

BYLAW #1536A-09

TOWN OF PINCHER CREEK

SIGN BYLAW

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BYLAW #1536
of the
TOWN OF PINCHER CREEK
A BYLAW OF THE MUNICIPALITY OF THE TOWN
OF PINCHER CREEK, IN THE PROVINCE OF
ALBERTA, FOR THE PURPOSE OF
REGULATING SIGNAGE WITHIN THE
LIMITS OF THE TOWN OF PINCHER CREEK

PURSUANT to Section 7(1) of the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M26 and amendments thereto, Council may pass bylaws respecting the safety and protection of people within the Town of Pincher Creek, and

WHEREAS Council wishes to set forth regulations for signage within the Corporate limits of the Town of Pincher Creek,

NOW THEREFORE, the Municipal Council of the Town of Pincher Creek, duly assembled, hereby enacts as follows:

DEFINITIONS

For the purpose of this bylaw certain terms or words herein shall be interpreted or defined as follows:

1. **Act:** means the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26, as amended or replaced from time to time.
2. **Advertising Sign:** means a sign which refers to the goods or services produced, offered for sale, or obtainable at the premises on which the sign is displayed.
3. **Auxiliary Sign:** means a sign of any type which is attached to the face, copy, backing, lighting, or supporting structure of any sign.
4. **Back-Lit Sign:** means any sign type that is illuminated from the rear of the sign face.
5. **Boulevard:** means that portion of a public roadway that lies between the curb and the boundary of a lot or parcel.
6. **CAO:** means the Chief Administrative Officer of the Town of Pincher Creek.
7. **Canopy:** means a permanent fixture fitted over window or doors and used for either shelter, advertising or decoration.
8. **Changeable Copy Sign:** means a sign on which the copy changes automatically through electronic or mechanical means.

9. **Community Identification Sign:** means a sign which states the name of a community or area and may contain a logo or symbol which is related to that community's name.
10. **Community Sign:** means any sign advertising a local community organization.
11. **Construction Sign:** means a temporary sign erected on a site where construction is taking place and is used to identify the construction project, and those parties having a role or interest in the construction.
12. **Continuous Sign Band Sign:** means a sign containing copy for two or more tenants or occupants, and all the sign panels appear to be continuous and not physically separated from each other.
13. **Copy:** means the message on a sign in either permanent or removable form.
14. **Copy area:** means the entire area within a single straight line geometric figure or a combination of squares or rectangles that will enclose the extreme limits of the advertising message or announcement, including decorations related to the specific nature of the advertising message or announcement.
15. **Council:** means the elected officials of the Town of Pincher Creek.
16. **Development Officer:** means the CAO, the person appointed to the office of Development Officer or a representative designated by the CAO.
17. **Sign permit:** means a document authorizing a development issued pursuant to the bylaws of the Town of Pincher Creek (Schedule A).
18. **Electric Sign:** means a sign which utilizes an electrical source.
19. **Enforcement Officer:** means any person designated by the Council or CAO to enforce this bylaw.
20. **Façade:** means the entire front of a building including the parapet.
21. **Flashing Sign:** means a sign which contains an intermittent or flashing light source, but does not include an automatic changeable copy sign.
22. **Frontage:** means the front lot line or that side of a lot abutting a public roadway, but does not include any side abutting a lane, unless said lane is the only means of physical access to a lot.
23. **Hanging Sign:** means a sign suspended from a structure which may include a canopy or an arch.
24. **Identification Sign:** means a sign which identifies by name or symbol the occupant, business, or the site on which the sign is placed.

25. **Incidental Sign:** means a small sign, decal or emblem advertising goods, facilities, business hours, or services available on the premises.
26. **Individual Letter Sign:** means a sign that is made up of individual letters that are affixed to a surface which functions as the sign board.
27. **Inflatable Sign:** means an inflated three-dimensional device which incorporates a sign and is anchored or affixed to a building or site.
28. **International sign:** means a sign which incorporates the international symbol for that specific attraction or business, and is consistent with the guidelines of the “Manual of Uniform Traffic Control Devices for Canada.”
29. **Land Use Bylaw:** means the Town of Pincher Creek’s Bylaw.
30. **Land Use Classification Sign:** means a free-standing sign that shows the land uses, roads, parks and other amenities in a subdivision area.
31. **Marquee:** means a permanent structure that projects over a public place and is permanently attached to and supported by a building.
32. **Memorial Sign:** means a tablet or plaque memorializing a person, event, structure or site, provided said sign is not located in conjunction with any commercial or industrial use.
33. **Painted Wall Sign:** means a sign which is painted directly upon any outside surface of a building or other integral part of a building, and may contain product advertising.
34. **Parapet:** means the extension of a false front wall above a roofline.
35. **Political Poster:** means a temporary sign announcing or supporting candidates or issues in any election or plebiscite.
36. **Product Advertising:** means a logo, symbol, message, or a product facsimile upon any external sign, as defined in this bylaw, where a specific product is advertised for sale.
37. **Public Place:** means any location in the Town of Pincher Creek that is for public use and includes streets, lanes, avenues, boulevards, sidewalks, parks, squares, or rights-of-way, and includes the space above the same.
38. **Resident Identification Sign:** means a sign located on the premises, limited to providing the address and/or name of the owner or occupant of a building or premises.
39. **Roofline:** means the top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor similar projections.
40. **Rotating Sign:** means a sign or portion of sign which moves in a revolving manner but does not include a clock.

