

CONSOLIDATION OF A BYLAW OF THE CITY OF LETHBRIDGE,
IN THE PROVINCE OF ALBERTA, TO REGULATE THE USE OF
PORTABLE SIGNS IN THE CITY OF LETHBRIDGE

AUTHORITY WHEREAS the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000 and amendments thereto authorizes the Council to pass a Bylaw which may regulate and remove advertising in public places within the municipality;

NOW THEREFORE THE COUNCIL OF THE CITY OF LETHBRIDGE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

DEFINITIONS

1. This Bylaw may be cited as the "City of Lethbridge Portable Sign Bylaw."
2. If a particular use does not conform with any of the following definitions, or if a particular use appears to conform with two or more definitions, the particular use may be deemed to conform to the definition which, in the opinion of the Development Officer, is most appropriate.

In this Bylaw:

- (1) ACT means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, or any Act substituted therefore.
- (2) CALENDAR YEAR means the year beginning January 1 and ending December 31.
- (3) CITY OF LETHBRIDGE or CITY means the Municipal Corporation of the City of Lethbridge or the land lying within the corporate limits of the City.
- (4) CLUB means development for the assembly of members of charitable, social service, athletic, business or fraternal organizations, and may incorporate eating, drinking, entertainment, sports, recreation and amusement facilities as accessory uses.
- (5) COUNCIL means the duly elected Council of the Municipal Corporation of the City of Lethbridge.
- (6) CULTURAL FACILITY means development for display, storage, restoration or events related to art, literature, music, history or science, and may incorporate eating, drinking and retail facilities as accessory

DEFINITIONS
CONTINUED

uses. This term refers to uses such as art galleries, libraries, auditoriums, museums, archives and interpretive centres.

- (7) DEVELOPMENT OFFICER means a person appointed by Council as a Development Officer.
- (8) DISTRICT means an area designated by the City of Lethbridge Land Use Bylaw 4100 in which permitted and/or discretionary uses and development regulations are prescribed or, in the case of Direct Control districts, determined by Council.
- (9) FRONTAGE means that portion of a parcel or a building facing a street.
- (10) GRADE means the average elevation of the finished ground surface excluding localized depressions.
- (11) HEIGHT means the vertical distance measured in metres from grade to the highest point of the sign.
- (12) PARCEL means the aggregate of the one or more contiguous areas of land described in a Certificate of Title.
- (13) PARCEL LINE means the legally described boundary of any parcel.
- (14) PORTABLE SIGN means any sign or advertising device that can be transported from one site to another and includes licensed vehicles placed in a location for advertising purposes. Signage permanently attached to or forming part of a licensed vehicle used in the day-to-day conduct of a business where the signage advertises only that business does not constitute a portable sign. Portable signs may feature electronic or video display.
- (15) PORTABLE SIGN PERMIT or SIGN PERMIT means a document which authorizes the use of a portable sign pursuant to this Bylaw.
- (16) SIGN means an outdoor visual device and its structure and component parts, intended to identify, advertise or call attention to any matter, object, event or person.
- (17) SPORTS AND RECREATION FACILITY, MAJOR means development for sports or recreation activities likely to generate noise, light or traffic impacts beyond the site, and may incorporate eating, drinking and retail facilities as accessory uses.
- (18) SPORTS AND RECREATION FACILITY, MINOR means development for athletic, recreation and community meeting activities with a low impact beyond the site, and may incorporate eating, drinking, amusement and retail facilities as accessory uses.

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DEFINITIONS
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- (19) STREET means any public roadway, not including lanes, which is more than 10 m wide and which provides the primary means of direct access to abutting parcels.

VALIDITY OF
INDIVIDUAL
SECTIONS

3. Each provision of this Bylaw is independent of all other provisions, and if any provision of this Bylaw is declared invalid, all other provisions remain valid and enforceable.

