

**CITY OF MELVILLE  
BYLAW NO. 03/2015**

**The Signage Bylaw, 2015**

The Council of the City of Melville enacts:

1. Short Title

- (a) This Bylaw may be cited as The Signage Bylaw, 2015.

2. Purpose

- (a) The purpose of this Bylaw is to administer and regulate signs located on public property within the City of Melville.

3. **Definitions**

In this bylaw:

- a) "Billboard Sign" shall mean a sign that is an aesthetically designed poster, panel or painted bulletin and includes any panel structure, pole, board, or object designed exclusively to support such poster, panel or painted bulletin.
- b) "Billboard Sign Face" shall mean that part of the billboard sign which forms the frame or panel on which a copy, poster, painted bulletin or other display may be placed.
- c) "Billboard Sign Support" shall mean that part of the billboard sign designed to structurally support a sign face as defined in this bylaw.
- d) "Bylaw Enforcement Officer" shall mean the Bylaw Enforcement Officer for the City of Melville and anyone acting or authorized to act in their behalf.
- e) "City" shall mean the City of Melville and/or its authorized representatives.
- f) "Portable Sign" shall mean a free standing sign mounted on a trailer, stand or similar support structure which is designed in such a manner that the sign can readily be relocated to provide advertising at another location, and may include copy that can be changed manually through the use of attachable characters.
- g) "Public Sidewalk" shall mean any sidewalk included on public property.
- h) "Public Property" shall mean any real property owned or under control and management of the City of Melville including the sidewalks and public highway.

- i) “Public Property Use Permit” shall mean a permit issued by the City of Melville allowing the Permit Holder the right to occupy public property for the purpose prescribed in the guidelines of section
- j) “Public Works Manager” shall mean the Public Works Manager for the City of Melville and anyone acting or authorized to act in their behalf.

**4. Scope**

- a) This bylaw shall apply to the erection, installation, removal, ownership, replacement and maintenance of all signs on public property within City Limits.
- b) No sign, other than the signs listed within this bylaw, shall be erected, installed, or maintained on public property within City Limits by any person or corporation.
- c) No person or corporation shall erect, install, replace or maintain any sign in whole or in part on public property within City Limits, except in conformity with the provisions of this bylaw.

**5. Administration**

5.1 Application for a Sign or Public Property Use Permit

- a) Unless otherwise provided by this bylaw, no person or corporation shall erect, install, replace, construct, relocate or alter any sign without first obtaining a sign permit or a Public Property Use Permit from the City, Appendix A and Appendix B.
- b) An application for a sign permit or a Public Use Property Permit shall be obtained and filed at City Hall.
- c) Sign permit fees are set forth in the following schedule:

2015

Billboard Sign	\$ 100.00
½ Billboard Sign	\$ 50.00
Portable Sign	\$ 20.00 per month to a maximum of \$240.00 per year
Public Use Property Permit	No Cost

2016

Billboard Sign	\$ 150.00
½ Billboard Sign	\$ 75.00
Portable Sign	\$ 20.00 per month to a maximum of \$240.00 per year
Public Use Property Permit	No Cost

2017

Billboard Sign	\$ 200.00
½ Billboard Sign	\$ 100.00
Portable Sign	\$ 20.00 per month to a maximum of \$240.00 per year
Public Use Property Permit	No Cost

5.2 Termination of Sign Permits and/or Public Property Use Permits

- a) A permit shall expire, and the right of the sign owner under the permit shall terminate if:
- i) A change in sign face is undertaken without the City's authorization, this provision does not apply to portable signs.
  - ii) The permit holder does not pay the annual sign licensing fee within the thirty (30) days of notification issued by the City.
  - iii) Non-compliance to a work order within (30) thirty days of notification issued by the City.

5.3 Permit Holder's Responsibilities

- a) Neither the granting of a sign permit nor the approval of the plans nor any inspections made by the Public Works Manager and/or the Bylaw Enforcement Officer shall in any way relieve the permit holder from the requirement for full compliance with the provisions of the Bylaw and from full responsibility for any work required by the Public Works Manger and/or the Bylaw Enforcement Officer in accordance with this bylaw.

