



BYLAW NO. 2209

A Bylaw of the Town of Edson in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta 2000 and amendments thereto, to establish a portable and inflatable sign licensing bylaw within the Town of Edson, cited as the Portable and Inflatable Sign Licensing Bylaw.

WHEREAS pursuant to the provisions of the *Municipal Government Act*, a Council may pass bylaws providing for a system of licenses, permits or approvals;

AND WHEREAS the Council of the Town of Edson deems it expedient to enact a portable and inflatable sign licensing bylaw;

NOW THEREFORE the Municipal Council of the Town of Edson, duly assembled, enacts as follows:

PART ONE - DEFINITIONS

“Inflatable Sign” means a sign that is displayed on or is an inflated three dimensional representation of an object and is anchored to a building or site, and includes inflatable tube characters.

“Licensee” is the person(s) or entity(s) who have been granted a License under this Bylaw.

“Landowner” is the person(s) or entity(s) who are registered under the *Alberta Land Titles Act* as the Owner of the land.

“Portable Sign” means a sign with a total area on one face of no greater than 4.6 m² mounted on a frame, trailer, bench, stand or similar support which together with the support can be relocated to another location and may include copy that can be changed manually through the use of detachable characters.

“Town” means the Town of Edson.

PART TWO -PURPOSE

1. The purpose of this Bylaw is to regulate the placing of portable and inflatable signs within the Town so as:
 - (a) To allow the citizens of the Town an opportunity to communicate with others in a simple and affordable way;

BYLAW 2209 - PAGE 2 of 8

- (b) To afford safety for motorists and pedestrians using the streets;
- (c) To minimize visual clutter; and
- (d) To facilitate necessary maintenance of portable and inflatable signage.

PART THREE – PORTABLE SIGNS

PORTABLE SIGNAGE GENERAL:

- 2. No person shall place a portable sign within the Town except in accordance with this Bylaw.

SIZE AND HEIGHT OF PORTABLE SIGNAGE:

- 3. The maximum sign face area of a portable sign shall be 4.8 m².
- 4. Portable signs may have up to two sign faces.
- 5. The maximum height of a portable sign shall be 2.5 m from the ground.

PROHIBITED SIGNS:

- 6. The following portable signs are prohibited within the Town:
 - (a) Portable signs which are flashing, rotating, animated or have electronic changeable copy. Portable signs MAY be illuminated from within with a steady, uninterrupted light source or may have a steady, uninterrupted light source shone on them.
 - (b) Portable signs which resemble a traffic control device.

PART FOUR – INFLATABLE SIGNS

INFLATABLE SIGNAGE GENERAL

- 7. No person shall place an inflatable sign within the Town except in accordance with this Bylaw.
- 8. An inflatable sign that is to be erected for two weeks or less does not require a license under this Bylaw.
- 9. Notwithstanding the above Section 8 of this Bylaw, inflatable signs must follow all other provisions of this Bylaw, beginning at the time they are erected.
- 10. Inflatable signs shall be a minimum of 10.0m from utility lines;
- 11. The size and height of inflatable signs shall be at the discretion of the Development Authority.

PART FIVE – GENERAL PROVISIONS – PORTABLE AND INFLATABLE SIGNS

TRAFFIC RISKS PROHIBITED

12. A portable/inflatable sign shall not
 - (a) create a potential hazard to vehicular or pedestrian traffic, or
 - (b) obstruct the view of any portion of a traffic control device or signal.

SETBACK REQUIREMENTS

13. A maximum of one (1) portable/inflatable sign is permitted on a lot or site for every 15m of frontage.
14. A portable/inflatable sign shall be located further than 15m of any other portable/inflatable sign.
15. A portable/inflatable sign shall be located outside of a corner visibility triangle.
16. Portable/Inflatable signs must be placed
 - (a) if a curb is present, a minimum of two (2.0) metres from the curb.
 - (b) If a curb is not present, a minimum of two (2.0) metres from the edge of the nearest driving lane on the street;
 - (c) a minimum of one (1.0) metre from any Town sidewalk or pathway; and
 - (d) a minimum of two (2.0) metres from any fire hydrant.

GENERAL

17. A portable/inflatable sign shall not
 - (a) conflict with the general character of the surrounding neighbourhood
 - (b) be permitted in residential areas unless specifically approved at the discretion of the Development Authority for a specific purpose; or
 - (c) be placed on a roof or otherwise elevated.
18. A portable/Inflatable sign may be temporarily fastened to the ground for safety reasons, but not secured permanently, and must be placed in a level position.
19. A portable/inflatable sign must contain a name plate or secure sticker with contact information of the company that owns the sign.
20. No portable sign shall be allowed to
 - (a) Be in a state of disrepair,
 - (b) Be in a condition that is hazardous to any member of the public, and/or
 - (c) Be unsightly in any way including but not limited to signs of rust, lack of weed control, dents or peeling paint

