

## **SECTION 5      SIGN REGULATIONS**

### **5.1      APPLICATION**

These Sign regulations Shall apply to all areas of the City, and no Person Shall Erect a Sign unless it is specifically permitted in this By-law and a permit has first been obtained therefor.

### **5.2      PURPOSE**

The purpose of these Sign regulations Shall be to:

- .1      promote the safety, comfort, and well-being of the Users of Streets, Roads, and highways in the City;
- .2      reduce distractions and obstructions from Signs which would adversely affect traffic safety, and alleviate hazards caused by Signs projecting over or encroaching upon public ways;
- .3      discourage excessive visual competition in Signage and ensure that Signs aid the general public; and
- .4      preserve and enhance the City's image and identity.

### **5.3      PLACEMENT STANDARDS**

- .1      No Person Shall Erect a Sign which is affixed to a fence, utility pole, tree, shrub, rock, or other natural object.
- .2      Signs Shall not be mounted on roofs or extend above the roof line, unless mounted on a parapet wall which extends above the roof line, in which case the Sign Shall not extend above the top of the said parapet.
- .3      No Projecting Sign Shall extend into a vehicular public way, or be less than 2.2 m (7.2 ft.) above a pedestrian way, and where any Sign extends over a public right-of-way the Owner Shall provide proof of liability insurance with the City named as third party.
- .4      No Sign of itself or together with any supporting framework, Shall extend to a Height above the maximum Building Height allowed in a zone.
- .5      Signs Shall not cover Architectural Details such as, but not limited to, arches, sills, mouldings, cornices, and transom windows.
- .6      All electrical work associated with Signs Shall meet CSA Standards.
- .7      Sign Structures Shall be Designed and constructed so that:
  - (a)      metal supports or braces Shall be adequate for wind loadings;
  - (b)      wire or cable supports Shall have a safety factor of four (4);
  - (c)      all metal, wire cable supports and braces and bolts Used to attach a Sign or a bracket or brackets, to a supporting Building or Structure Shall be Designed to support the Sign; and
  - (d)      there Shall be no visible angle irons or unsightly supports and all Sign supports Shall be an integral part of the Sign Design.
- .8      All Signs Erected Shall meet the minimum Sign Standards as set out by the Sign Association of Canada, Atlantic Provinces Chapter, or Shall be Designed by a structural engineer.
- .9      The Development Officer May require, in matters of structural stability, that all drawings and specifications or any part thereof be prepared by a Professional Engineer registered in the Province of Prince Edward Island and that the construction be carried under the supervision the said Professional Engineer.
- .10      The Development Officer May refuse to issue a Sign permit until the applicant provides a letter Signed by a Professional Engineer undertaking to supervise the work authorized by such permit or any part thereof.



#### **5.4 SAFETY STANDARDS**

No Person Shall Erect a Sign which:

- .1 Constitutes a hazard to public safety and health by reason of inadequate Maintenance, dilapidation, or abandonment;
- .2 Obstructs the vision of drivers leaving a Roadway or driveway, or detracts from the visibility or effectiveness of any traffic Sign or control device on public Streets or highways;
- .3 Is located at, or near, a sharp Road curve or below the crest of a hill on a Roadway, except a Sign by a government body for traffic control;
- .4 Is not Erected by, or under the direction of, a government body and which makes Use of words such as STOP, LOOK, DANGER, ONE WAY, or YIELD or other similar words, phrases, symbols, lights, or characters Used in a manner which May mislead, confuse, or otherwise interfere with traffic along a public Road;
- .5 Obstructs free entrance or exit from a required door, window, or fire escape;
- .6 Obstructs light or air, or interferes with the proper functioning of a Building or Structure.

#### **5.5 TEMPORARY SIGNS FOR SPECIAL EVENTS**

1. The Development Officer May issue a Temporary Sign permit for Special Events without referring the matter to the Planning Board if the proposed Sign meets all the provisions of this Bylaw for a period up to and including 21 calendar days; Temporary Signage for Special Events that are proposed for a period of greater than 21 days, a Temporary Sign Permit can only be issued after a recommendation from Planning Board and with the permission of Council.
2. The applicant must submit drawings describing the type of signage, the locations and duration that the signs will be erected.
3. In the case of Annual Festivals and annual Special Events Council may pass one resolution to allow Special Event Signage on an annual basis however an application shall be submitted each year outlining the information in subsection .2 above.
4. Special Event signage shall be removed no later than 2 calendar days following the Festival or Special Event. The date of removal must be listed on the application. If a sign is not removed within the approved time the City shall remove the sign and penalties shall be enforced as per Section 4.32 of this Bylaw.
5. The maximum sign area for a Special Events sign is not to exceed 32 square feet (2.97 m sq.).
6. A Special Event Sign Shall be non illuminated.
7. A Special Events Sign Shall not obstruct pedestrian or vehicular traffic, or be placed in a location that would impede visibility of pedestrians or traffic.
8. A Special Events Sign Shall not be attached to utility poles and Shall not be placed in any location where it would obstruct the view of street, traffic or directional signage.
9. Not more than six (6) Special Events Signs per Special Event shall be erected at any one time within the City; a request for more than six (6) Special Events Signs shall require permission of Council