41. **Sign:** means any development:
 - a. constructed and permanently affixed directly or indirectly to any building, structure, window or a parcel of land; and
 - b. which is used to advertise, identify or display a commercial or non-commercial activity, product, place, organization, institution, person, service, event or location, by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images, and in such a manner as to be visible from any public place, but does not include any real estate sign, window display, political poster, flags, graffiti, athletic scoreboards or any traffic or directional and informational sign erected by the Town of Pincher Creek, the provincial or federal governments and their agencies.

42. **Sign Area:** means the entire face of a sign including the advertising surface and any framing, trim or molding, but not including the supporting structure, with the sign area of individual letter signs being the sum total of the area of the smallest straight line geometric figure that encloses the individual letters or figures of the sign.

43. **Sign Band:** means a prominent exterior display surface located horizontally between storefront windows and the cornice or roofline.

44. **Special Event Sign:** means any sign location in a tourism sign area advertising the occurrence of a special event that has been endorsed, sanctioned, or otherwise approved by Council.

45. **Specific Attraction Sign:** means any sign advertising the existence of a specific tourist attraction.

46. **Structure:** means any building, platform, shed, trailer, shelter, wall, fence, sound attenuation wall, bridge, pedestrian overpass, tree, traffic control device, fire hydrant, utility pole on or over municipal property.

47. **Unsightly:** means any permanent or temporary sign or part thereof or its location, which is characterized by visual evidence of the sign having been defaced in any manner, or lack of maintenance and upkeep, or by the accumulation of rubbish, refuse, scraps of paper, garbage or any other type of waste material.

48. **Variance:** means a whole or partial exemption from compliance with a particular standard or requirement of this bylaw which has been allowed by a municipal authority authorized to grant it pursuant to this bylaw.

49. **Wall Sign:** means a sign fastened to or painted on the wall of a building.

ADMINISTRATION

50. No one shall erect, place, alter, commence, or replace an existing sign development within the Town of Pincher Creek without having first obtained a permit in accordance with the provisions of this bylaw and the Town of Pincher Creek Land Use Bylaw.

51. Upon receipt of a completed application for a permit for a sign, the Development Officer shall process the application in accordance with the requirements of this bylaw and may either:
 - a. issue a permit with or without conditions, or:
 - b. refer the application to the Municipal Development and Subdivision Authority for a decision.
52. Any decision made under this bylaw may be appealed to the Subdivision and Development Appeal Board in accordance with the provisions of this bylaw.

SIGNS NOT REQUIRING A DEVELOPMENT PERMIT

53. No development permit is required for the following types of signs, however prior approval must be obtained from the Development Officer before installation of the sign or signs and meet the conditions of this bylaw and the Town of Pincher Creek Land Use Bylaw.
 - a. construction signs provided that such signs are removed within 14 days of completion of construction.
 - b. memorial signs,
 - c. political posters provided all such signage is removed within 14 days after the completion of the relevant election or plebiscite,
 - d. real estate signs provided all such signage is removed within 30 days after the sale or lease of the premises upon which the sign is located.
 - e. resident identification signs provided the sign is no greater than .20 sq.m (2 sq.ft.) in area.
 - f. garage sale signs provided that the sign is located on the site of the garage sale and that the sign is removed within 24 hours of the completion of the sale.
 - g. banners and pennants if displayed for less than 30 days,
 - h. signs, notices, placards or bulletins required to be displayed:
 - (i) pursuant to the provisions of federal, provincial or municipal legislation.
 - (ii) by or on behalf of the federal, provincial or municipal government.
 - (iii) On behalf of a department, a commission, a board, a committee or an official of the federal, provincial or municipal government.
 - i. a fascia sign which is attached to each residential dwelling unit or their accessory buildings and states no more than the name of the building or the name of the persons occupying the building, or both, provided that the total sign area does not exceed 0.28sq.m (3sq.ft.)
 - j. any traffic or directional and informational signs erected by the Town of Pincher Creek, Provincial or Federal governments.

