



## **BY-LAW No. 700-60**

### **A BY-LAW RELATING TO LICENSING AND REGULATING THE ERECTION AND USE OF PORTABLE SIGNS IN THE TOWN OF RIVERVIEW**

**BE IT ENACTED** by the Town Council of the Town of Riverview under the authority vested in it by the Local Governance Act, S.N.B. 2017, c. 18, as follows:

#### **Definition**

1. In this by-law

“non-profit organization” means a corporation, society, association, organization or body organized and operated exclusively for social welfare, civic improvement, pleasure or recreation or for any purpose except profit, no part of the income of which is payable to, or otherwise available for the personal benefit of any proprietor, member or shareholder thereof;

“portable sign” means any sign which is specifically designed or intended to be readily moved from one location to another and which does not rely on a building or fixed concrete foundation for its structural support, and includes sandwich signs and signs commonly known as a “mobile” sign and “inflatable” device tethered to any building, structure, vehicle or other device;

“property” means one parcel of land described in a deed or subdivision plan; and

“sandwich sign” means a two-sided A-frame style, self-supporting portable sign which is not permanently affixed to the ground. A single panel of a sandwich sign has a maximum area of 0.75 square metres.

#### **General Prohibitions**

2. No person shall erect, place or permit to be erected or placed, or allow to remain on lands owned, rented or leased or occupied by them, any portable sign other than in accordance with the provisions of this by-law.

3. No person shall erect, place or permit to be erected or placed, or allow to remain on the lands owned, rented, leased or occupied by them, any portable sign without first having obtained a sign permit from the Town of Riverview for that sign.

4. No person shall erect, place or permit to be erected or placed, or allow to remain on the lands owned, rented, leased or occupied by them, any portable sign in a location on those lands other than the location indicated on the site plan for which the permit is granted.

5. No person shall permit a sign to remain on lands owned or occupied by them that is deteriorated, damaged, upset or dislodged, or with no message.

#### **Application for Permit**

6. An application for a sign permit shall be made in writing to the Town of Riverview and shall include:

- (a) name and address of the owner of the portable sign;

(b) name and address of the owner and occupant of the lands upon which the sign is to be located;

(c) address of the property upon which the sign is to be located;

(d) a copy of a site plan showing

(i) the street line and/or other boundaries of the property on which it is proposed to erect the sign;

(ii) the proposed location of the sign upon the property in relation to all other structures existing or proposed on such property, including measurements adequate to show its location;

(iii) the dimensions and total area of the proposed sign;

(iv) where the sign face exceeds three (3) square meters a certificate from a professional engineer as to the structural integrity and stability of the sign so that the sign will not be dislodged or damaged by the wind;

(v) all other information as may be required by the Town of Riverview, which may include a survey prepared by a N. B. Licensed Land Surveyor.

(e) a signed consent from the owner or occupier of land authorizing the Town of Riverview, their agent or designate, to enter onto the property and to remove the sign at the owner's cost where any of the provisions of this by-law are being violated, or where a permit has been revoked or expired;

(f) an application fee in the amount of \$100.00 or \$25.00 for a special permit;

(g) paragraph (f) herein shall not apply to a non-profit organization.

## **Issuance**

7. (1) Upon receipt of a complete application pursuant to section 6, the Town of Riverview shall, within a reasonable time, shall issue a permit, provided that:

(a) the Development Officer has approved the application pursuant to subsection 108(1) of the *Community Planning Act*, S.N.B. 2017, c. 19; and

(b) portable signs are a permitted use for the property on which the sign is to be located pursuant to the Town of Riverview Zoning By-Law No. 300-7, and all other applicable laws.

(2) Despite the Town of Riverview By-law No. R300-10-1, Building By-law, no building permit is required for the placing or erecting of a portable sign.

(3) Portable signs are exempt from the setback provisions provided for in the Town of Riverview Zoning By-law No. 300-7.

(4) A permit issued hereunder expires on March 31st of the year following the year it was issued, except for a special permit which expires 30 days from the date of issuance.

