

OFFICE CONSOLIDATION

BYLAW NUMBER 29M97

**BEING A BYLAW OF THE CITY OF CALGARY
TO REGULATE TEMPORARY SIGNS ON
HIGHWAYS**

(As Amended by Bylaw Numbers 1M2000, 42M2004, 38M2012)

NOW THEREFORE THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

Title

1. This Bylaw may be referred to as the “Temporary Signs on Highways Bylaw”.

Interpretation

2. In this Bylaw,
 - (a) “Boulevard” means that part of a highway that
 - (i) is not roadway, and
 - (ii) is that part of the Sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians;
 - (b) “Bylaw Enforcement Officer” means any person designated as such pursuant to City Bylaw 60M86;
 - (c) “City Manager” means the person designated by the City as its chief administrative officer or his designate;
 - (d) “City” means The City of Calgary, a municipal corporation of the Province of Alberta, or the land lying within the corporate limits of the City of Calgary, as the context requires;
 - (e) “Community Association Sign” means a Sign which is used by a community association to advertise community meetings or events;
 - (f) “Community Identification Sign” means a Sign which states the name of a residential community area and may contain a logo or symbol which is related of the community name;
 - (g) “Crosswalk” means any part of a roadway at an Intersection or elsewhere distinctly indicated for pedestrian crossing by Signs or by lines or by other markings on the road surface;

- (h) “Decorative Street Light Pole” means any street light pole that is not a Standard Street Light Pole; and, for greater clarity, includes, but is not limited to, any street light pole which is similar to the street light poles set out in the diagrams in Schedule “C”;
- (i) “Election Sign” means any Sign used to promote a candidate or party during a municipal, provincial or federal election, or any election held pursuant to the Local Authorities Election Act, S.A. 1983, c.L-27.5;
- (j) “Garage Sale” means the sale of personal or household goods from a residential property;
- (k) “Highway” means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes,
 - (i) a Sidewalk (including the Boulevard portion of the Sidewalk);
 - (ii) if a ditch lies adjacent to and parallel with the roadway, the ditch; and
 - (iii) if a Highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fence and the edge of the roadway, as the case may be;
- (l) “Intersection” means the area embraced within the prolongation or connection of,
 - (i) the lateral curb lines or, if none,
 - (ii) the exterior edges of the roadways of two or more Highways which join one another at an angle whether or not one Highway crosses the other;
- (m) “Median” means a physical barrier or area that separates traffic travelling in one direction from traffic travelling on the opposite direction on a Highway;
- (n) “Municipal Property” means structures, equipment or things owned by the City and which are on Highways;
- (o) “Owner” is any Person who is described on a Sign, whose name or address or telephone number appears on a Sign, who created a Sign, who installed a Sign, who is in lawful control of a Sign or who is the subject of or otherwise benefits from the message of a Sign, and for the purposes of this Bylaw there may be more than one Owner of a Sign;
- (p) “Person” means a natural person or a body corporate and includes a partnership, a group of Persons acting in concert or an association;

- (q) "Poster" means a Sign which is not self-supporting and is attached with its entire back surface in contact with a pole or wall or other structure and is secured by tape, glue, staples or other means;
- (r) "Poster Board" means a structure along certain streets within the City for the purpose of posting bills, notices and Posters;
- (s) "Road" means that part of a Highway intended for use by vehicular traffic;
- (t) "Sidewalk" means that part of a Highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a Highway between the curb or edge of the roadway and the adjacent property line, whether of not paved or improved;
- (u) "Sign" means an inscribed board, bill, placard, Poster, banner, flag or device which is intended to promote anything or inform anyone;
- (v) "Standard Street Light Pole" means a circular or octagonal street light pole that is either metal or wood with the luminaire facing downwards;
- (w) "Traffic Control Device" means any Sign, Signal, marking or device placed, marked or erected under the authority of the Highway Traffic Act R.S.A. 1980, Chapter H-7, for the purpose of regulating, warning or guiding traffic;
- (w.1) "Traffic Engineer" means the designated officer appointed to that position under the Traffic Bylaw;
- (x) "Traffic Island" means a physical barrier or strip of land which channels traffic into a specific route or controls turns at an Intersection or provides refuge to protect and aid pedestrians crossing a Highway or aids in loading or unloading transit riders;
- (y) "Traffic Signal Pole" means any pole with an electronic or illuminated Traffic Control Device attached to it.