SIGN PERMIT APPLICATION REQUIREMENTS

54. All applications for a sign permit shall:
 - a. be made in writing to the Development Officer utilizing the "Application for a Sign Permit" form.
 - b. include a description, color drawings or a plan drawn to a suitable scale and photographs if available, indicating or illustrating;
 - (i) the location of all existing and proposed signs;

- (ii) all size, height, and other dimensions of the proposed signs, including any supporting structures;
 - (iii) the location of the property boundaries of the parcel upon which the proposed signs are to be located;
 - (iv) the exact message content of the proposed sign face, the finish proposed for the sign, and any type of illumination or animation, if any;
 - (v) if a sign is to be attached to a building, the details regarding the extent of projection must be provided.
- c. be accompanied by the appropriate application fee. (See attached Schedule 'C')

MAINTENANCE OF SIGNS AND SIGN AREA

- 55.** All signs shall be properly maintained in a manner which ensures they are not hazardous to public safety, or because of their dilapidated appearance, are detrimental to surrounding areas.
- 56.** Pursuant to the Act, the Development Officer may order the removal, repair, or renovation of any sign.
- 57.** The area surrounding the sign structure shall be kept clean and free of overgrown vegetation, and free from refuse material as a condition of any sign permit. All vegetation shall be cleared away to a distance of at least 1.5m (4.92 feet) to the rear and sides of structures and the front property line and if on a corner site, to both property lines.
- 58.** Where the back of any sign is visible, it shall be suitably painted or otherwise covered to preserve a neat and clean appearance. Angle iron shall not be open to public view unless otherwise finished in an aesthetically pleasing manner to the satisfaction of the Development Officer.

VARIANCES

- 59.** The Development Officer, the Municipal Development and Subdivision Authority, or the Subdivision and Development Appeal Board is hereby empowered to issue a variance of any provision of this bylaw if, in its opinion:
- a. such a variance would not unduly compromise the aesthetic quality or safety of signs in the town; and
 - b. said variance will not conflict with other signs or land uses; and/or
 - c. the variance is desirable in order to preserve, maintain, or enhance the historic quality or compatibility of signs.

SIGN CLUTTER AREAS

- 60.** For the purposes of this bylaw, Council may designate certain areas of the Town as sign clutter areas when, in the opinion of the Development Officer or Council, there exists an excess of signs.

61. No new signs shall be erected in a sign clutter area unless and until the amount of existing signs have been reduced to the satisfaction of the Development Officer.

TOURISM SIGN AREAS

62. For the purposes of this bylaw, Council may designate, by resolution, specific tourism sign areas along routes likely to be traveled by tourists within and approaching the Town of Pincher Creek.
63. The following signs may be located in a designated tourism sign area:
 - a. specific attraction and theme signs, provided the theme, design, color and type is consistent with signs advertising the same specific attraction and that they conform to the provisions of this bylaw and the Town of Pincher Creek Land Use Bylaw;
 - b. directional and informational signs as required by Alberta Transportation or the Town of Pincher Creek;
 - c. special event signs, provided they meet the approval of the Development Officer or the Municipal Development and Subdivision Authority and remain on the site for a period of no longer than a total accumulation of 30 days per calendar year;
 - d. community, third party, off-premise signs and billboards with the approval of the Development Officer or the Municipal Development and Subdivision Authority;
 - e. portable and temporary signs may be approved only as special events signs.

SIGN REGULATIONS – GENERAL

All signs in the Town of Pincher Creek shall comply with the following:

64. All signs shall, in the opinion of the Development Officer be of quality construction and of a design suitable for public display. All costs associated with fabrication and materials will be the responsibility of the advertiser.
65. The Development Officer shall give due consideration to any sign guidelines that may be adopted by resolution of Council.
66. No sign shall be relocated or substantially repaired unless authorized by a development permit, however, no development permit is required to clean, repaint, or otherwise maintain any sign.
67. No sign shall be located or placed in such a manner that, in the opinion of the Development Officer will create a potential hazard or conflict with the routing of any public utility.
68. Any business advertising in the Town of Pincher Creek on a support structure must hold a valid business license for the Town of Pincher Creek.
69. No signs shall be allowed to be erected on a traffic control device or on the support structure of the traffic control device.

70. No sign shall be erected so that it would be considered, in the opinion of the Development Officer, to be a traffic hazard, distract or obstruct the vision of vehicular traffic.

