

BY-LAW NO.**SIGN BY-LAW****PASSED BY COUNCIL ON**

Pursuant to the powers vested in it under the City of St. John's Act, RSNL 1990, c C-17, as amended, and all other powers enabling it, the City of St. John's enacts the following By-Law relating to signage in the City of St. John's.

SIGN BY-LAW

1. This By-Law may be cited as the "St. John's Sign By-Law".
2. In this By-Law:
 - (a) "awning sign" means a sign that is painted or screen printed onto the surface of an awning;
 - (b) "back-lit sign" means a sign which is lit from the interior;
 - (c) "banner sign" means a sign made of lightweight material such as cloth, paper or flexible fabric and may be enclosed in a rigid frame;
 - (d) "billboard" means a third-party sign which is at least 17 square metres (17 m²) in area;
 - (e) "changeable message sign" means a sign which has or incorporates one or more of the following features:
 - (i) moving parts;
 - (ii) moving or changing images;
 - (iii) changing text; or
 - (iv) moving or intermittent lights;
 - (f) "commemorative sign" means a sign which commemorates a person, place or thing and which is issued by an organization recognized by the City;
 - (g) "directory sign" means a sign designed to provide direction to persons entering a building;

- (h) “election sign” means any sign advertising or promoting a candidate in a federal, provincial, or municipal election;
- (i) “fascia sign” means a sign affixed to or placed on the fascia of a building, that being the long flat surface under the eaves or cornice and above the door and window;
- (j) “ground sign” means a sign affixed to or supported by the ground and not attached to a building;
- (k) “heritage area” means an area that is designated by Council as a heritage area;
- (l) “heritage building” means a building that Council has designated, in whole or in part, as a heritage building and includes, but is not limited to, any extension or addition thereto;
- (m) “inspector” means any person designated by the council to administer and enforce this By-Law;
- (n) “mobile sign” means a sign intended for temporary use which is not permanently affixed to a structure or to the ground and includes a frame designed to advertise a product or service or relay a message or illustration regardless of whether such advertising, message, or illustration is actually displayed;
- (o) “owner” means the person or company owning:
 - (i) the sign; and/or
 - (ii) the building or property to which the sign is attached, as recorded on the tax roll of the City of St. John’s;
- (p) “poster sleeve” means a device attached by the City to a utility pole and which provides an area for paper signs to be affixed and displayed;
- (q) “projecting sign” means a sign which is affixed to a building on one end and projects out from the building wall and may include a marquee;
- (r) “residential zone” means a zone as established in the *St. John’s Development Regulations*;
- (s) “roof sign” means a sign which is supported on a building’s roof;
- (t) “sign” means a device or platform designed to advertise a product or service or relay a message or illustration and includes but is not limited to advertising,

messages or illustrations applied directly to a building, walls or other surfaces, and includes a mural;

- (u) “temporary sign” means a sign intended for a limited period of display for special events or functions;
- (v) “third-party sign” means a sign which references or advertises a company, store, service, produce or event not available or occurring at the building or site to which the sign is affixed;
- (w) “traffic control device” means a traffic control device as defined by the *Highway Traffic Act*, RSNL 1990, c H-3, as amended;
- (x) “wall sign” means a sign which is painted on or which is affixed parallel to a wall of a building, but excludes a fascia sign, a mural and a billboard; and
- (y) “window sign” means a sign placed in a window and visible from the exterior, and includes writing or lettering directly on the surface of the window.

GENERAL/APPLICABLE TO ALL SIGNS

3. The following signs shall be exempt from the provisions of this By-Law except those provisions related to issues of construction, maintenance and safety:
 - (a) signs erected by the City of St. John’s, the Province of Newfoundland and Labrador and/or the Government of Canada;
 - (b) traffic control devices;
 - (c) window signs, unless located in a heritage area;
 - (d) commemorative signs;
 - (e) signs at a construction site which denote the architect, engineer, contractors or others involved with the project, provided such signs are removed upon completion of construction;
 - (f) signs required to be maintained by law or government order or regulation;
 - (g) non-illuminated signs within a building; and
 - (h) non-illuminated real estate signs advertising a property for sale or rent provided that the sign does not exceed 1 square metre (1 m²) in area.