- b) The provisions of this bylaw shall not be construed as relieving or limiting the responsibility or liability of any permit holder from personal injury of property damage resulting from the placing of such sign, or resulting from the negligence or wilful acts of such person, his agents, or employees, in the construction, maintenance, repair or removal of any sign erected in accordance with the permit issued hereunder. Nor can it be construed as imposing upon the municipality or it's officers or employees any responsibility or liability by reason of the installation, removal or approval of any signs, materials, or devices, under provisions of this bylaw.

#### 5.4 Powers of the Public Works Manager and/or Bylaw Enforcement Officer

The Public Works Manager and/or Bylaw Enforcement Officer may:

- a) Require a change to the plans or specifications submitted to him/her and, in the sign permit or public property use permit, set out his/her directions as to the actual manner in which the work is to be carried out, and it shall be the duty of the permit holder to carry out those directions;
- b) Revoke, terminate, or refuse the permit where in his/her opinion the work done or proposed fails to meet the requirements of this bylaw or other regulations pursuant to any other Act;
- c) Order the permit holder to repair, replace, remove, maintain or perform any other work to a sign where the plans approved in accordance with the sign permit have not been complied with;
- d) Order the permit holder to repair, remove, replace, maintain or perform any other work to a sign which has been deemed unsightly by Council, the Public Works Manager and/or the Bylaw Enforcement Officer;
- e) If the permit holder does not comply with the order issued pursuant to the provisions of this bylaw, the Public Works Manager or the Bylaw Enforcement Officer shall direct the removal of the sign.

## 6. **Billboard Sign Regulations and Standards**

### 6.1 Permitted Use

- a) The content of a billboard sign shall be limited to commercial advertising for businesses or enterprises, or the use of patronage of a special business, or the promotion of any activity, any of which must be located within the municipal boundaries of the City of

Melville.

- b) Advertising used shall reflect the Canadian Code of Advertising Standards administered by the Advertising Standards Council of the Canadian Advertising Foundation.

#### 6.2 Billboard Sign Construction

- a) Billboard sign faces shall be eight (8) feet in height (2.438 metres) and twelve (12) feet in width (3.658 metres );
- b) Half sign billboard faces shall be eight (8) feet in height (2.438 metres) and six (6) feet in width (1.829 metres);
- c) Billboard sign faces shall be adequately secured to plywood sheeting that is a minimum of (5/8") five eighths of an inch thick.
- d) Billboard signs shall be mounted with the bottom edge of the signboard at least six (6) feet (1.829 metres) off the ground;
- e) Billboard sign supports shall not project over top the billboard sign face.

#### 6.3 Billboard Sign Location

All billboards shall be erected on the posts provided by the City which are located in the South and North entrance sign corridors.

#### 6.4 Billboard Sign Installation

The City shall install all billboard signs upon the completion and approval of a Sign Application Permit, Appendix A.

#### 6.5 Maintenance Requirements

Billboard signs shall be continually maintained by the sign owner to ensure that the sign remains in a state of good repair, reflective of the sign's original condition, and where inadequacies are evident, the permit holders shall undertake any repairs, repainting, replacements or other work deemed necessary by the City.

#### 6.6 Prohibitions

- a) Billboard signs shall not display intermittent flashing or rotating lights and/or have any moving or rotating parts.

- b) Billboard sign faces and/or advertising text which in any way resemble an official sign, standard, or commonly used traffic control device are prohibited.

## **7. Portable Sign Regulations and Standards**

### **7.1 Permitted Use**

- a) The content of a portable sign shall be limited to commercial advertising for businesses or enterprises, or the use of patronage of a special business, or the promotion of any activity, any of which must be located within the municipal boundaries of the City of Melville.
- b) Advertising used shall reflect the Canadian Code of Advertising Standards administered by the Advertising Standards Council of the Canadian Advertising Foundation.