SIGN REGULATIONS - DETAILED

71. **Animated Signs:** means a sign which uses movement or change of lighting to depict action or to create a special effect or scene, but does not include a changeable copy sign.
- a. Shall not be permitted with the exception of changeable copy sign.
72. **Balloon Signs:** An inflated, three dimensional device that is affixed or anchored to the ground or a structure and is considered a temporary sign.
- a. Shall not be located within a minimum distance of 200 metres (656 feet) from any other balloon sign on the same side of a roadway.
 - b. Signs mounted on a ground surface shall be located a minimum of 1.0 metre (3.3 feet) from the property boundaries for internal sites and 6.0 metres (19.7 feet) from all property boundaries for corner lots.
 - c. **SIZE:** shall not exceed 7.62 metres (25 feet) in height. A ground-mounted balloon sign shall not exceed the maximum building height allowed in the land use district.
 - d. Shall not be permitted in a residential land use district, but may be permitted in other land use districts at the discretion of the Development Officer.
73. **Banner Signs:** means a sign of lightweight, flexible fabric, or other non-rigid material with no enclosing framework. This does not include national, provincial or municipal flags.
- a. Shall be permitted as a temporary sign only.
74. **Billboard Signs** – located along a highway entrance. Means a sign structure designed and intended to provide a leaseable advertising copy area of not less than 18.6 sq. m. (200 sq. ft.) and not more than 20 sq.m. (215 sq. ft.) where the copy can be periodically replaced, typically by the use of preprinted copy pasted or otherwise mounted on the copy area.
- a. Shall not be closer to any road right-of-way than the building setback line of the land use district in which the billboard is located and only one on-premise billboard fascia may be allowed on the upper area of the side of the building that faces the highway.
 - b. minimum radial distance between billboards facing the same traffic direction along a highway entrance route shall be 60 metres
 - c. must be a freestanding sign
 - d. a billboard must be located a minimum of 25 metres (82 feet) from any freestanding sign.
 - e. must be a minimum of 3 metres (10 feet) from all property lines and shall not project beyond the boundary of the lot upon which the sign is sited on.
 - f. All power servicing to the signs located on a highway entrance route shall be buried underground.
 - g. **SIZE:** Billboard facing, including boarder and trim, but excluding the base, apron, supports or other structural members, shall not be less than 2.4 metres (8

feet) high by 5.0 metres (16 feet) long and shall not exceed 3.7 metres (12 feet) high and 9.2 metres (30 feet) long. Maximum overall height of any billboard shall not exceed 8.0 metres (26 feet), with a maximum sign area of 2.32 m² (25 ft²).

75. **Canopy Sign:** means a sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.
- a. No more than one canopy sign per frontage, or where there are two or more frontages, a total of two such signs may be located on a single lot or premise.
 - b. No part of any canopy sign, exclusive of any supports, shall be less than 2.7 metres (9 feet) above ground or sidewalk grade.
 - c. No part of a canopy sign shall project more than 1.5 metres (5 feet) over any public place, or extend within 0.9 metres (3 feet) of the edge of a curb or a roadway without the approval of the Development Officer.
 - d. No canopy sign shall be located within 0.5 metres (1.6 feet) of the top of a parapet or a roofline.
 - e. Canopy signs are permitted only in conjunction with conforming to commercial, industrial, and institutional land uses in accordance with the provisions of this bylaw and the Town of Pincher Creek Land Use Bylaw.
 - f. Approval of any canopy sign is conditional upon the owners and occupiers of the premise upon which said sign is located providing to the Town of Pincher Creek a written waiver of liability or indemnification insurance for any injury or damage resulting from said sign.
 - g. **SIZE:** The copy area of a canopy sign shall not exceed the lesser of 9.3 m² (100 ft²) 30 percent of the area of each side of the awning, canopy, or marquee to which it is mounted, painted on, or otherwise attached.
76. **Directional and Information Sign:** means a sign on which the message is limited to providing directional guidance, distance, facility or similar information, and which may contain a name or logo, but no advertising message or announcement.
- a. Are not included in the computation of any limits of this bylaw that may restrict the number of signs that may be located in a single lot or premise.
77. **Fascia and Wall Sign:** means a sign attached across the face of a building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, which does not project more than 0.3m. (1 ft.) from the building or structure supporting said sign. This includes a billboard fascia sign.
- a. No more than one fascia or wall signs per frontage, or where there are two or more frontages, a total of two such signs may be located on a single lot or premises and shall be completely located on the same site as the use being advertised.
 - b. No fascia or wall sign may be located within 0.5 metres (1.6 feet) of the top of a parapet or a roofline.
 - c. **SIZE:**
 - (i) The sign area of a fascia or wall sign for a commercial or industrial use shall not exceed the lesser of 9.3 m² (100 ft²) or 15 percent of the exterior wall unit on which it is attached or located.