(B/L 1M2000, 2000 January 24)

(B/L 42M2004, 2004 June 21)

General Prohibitions and Requirements

- 3. (1) This Bylaw applies to Signs placed on Highways but does not apply to:
 - (a) Signs permitted by City Land Use Bylaw Number 2P80;
 - (b) Signs permitted by City Sign Bylaw Number 8M80;
 - (c) Signs permitted by the City's Stephen Avenue Mall Bylaw Number 52M87;
 - (d) Signs permitted by the City's Barclay Mall Bylaw Number 17M84.

- (e) Signs permitted by the Municipal Complex Bylaw Number 38M2012.
(B/L 38M2012, 2012 July 30)
- (2) Except as provided in this Bylaw, a Person shall not place a Sign on a Highway which:
 - (a) obstructs a Traffic Control Device;
 - (b) is lit or electrified;
 - (c) is a hazard or dangerous to vehicular or pedestrian traffic;
 - (d) is inflatable;
 - (e) is displayed for more than fourteen consecutive days or more than 24 hours following the date any advertised event concludes, whichever is less;
 - (f) is within 30 metres of an Intersection;
 - (g) is within 2 metres of a curb or edge of any road;
 - (h) is permanently affixed;
 - (i) is supported by string, rope, wire or metal stakes; and
 - (j) has a Sign face larger than 0.6 square metres.
- (3) Except as provided in this Bylaw, a Person shall not:
 - (a) attach a Sign to any sound attenuation wall;
 - (b) attach a Sign to any Standard Street Light Pole or Traffic Signal Pole;
 - (c) attach a Sign to any Decorative Street Light Pole;
 - (d) permit a Sign to cause any damage to Municipal Property;
 - (e) allow a Sign to become unsightly;
 - (f) place a Sign on or within any Traffic Island or Median;
 - (g) place a Sign within 10 metres of a Crosswalk that is not located at an Intersection;

- (h) place a Sign on a fire hydrant; and
 - (i) attach a Sign on or within a Plus 15 bridge.
- (4) A Person who places or posts a Sign shall legibly state on the face of the Sign:
 - (a) the name of an Owner of the Sign and the address and phone number of the Owner; and
 - (b) the date of posting of the Sign.

Prohibited Areas

- 4. (1) A Person shall not place a Sign on the following Highways:
 - (a) Anderson Road;
 - (b) Barlow Trail;
 - (c) Beddington Trail;
 - (d) Blackfoot Trail;
 - (e) Crowchild Trail;
 - (f) Deerfoot Trail;
 - (g) East Freeway;
 - (h) Glenmore Trail;
 - (i) John Laurie Boulevard from McKnight Boulevard to Sarcee Trail;
 - (j) 16th Avenue North for 6th Street East to the eastern City boundary and from 19th Street West to 44th Street West;
 - (k) Marquis of Lorne Trail;
 - (l) Macleod Trail from Anderson Road to the southern City Boundary;
 - (m) McKnight Boulevard;
 - (n) Sarcee Trail south of the Trans Canada Highway;