4. All signs shall be constructed, erected, placed, relocated, altered, repaired and maintained in accordance with the provisions of this By-Law.
5. (1) A permit is required prior to the construction, erection, placement, alteration, repair or relocation of any sign within the City of St. John's, except:
 - (a) a sign that is exempt under section 3;
 - (b) a sign placed in accordance with section 10(2); and
 - (c) an election sign.

(2) The application for a sign permit shall be accompanied by such plans, specifications and other information as may be required by the inspector, including but not limited to design drawings stamped by a professional engineer licensed to practice in Newfoundland and Labrador.

(3) A permit issued for a mobile sign shall expire 6 months from the date of issue.

(4) Notwithstanding any other provision of this By-Law any person who owes outstanding fines to the City of St. John's for a by-law or regulatory violation for which that person has been convicted shall not be entitled to a permit issued pursuant to this By-Law until such time as all such outstanding fines have been paid and proof of payment, in a form acceptable to the inspector, has been provided to the inspector.
6. Every sign and all supporting components shall be designed, constructed, erected and maintained to safely resist all structural loads.
7. Every sign and all related components shall be constructed, erected and maintained to be weather and corrosion resistant and be kept in good repair.
8. When required by the inspector, access to any or all parts or components of a sign shall be made available for inspection prior to, during or after erection of the sign.
9. Except as otherwise provided, or at the discretion of Council, no sign shall be placed:
 - (a) on a residential property;
 - (b) at a designated heritage building;
 - (c) on City owned property, unless the sign is an election sign; or

- (d) over or across any public street, road or highway, unless the sign is a temporary sign.

10. (1) No sign shall:

- (a) interfere with or obstruct sight distance requirements for traffic or interfere with the flow of vehicle or pedestrian traffic, as determined by the inspector or City's traffic engineer;
- (b) be placed upon, or interfere with or obstruct, in the opinion of the inspector, a traffic control device; or
- (c) be placed on a utility pole.

(2) Notwithstanding section 10(1)(c):

- (a) a person may place a paper sign on a utility pole that has been equipped with a City-installed poster sleeve; and
- (b) a utility company may place a sign related to safety on a utility pole.

THIRD-PARTY SIGNS

11. A third-party sign shall not be placed in a residential zone or within 60 metres of a residential zone unless the third-party sign is placed on the opposite side of the street from the residential zone.

ELECTRICALLY ILLUMINATED/OPERATED SIGNS

12. All electrically illuminated or operated signs shall:

- (a) meet the standards regarding Portable and Stationary Electric Signs and Displays adopted by the Canadian Standards Association, and shall also meet any future editions or amendments to those standards within 6 months following the date of their publication; and
- (b) have a clearly visible Canadian Standards Association sticker attached to the frame or face.

13. All electrically illuminated or operated signs shall comply with the *St. John's Electrical By-Law*.

CHANGEABLE MESSAGE SIGNS

14. Changeable message signs shall:

- (a) have an appropriate illumination level as determined by the inspector up to a maximum of 1,500 lumens;
- (b) have a maximum transition time from one image or format to the next of 2 seconds;
- (c) have a minimum image display time of 10 seconds;
- (d) be shielded to reduce glare in a manner acceptable to the inspector;
- (e) have a positive contrast orientation;
- (f) not have animation;
- (g) not have flashing, strobe, intermittent or moving lights;
- (h) not have lights in a colour or combination of colours which in the opinion of the inspector may be misinterpreted as an emergency/warning device or vehicle or other traffic control device; and
- (i) meet any additional requirements that the inspector, at their sole discretion, deems appropriate.

GROUND SIGNS

- 15. The maximum height of a ground sign shall be 8 metres above grade, unless otherwise approved by Council.
- 16. A ground sign shall not exceed 20 square metres (20 m²) in area, unless otherwise approved by Council.
- 17. A ground sign shall:
 - (a) be located a distance equivalent to one half the total height of the sign from the property line or 1.8 metres from the property line, whichever is greater; and
 - (b) not impede vehicular access to or egress from the property on which it is situate.

18. Any part of a ground sign which is constructed of wood and in contact with the ground shall be made of pressure treated wood.

PROJECTING SIGNS AND AWNING SIGNS

19. The lowest part of every projecting sign or awning sign shall not be less than 2.4 metres above grade, except where vehicular traffic is required to flow under the projecting sign or awning sign then the lowest part of such sign shall not be less than 4.5 metres above grade.
20. Projecting signs or awning signs shall not overhang public streets unless otherwise approved by Council.