### **7.2 Portable Sign Construction**

- a) Portable signs shall be a maximum of ten (8) feet wide (2.44 metres) and eight (8) (2.44 metres) feet high including the support stand (3.05 metres);
- b) The frame shall be constructed of metal and must be anchored in a manner that will withstand weather extremities.
- c) The face of the portable sign shall have interchangeable letters.

### **7.3 Portable Sign Location**

All portable signs shall be located within the South and North entrance sign corridors as per the discretion of the Public Works Manager. The Public Works Manager shall choose an appropriate location for each portable sign upon application by a sign owner.

### **7.4 Portable Sign Installation**

All portable signs shall be set up in a location that has been chosen by Public Works Manager.

### **7.5 Maintenance Requirements**

Portable signs shall be continually maintained by the sign owner to ensure that the sign remains in a state of good repair, reflective of the sign's original condition, and where inadequacies are evident, the sign owners shall undertake any repairs, repainting, replacements or other work deemed

necessary by the City.

Portable sign owners shall be responsible for the maintenance of the land, including the trimming and cutting of all grass and weeds immediately surrounding a portable sign, to a minimum radius of one metre.

#### 7.6 Prohibitions

- a) Portable signs shall not display intermittent flashing or rotating lights and/or have any moving or rotating parts.
- b) Portable sign faces and/or advertising text which in any way resemble an official sign, standard, or commonly used traffic control device are prohibited.

#### 7.7 Sign Face Regulations

All portable signs must have a display message on the sign face at all times. If a portable sign is set up within the sign corridor without a display message, the portable sign owner will be ordered to remove the portable sign within 3 days of notification from the City.

All portable signs must have the sign owners name and phone number displayed on the structure.

### **8. Public Property Use Permit Regulations and Standards**

#### 8.1 Procedure for Application

- a) All requests for the temporary use of a sidewalk or other public property must be submitted to the City on the prescribed form, Appendix B.
- b) Applications must be made as soon as possible in each year or at a minimum of at least one week prior to the actual day for use of the sidewalk or other public property.
- c) Once the application is approved, a Public property Permit will be issued by the City of Melville.
- d) Permits may be issued on a day to day basis or yearly.
- e) The Public Works Manager shall be responsible for issuance of public property use permits.

#### 8.2 Regulations and Standards

- a) Displays:
  - i) Displays shall only be permitted when the store is open for business.
  - ii) Displays must project no more than (4) four feet (1.2 meters) from the building or property line onto the sidewalk.
  - iii) Sale merchandise must be from the retail business carried on within the abutting building.
  
- b) Sandwich Boards:
  - i) May be located directly in front of the business or adjacent to the street curb. Signs shall not block or interfere with the movement of pedestrians.
  - ii) Shall only be displayed when the store is open for business.
  - iii) Shall not exceed (4) four feet (1,2 meters) in height and 2.5 feet (.76 meters) in width. All signs shall be weighed down so as to prevent being tipped or blown over.
  - iv) Only one board sign shall be permitted per business and the sign shall be placed in front of the applicant's business only.
  - v) Groups or organizations from within the City may set up signs in front of businesses provided they obtain permission from the respective business prior to erecting the sign. Signs located on other public property must receive permission from the City.

### 8.3 Compliance

The City reserves the right to remove any display or sign in the event of any emergency situation or which causes any interference with vehicular or pedestrian traffic or any work that is to be performed upon the sidewalk or other public property by or on behalf of the City in the event of any emergency situation

## 9. **Appeal Process**

An appeal process shall be established in accordance with the following provisions for the sole purpose of this bylaw.

- a) Any permit holder whose sign permit application is refused or permit is revoked due to non-compliance with the provisions of this bylaw, may



appeal such decision in writing to the Council within fifteen (15) days being notified of such infraction or non-compliance.

- b) Upon hearing the appeal the Council shall render a decision within fifteen (15) days of receipt of such appeal.
- c) Notwithstanding that granting, an appeal for a permit holder may cause a variance to this bylaw, such a decision by the Council shall not relieve any other permit holder to the obligations and provision of this bylaw, and in no way shall any decision alter or invalidate any provision of this bylaw.

