

**CITY OF YORKTON  
BYLAW NO. 9/1997**

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**CITY OF YORKTON**

**BYLAW 9/97**

**A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF  
SASKATCHEWAN TO ADMINISTER AND REGULATE THE BILLBOARD  
SIGNS LOCATED WITHIN DESIGNATED SIGNING CORRIDORS ADJACENT  
TO THE CITY OF YORKTON**

**WHEREAS**, the Council of the City of Yorkton in the Province of Saskatchewan in Council assembled hereby enacts as follows:

**1. DEFINITIONS**

1.1 In this bylaw:

- a) **“Act”** shall mean *The Highway and Transportation Act, c. H-3 s.s. 1983-84* as amended or substituted from time to time.
- b) **“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.
- c) **“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.
- d) **“Billboard Sign Support”** shall mean that part of the billboard sign designed to structurally support a sign face as defined in this bylaw.
- e) **“City”** shall mean the City of Yorkton and/or its authorized representatives.
- f) **“Designated Signing Corridor”** shall mean the signing corridors within the Rural Municipalities of Orkney No. 244 and Wallace No. 243, as shown on the map marked Schedule “A”, attached to and forming part of this bylaw, being the signing corridors designated for the City of Yorkton by the Minister of Highways and Transportation.

- g) **“Building Inspector”** shall mean the Building Inspector for the City of Yorkton and anyone acting or authorized to act in their behalf.
- h) **“Sign Owner”** shall mean any person or corporation who is the lawful owner of property located within the designated signing corridor.
- i) **“Land Owner”** shall mean any person or corporation who is the lawful owner of property located within the designated signing corridor.
- j) **“Regulations”** shall mean *The Erection of Signs Adjacent to Provincial Highway Regulations, 1988*, made pursuant to the Act, as amended or substituted from time to time.

1.2 Except where otherwise defined in this bylaw, the words used in this bylaw are deemed to have the same meaning as those words defined in the Act and Regulations.

## 2. **SCOPE**

- 2.1 This bylaw shall apply to the erection, installation, removal, ownership, replacement and maintenance of all billboard signs within the designated signing corridor.
- 2.2 **No sign, other than a billboard sign**, shall be erected, installed, or maintained within the designated signing corridor by any person or corporation.
- 2.3 No person or corporation shall erect, install, replace or maintain any billboard sign in whole or in part within the designated signing corridor, except in conformity with the provisions of this bylaw, the Act and the Regulations as amended or substituted from time to time.

## 3. **ADMINISTRATION**

### 3.1 **Application for a Billboard Permit**

- 3.1.1 Unless otherwise provided by this bylaw, no person or corporation shall erect, install, replace, construct, relocate or alter any billboard sign without first obtaining a permit from the Building Inspector.

3.1.2 An application for a billboard sign permit shall be made to the Building Inspector on a form provided by the Building Inspector.

- a) The sign owner shall submit a written request to the Building Inspector detailing any proposal or intention to change an advertisement or modify a sign face and no change of advertisement or other modification to the sign face shall be undertaken until such approval is given.

3.1.3 Every application for a billboard sign permit shall be accompanied by the following:

- a) Name, address and phone number and signature of the sign owner;
- b) Name, address and phone number of the business or corporation who will be advertising upon the billboard sign;
- c) Name, address and phone number of the sign manufacturer or sign company;
- d) A legal land description of the property on which the billboard sign is proposed for location;
- e) Name, address and phone number of the landowner;
- f) A site plan showing the proposed location of the billboard sign upon the property. The site plan shall detail:
  - i) Highway right-of-way boundary and the lineal distance from the centre line of highway to billboard sign;
  - ii) Angle of billboard sign in relation to the highway;
  - iii) Distance between the proposed billboard sign and adjacent billboard signs located in the designated signing corridor.
- g) A plan illustrating the following construction details;
  - i) Specifications detailing material composition of sign

face, supports, connections, foundations;

- ii) The overall dimensions of the billboard sign;
  - iii) The dimension of billboard sign supports and building sign face;
  - iv) The depth of billboard sign supports and any other structural footing details;
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- h) A deposit in cash, or Irrevocable Letter of Credit issued by a recognized financial institution, or financial guarantee bond issued by a recognized surety company in the amount of three hundred dollars (\$300.00) per sign to offset any costs associated with sign maintenance, repairs, and/or sign removal which the City may incur as a result of default or non-compliance on the part of the applicant.
  - i) A \$50.00 non-refundable sign permit application fee must be remitted with each application for a billboard sign permit.
  - j) The sign owner shall submit details respecting the proposed advertising text of the billboard sign face and the colours and/or any other visual display to be used.
  - k) The sign owner shall submit a copy of an executed agreement referred to in clause 3.3.3 of the bylaw.