- (o) Stoney Trail; and
 - (p) Trans Canada Highway from Home Road to the western City boundary.
- (2) Except for Posters attached to poles or Standard Street Light Poles in accordance with Section 5, a Person shall not place a Sign on the following Highways:
- (a) Bow Trail;
 - (b) Bowness Road N.W.;
 - (c) Centre Street North;
 - (d) Country Hills Boulevard;
 - (e) Elbow Drive;
 - (f) John Laurie Boulevard from Sarcee Trail to the western City boundary;
 - (g) Macleod Trail north of Anderson Road;
 - (h) Memorial Drive;
 - (i) Nosehill Drive;
 - (j) Parkdale Boulevard N.W.;
 - (k) Shaganappi Trail;
 - (l) Southland Drive;
 - (m) 3rd Avenue N.W. from Parkdale Boulevard to Bowness Road;
 - (n) 16th Avenue North from 6th Street East to 19th Street West;
 - (o) 17th Avenue South, East of Deerfoot Trail;
 - (p) 14 Street West;
 - (q) 36 Street East;
 - (r) 52 Street East from 17th Avenue South to McKnight Boulevard; and

- (s) 68 Street East from 17th Avenue S.E. to the northern City boundary; and
- (t) 85 Street N.W.

Posters

- 5. (1) Notwithstanding Sections 3(2)(g), and 3(3)(b) but subject to Section 5(2), a Person is permitted to attach a Poster to a pole or a Standard Street Light Pole provided that:
 - (a) no more than one Poster, per Owner, is placed on a single pole or Standard Street Light Pole; and
 - (b) Posters shall only be attached to a pole or a Standard Street Light Pole with clear adhesive tape or securable plastic banding.
- (2) A Person shall not attach a Poster to any pole or streetlight pole:
 - (a) that is within 150 metres of a Poster Board; and
 - (b) unless a fee has been paid to the City as set out in Schedule "B".

Garage Sales

- 6. Notwithstanding any other provision of this Bylaw an Owner or occupant of a residence who holds a Garage Sale may only display in accordance with this Bylaw a maximum of three Signs for the purpose of advertising the Garage Sale and only on the day prior to and on the day of the Garage Sale.

Authorized Signs

- 7. (1) A Person shall not cause a Sign to be attached to or be within 30 metres of a City bus shelter, transit bench, bus zone, LRT station or LRT platform without the written permission of the "City Manager".
- (2) A Person shall not place a Sign over a street or on or within a pedestrian walkway or any other overpass without the written permission of the Traffic Engineer.

(B/L 1M2000, 2000 January 24)
(B/L 42M2004, 2004 June 21)

Election Signs

8. (1) Notwithstanding Section 3(2)(e), an Election Sign may be displayed for more than 14 days but a Person shall not permit an Election Sign to be displayed for more than 36 hours after the local polls have closed for that election.
- (2) Notwithstanding Section 3(2)(j), an Election Sign shall not exceed 3.0 square metres.

Community Identification Signs and Community Association Signs

9. (1) The location, size, design and character of a Community Identification Sign shall be to the satisfaction of and approved by the Traffic Engineer.
- (2) Approval for a Community Identification Sign will be given for a maximum of 10 years. Renewal of an approval of an existing Community Identification Sign is a new application.
- (3) Community Identification Signs are allowed provided the Sign:
 - (a) is for community identification purposes only;
 - (b) displays no third party advertising; and
 - (c) is constructed of maintenance free material.
- (4) Prior to approval of a Community Identification Sign, the Owner of such Sign shall deliver to the City, in a form to the satisfaction of the Traffic Engineer, a licence agreement that provides that the Owner shall:
 - (a) maintain the Sign for the approval period;
 - (b) indemnify the City against any claim made against the City by reason of the existence of the Community Identification Sign;
 - (c) remove the Community Identification Sign on 30 days notice where required by the Traffic Engineer for a municipal purpose; and
 - (d) where approval of an existing Community Identification Sign has expired and has not been given a new approval, at its cost remove the Sign and rehabilitate the Highway to the satisfaction of the Traffic Engineer.