PART SIX – LICENSING AND REMOVAL OF SIGNAGE

21. A Licensee must obtain the Landowner's consent prior to placement of a portable/inflatable sign on the Property. Such consent shall allow the Town to enter on to the property and inspect the sign or remove the sign should it contravene any Town Bylaw. The Licensee must produce said consent to the Town upon request (may be provided by electronic messaging) .
22. License and removal costs for portable/inflatable signage within the Town shall be applied as per Schedule "A" of this Bylaw.
23. A License shall be permitted for a maximum (1) year term and shall expire on the 31st of December of any year.
24. The costs of a License shall be pursuant to Schedule "A" of this Bylaw.
25. The Town may cancel a License at any time should the Licensee be found by the Town to be in contravention of any part of this Bylaw. If the Town cancels a sign License, the Licensee shall be informed in writing (which includes electronic messaging).
26. In the event that the Town deems a portable or inflatable sign to be in contravention of this Bylaw,
 - (a) If the sign is Licenced, the Licensee shall be informed in writing (which includes electronic messaging), and given five working days to remedy the subject contravention; or
 - (b) If the sign is unlicensed, the Landowner of the property shall subject to fines in accordance with Schedule "B" of this bylaw.
27. If the Town deems that, after being informed under Section 26 above, the Licensee failed to remedy the subject contravention, the Town may cancel the License. In the event that the Town cancels a License under this Bylaw, the License for all portable/inflatable signage listed under the subject License becomes null and void.
28. If a Licensee has been informed of the cancellation of a License, and has not removed all applicable signage under that License within five working days, the Town may enter on to the subject property(s) and remove all unlicensed signage.
29. If a Landowner has been informed of a sign on their property that is in contravention of this bylaw, and they have not obtained a License or removed the subject sign with five working days, the Landowner may be subject to fines in accordance with Schedule "B" of this Bylaw.
30. Portable and inflatable signs which are deemed by the Town to be a safety hazard may be removed immediately and without notice by the Town whether or not any person has been found to be in contravention of this Bylaw.
31. Portable and inflatable signs which impede or interfere with the repair or maintenance work of Town employees on any property owned or controlled by the Town may be removed immediately and without notice whether or not any person has been found to be in contravention of this Bylaw.
32. The Town will retain any signs removed under this part of the Bylaw for a minimum of ten (10) business days, during which time the signs may be reclaimed.
33. The Town may without notice dispose of any signs which are not reclaimed.

BYLAW 2209 - PAGE 5 of 8

- 34. The Town is not responsible for the loss or damage to any portable sign removed or stored by the Town.
- 35. If the Licensee has not paid to the Town any removal costs that have been assigned under this Bylaw, the Town may, after sixty (60) days assign those costs to the applicable Landowner.

PART SEVEN - LIABILITY

- 36. Nothing in this Bylaw relieves or limits the liability of any person placing a portable sign on any property from claims for personal injury or property damage resulting from the placing of the sign or resulting from the negligence of the person in the maintenance or removal of the sign.
- 37. Nothing in this Bylaw imposes any liability of the Town for claims for personal injury or property damage resulting from the placement, maintenance or removal of any portable sign on property owned or controlled by the Town.

PART EIGHT – EFFECTIVE DATE

- 38. This Bylaw shall take effect on January 1, 2019.

READ a first time this _____ day of _____ 2018 AD

Mayor Kevin Zahara

Michael Derricott, CAO

Public Hearing held on the _____ day of _____ 2018

READ a second time this ____ day of _____, 2018 AD

Mayor Kevin Zahara

Michael Derricott, CAO

READ a third time and finally passed this ____ day of _____, 2018 AD

Mayor Kevin Zahara

Michael Derricott, CAO

BYLAW 2209 – SCHEDULE A – FEES AND CHARGES

Fees and Charges shall be as outlined the Town of Edson Fees, Rates, and Charges Bylaw No. 2214

SCHEDULE "B"

FINES AND PENALTIES

CONTRAVENTION OF ANY PROVISION OF THE TOWN OF EDSON BYLAW NO.2209

| | |
|----------------|------------|
| First Offence | \$500.00 |
| Second Offence | \$750.00 |
| Third Offence | \$1,000.00 |

In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.

Schedule for Bylaw 2214 Fees Rates and Charges

Fees and Charges shall be as outlined the Town of Edson Fees, Rates, and Charges Bylaw No. 2214

| | |
|--|--------------------|
| License for one to five portable/inflatable signs | \$25.00 per year |
| License for six to twenty five portable/inflatable signs | \$125.00 per year |
| License for twenty six or more portable/inflatable signs | \$ 250.00 per year |
| Cost of removal of a portable/inflatable sign by Town | \$150.00 per sign |

*The landowner shall be ultimately responsible for all costs outlined above.

* A License for any year may be purchased after November 1st of the prior year.

** For Licenses purchased prior to June 30 of any year, full costs are charged.

***For Licenses purchased after June 30 of any year, the purchaser shall pay 50% of the costs.