- (ii) Where there is an identifiable sign band, fascia and wall signs shall be of a consistent size and located near the same level as other similar signs on the premise and adjacent buildings.
 - (iii) A fascia sign which is attached to each residential dwelling unit or accessory building and states no more than the name of the building or the name of the persons occupying the building, or both, the total sign area shall not exceed 0.28 m² (3 ft²).
 - d. Are permitted only in conjunction with an approved home occupation or a conforming commercial, industrial, public and institutional and use district in accordance with the provisions of this bylaw and the Town of Pincher Creek Land Use Bylaw.
- 78. Fence Sign:** means a temporary or permanent sign attached to a fence.
- a. Each sign must be securely attached to the fence.
 - b. Where the sign is attached to the body of the fence, the top edge of the sign shall coincide with or be below the top edge of the fence.
 - c. **SIZE:** The maximum sign area shall be 2.32 m² (25 ft²).
- 79. Freestanding Sign:** means any sign or display supported by a free-standing column or structure.
- a. No more than one freestanding sign per frontage shall be located on a single lot or premise.
 - b. All freestanding signs shall be completely located on the same lot as the use being advertised, with the exception of third party and off-premises signs approved in accordance with the provision of Tourism Sign Areas of this bylaw.
 - c. Portable signs for non-profit organizations may be located on town-owned property subject to the approval of the Development Officer.
 - d. **SIZE:** No freestanding sign shall exceed 9.0 metres (30 feet) in height and the sign area shall not exceed 7.8m² (84 ft²) per face. No part of a freestanding sign located in the proximity of traffic shall be less than 2.13 metres (7 feet) above ground or sidewalk grade.
- 80. Garage Sale Sign:**
- a. Shall be located only on the site of the garage sale and on the designated "Post-It Sign" erected by the Town of Pincher Creek and shall be removed within 24 hours after completion of the sale.
 - b. Garage sale signs shall not be placed on power poles.
- 81. Home Occupation Sign:** means a sign identifying a home occupation site approved under the provisions of the Town of Pincher Creek's bylaws.
- b. **SIZE:** No home occupation sign shall be more than 2.13 metres (7 feet), above ground or sidewalk grade (measured from top of sign) and shall not be more than 0.4 m² (4 ft²) in area.

- c. shall be attached either flat or perpendicular to the principal building, an accessory residential building or an accessory building; and
- d. shall not be illuminated nor animated;
- e. obtains a sign permit pursuant to the provisions of the Town of Pincher Creek Sign Bylaw

- 82. Illuminated Sign:** means a sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.
- a. The source of light for any illuminate sign shall be steady and suitably shielded to the satisfaction of the Development Officer.
- 83. Informational and Directional Sign – see directional and information sign above.**
- 84. Multi-Tenant Sign:** means a sign containing copy for two or more tenants or occupants located on the same site or in the same building.
- a. Multi-Tenant Signs are not included in the computation of any limits of this bylaw or land use bylaw #1501, that may restrict the number of signs that may be located on a single lot or premise.
 - b. **SIZE:** (secondary and multi-tenant signs). All secondary signs located on a single lot or premise shall not exceed 20 percent of the maximum allowable sign area for the principal occupant's sign. The sign area of secondary signs for each use, in a multi-tenant building which have individual frontages for each use, shall not exceed 15 percent of the wall area of the frontage of each use.
- 85. Mural:** means a sign that is painted or sculpted onto a building wall and is considered artistic rather than advertising and does not contain product advertising.
- a. Murals are considered to provide strictly an amenity, and are not for an advertising purpose. A mural which is painted onto a wall may encompass up to 100 percent of the wall to which it is applied, provided that the mural complies with the mural design guidelines established by the Mural Committee supported by the Chamber of Economic Development. Murals must also receive approval from the Development Officer and shall meet all other provisions of this bylaw and the Town of Pincher Creek Land Use Bylaw.
- 86. Off Premise Sign:** means any sign which advertises or otherwise identifies a service or product, or activity conducted, sold or offered at a location other than the premises on which the sign is located.
- a. (see Third Party and Off Premise Sign)
- 87. Overhanging Sign:** means a sign constructed, suspended or affixed above the level of any sidewalk or ground surface so as to overhang any portion of a public place.
- a. (see Projecting and Overhanging Sign)
- 88. Portable Sign – Sidewalk and A-Frame:** means a sign that is not permanently affixed to a building, structure, or the ground, and is supported on a structure allowing it to be readily moved from one location to another.