- (5) A Community Identification Sign, where located on a Highway, shall be placed either on the Boulevard or Median of a roadway designated as a major roadway standard or lesser standard.
- (6) The number of Community Identification Signs allowed per community will be determined by the Traffic Engineer.
- (7) Notwithstanding Subsections 3(2)(j) and 3(3)(f), a community association may, with the prior written approval of the Traffic Engineer, locate a Community Association Sign in reasonable proximity to a Community Identification Sign or at any other location in a Highway.
- (8) A Community Association Sign shall be no larger than 3.0 square metres.

Exemptions

- 10. (1) The following Signs are exempt from the application of this Bylaw:
 - (a) Signs used by the City for operational, public safety, display, advertising or ornamental purposes; and
 - (b) any Sign carried by or on a Person.

Enforcement

- 11. (1) Any Sign that impedes or interferes with the work of a City operation may be removed and disposed of by a City Employee, officer or agent affected without notice to the Owner of the Sign.
- (2) Any Sign which a Bylaw Enforcement Officer finds in breach of this Bylaw may be removed and impounded without prior notice to the Owner.
- (3) Any Sign impounded for a period of 14 days which has not been claimed by the Owner may be destroyed without compensation by the City to the Owner.

Prosecutions and Penalties

- 12. (1) An Owner of a Sign shall be liable for any and all damage, loss and expense caused by or arising from the erection, maintenance or removal of the Sign.
- (2) Any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon conviction to a fine not exceeding \$10,000.00 and in default of payment to imprisonment for a period not exceeding six months, or both.

- (3) Where a Bylaw Enforcement Officer or a Peace Officer believes that a Person has contravened any provision of this Bylaw, he may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 of the Provincial Offences Procedure Act, S.A. 1988 Chap. P-21.5.
- (4) The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule "A" of this Bylaw.
- (5) Notwithstanding Subsection 12(4), where anyone has been convicted of the same provision of this Bylaw twice within one 12 month period, the specified penalty payable shall be double the fine amount shown in Schedule "A".

Repeal

- 13. The following City Bylaws are repealed:
 - (a) Temporary Sign Bylaw Number 33M95;
 - (b) Election Sign Bylaw Number 12M95; and
 - (c) Decorative Light Pole Bylaw Number 41M94.

Consequential Amendments

- 14. The City's Street Bylaw Number 20M88 is amended by the repeal of Sections 2(20), 64 and 83(2).

Commencement

- 15. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS 28TH DAY OF JULY, 1997.

READ A SECOND TIME, AS AMENDED, THIS 28TH DAY OF JULY, 1997.

READ A THIRD TIME, AS AMENDED, THIS 28TH DAY OF JULY, 1997.

(Sgd.) A. Duerr
MAYOR

(Sgd.) D. Garner
CITY CLERK

SCHEDULE "A"

