

## SUMMER VILLAGE OF POPLAR BAY

### BYLAW #210

#### A BYLAW OF THE SUMMER VILLAGE OF POPLAR BAY, IN THE PROVINCE OF ALBERTA, TO CONTROL AND REGULATE SIGNS

WHEREAS the Municipal Government Act being Chapter M-26 of the Revised Statutes of Alberta, 2000, Part 2, Section 7 & 8 and Part 17 and amendments thereto, authorizes the Council of a municipality to pass bylaws pertaining to planning and development, and

WHEREAS it is deemed desirable and expedient to provide for the control of orderly development within the boundaries of the Summer Village of Poplar Bay for the purposes of maintaining and improving the infrastructure, and

WHEREAS the Council of the Summer Village of Poplar Bay considers it desirable and expedient to do so.

NOW THEREFORE the Council of the Summer Village of Poplar Bay, in the Province of Alberta, duly assembled, enacts as follows:

#### SECTION 1 – NAME

- 1.1 This Bylaw shall be known as "*The Sign Bylaw*".

#### SECTION 2 – DEFINITIONS FOR THE PURPOSE OF THIS BYLAW

- a) "*Council*" means the Council of the Summer Village of Poplar Bay.
- b) "*Discretionary Use*" means a use for which a development permit may be issued with or without conditions.
- c) "*Election Sign*" means any sign used to promote a registered candidate and/or registered party during a municipal, provincial or federal election.
- d) "*Garage Sale*" means the sale of personal or household goods from a residential property.
- e) "*Highway*" means any thoroughfare, street, road, trail, avenue, parkway, driveway, lane, alley, bridge, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:
  - I. a sidewalk, including the boulevard portion of the sidewalk;
  - II. if a ditch lies adjacent to and parallel with the roadway, the ditch, and
  - III. if a highway right-of-way is contained between fences or between a fence and one side of the roadway, all the land between the fence and the edge of the roadway, as the case may be.
- f) "*Intersection*" means the area embraced within the prolongation or connection of the lateral curb lines, or if none, the exterior edges of the roadways of two or more Highways which join one another at an angle whether or not one Highway crosses the other.
- g) "*Median*" means a physical barrier or area that separates traffic travelling in one direction from travelling in the opposite direction on a Highway.
- h) "*Municipality*" means the Summer Village of Poplar Bay.
- i) "*Municipal Property*" means roads, right-of-ways, boulevards, pathways, structures, equipment, installations, devices, signs, barriers, reserves, public parks including playgrounds, playground equipment and property owned by the Village.
- j) "*Municipal Tag*" means a tag or ticket wherein the person alleged to have committed a breach of this Bylaw is given the opportunity to pay a voluntary penalty to the Summer Village in lieu of prosecution for the offence.

- k) "Owner of Private Property" means the registered owner, occupant, or person responsible for a lot within the municipal boundaries.
- l) "Owner of (the) Sign" means any person who is described on a sign, whose name or address or telephone number appears on a sign, who created the sign, who installed the sign, who is in lawful control of the sign or who is the subject of or otherwise benefits from the message of a sign, and for the purposes of this Bylaw there may be more than one owner of a sign.
- m) "Pathway" means any paved, gravelled or natural walkway used by pedestrians and people using mobility aids, such as wheelchairs, and people using bicycles within the Summer Village.
- n) "Person" means an individual and includes a firm, partnership, joint venture, proprietorship, corporation, association, society, and any other legal entity.
- o) "Reserve" means any area designated as a public reserve, community reserve, or park, title to which is vested to the Summer Village of Poplar Bay.
- p) "Road" means that part of a highway intended for use by vehicular property.
- q) "Sidewalk" means that part of a highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a Highway between the curb or edge of the roadway and the adjacent property line, whether or not paved or improved.
- r) "Sign" means an object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event.
- s) "Peace Officer" means an officer under the employ of the Pigeon Lake Regional Protective Services, or other bylaw enforcement service as appointed by Council pursuant to the Municipal Government Act.
- t) "Real Estate Copy" means copy that advertises real estate that is for sale, for lease or for rent, or real estate that has been sold.
- u) "Real Estate Sign" means a sign displaying real estate copy.
- v) "Summer Village" means the Summer Village of Poplar Bay.
- w) "Violation Ticket" means a form approved by the Summer Village, or a form prescribed by the Provincial Offences Procedure Act, R.S.A. 2000, Chapter P-34

### **SECTION 3 – INTRODUCTION TO A RELATED BYLAW**

#### **COST OF PERMITS**

- 3.1 The cost of a development permit for a sign(s) where required is identified in the "Development Permit Bylaw".