- a. No more than one sign per frontage, or where there are two or more frontages, a total of two portable signs may be located on a single lot or premises.
 - b. No sign shall extend or project into any public place or beyond the boundaries of the lot or premises upon which it is situated without the approval of the Development Officer.
 - c. Portable signs for non-profit organizations may be located on Town-owned property subject to the approval of the Development Officer.
 - d. Sign permits are valid for a period of one year for the date of issue.
 - e. Whiteboard means a re-mark-able board with either an aluminum or wooden frame used for writing on with dry-erase markers.
 - (i) Shall be permitted subject to the approval of the Development Officer.
 - f. Chalkboard means a smooth surface board with either an aluminum or wooden frame used for writing on with chalk.
 - (i) Only green color chalkboards shall be permitted
 - (ii) Shall be permitted subject to the approval of the Development Officer.
 - f. No sign shall be placed on frontage of land not owned by the applicant, or onto any public place or beyond the boundaries of the lot or premise upon which it is situation, without first obtaining written permission of the frontage owner.
 - g. Signs will only be permitted during business hours.
 - h. **SIZE:** The area of a portable sign shall not exceed 3.7 m² (40ft²). The size of a portable sign shall not exceed 0.8 metres (2.5 feet) wide and 1.2 metres (4 feet) high.
 - j. Shall only be permitted in commercial, industrial, public and institutional and municipal reserve land use districts.
- 89. Primary Sign:** means a sign advertising the primary use of the business.
- a. The maximum sign area of all primary signs that may be located on a lot with single frontage is 13.9m² (150 ft²) and with two or more frontages is 18.6m² (200 ft²).
- 90. Projecting and Overhanging Sign:** means a sign suspended from or supported by a building, structure, or column, and projecting out such that the sign faces are not parallel to the building line.
- a. Any sign that is allowed to project over public property shall have a minimum clearance of 2.7 metres (9 feet) above ground or sidewalk grade.
 - b. No part of a the sign shall project horizontally more than 1.5 metres (5 feet) over any public place or extend within 1.5 metres (5 feet) of the edge of a curb or roadway.
 - c. No sign may be located within 1.5 metres (1.6 feet) of the top of a parapet or a roofline.
 - d. A single sign may be permitted on a single lot or premise.
 - e. All projecting and overhanging signs shall be securely fastened to the building or structure to the satisfaction of the Development Officer.
 - f. Approval under the provisions of this bylaw or the Town of Pincher Creek Land Use Bylaw is conditional upon the owners and occupiers of the premise upon which the sign is located, providing to the Town of Pincher Creek a written

waiver of liability or indemnification insurance for any injury or damage resulting from said sign.

- g. SIZE: The sign area shall not exceed 0.9 m² (10 ft²) per face.

91. Roof Sign: means any sign which is entirely upon and above the roofline or parapet of a building.

- a. No part of a any roof sign, excluding that portion which is used for support, shall be less than 1.2 metres (4 feet) or more than 4.6 metres (15 feet) above the parapet or roofline.
- b. No more than one sign may be permitted.
- c. No part of a roof sign shall project horizontally beyond any exterior wall, parapet or roofline of the building upon which it is located.
- d. SIZE: the area of a roof sign shall not exceed 8.4m² (90 ft²) and shall only be permitted on the flat roof of a building that is at least 9.1 metres (30 feet) high.

92. Secondary Sign: means any sign advertising or otherwise related to an occupation or use that is not the primary use of the premise.

- a. May be located only above the doorway, overhanging a doorway or as window signs.
- b. A maximum of one sign per use may be approved by the Development Officer regardless of whether or not said use is in accordance with the provisions of the land use bylaw, but any such signs shall comply with the provision of this bylaw.
- c. Secondary signs are not included in the computation of any limits of this bylaw or the Town of Pincher Creek Land Use Bylaw, that may restrict the number of signs that may be located on a single lot or premise.
- d. SIZE: (secondary and multi-tenant). All secondary signs located on a single lot or premises shall not exceed 20 percent of the maximum allowable sign area for the principal occupant's sign. The sign area of secondary signs for each use in a multi-tenant building which have individual frontages for each use shall not exceed 15 percent of the wall area of the frontage of each use.

93. Temporary Sign: means a sign permitted, designed or intended to be displayed for a short period of time.

- a. A maximum of one temporary signs may be permitted on a single lot or premise provided that:
 - (1) such sign is approved by the Development Officer;
 - (2) the sign is to remain on the premise for a period of no longer than a total accumulation of 60 days per calendar year;
 - (3) the Development Officer is satisfied that any political poster, real estate sign, third party sign, or other sign located on a boulevard has not been objected to by an residents or landowners adjacent to said boulevard, and will not create a traffic hazard or obstruct the public's view of any other sign;
 - (4) no temporary sign shall be suspended on or between support columns of any freestanding sign, and
 - (5) the sign is in compliance with the provisions of this bylaw and the Town of Pincher Creek Land Use Bylaw, unless specifically exempted.