3.1.4 Sign owners shall pay an annual sign license fee as set forth in the City of Yorkton Licensing Bylaw.

## **3.2 Termination of Billboard Sign Permits**

3.2.1 Where the sign owner submits an incomplete sign permit application to the City, and where the Building Inspector requests further required information or submissions, and where the information and/or submissions are not received by the City within six (6) months from the date of request, the application shall be deemed to have been abandoned and thereby cancelled.

- 3.2.2 A permit shall expire, and the right of the sign owner under the permit shall terminate if:
- a) The work authorized by permit is not commenced and completed within one (1) month from the date of issue of the permit;
  - b) A change in sign face is undertaken without the City's authorization, and a written request to change an advertisement or modify the sign face is not received by the City within thirty (30) days of notification by the City;
  - c) The sign owner does not pay the annual sign licensing fee within thirty (30) days notification by the City.

### **3.3 Billboard Sign Owner's Responsibilities**

- 3.3.1 Where erecting, installing, replacing and maintaining a billboard sign, the sign owner shall comply with all the applicable provisions of the bylaw or any other applicable bylaw or statute.
- 3.3.2 The sign owner shall undertake all work in strict accordance with the plans and specifications approved under the billboard sign permit.
- 3.3.3 Prior to the issuance of a billboard sign permit, the sign owner shall arrange for and submit to the Building Inspector, a duly executed legal agreement between the sign owner and land owner, and this agreement shall contain the following:
- a) Provisions for allowing access to the land owner's property by the sign owner for installation, construction, inspection, repair, replacement and general maintenance of the billboard sign.
  - b) Provisions for the placement of billboard signs on the land owner's property within the designated sign corridor which are in conformance with the requirements and provisions of this bylaw and any other applicable statute.
  - c) Provisions for the payment by the sign owner to the land owner for the use of the land owner's property for as long as the sign owner is utilizing billboard signs on the land owner's property.

- d) Provisions for allowing access to the land owner's property by appropriate authorities of the City of Yorkton for inspection, removal, repair, maintenance or any other work required to be undertaken to the billboard sign, where such work is deemed necessary by the City of Yorkton or any other authority.
- e) Provisions for the maintenance of private property within the designated signing corridor by either the sign owner or land owner as outlined in Clause 4.1.4 of this bylaw.
- f) Provisions for the sign owner to carry two million dollars (\$2,000,000.00) liability insurance for any damages or injuries caused to persons or property resulting from the construction, erection, maintenance, repair removal, replacement and operation of the billboard sign located on the land owner's property, and further indemnify and save harmless the City of Yorkton and Rural Municipalities of Orkney No. 244 and Wallace No. 243 from any and all claims, demands, actions, cause of actions, suits, and costs which may be brought against the City of Yorkton and/or the Rural Municipalities of Orkney No. 244 and Wallace No. 243 by any person or persons, corporation for injury, loss, damage, whether personal or to property which may occur within the landowner's property or as a result of the billboards advertising signs, from whichever cause.
- g) Provisions for ensuring the land owner shall not erect or allow any sign to be erected, which is not in compliance with all provisions of this bylaw.

3.3.4 Neither the granting of a billboard sign permit nor the approval of the plans nor any inspections made by the Building Inspector shall in any way relieve the sign owner from the requirement for full compliance with the provisions of the Bylaw and from full responsibility for any work required by the Building Inspector in accordance with this bylaw or the Act as may be specified on the billboard sign permit.

3.3.5 When the work for which the sign permit has been granted is completed, the sign owner will notify the Building Inspector forthwith, who shall there upon cause an inspection to be made of

such billboard sign, and if it has been erected and constructed in accordance with the provisions of this bylaw, the sign owner shall have permission to operate and maintain it.

- 3.3.6 The provisions of this bylaw shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning any billboard sign from personal injury or 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, erection, 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 its officers or employees any responsibility or liability by reason of the approval of any signs, materials, or devices, under provisions of this bylaw.

