of sign shall be **3.0** square meters.
- (2) Building Permits are not required.
- (3) Signs will be permitted to be put in place a maximum of **thirty days** preceding the announced date of an election.
- (4) All signage shall be removed immediately within **two days** following the election. Any signage still in place at this time will be removed by the Town of Bay Roberts at the owner’s expense.
- (5) For elected officials, small non-promotional signs, for the office identification purposes only, will be permitted year round on established signs or building faces to a maximum size of **0.2** square meters.
- (6) Unlit signs only are permitted.
- (7) Signs are to be checked periodically by the owner for damage and reinstatement.
- (8) Dilapidated or unkept signs may be removed by the Town of Bay Roberts.
- (9) Signs will not be permitted on or around Town owned green spaces.

## **6. Section 4 - Real Estate Signs**

Real estate signs shall be subject to the following conditions:

- (1) No real estate sign shall be affixed to any utility pole or municipal building, structure or sign or be erected or placed on privately owned land without the permission of the property owner.
- (2) There shall be a limit of one double-faced sign per property or for every 30 m of lot frontage.
- (3) A corner lot may carry two double-faced signs, one sign for each street.
- (4) Portable real estate open house signs shall also be permitted provided their placement does not obstruct vehicular or pedestrian movement, and shall be removed immediately following the time of the actual open house.
- (5) A real estate sign "For Sale" shall be permitted and placed only on property actually for sale.
- (6) A real estate sign "Directional" shall be permitted and placed only on property actually for sale.
- (7) A real estate sign marking that the property is "sold" may appear for a limit of two weeks from the date of the closing of the transaction.
- (8) A real estate sign that do not comply with these regulations shall be removed.

## **7. Section 5 - Removal of Signs**

Notwithstanding the provisions of these regulations, the Authority may require the removal of any sign which, in its opinion, is:

- (1) Hazardous to road traffic by reason of its siting, colour, illumination, or structural condition, or
- (2) Detrimental to the amenities of the surrounding area.

## **8. Permit Required**

No person shall erect, maintain or repair a sign unless the location and building plans of sign are approved by the Council and a permit for the erection or repair of the sign has been issued by the Council.

- (1) A Building Permit is required for all signs covered under sections 1 and 2. Drawings shall be submitted to the Town of Bay Roberts and reviewed in accordance with the National Building Code of Canada and Town Regulations and By-Laws.
- (2) The maximum overall height of any sign covered under these sections is **10** meters from ground level to the top of the sign. Any freestanding sign in excess of **3.0** meters in “sign height” shall be accompanied by structural drawings. Billboard signs in excess of **15** square meters shall be accompanied by drawings bearing the stamp of a registered Newfoundland engineer.
- (3) All ground at the base of signs shall be reinstated to original material (ie. asphalt, grass, etc.) and shall be maintained in good condition.
- (4) In the case of shared parking lots (ie. shopping centers, mini-malls, etc.), where a common entrance is utilized to gain access to the parking area, signs may be located elsewhere within that parking lot if it cannot be accommodated in front of the applicants property.
- (5) All signs shall be securely anchored to the ground through the use of footings, sunken holes, etc., or other town approved method
- (6) Other permits may be required by other government agencies.

## **9. Form of Application**

An application to construct, maintain or repair a sign shall be made only by the owner or by a person authorized by the owner to the Council on such form as may be prescribed by the Council, and every application shall include such information, plans, specifications and drawings as the Council may require, and be accompanied by the permit fee required by the Council.

## **10. Maintenance**

Every person who owns a sign shall maintain such sign in a good state of repair. For the purposes of this regulation, “good state of repair” shall mean:

- (1) The sign is complete and in a structurally sound condition and plumb and securely anchored.
- (2) Protected by weather-resistant materials.
- (3) Sign components are not broken, rusted, rotten or in a hazardous condition.

- (4) That the sign does not present an unsightly appearance deleterious to abutting land or to the neighbourhood.

## **11. Compliance with Regulations**

- (1) A sign in existence at the date of coming into effect of these Regulations which is not in accordance with the provisions of these Regulations may continue to exist provided the sign is maintained in a good state of repair and the sign is not deemed to be a safety hazard or obstruction by the Council. A sign which is in existence at the date of coming into effect of these Regulations shall not be modified or replaced with a sign which differs in the height, type, style or material used in the erection or construction of the existing sign unless the sign is constructed in accordance with these Regulations.
- (2) The Council may, at its discretion, inspect every sign for which a permit is required.
- (3) Any sign which is found to be unsafe, or does not comply with the provisions of this regulation be ordered to be repaired, altered, or otherwise made to comply with this regulation by written notice to the erector, licensee and/or owner within a time limit to be specified by the Council.
- (4) Any sign which is not made to comply shall be removed by the erector, licensee and/or owner within a time limit to be specified by the Council.
- (5) Any sign which is not removed in compliance may be caused to be removed by the Council and all costs of such removal shall be paid by the erector, licensee and/or owner.

## **12. Penalties**

Every person who contravenes or fails to comply with any of the provisions of the Regulations or Order made thereunder is guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars (\$1,000.00) or in default of payment to a period of imprisonment not exceeding ninety days, or to both such fines and period of imprisonment.

## **13. Coming into Effect**

These Regulations were passed and adopted by Council on the 14<sup>th</sup> day of September, 2010 and will come into effect on the 14<sup>th</sup> day of October, 2010 and shall be cited as the “The Town of Bay Roberts Sign Regulations”.

Appendix "A"

**TOWN OF BAY ROBERTS  
SIGNAGE PERMIT**

Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Owner of Sign: \_\_\_\_\_ Phone: \_\_\_\_\_

Location of Sign (Civic Address): \_\_\_\_\_

Type of Sign (Material): \_\_\_\_\_

Size of Sign (Width by Height): \_\_\_\_\_

Date Sign to be Erected: \_\_\_\_\_

Permit # \_\_\_\_\_ Cost \$ \_\_\_\_\_

\_\_\_\_\_  
Authority

- 1. A site visit by Municipal Authority will be required prior to placement of signage.**
- 2. The authority may require the removal of any sign which, in its opinion, is hazardous to road traffic by reason of its siting, colour, illumination, or structural condition, or detrimental to the amenities of the surrounding area.**
- 3. Every person who owns a sign shall maintain such sign in a good state of repair.**
- 4. Every person who contravenes or fails to comply with any of the provisions of the Town of Bay Roberts Sign Regulations, 2010 or Order made thereunder is guilty of an offence and liable on summary conviction to a fine.**
- 5. A copy of the Town of Bay Roberts Sign Regulations is available at the Town Council Office, 321 Water Street, Bay Roberts and also, available on the Town website [www.bayroberts.com](http://www.bayroberts.com).**