- 94. Theme Sign:** means any sign that is part of a series or group of signs incorporating a distinctive theme, design or logo, for which there is no existing international sign available.
- a. The Development Officer may approve distinctive designs or logos for utilization as theme signs providing no international sign exists. If an international sign exists, then it shall be used. These designs or logos may be further used in connection with information or specific attraction signs if such signs are erected by the Town of Pincher Creek or other government agency.
 - b. Council may exempt theme signs from any provision of this bylaw or Town of Pincher Creek Land Use Bylaw, if it is considered desirable to do so in the interest of promotion a theme or attraction
 - c. **SIZE:** all theme signs shall be 0.4m² (4 ft²) or less in area and must be attached to a Town support structure.
- 95. Third Party and Off Premise Sign:** means any permanent off-premise sign advertising a commercial activity not located on the same lot or parcel of land as the sign.
- a. Are limited to support structures provided by the Town of Pincher Creek and must be approved by the Development Officer.
 - b. All permits for third party signs are only valid for a period of one (1) year, however, such permit may be renewed on an annual basis upon application and accompanied with appropriate fee.
 - c. All third party and off premise signs shall comply with the provisions of this bylaw and the Town of Pincher Creek Land Use bylaw, unless specifically exempted.
 - d. The maximum number of third party signs or off premise signs erected on a support structure provided by the Town of Pincher Creek shall be three.
- 96. Tourist Services Sign:** means a sign that is used to identify tourist services in the Town of Pincher Creek. These shall be in accordance with “Tourist Service Signs” of this bylaw (Schedule ‘B’).
- a. The primary purpose of a “Tourist Services Sign” is to provide businesses, specific tourist attractions, and community organizations with the opportunity to advertise on designated road rights-of-way in a controlled manner. Tourist services signs will provide the public with identification for tourist services available in the Town of Pincher Creek.
 - b. All tourist services sign support structures shall be fabricated, installed, owned, and maintained by the Town of Pincher Creek. They will be constructed of 19mm G2S Crazon and covered on the traffic side with a minimum standard of Engineer Grade reflective sheeting for excellent day and night visibility.
 - c. A maximum of three Tourist Services Sign support structures will be permitted along any Highway or Highway entrance.
 - d. The Tourist Services Signs shall be 2.4m x 3.0m. (8ft x 10ft) in size. Individual panel signs placed on the Tourist Services Sign shall be 0.6m x 0.9m. (2ft. x 3ft.) and fabricated on aluminum sheeting and covered with a minimum standard of Engineer Grade reflective sheeting. All signs shall be of professional quality. All costs associated with business panel fabrication will be the responsibility of the advertiser. Costs for individual panel signs shall be as per the attached Schedule ‘C’.

- e. All businesses advertising on a Tourist Services Sign must hold a valid business license. The individual panel sign may consist of a company name, symbol, name brand, trademark or combination. Signs, symbols, trademarks or any other design which resembles official traffic control devices will not be permitted. No advertising, secondary names/trademarks, hours of operation, slogans or other supplemental messages may be displayed on the individual panel.
- f. Availability of space on any Tourist Services Sign shall be on a first come, first served basis, and will be dependent upon the application and appropriate fees being submitted to the Development Officer prior to approval. When a space is no longer required, it must be returned to the Town of Pincher Creek for reallocation.
- g. A permit and appropriate fee shall be required for each individual sign panel on each Tourist Services Sign. (See attached Tourist Services Sign permit, Schedule B).
- h. The Town of Pincher Creek shall be responsible for the location of each Tourist Service Sign.

97. **Window Sign:** means a sign permanently applied directly to the inside surface of a window and any window sign posted on the interior of the premises intended to be viewed from the outside.
- a. Window signs may be affixed to any first or second story window.
 - b. Window signs are not included in the computation of any limits of this bylaw or the Town of Pincher Creek Land Use bylaw that may restrict the number of signs that may be located on a single lot or premise.
 - c. **SIZE:** the sign are of wind signs shall not exceed 25 percent of the area of the window to which it is affixed.
 - d. Are permitted only in conjunction with conforming commercial and industrial land uses in accordance with this bylaw and the Town of Pincher Creek Land Use Bylaw.

SIGN REQUIREMENTS - COLOR

98. All signs must comply with the Community Beautification Program 'Heritage Colors' palette. Black and white can be used as accent colors.
99. Registered logo signs and Individual Letter Signs are not required to comply with the Community Beautification 'Heritage Colors' palette.
100. Exceptions can be made by the Development Officer.

ENFORCEMENT

101. No one shall erect, place, alter or commence any sign development in the Town of Pincher Creek without having complied with the provisions of this bylaw or the Town of Pincher Creek Land Use Bylaw.
102. When, it has been determined by the Development Officer that any sign does not comply with this bylaw, is improperly maintained or is unsafe, has become obsolete or is an

abandoned sign, the Town of Pincher Creek, in accordance with the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26, as amended, may order the alteration, repair or removal within 30 days of said sign by the owner of the sign and/or the registered owner of the lot or parcel upon which the sign is located.

