

BY-LAW 31
VILLAGE OF GAGETOWN
SIGNAGE

Be it enacted by the Council of the Village of Gagetown, New Brunswick, as follows:

1. DEFINITIONS:

BILLBOARD means a large sign independently and permanently fixed to the ground or entirely attached to and supported by a main wall of a building.

BUILDING means a roofed erection, with solid exterior walls which is permanently affixed to the site and which is used or intended as a shelter for persons, animals or chattels.

FIXED SIGN means a sign that is entirely attached to and supported by a main wall of a building or structure or by a fence or wall.

FREESTANDING SIGN means a sign that is independently and permanently fixed to the ground.

HEIGHT means in relation to a building or structure, the vertical distance as measured from mean grade to the highest point on such building or structure.

LOT means a single area of land described in a deed as being one parcel of land and, if said parcel is divided by a roadway, each division thereof shall be deemed to be a separate lot; or two or more adjoining parcels of land owned by the same party and used or intended to be used as a site for a development.

LOT, CORNER means a lot having two or more adjacent sides fronting on two or more intersecting roadways.

LOT, LINE means a common boundary between a lot and an abutting lot or roadway.

PORTABLE SIGN means a sign self standing and mobile.

PROJECTING SIGN means a sign which is wholly or partially dependent upon a building or structure for support and which projects beyond such building or structure.

PUBLIC UTILITY means a service provided by any agency which, under franchise or ownership or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection or other similar service.

ROADWAY means a road, street or highway as defined within the **Highway Act** and includes a privately owned road or street.

SIGN means any identification, description, illustration or information device, illuminated or non-illuminated, which provides information as to product, place, activity, person, institution or business and is displayed on the exterior of a building or on a property.

STREET LINE means the limit of a road, street or highway and is the dividing boundary line between a lot and an abutting road, street or highway.

STRUCTURE means anything constructed or erected with a fixed location on or below the ground, or attached to anything having a fixed location on the ground, but does not include a building.

USE means the purpose for which land or a building or structure or any combination of land, building or structure is designed, arranged, erected, intended, occupied or maintained.

USE, MAIN means the permitted primary purpose for which a lot, building or structure is designed, arranged or intended, or for which may be used, occupied or maintained.

USE, SECONDARY means a use, other than a main or accessory use, permitted in a building.

2. GENERAL REQUIREMENTS

Signs shall:

- a) not be placed in such a manner so as to inhibit the safe movement of traffic nor to impede the motion of pedestrians;
- b) not have a size, location, movement, content, colouring or manner of illumination which may be confused with, construed as or tend to hide from view any traffic control device;
- c) not be an imitation of a traffic control device or contain the words “stop”, “go”, “look”, “danger”, “yield” or any similar words, phrases, symbols, lights or characters used in a manner which may mislead, confuse or otherwise interfere with traffic along a public road;

- d) not be located at or near a sharp road curve or below the crest of a hill;
- e) not obstruct free ingress to or egress from a fire escape door, window or other required exit;
- f) not be painted upon or cover a roof;
- g) not be painted on a tree, stone, cliff or other natural object;
- h) not incorporate a searchlight, stringlight, spinner or streamer except for occasions such as grand openings, fairs, public festivals or holidays for a period exceeding 45 days;
- i) if illuminated, be shielded and focused to light up, in a continuous and non flashing manner, only the surface area;
- j) not advertise an activity, business, product or service no longer conducted on the premises and, in such a case, shall be removed by the owner or occupant of the property upon which it is erected within 60 days of the date of discontinuance of the business or product sold;
- k) be maintained so as not to threaten the safety of pedestrians or traffic and to retain a reasonable level of appearance;
- l) with the exemption of billboards, relate only to the use of the lot upon which it is located; and
- m) not be placed upon any portion of a roadway, public utility or lot administered by government without the consent of the appropriate agency.

3. Freestanding Signs

Freestanding signs are permitted upon lots used commercially or industrially, provided that such a sign does not

- a. exceed one (1) per lot;
- b. exceed a maximum height of 10 meters (32' 10");
- c. exceed a total surface area of 5.0 square meters (54 square feet) which, for example, would be 2.5 square meters (27 square feet) per side for a 2-sided structure;

- d. occur closer to any street line than 2 meters (6'7"); and
- e. on a corner lot, occur within the triangular space bounded by the street lines and a line joining points on the street lines at a distance of 7 meters (23'0") from their point of intersection so as to obstruct the view of a driver of a vehicle approaching the intersection.

4. Portable, Non-Residential Fixed or Non-Residential Projecting Signs

Portable, non-residential fixed or non-residential projecting signs are permitted upon all lands, buildings and structures, excluding those used residentially, provided that such signs:

- a. do not exceed, for a combination of the sign types herein specified, 2 per lot; and
- b. satisfy the following specific sign type requirements:
 - (i) for a portable sign,
 - i. not exceed a total surface area of 2.0 square meters (22 square feet) with no more than 1.0 square meter (11 square feet) per side,
 - ii. not occur closer to a street line than 2.0 meters (6'7"); and
 - iii. on a corner lot, not occur within the triangular space bounded by the street lines and a line joining points on the street lines a distance of 7 meters (23'0") from their point of intersection so as to obstruct the view of a driver of a vehicle approaching the intersection.
 - (ii) for a non residential fixed sign, not exceed a total surface area of 1.0 square meters (11 square feet), and

- (iii) for a non residential projecting sign,
 - A) not exceed a total surface area of 2.0 square meters (22 square feet) with no more than 1.0 square meters (11 square feet) per side,
 - B) not project beyond 2.5 meters (8'2") from a building wall, not protrude within 2.0 meters (6'7") of a street line nor fail to clear the ground by 3.0 meters (9'10"),
 - C) not project over a lot line, and
 - D) not project more than 1.5 meters (4'11") above the top of any main wall or parapet to which it is affixed.

5. Billboard signs

Billboard signs are permitted upon lots used industrially, provided that such a sign does not:

- a. exceed 1 per lot;
- b. exceed a maximum height of 10 meters (32'10");
- c. exceed a total surface area of 18 square meters (194 square feet); and
- d. occur closer to any street line than 2 meters (6'7").

6. General Fixed or Projecting Signs

General fixed or projecting signs are permitted upon all buildings and structures, provided that such signs do not:

- a. exceed two (2) per lot whose main use is residential;
- b. exceed a total surface area of 0.3 square meter (3 square feet), for two (2) signs;
- c. on a lot whose main use is residential, confer a service beyond identifying residents, warning against trespass or specifying a secondary use, such as a home occupation; and
- d. on a lot whose main use is non-residential, confer a service beyond regulating or denoting the direction or function of various businesses within a building or premises, including parking and travel areas.

7. Exemptions

A sign shall be exempt from this section if it is

- a) permitted in accordance with the **Posting of signs on land regulation of the Fish and Wildlife Act** and any other applicable act;
- b) temporary in nature, including but not limited to, signs that advertise the sale or rent of a property, advertise a dated event, provide public notice of an event or announces a candidate for public office in a municipal, provincial or federal election;
- c) a traffic control device in accordance with the **Motor Vehicle Act**;
or
- d) a flag representing a charitable, religious or fraternal organization or a municipal, provincial or federal level of government.

First Reading November 21, 2005

Second Reading December 19, 2005

Third Reading January 17, 2006

Enacted January 17, 2006

Mayor

Clerk