DUTIES OF
DEVELOPMENT
CONTROL OFFICER

4. (1) The Development Officer shall:
- (a) administer this Bylaw, and perform such duties as are required by this Bylaw;
 - (b) maintain, for inspection by the general public during office hours, a copy of this Bylaw and all amendments thereto, and shall ensure that copies of same are obtainable by the general public at a reasonable charge;
 - (c) maintain a record of all sign permit applications with the decision, and the conditions of approval or reasons for refusal;
 - (d) collect the fees established by this Bylaw; and
 - (e) see to the removal of all advertising devices erected or maintained without permit, pursuant to the Act.
- (2) Where a duty is imposed on a Development Officer under this Bylaw, the duty is imposed on each person appointed to the office of Development Officer, and the duty can be exercised by any one of them.

APPLYING
FOR PORTABLE
SIGN PERMIT

5. All portable signs within the municipality are required to be authorized by a valid sign permit.
6. A Portable Sign Permit Application shall be made to the Development Officer on Form A of this Bylaw, and shall be accompanied by:
- (1) Evidence satisfactory to the Development Officer that the application is authorized by the registered owner(s) of the parcel.

APPLYING FOR
PORTABLE SIGN
PERMIT CONT'D

- (2) The required fee.
- (3) The municipal address.
- (4) The name and address of the sign owner.
- (5) The land use designation.
- (6) The name and address of the advertiser, if the sign is in a Public Building District.
- (7) The name and address of the property owner and/or tenant.
- (8) The manner of illumination, if any.
- (9) The date the sign is to be removed.

7. A Portable Sign Permit Application shall be considered to have been received by the Development Officer when all of the information required pursuant to Section 6 has been accepted by the Development Officer as being a sufficient quantity and quality to enable evaluation of the application.

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8. (1) The fee required for a Portable Sign Permit Application shall be \$120.00.
- (2) The fee for amending a valid existing Portable Sign Permit shall be \$35.00.
- (3) When a Portable Sign Application is made after the sign has been located on a parcel, a late fee of \$140.00 shall be required in addition to the application fee described in subsection (1).
9. The Development Officer shall issue a sign permit with or without conditions for a portable sign which complies with all provisions of this By-law.
10. No provisions of this Bylaw may be waived.
11. A portable sign shall comply with all the provisions of this Bylaw for the Sign Permit to remain valid.
12. Upon approval of a Sign Permit Application:
 - (1) The Sign Permit shall be signed and dated as of the date of the decision and released to the applicant.

- (2) The sign may be installed upon release of a Sign Permit.

DECIDING ON A
SIGN PERMIT
APPLICATION

13. The Development Officer may modify, suspend or cancel a Sign Permit which has:

- (1) been obtained by fraud or misrepresentation, or by failure to disclose pertinent information at the time of application, or
(2) been issued in error.

14. A Portable Sign shall be allowed for the announcement of special events, sales or other circumstances where a sign is needed for a short, specified period of time provided:

- (1) Except as provided in subsection (2), each parcel shall be allowed the use of 1 portable sign for a period or periods of time not exceeding 120 days in each calendar year.

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- (2) Only 1 portable sign shall be located at one time on a parcel, except parcels over 78 m total frontage may have 2 signs at one time if a minimum 46 m separation, measured along the front parcel line, is maintained between signs. A parcel of land, regardless of size or number of occupants, shall not display portable signs for more than a total of 180 days per calendar year.

- (3) The design, character and appearance of the sign shall be consistent with the District in which the parcel is located and the sign shall be maintained in good repair at all times.

- (4) Except as provided in Section 14(5) a portable sign may be located on a parcel other than that of the use being advertised, provided that the parcel is in a Commercial or Industrial District as defined in Land Use Bylaw 4100.