103. If an order under subsection (102) above is not complied with, then the Town of Pincher Creek may further order, subject to any appeal, that said sign be immediately altered, repaired or removed by its agents, employees, or independent contractors, with the entire costs for any labor, equipment, or materials required, borne by the owner of said sign and/or registered owner of the lot or parcel upon which the sign is located.
104. The right of entry of the Town of Pincher Creek, its agents, employees, or independent contractors, in order to enforce this bylaw shall be in accordance with Section 542 of the Municipal Government Act, Statutes of Alberta, 2000, chapter M26, as amended.
105. Anyone who commences or continues with any sign development in violation of this bylaw may be issued a violation ticket as provided for under "Violation Tickets" of this bylaw.
106. Any person convicted of an offence under this bylaw shall in accordance with existing legislation, pay to the Town of Pincher Creek an amount sufficient to satisfy any and all costs, including legal fees on a solicitor/client basis, as well as all witness fees including experts. Plus costs incurred in the gathering an assembly of information and the investigation surround the offence, to which it may be put or for which it may be responsible to third parties for the prosecution of the offence or enforcement of this bylaw or the land use bylaw including any and all steps and proceedings for the removal or rectification of any development not complying with this bylaw.

VIOLATION TICKETS

107. In addition to the process and penalties described in the Land Use Bylaw #1501, the Development Officer, or Designate, shall be authorized to issue violation tickets in respect to any contravention of this bylaw.
108. The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within 21 days from the date of issue of the violation ticket, of a fine to the Town of Pincher Creek.
109. Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$50.00 for a first offence, and \$100.00 for a second or subsequent offence. Each day that a breach of this Bylaw has occurred may be considered to be a separate offence.
110. The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.

- 111. If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
- 112. If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$125.00, plus court costs, for each offence.

APPEALS

- 113. Any person affected by a decision of the Development Officer or the Municipal Development and Subdivision Authority has the right to appeal said decision to the Subdivision and Development Appeal Board pursuant to the provisions of this bylaw and the Town of Pincher Creek Land Use Bylaw.

REVIEW

- 114. This bylaw will be reviewed every two years, starting in the year 2007.

BYLAW REPEALED

- 114. The Town of Pincher Creek Bylaw #1510 and amendments thereto are hereby repealed.

ADOPTION

- 115. This bylaw comes into effect on third and final reading.

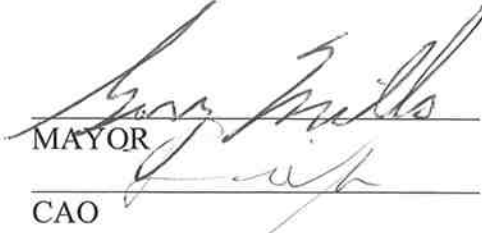
READ A FIRST TIME THIS 25 DAY OF MAY, 2009, A.D.

Gary Mills
MAYOR
Leah
CAO DIR. CORPORATE SERVICES

READ A SECOND TIME THIS 25 DAY OF MAY, 2009, A.D.

Gary Mills
MAYOR
Leah
CAO DIR. CORPORATE SERVICES

READ A THIRD TIME THIS 22 DAY OF JUNE, 2009 A.D.



MAYOR

CAO

SCHEDULE 'B'
TOURIST SERVICES SIGN PERMIT APPLICATION

Date Application Received: _____ **Time of Day:** _____

Tourist Services Support Structure Location Number Requested: Circle one per application.

1 2 3 4 5 6 7 8

Business Name (please print): _____

Business License Number: _____

Applicant's Name (please print): _____

Phone Number: _____ **Fax Number:** _____ **Cellular Number:** _____

Address: _____ **Postal Code:** _____

Name of Contact Person (please print): _____

(please include particulars of proposed sign: size, color, wording)

.....

PERMIT INFORMATION (the following conditions apply to this permit)

1. Cost of the permit shall be as per the fee schedule on Sign Bylaw #1536.
2. Cost of each individual sign panel shall be calculated at the rate as per the fee schedule on Sign Bylaw #1536.
3. Payment of permit and other fees must accompany this application. Payment shall be made to the Town of Pincher Creek.
4. The permit is valid for one year from the date of issue and may be renewed on an annual basis, under the provision of Sign Bylaw #1536.
5. All businesses applying for individual sign panels must hold a valid business license in the Town of Pincher Creek if required under the Business License Bylaw.
6. Each individual sign panel requires a separate permit application and appropriate fees.
7. The availability of space on any Tourist Services Sign shall be on a first come, first served basis. Should a space no longer be required, it must be returned to the Town of Pincher Creek for reallocation.
8. All Tourist Services Signs and individual sign panels shall conform to the provisions of Sign Bylaw #1536.
9. Individual sign panels shall be fabricated on aluminum sheeting 0.6m x 0.9m and must be covered with a minimum standard of Engineer Grade reflective sheeting. All signs must be of professional quality. All costs associated with the fabrication of individual sign panels and replacements will be the responsibility of the permit holder.
10. Individual sign panels may consist of a business name, symbol, brand name, trademark or combination thereof. Signs, symbols, trademarks or other designs which resemble official traffic control devices will not be allowed. No advertising secondary names, trademarks, hours of operation, slogans, or other supplementary messages may be displayed on the individual sign panel.

Approved: _____

Denied: _____

Signature

Comments: _____