#### **PENALTIES**

- 3.2 Penalties for failure to obtain a development permit, failure to adhere to the requirements of a development permit or failure to display a development permit shall be in accordance with the "Development Permit Bylaw".

### **SECTION 4 – REQUIREMENTS FOR SIGNS**

#### **PERMANENT SIGNS**

##### **Permanent Advertising Signs on Private Property**

- 4.1 The installation of permanent advertising sign on private property, e.g. signs advertising a home business, require a development permit, (see the "Development Permit Bylaw"), and will be considered and managed as a discretionary use as described in the Village's Land Use Bylaw (LUB) and shall:
- a) not include roof signs;
  - b) have a maximum size of 0.6 metres (2-feet) by 0.6 metres;
  - c) not be attached to vehicles or trailers;
  - d) not interfere with drivers, distract traffic or pedestrians.

### **Permanent Signs on Municipal Property**

- 4.2 Permanent commercial signs advertising a private business are not allowed on Municipal Property regardless of land use zoning.
- 4.3 Permanent community related signs on municipal property, such as community sponsored tourism signs, subdivision entrance signs and community identification signs require a development permit (see the "*Development Permit Bylaw*"), and will be considered and managed as a discretionary use as described in the Village's Land Use Bylaw (LUB). The size of such signs is at the discretion of the Development Authority Officer (DAO).
- 4.4 In addition permanent Signs, regardless of purpose, shall not:
- a) be placed closer than 2 metres from the curb or edge of the road, near traffic signs, on utility poles, street light poles, municipal sign poles, medians, bridges, etc.;
  - b) be placed on any traffic island or centre median;
  - c) require the removal of trees and shrubbery;
  - d) obstruct any traffic control sign;
  - e) be posted within 3.0 metres from a site access or 10 metres of any intersection;
  - f) be posted within 15 metres of an adjacent permanent sign;
  - g) be reflective or illuminated;
  - h) be allowed to become unsightly or unreadable;
  - i) interfere with drivers, traffic, or pedestrians;
  - j) be allowed to create a traffic or pedestrian hazard.
- 4.5 The Owner of the permanent sign on Municipal Property shall have liability insurance pertaining to the sign and the Owner of the sign will indemnify and save harmless the Summer Village.
- 4.6 The above clauses (4.1 to 4.4) exclude signs identifying the Owner of the property (e.g. the family name) and the address of the property (e.g. lot number, house number).

### **TEMPORARY SIGNS ON MUNICIPAL OR PRIVATE PROPERTY**

- 4.7 Temporary Signs on Municipal or Private Property, such as garage sale signs and those advertising a community event, DO NOT require a development permit.
- 4.8 A temporary sign:
- a) shall have a maximum size of 0.6 metres (2-feet) by 0.6 metres;
  - b) shall not be attached to vehicles or trailers;
  - c) shall not interfere with drivers (must not distract traffic) or pedestrians;
  - d) shall not be reflective or illuminated.
- 4.9 A maximum of 3 garage sale signs are allowed pertaining to one residence in the Village, only on the day prior to the sale and on sale days.

- 4.10 A temporary Sign shall not be:
- a) closer than 10 metres to any intersection;
  - b) closer than 2 metres from the curb or edge of the road;
  - c) attached to a street light pole, or municipal sign pole;
  - d) permanently affixed;
  - e) supported by string, rope, metal stakes, wire, or other similar tripping hazards;
  - f) posted for more than 14 days;
  - g) placed on any traffic island, or centre median;
  - h) placed in a position to obstruct any traffic control sign;
  - i) placed in a position to create a traffic or pedestrian hazard.