- (5) A portable sign may be used in a Public Building District as defined in Land Use Bylaw 4100, provided:

- (a) the sign is located on the same parcel as the use being advertised, and

DECIDING ON A SIGN
PERMIT APPLICATION
CONTINUED

- (b) those uses in the Public Building District which may use a portable sign shall be restricted to:
 - (i) Cultural facilities,
 - (ii) Clubs,
 - (iii) Religious Assembly,
 - (iv) Sports and recreation facilities, major, and
 - (v) Sports and recreation facilities, minor

- (6) The name and phone number of the sign owner shall be permanently affixed in a visually prominent location on the sign.

- (7) The sign and all component parts shall be situated within the parcel lines.

- (8) No portable sign shall be permitted in a location where it obstructs the vision of vehicular traffic, nor interferes with the interpretation of or may be confused with any traffic sign, signal or device.

- (9) No portable sign shall interfere with traffic circulation on the site or reduce the number of required parking spaces of the parcel.

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- (10) The sign face shall have maximum dimensions of 3.65 m x 2.43 m.

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- (11) The maximum height of the sign shall be 4.58 m above grade.

- (12) If illuminated, a portable sign shall not employ any flashing or intermittent lights.

- (13) A sign on a parcel that adjoins a Residential District shall not be illuminated by any means after 10:00 p.m.

- (14) The sign shall be removed on or before the expiry date noted on the portable sign permit.

- 15. Where any portable sign is found to be in contravention of any one of the provisions of this Bylaw the Development Officer shall:
 - (1) give notice in writing to the sign owner or owner of the parcel of land upon which the sign is located directing rectification of the contravention;

DECIDING ON A SIGN
PERMIT APPLICATION
CONTINUED

- (2) except as provided in subsection (5), remove and impound the said sign in the event the sign continues to contravene the provisions of the By-law 48 hours after receipt of the notification.
 - (3) release any impounded sign upon payment to the City of Lethbridge of a towing and impoundment fee of \$125.00 plus a storage fee of \$12.00 per day for the length of time the sign remains impounded.
 - (4) upon the expiration of 30 days from the date of impoundment dispose of any sign pursuant to the provisions of Section 610 of the Municipal Government Act.
 - (5) Notwithstanding the time period specified in subsection (2), may remove and impound a portable sign without prior notice when the portable sign is determined by the Development Officer to cause a safety hazard.
16. Every person who fails to comply with the provisions of this Bylaw or any notice given under this Bylaw is guilty of an offence punishable on summary conviction and liable to a fine of not more than \$500.00.
17.
 - (1) Any person who receives a notice, or has their sign impounded pursuant to the provisions of this By-law and who thinks themselves aggrieved may appeal within 10 days of the date of such action or notice to the Community Services Director of the City of Lethbridge.
 - (2) Notwithstanding the submission of an appeal any sign ordered to be removed by the Development Officer must be removed within the time specified within the notice pending the result of the appeal.
 - (3) Redemption of a sign following impoundment of same shall not be deemed to be an admission by the owner that the sign was in contravention of any provisions of this By-law.
18. Bylaw No. 4388 is hereby repealed.



CITY OF *Lethbridge*

Application No.	
Land Use District	Permit Fee (Non-Refundable)

PORTABLE SIGN PERMIT APPLICATION

Received by:
Application Date:

FORM A

I/We hereby make application under the provisions of the PORTABLE SIGN BYLAW No. 5240 for a portable sign permit in accordance with the information submitted which form part of this application.

LOCATION OF SIGN (ADDRESS):			
APPLICANTS NAME (Please Print):		PHONE:	
SIGN OWNER'S NAME:		PHONE:	
SIGN OWNER'S ADDRESS:		POSTAL CODE:	
ADVERTISER'S NAME (If P-B District)		PHONE:	
The Registered Landowner consents to the siting of a portable sign on the parcel (initial only): _____			
SIGNATURE OF APPLICANT: _____			
COMMENTS:			
PERMIT NUMBER	EFFECTIVE DATE	EXPIRY DATE	NUMBER OF DAYS
The sign permit shall be in effect with the signature of the Development Officer.			
DEVELOPMENT OFFICER'S SIGNATURE: _____			