### **3.4 Powers of the Building Inspector**

3.4.1 The Building Inspector may:

- a) Arrange with the appropriate land owner to have any private property entered by himself or his delegate for the purpose of administering and enforcing the provisions of this bylaw;
- b) Require a change to the plans or specifications submitted to him and, in the sign permit, set out his directions as to the actual manner in which the work is to be carried out, and it shall be the duty of the sign owner to carry out those directions;
- c) Revoke, terminate, or refuse the permit where in his opinion the work done or proposed fails to meet the requirements of this bylaw or other regulations pursuant to any other Act;
- d) Order the sign owner to repair, replace, remove, maintain or perform any other work to a billboard sign where the plans approved in accordance with the sign permit have not been complied with;
- e) Order the sign owner to repair, remove, replace, maintain or perform any other work to a billboard sign or the area surrounding the billboard sign which has been deemed a nuisance by Council in accordance with Section 124 of *The Urban Municipality Act, 1984*;



- f) If the sign owner does not comply with the order issued pursuant to Clauses 3.2 and 3.4 of this bylaw, the Building Inspector shall direct the removal of the billboard sign and the costs of such removal may be recovered by using the three hundred dollars (\$300.00) referred to in Clause 3.1.3 (h) of this bylaw.

#### **4. BILLBOARD SIGN REGULATIONS STANDARDS**

4.1 Notwithstanding any other provision of this bylaw, no person or corporation shall erect, or cause to be erected, or permit a billboard sign in the designated signing corridor save and except in accordance with the following standards:

##### **4.1.1 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 Yorkton or located within ten (10) kilometres of the signing corridor.
- b) Advertising used shall reflect the Canadian Code of Advertising Standards administered by the Advertising Standards Council of the Canadian Advertising Foundation.

##### **4.1.2 Billboard Sign Construction Standards**

- a) Billboard sign faces shall be 3.048 metres (10 feet) in height and 6.096 metres (20 feet) in width with 406 mm (16 inch) radius corners.
- b) Billboard sign faces shall be adequately secured to billboard sign supports properly designed to structurally support the billboard sign face.
- c) Billboard signs shall maintain a height of 4.57 metres (15 feet) measured from the billboard sign support at grade to the top of the billboard sign face.
- d) Billboard sign supports shall not project over top the billboard sign face.

- e) A billboard sign supports shall maintain a ground clearance of 1.52 metres (5 feet) measured from grade to the bottom of the sign face.

#### **4.1.3 Spatial Orientation**

- a) Billboard signs shall not encroach upon a highway right-of-way.
- ~~b) Billboard signs shall be placed a lateral distance of 30.48 metres (100 feet) from the centre line of a highway.~~
- b) Billboard signs shall be placed a lateral distance of 63.3 metres (208 feet) from the centre line of a highway.**
- c) Billboard signs shall be spaced on private property within the designated signing corridor at intervals of not less than 152.4 metres (500 feet).
- d) Billboards signs shall be oriented at a 90 or 60 degree angle to the said highway.

Amended By Bylaw No. 33/98
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#### **4.1.4 Maintenance Requirements**

- a) Where the back of a billboard sign face is openly exposed, it shall be painted or otherwise covered to present a neat and clean appearance.
- b) All billboard sign supports shall be painted with an alkyd exterior paint.
- c) 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 sign owners shall undertake any repairs, repainting, replacements or other work deemed necessary by the City.
- d) The area surrounding the billboard sign shall at all times be properly maintained to remain free of weeds, shrubs, long grass, and other materials which detract from the aesthetics of the billboard sign and adjacent property.

#### **4.1.5 Prohibitions**

- a) No auxiliary sign, banner, flag, or other display shall be attached or hung to, on, above, or below or around a billboard sign.
- b) Billboard signs shall not display intermittent flashing or rotating lights and/or have any moving or rotating parts.
- c) Billboard signs faces and/or advertising text which in any way resemble an official sign, standard, or commonly used traffic control device are prohibited.
- d) Billboard signs shall be prohibited within sight triangles at road intersections:
  - i) For the purposes of Clause 4.1.5 (d), sight triangles are determined by measuring 230 metres along the centre line of the highway and 80 metres along the intersecting roadway or railway crossing as illustrated in the diagram below.
- e) Notwithstanding any of the provisions of Section 4.1, all billboard signs shall be subject to the provisions of the Act and Regulations as amended, and where there is any conflict between the provisions of this bylaw and the Act or Regulations, the provisions of this Act or Regulations shall prevail.