(5) Despite any other provision of this By-law, the Town of Riverview shall not issue more than two special permits per calendar year for any one lot.

## **Regulations**

8. A portable sign shall not:

(a) have more than two sign faces and any one sign face shall not exceed 3.7 square meters in area with no one dimension being greater than 2.4 meters;

- (b) have a maximum height, measured from grade, greater than 2.7 meters;
- (c) be illuminated except by indirect lighting reflected off the sign message, or employ any flashing or sequential light, or any mechanical or electronic device or provide or simulate motion;
- (d) be erected on a property so as to interfere with pedestrian and/or vehicular traffic;
- (e) be located on a public right-of-way, except as provided for in By-law No. 700-10-3, A By-law Relating to the Regulation of Traffic, Parking and the Use of Streets in Town of Riverview;
- (f) be located closer than 1.5 meters from a property line, 3 meters from a driveway, or within the sight triangle referred to in section 81 of the Town of Riverview Zoning By-law No. 300-7; and
- (g) be located on Town-owned lands without the approval of the Town of Riverview.

9. (1) The total number of portable signs permitted on a lot shall be in accordance with the following table:

Street Frontage	0 – 75m	>75m – 150m	>150m – 225m	>225m
Signs Permitted	1	2	3	4

- (2) Despite subsection (1), only one portable sign per business is permitted on a lot.
  - (3) Portable signs shall be spaced a minimum distance of 50m from one another.
  - (4) Sandwich signs are exempt from this section and the total number of sandwich signs permitted on a lot shall be in accordance with the Town of Riverview Zoning By-law No. 300-7.
10. (1) A permit holder shall immediately, upon the expiration of their sign permit, or upon his permit being revoked, remove the portable sign from the property.
- (2) Where a permit holder fails to remove the portable sign as required by subsection (1) herein, the Town of Riverview, their agent or designate, may enter the property and remove said sign at the permit holder’s expense.
  - (3) Where a sign is placed on Town-owned lands contrary to any provisions of this by-law, the Town of Riverview, his or her agent or designate, shall remove said sign at the owner’s expense.
  - (4) The Town of Riverview, their agent or designate, is authorized to destroy or otherwise dispose of any signs removed pursuant to the provisions of this by-law, if such sign is not claimed and retrieved by the owner thereof within thirty days of its removal.

**Revocation**

11. (1) The Town of Riverview may revoke a permit issued under this by-law
- (a) where it was issued on mistaken, false or incorrect information;
  - (b) where it was issued in error; or
  - (c) where the sign or its location does not comply with the provisions of this by-law.

(2) Prior to revoking a permit in accordance with this by-law, the Town of Riverview shall give written notice of intention to revoke to the permit holder at their last known address and, if on the expiration of five (5) days from the date of such notice, the ground for revocation continues to exist, the permit shall be revoked without further notice.

**Exemptions**

12. Except for (sub)sections 7(3), 8(c), 8(d), 8(e), 8(f), 8(g), 10(3), 10(4), 14, and 15, the provisions of this by-law do not apply to signs erected by a federal, provincial, or municipal government, or to any candidate during any election campaign.

13. Except for (sub)sections 7(3), 8(c), 8(d), 8(e), 8(f), 8(g), 10(3), 10(4), 14, and 15, sandwich signs are exempt from all provisions of this by-law. Sandwich signs are subject to all provisions within the Town of Riverview Zoning By-law No. 300-7.

**Enforcement and Penalty**

14. Any peace officer or by-law enforcement officer are hereby authorized to take such action or issue such tickets as they may deem to be necessary to enforce any provision of this by-law.

15. Despite any other provision of this by-law, any person who violates any provision of this by-law is guilty of an offence and upon conviction is liable to a minimum fine of \$100.00 and a maximum fine of \$500.00.

ORDAINED AND PASSED \_\_\_\_\_ , 2018.

First Reading:  
Second Reading:  
Third Reading: