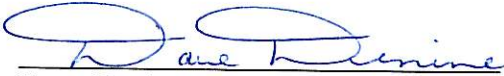


PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by Section 250 of the City of Mount Pearl Act, Chapter C-16, R.S.N., 1990, the Council of the City of Mount Pearl has made the following Regulations, which were adopted at a Council Meeting held on the 30th day of October A.D., 2000.



Dave Denine
Mayor



Gerard Lewis
City Clerk

1. TITLE

These Regulations may be cited as "The Mount Pearl Sign Maintenance Regulations 2000".

2. DEFINITIONS

In these Regulations:

- 2.1 "Act" means the City of Mount Pearl Act, Chapter C-16, R.S.N., 1990.
- 2.2 "City" means the City of Mount Pearl.
- 2.3 "Council" means the Council of the City of Mount Pearl.
- 2.4 "Electric sign" means a sign, any part of the letters of which are formed of or are delineated by incandescent electric lamps, tubing or other light producing electrical apparatus forming an integral part thereof; signs having a border of incandescent or other electric lamps attached thereto; transparent or partly transparent signs whether lighted by electricity or other illuminant; and signs which are lighted by means of lamps or other lighting devices reflecting on the outside of the sign.
- 2.5 "Erect" includes alter, construct, reconstruct, plant, place, relocate and any work preparatory to erection and "erection" has a corresponding meaning.
- 2.6 "Erector" means any person constructing, erecting, re-erecting, relocating or altering any sign.

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- 2.7 "License" means any person to whom a permit to operate and maintain a sign has been issued pursuant to these By-Laws.
- 2.8 "Municipal area" means the area of the City of Mount Pearl as delimited in Schedule A of the City of Mount Pearl Act Chapter C-16, R. S. N. 1990 and amendments thereto.
- 2.9 "Owner" means the person owning the location, or the structure to which a sign is attached.
- 2.10 "Sign" means any fabricated sign, for which a permit to construct, erect, re-erect, relocate, or alter, is required by these regulations, including its structure consisting of any writing, reading matter, letter, word, figure, character, mark, point, plane, marquee sign, design, emblem, symbol, device, poster, pictorial picture or representation, illustration, decoration, stroke, stripe, line, trademark, flag, banner, pennant or illuminating device, constructed, attached, erected, fastened or manufactured in any manner whatsoever so that the same shall be used to announce, direct or attract the attention of the public to or advertise any place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever out of doors or visible from outside a building for recognized advertising purposes.
- 2.11 "Structure" means and includes a building, wall, boarding, fence, board, post, pole, tree and the supports, uprights, bracing and framework of the sign.
- 2.12 "Structural trim" means the moulding and trim, including ornamental and decorative moulding and trim, battens, capping, nailing strips or blocks, latticing and platforms which are attached to the structure or the sign.

3. APPLICATION

These regulations shall apply to the municipal area of the City.

4. CONFORMITY WITH REGULATIONS

No person shall erect a sign unless it complies with the Mount Pearl Development Regulations and such sign shall be erected, maintained or repaired in accordance with these Regulations.

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5. PERMIT REQUIRED

No person shall erect, maintain or repair a sign unless the location and building plans of sign are approved by the Council and a permit for the erection or repair of the sign has been issued by the Council.

6. FORM OF APPLICATION

An application to construct, maintain or repair a sign shall be made only by the owner or by a person authorized by the owner to the Council on such form as may be prescribed by the Council, and every application shall include such information, plans, specifications and drawings as the Council may require, and be accompanied by the permit fee required by the Council.

7. REQUIRED INFORMATION

Every sign and advertisement shall display the name and phone of the sign contractor in a manner acceptable to the Authority.

8. CONSTRUCTION MATERIALS

The material or materials used in the erection, maintenance and repair of a sign shall only be of a type which meets the approval of the Council.

9. DESIGN OF SIGNS

9.1 Every sign and all supporting components shall be designed, constructed, erected and maintained so as to safely resist all structural loads.

9.2 When required by the Council, an application for the construction, erection, placement or repair of a sign shall include design drawings stamped by a professional engineer licensed to practise in Newfoundland.