#### **ELECTION SIGNS**

- 4.11 A development permit is not required for the erection of campaign signs for federal, provincial, municipal or school board elections on private properties for no more than thirty days, or such other time as regulated under provincial or federal legislation provided that such signs:
- a) bear the name of the person responsible for the sign;
  - b) are removed within 36 hours of the election date; and
  - c) meet the additional requirements of "*Temporary Signs on Municipal Property*", as described above (clauses 4.7 to 4.10).

#### **TEMPORARY REAL ESTATE SIGNS**

- 4.12 A development permit is not required for the erection of real estate signs on private property. One sign is permissible on internal lots, or two signs on corner lots, advertising the land for sale or rent provided that such signs are a maximum of 0.6 metres (24-inches) by 0.8 metres (32-inches).
- 4.13 Real estate signs are allowed on Municipal Property within the side boulevards of the roads, for a maximum of fourteen (14) days in accordance with clauses 4.7 to 4.10 above.

#### **SIGNS INCIDENTAL TO CONSTRUCTION**

- 4.14 Signs for which the sole purpose is incidental to the construction, erection or alteration of a building, (e.g. providing the name of the contractor responsible for a project for which a development permit has been issued) do not require a permit but the signs are restricted to:
- a) private property, and
  - b) the period of construction.

#### **SIGNS ON RESERVES, PARKS, PLAYGROUNDS AND PATHWAYS**

- 4.15 Notwithstanding any of the above clauses, signs other than those authorized by Council for municipal purposes, shall not be allowed or placed on reserves, parks, playgrounds or pathways.

### **SECTION 5 PENALTIES**

- 5.1 A Peace Officer authorized to enforce this Bylaw under Section 7 of the "*Municipal Government Act, R.S.A. 2000, Chapter M-26*", and who has reasonable and probable grounds to believe that a person has contravened any section of this Bylaw, may under the authority of this Bylaw issue a Municipal tag, and where this tag is not paid by the offender a Part 2 violation ticket may be issued under the "*Provincial Offences Procedure Act, R.S.A. 2000, Chapter P-34*", to that person.

- 5.2 Any person, who fails to comply with any provision contained in this Bylaw, is guilty of an offence and is liable to fine(s) as follows:
- a) First offence: a fine of not more than one hundred dollars (\$100.00);
  - b) Second offence: a fine of not more than two hundred and fifty dollars (\$250.00);
  - c) Third offence: a fine of not more than five hundred dollars (\$500.00); and
  - d) Fourth offence and offences in excess of four: the fine will be at the discretion of a Provincial Court Justice.

#### SECTION 6 – SEVERABILITY OF BYLAW PROVISIONS

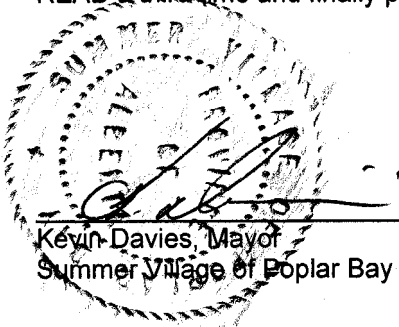
- 6.1 Each separate provision of this Bylaw shall be deemed independent of all other provisions, and if any provisions of this Bylaw be declared invalid, all other provisions shall remain valid and enforceable.

READ a first time this 11<sup>th</sup> day of April, A.D., 2008.

READ a second time this 11<sup>th</sup> day of April, A.D., 2008.


Given unanimous consent to proceed to third reading this 11<sup>th</sup> day of April, A.D., 2008.

READ a third time and finally passed this 11<sup>th</sup> day of April, A.D., 2008.



The seal is circular with a scalloped edge. It contains the text "SUMMER VILLAGE OF POPLAR BAY" around the perimeter and "ALEXANDER" in the center. A signature is written across the seal.

Kevin Davies, Mayor  
Summer Village of Poplar Bay



The signature is written in cursive and reads "Peter Irwin".

Peter Irwin, Chief Administrative Officer  
Summer Village of Poplar Bay