BILLBOARDS

21. The maximum height of a billboard shall be 8 metres above grade, unless otherwise approved by Council.
22. A billboard shall not exceed 20 square metres (20 m²) unless otherwise approved by Council.
23. Billboards are prohibited on roadways and highways where the posted speed limit is 70 km/h or greater.
24. Billboards shall not be erected within 100 metres of another billboard on the same side of the street.
25. Billboards shall not be permitted in a residential zone or within 60 metres of a residential zone unless the billboard is on the opposite side of the street from the residential zone.

ROOF SIGNS

26. The approval of roof signs, including their size, design and location shall be at the discretion of Council.

TEMPORARY SIGNS

27. The approval of temporary signs, including their size, design, location and duration of placement, shall be at the discretion of Council.

ELECTION SIGNS

28. Election signs may be displayed for no more than 60 days prior to election day, or such other time as dictated by Provincial or Federal legislation and regulations.
29. The candidate shall be responsible for the removal of his/her election signs within 3 days after election day.
30. Election signs shall not be located on a roadway as defined in the *Highway Traffic Act*, RSNL 1990, c H-3, as amended, and/or a road or road surfaces including paved or gravel shoulders, centre medians, traffic islands or traffic circles.
31. Election signs shall not be located within 20 metres of a signalized intersection or within 15 metres of an unsignalized intersection.
32. Election signs are not permitted on the same post as, or immediately adjacent to any traffic control device.

MOBILE SIGNS

33. In addition to the foregoing, mobile signs must also conform to the below sections of this part. In the case of any conflict between the provisions in this part 33-43 and the foregoing with respect to a mobile sign, the provisions of this part shall prevail.
34. No person other than an individual or a corporation possessing a valid mobile sign contractor's license issued under this By-Law shall place, erect or lease mobile signs within the City of St. John's.
35. The applicant for a mobile sign contractor's license shall make application for such license to the inspector in writing.
36. (1) The fee for a mobile sign contractor's license shall be set by Council.
(2) A mobile sign contractor's license shall be valid for one year from the date of issue.
37. Every mobile sign shall:
 - (a) display the name of the mobile sign contractor;
 - (b) display an identification number; and
 - (c) be of a design approved by the inspector.
38. A mobile sign shall only be placed or erected on a site for which its advertising or message is directly related.

39. A mobile sign shall only be placed on a site with the written permission of the site owner.
40. (1) The minimum permissible distance between any two mobile signs on a site shall be 12 metres as measured from the face or face edge of the mobile sign.

(2) Only one mobile sign shall be placed on a site which has frontage of 12 metres or less.
41. A mobile sign shall be placed a minimum of 2 metres from the property line of a site as measured from the face or face edge of the mobile sign.
42. A mobile sign shall not contain symbols, slogans or lighting similar to that used for traffic control and warning.
43. Unless approved by Council, a mobile sign shall not be placed or erected in a residential zone.

SIGNS IN HERITAGE AREAS

44. In addition to the foregoing, signs located in heritage areas must also conform to the below sections of this part. In the case of any conflict between the provisions in this part 44-59 and the foregoing with respect to a sign in a heritage area, the provisions of this part shall prevail.
45. The following signs or design elements shall be prohibited:
 - (a) billboards, except where approved by Council;
 - (b) third-party signs, except where approved by Council;
 - (c) back-lit signs having a predominantly white background; and
 - (d) mobile signs.
46. A sign shall not obscure architectural features on a building.
47. The registered trademark of a specific product may occupy no more than 50 per cent of the area of a sign face unless the sale of the specific product is the major business conducted on the premises.
48. The following signs or design elements may be permitted only upon the recommendation of the Heritage Advisory Committee and at the discretion of Council:

- (a) wall signs and murals;
- (b) roof signs; and/or
- (c) changeable message signs.

49. Not more than two of the following types of signs may be used at the same time on the same façade:

- (a) fascia sign,
- (b) projecting sign,
- (c) ground sign,
- (d) awning sign, and
- (e) wall sign.