#### **5. APPEAL PROCESS**

- 5.1 An appeal process shall be established in accordance with the following provisions for the sole purpose of this bylaw.
  - 5.1.1 Any sign owner whose billboard 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 “Sign Corridor Appeals Committee” established by Council within fifteen (15) days being notified of such infraction or non-compliance.
  - 5.1.2 Upon hearing the appeal the, Sign Corridor Appeals Committee shall render a decision and make recommendation to Council within fifteen (15) days of receipt of such appeal, who may at it’s sole discretion, grant or deny the appeal based on the consideration to the committee’s recommendation.

5.1.3 Notwithstanding that granting, an appeal for a sign owner may cause a variance to this bylaw, such a decision by the Council shall not relieve any other sign owner to the obligations and provision of this bylaw, and in no way shall any decision alter or invalidate any provision of this bylaw.

**6. SEVERABILITY**

6.1 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 enforceability of the other provisions or parts of this bylaw.

**7. OFFENCES AND PENALTIES**

7.1 Any person or corporation who:

- a) Contravenes any provision of this bylaw in force pursuant to the Act;
- b) Fails to do any act or thing required to be done by this bylaw in force pursuant to the Act;
- c) Suffers or permits any act or thing to be done in contravention of any provision of this bylaw in force pursuant to the Act; or
- d) Obstructs or hinders any person in the performance of his duties under this bylaw in force pursuant to the Act;

is guilty of an offense and liable on summary conviction to the penalties provided in the Act.

**8. COMING INTO FORCE AND EFFECT**

8.1 This bylaw shall come into force and effect upon the establishment of the designated signing corridor by the Minister, and the appointment of the City of Yorkton as the administrator of the signing corridor pursuant to *The Highways and Transportation Act*.

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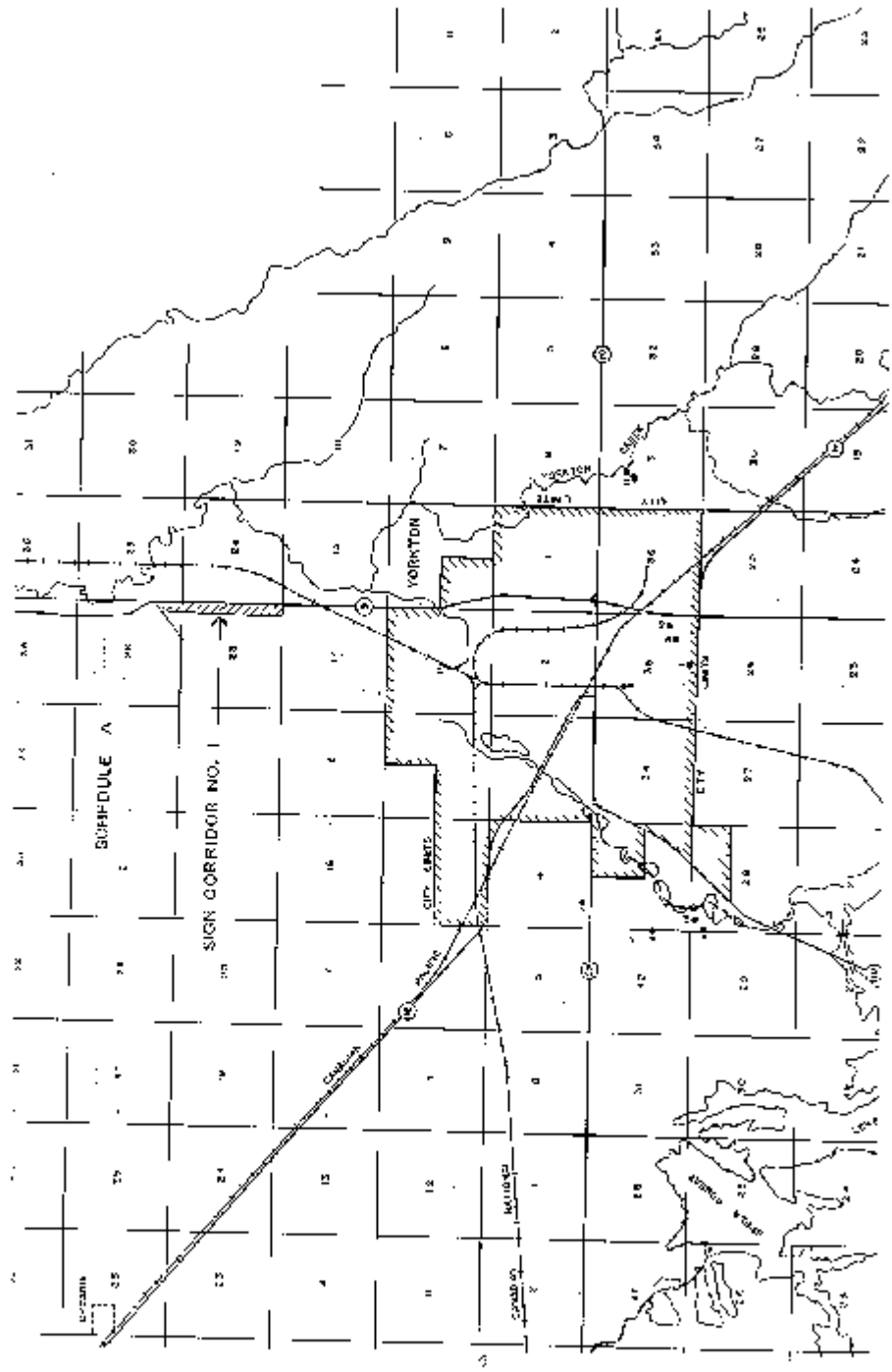
MAYOR