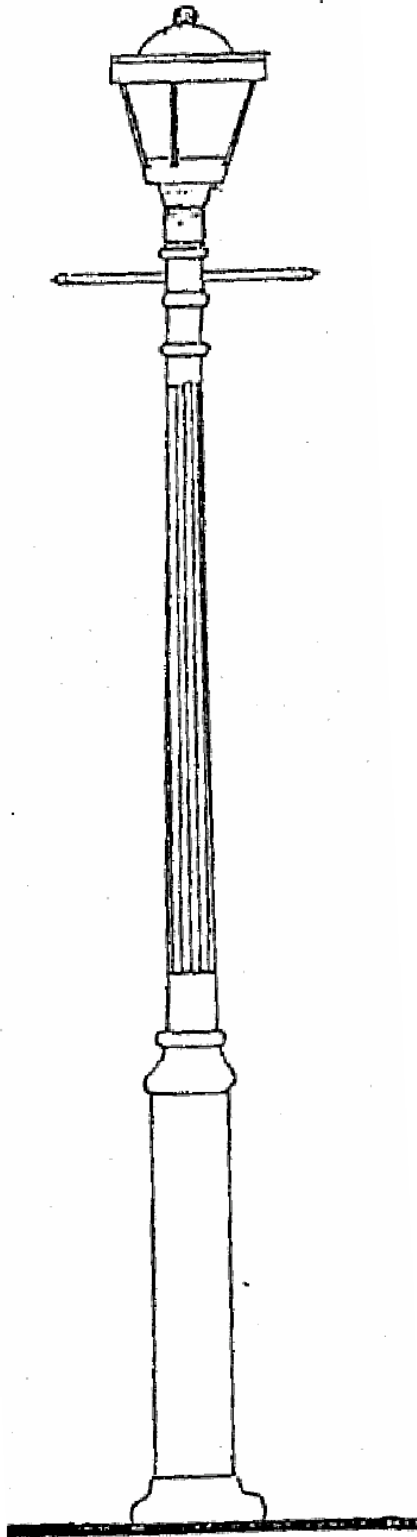
SPECIFIED PENALTIES

<u>Section</u>	<u>Fine</u>
3(2) and 3(3)	\$100.00
3(3)(c)	\$200.00
3(4)	\$50.00
4(1) and 4(2)	\$100.00
5(1) and 5(2)	\$50.00
All other Sections	\$75.00

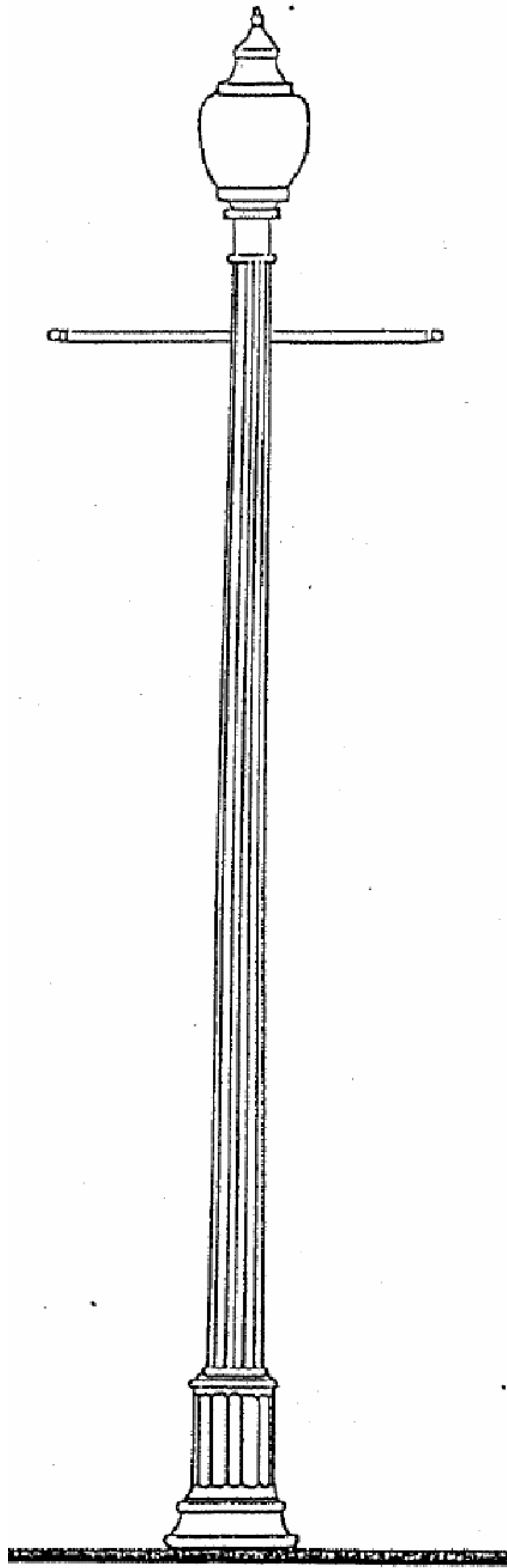
SCHEDULE "B"

A fee of \$_____ per Poster.

SCHEDULE "C" (1 of 3)



SCHEDULE "C" (2 of 3)



SCHEDULE "C" (3 of 3)