50. (1) A fascia sign shall be permitted for each occupancy fronting on a street.
- (2) Fascia signs shall not extend beyond the ends of the wall to which it is attached.
- (3) Fascia signs shall not exceed 60 centimetres in height.
- (4) On one storey buildings, fascia signs shall not extend above the lowest part of the roof.
- (5) Notwithstanding the foregoing, fascia signs shall fit within the existing sign band.
51. (1) Only one projecting sign for each store front together with one additional projecting sign shall be permitted on a building.
- (2) A projecting sign shall project no more than 1.8 metres from the building face and shall not project within 1 metre of the curb face.
- (3) A projecting sign shall be erected a minimum of 2.1 metres above the grade except where vehicular traffic is moving beneath the projecting sign in which case the projecting sign shall be erected a minimum of 4.5 metres above the grade.
- (4) Each face of a projecting sign shall not exceed 1.2 square metres (1.2 m²) in area.
- (5) A projecting sign shall be affixed to the building face at a 90 degree angle.

52. (1) Window signs may be affixed or applied to the interior or exterior of a window and shall not occupy more than 50% of the window area in which they are affixed or applied.

(2) Notwithstanding the foregoing, individual characters on a window sign shall not exceed 45 centimetres in height.

(3) Notwithstanding the foregoing, back-lit plastic signs are not permitted in windows.
53. Commemorative signs shall not be obscured or removed.
54. (1) Awnings shall not project within 1 metre of the curb face.

(2) Awnings shall be erected a minimum of 2.1 metres above the grade except where vehicular traffic is moving beneath the awning in which case the awning shall be erected a minimum of 4.5 metres above the grade.

(3) Text on an awning shall not exceed 60 centimetres in height.
55. (1) Directory signs shall be located parallel to the building facade and adjacent to a building entrance.

(2) Directory signs may only exceed .6 metres x .9 metres at the discretion of Council.
56. (1) One ground sign may be erected on each side of a building fronting on a street.

(2) Ground signs shall not exceed 3.6 metres in height.

(3) A ground sign shall not have more than 4 sides and each side of a ground sign shall not exceed 3.6 metres x 1.2 metres.
57. (1) Wall signs shall not be placed over the second storey windows or higher on a building façade.

(2) Wall signs shall not exceed 3 square metres (3 m²) in area.
58. (1) Banner signs shall be for temporary use only to advertise special events.

(2) The design, location and length of display of a banner sign shall be at the discretion of Council.
59. Notwithstanding any provision contained herein, the Heritage Advisory Committee may recommend to Council the acceptance of certain non-conforming signs whose particular design or situation merit such consideration, and Council may accept or reject the recommendation.

PENALTIES

60. Failure to comply with the provisions of this By-Law may result in the issuance of a stop work order.
61. Any sign, other than an election sign, erected, placed, or displayed in violation of this By-Law may be removed without notice to the owner, and the cost of such removal may be charged to the owner;
62. Where a sign, other than an election sign, is removed by the City, the sign may be stored, immediately destroyed, and/or disposed of without notice
63. (1) Where an election sign is erected, placed, or displayed in violation of this By-Law, the election sign may be removed after the inspector has provided at least 48 hours notice to the authorized agent of the candidate or organization that has erected the sign.

(2) Notwithstanding section 63(1), where an election sign is erected, placed, or displayed in violation of section 10(1), 30, 31, or 32, the election sign may be removed without notice.
64. Where an election sign is removed by the City, the election sign will be stored for no more than 30 days, after which it may be destroyed or otherwise disposed of without notice.
65. A person shall not be entitled to any compensation, nor shall the City be responsible, for any loss or damage resulting from the removal, storage, destruction, and/or disposal of any sign.
66. Any person who contravenes the provisions of this By-Law shall be guilty of an offence and liable upon summary conviction to:
 - (a) a fine of \$100.00 where the person is issued a ticket; or
 - (b) a penalty as provided for in section 403 of the *City of St. John's Act*, RSNL 1990, c C-17, as amended, where an information is laid.
67. The *St. John's Heritage Area Sign By-Law* enacted January 14, 2002 and all amendments thereto is hereby repealed.
68. The *St. John's Mobile Sign By-Law* enacted September 20, 1999 and all amendments thereto is hereby repealed.
69. The *St. John's Sign By-Law* enacted May 31, 2004 and all amendments thereto is hereby repealed.