CITY CLERK

Introduced and read a first time this 3rd day of March, A.D. 1997.

Read a second time this 3rd day of March, A.D. 1997.

Read a third time and adopted this 9<sup>th</sup> day of June, A.D. 1997.



**CITY OF YORKTON  
Building Department**

Application No: \_\_\_\_\_

**APPLICATION FOR A BILLBOARD SIGN PERMIT**

I hereby apply, under the provisions of the City of Yorkton Signing Corridor Bylaw No. 9/97, for permission to erect/construct \_\_\_\_\_, or change/alter/modify \_\_\_\_\_, the following billboard sign:

1. Name, Address and Phone Number of Sign  
Owner: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. Name, Address and Phone Number of Land  
Owner: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Name, Address and Phone Number of Sign Manufacturer or Sign  
Company: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Name, Address and Phone Number of Business or Corporation who will be advertising upon the  
sign: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Legal Land  
Description: \_\_\_\_\_  
Adjacent to Highway  
No: \_\_\_\_\_
6. Billboard Sign Dimensions:  
Width of Sign Face: \_\_\_\_\_ Height of Sign Face: \_\_\_\_\_  
Depth of Sign Support: \_\_\_\_\_  
Billboard Sign Height total height above grade: \_\_\_\_\_
7. Billboard Sign Material Composition:  
Sign Supports: Steel \_\_\_\_\_ Wood \_\_\_\_\_ Other (specify) \_\_\_\_\_  
Structural Footing  
Details: \_\_\_\_\_  
\_\_\_\_\_  
Sign Face: Steel \_\_\_\_\_ Wood \_\_\_\_\_ Other (specify) \_\_\_\_\_  
Type of Connection (sign face to support): \_\_\_\_\_
8. A construction detail plan illustrating the billboard sign dimensions and material composition herein described, is hereto attached to this application.
9. A site plan illustrating the highway right-of-way boundary and the lineal distance from the billboard sign to the centre line of highway; angle of billboard sign in relation to the highway; and distance between the billboard sign and other billboard signs on the property is hereto attached to this application.
10. An executed agreement required under Clause 3.3.3 of the City of Yorkton Signing Corridor Bylaw No. 9/97 is hereto attached to this application.
11. A \$300.00 deposit fee and a \$50.00 non-refundable permit application fee are required and a current City of Yorkton business license in accordance with the City of Yorkton Licensing Bylaw No. 7/97 must be maintained.
12. Proposed Wording of  
Sign: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Special Features (ie. colour/symbols/animation) Please  
Explain: \_\_\_\_\_  
\_\_\_\_\_

I solemnly declare that all information contained in this application is true to the best of my knowledge. In understand that issuance of a billboard sign permit does not relieve me from complying with the City's Signing Corridor Bylaw No. 9/97 and/or Provincial Regulations. I further agree that I am liable for any damages or injuries cause to persons or properties resulting from any erection, construction, maintenance or operation of a billboard sign and the City accepts no responsibility for any damages or injury.