**10. Severability**

A decision of a Court that one or more of the provisions of this bylaw are invalid in whole or in part does not effect the validity, effectiveness, or enforce ability of the other provisions or parts of this bylaw.

**11. Offences and Penalties**

Any person or corporation who contravenes any provision of this bylaw will have their sign(s) removed.

**12. Repeal**

That Bylaw No. 14/2006 passed on the 5<sup>th</sup> day of September, 2006 is hereby repealed.

**INTRODUCED** and **READ** a first time this 19<sup>th</sup> day of January, 2015, A.D.

**READ** a Second time this 19<sup>th</sup> day of January, 2015, A.D.

**READ** a Third time and **PASSED** this 19<sup>th</sup> day of January, 2015, A.D. with the unanimous consent of all Council members present.

---

Mayor

---

City Manager

APPENDIX A

City of Melville  
SIGN APPLICATION PERMIT

I hereby apply under the provisions of Bylaw 03/2015 for permission to erect or replace a sign; details of which are as follows:

**General Description:**

Billboard \_\_\_\_\_ Portable Sign \_\_\_\_\_

Area of sign \_\_\_\_\_ (Sq. Ft.) Height \_\_\_\_\_ Width \_\_\_\_\_

Sign Value \$ \_\_\_\_\_

Structure: Steel \_\_\_\_\_ Wood \_\_\_\_\_ Other (Name) \_\_\_\_\_

Message on Sign: \_\_\_\_\_

Business Name: \_\_\_\_\_

Business Mailing Address: \_\_\_\_\_

Applicants Name: \_\_\_\_\_

Sign Location: \_\_\_\_\_

Lot \_\_\_\_\_ Block \_\_\_\_\_ Plan# \_\_\_\_\_

I/we further agree to pay the applicable license fee, and i/we understand that the issuing of a permit does not relieve us from complying with all Bylaw though not called for in the specifications or shown on plans and/or application permit submitted.

License Fee \$ \_\_\_\_\_ Term of Permit \_\_\_\_\_ Permit

Date \_\_\_\_\_

\_\_\_\_\_  
Signature - Permit Holder

\_\_\_\_\_  
Approved - City of Melville

**NOTE: Applications for a portable sign permit shall be passed onto the Public Works Manager so as a suitable sign location can be determined.**

**APPENDIX B**  
**City of Melville**  
**PUBLIC PROPERTY USE PERMIT**

Permit # \_\_\_\_\_

**1. Applicant:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**2. Location:**

Specify Location: \_\_\_\_\_  
(Street Address, Store Location, etc.)

Specify Display Type: \_\_\_\_\_  
(Sidewalk sale display, sandwich board, outdoor restaurant, etc.)

Proposed Menu/Food Service: \_\_\_\_\_  
(Attach list if necessary)

Outdoor Restaurant Hours of Operation: \_\_\_\_\_

**3. Permit Validity:**

From: \_\_\_\_\_, 20\_\_\_\_ To: \_\_\_\_\_, 20\_\_\_\_

**Important - Read Before Signing**

In consideration of granting this permit, the applicant agrees to save harmless and keep indemnified the City of Melville from all action, causes of actions and demands whatsoever, which may be made against the city in consequence of the granting of this permit or of anything done there under by the applicant, his employees or agents and pay the City for all damages done to any pavement, boulevard, sidewalk, curb and gutter while used by the applicant.

The City of Melville reserves the right to remove any display, sign or other structures which causes any interference with vehicular or pedestrian traffic or in the event of any emergency situation or interferes with any work that is to be performed upon the sidewalk or other public property by or on behalf of the City.

The applicant shall indemnify and save the City harmless from and against all costs, losses, claims, actions or causes of action arising from the applicants activities under the permit.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Approved - City of Melville

Date of Issuance: \_\_\_\_\_, 20\_\_\_\_

APPENDIX C  
Map of North Signage Corridor



APPENDIX D  
Map of South Signage Corridor



NOTES:  
Dimensions are based on 20147 imagery.