10. ELECTRICAL SIGNS

10.1 All electrical signs shall meet the requirements of CAN/CSA C22.2 No. 207 M89, the Canadian Electrical Code and shall have a clearly visible CSA sticker attached to the frame or face.

10.2 All electrical signs shall be maintained by sign technicians employed by a sign manufacturer that is approved by the Canadian Standards Association.

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11. PROHIBITION ON SIGNS

No person shall be erected or maintained or the guy stays or attachments connected therewith of any description, including signs displayed within a building, and spotlights, floodlights, rotating beacons or flashing illuminations or any other special illumination or any building or structure or portion thereof or attach or place the same to or on any building in such a location or manner or with such materials, lights or colours as -

- 11.1 to interfere with, obstruct the view of, or be, or likely to be confused with the proper operation and visibility of any traffic signal light, traffic sign or device now or hereafter erected for the control or guidance of traffic upon the highways or streets of the City or both;
- 11.2 to impede materially the view of any street or highway intersection or the intersection of a street or highway with a railway crossing.
- 11.3 to obstruct any door, window, fire escape or other required exit or in any way to impede the ingress or egress from the same or any of them;
- 11.4 to interfere with any light, power, telephone or transit pole or wire for any apparatus or appliance connected therewith;

12. MAINTENANCE

Every person who owns a sign shall maintain such sign in a good state of repair. For the purposes of this section, "good state of repair" shall mean:

- 12.1 the sign is complete and in a structurally sound condition and plumb and securely anchored;
- 12.2 protected by weather-resistant materials;
- 12.3 sign components are not broken, rusted, rotten or in a hazardous condition;
- 12.4 that the sign does not present an unsightly appearance deleterious to abutting land or to the neighbourhood.

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13. COMPLIANCE WITH REGULATIONS

A sign in existence at the date of coming into effect of these Regulations which is not in accordance with the provisions of these Regulations may continue to exist provided the sign is maintained in a good state of repair and the sign is not deemed to be a safety hazard or obstruction by the Council. A sign which is in existence at the date of coming into effect of these Regulations shall not be modified or replaced with a sign which differs in the height, type, style or material used in the erection or construction of the existing sign unless the sign is constructed in accordance with these Regulations.

14. INSPECTION OF SIGNS

14.1 The Council may, at its discretion, inspect every sign for which a permit is required.

14.2 When required by the Council, the erector, licensee and/or owner shall provide access to any and all parts or components of a sign for inspection prior to, during or after erection of the sign.

14.3 The erector, licensee and/or owner shall provide any equipment deemed necessary by the Council for the proper inspection of a sign.

15. ORDER TO COMPLY

15.1 Any sign which is found to be unsafe, or does not comply with the provisions of this regulation be ordered to be repaired, altered, or otherwise made to comply with this regulation by written notice to the erector, licensee and/or owner within a time limit to be specified by the Council.

15.2 Any sign which is not made to comply as in Section 14.1 shall be removed by the erector, licensee and/or owner within a time limit to be specified by the Council.

15.3 Any sign which is not removed in compliance with Section 14.2 may be caused to be removed by the Council and all costs of such removal shall be paid by the erector, licensee and/or owner.

16. REMOVAL OF SIGNS

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The Council may order the stopping of construction, removal or repair of a sign erected without a license, or not in accordance with the terms thereof, or the regulations.

17. PENALTIES

Every person who contravenes or fails to comply with any of the provisions of the Regulations or Order made thereunder is guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars (\$1,000.00) or in default of payment to a period of imprisonment not exceeding ninety days, or to both such fines and period of imprisonment.

18. APPEALS

Pursuant to Sections 251 and 240 of the Act, any person who feels aggrieved by an Order of the Council made under these regulations may, within fourteen (14) days of the service or posting of the Order, appeal to the appropriate regional appeal board established under The Urban and Rural Planning Act, R. S. N. 1990, c. U-7 and the Board may make such order with respect to the matter as appears just.

19. COMING INTO EFFECT

These Regulations shall come into effect on the 1st day of November, A. D., 2000.