## **5.6 EXCEPTIONS**

- .1 For the purposes of this subsection of the By-law, the term “Sign” Shall not include and no permit shall be required for such displays as:
  - a. Signs Erected or posted and maintained for public safety and welfare, or placed pursuant to any governmental function, law, by-law, or other regulation;
  - b. A bulletin board or similar Sign not exceeding 2.0 sq. m (21.5 sq. ft.) in display area which is placed by a house of worship, museum, library, school, cultural centre, or similar public or semi-public organization or agency provided that the top of such Sign Shall not be more than 2.5 m (8.2 ft.) above ground level;
  - c. Directional Signs solely indicating access and egress which are placed at driveway locations, which contain no advertising material except a logo, and where the display area does not exceed 0.5 sq. m (4.5 sq. ft.) or extend higher than 1.22 m (4 ft.) above ground level;
  - d. Signs relating to trespassing and hunting which do not exceed 0.19 sq. m (2.0 sq. ft.) in area
- .3 Directional Signs solely indicating access and egress which are placed at driveway locations, which contain no advertising material except a logo, and where the display area does not exceed 0.5 sq. m (4.5 sq. ft.) or extend higher than 1.22 m (4 ft.) above ground level;
- .4 Signs relating to trespassing and hunting which do not exceed 0.19 sq. m (2.0 sq. ft.) in area.

## **5.7 NON-CONFORMING SIGNS**

- .1 A non-conforming Sign which lawfully exists at the effective date of this By-law May continue, but the non-conforming Sign so maintained Shall not be enlarged or changed in shape or size except in conformity with the requirements of this By-law.
- .2 A temporary Sign intended to be Used for a period of no more than thirty (30) days Shall become a non-conforming Sign if it is not removed after that period, but pennants and similar devices which are Used for civic purposes Shall be exempt from this provision.
- .3 A Sign that has not been lawfully placed May be removed by an order of the Council.

## **5.8 SIGN PERMIT**

- .1 No Person Shall Erect, display, Alter, or enlarge a Sign until an application has been filed, and until a Sign permit has been issued.
- .2 Application for a Sign permit Shall be on a form as prescribed by the Council, from time to time.
- .3 Each application for a Sign permit Shall be accompanied by a scaled drawing specifying dimensions, materials, illumination, letter sizes, colours, support systems, and location on land or Buildings, together with all relevant measurements.
- .4 An application May be filed by the Owner of the land or Building, or any Person authorized by the Owner to Erect a Sign on the premises.
- .5 The Development Officer May issue a Sign permit without referring the matter to the Planning Board if the proposed Sign meets all the provisions of this By-law.
- .6 The Development Officer Shall consider a Sign permit application within seven (7) calendar days of its receipt together with the required fee, and where an application is refused, Shall notify the applicant in writing of the decision, and the reason for the refusal, within seven (7) calendar days of the decision.
- .7 A Sign permit Shall be valid for one (1) year from the date of issuance.

## **5.9 ENFORCEMENT**

The Development Officer Shall be authorized to enforce these Sign Regulations, and May order the repair or removal of any Sign and its supporting Structure which, after consultation with the Building

Inspector or the Public Works Manager, is determined to be dangerous or in disrepair or which has been Erected or maintained contrary to the provisions of this By-law.

#### **5.10 REMOVAL OF SIGNS**

- .1 Where the Development Officer has issued a removal order pertaining to a Sign, or where a Sign is abandoned or discontinued, the said Sign Shall be removed within thirty (30) days of the Owner or occupant of the property receiving written notice from the Development Officer.
- .2 Where a Sign which is not related to any business or Use located on the property, and where a Sign no longer advertises a bona fide business being conducted, or a product being sold, it Shall be deemed to be discontinued and Shall be removed by the Owner or occupant of the property.

#### **5.11 MAINTENANCE**

- .1 A Sign Shall be maintained in a safe and secure condition, and if the Development Officer is of the opinion that a Sign is not safe, secure, or in a good state of repair, written notice of this fact Shall be given to the Person, firm, or agency responsible for the Sign.
- .2 Any defect in a Sign Shall be corrected by the Owner within a reasonable time period specified by the Development Officer and failure to correct the defect Shall result in the issue of a removal order.

#### **5.12 NUMBER OF SIGNS**

- .1 For the purpose of these Sign regulations:
  - (a) where a multiple tenancy Building is occupied by more than one business, each business Shall be considered to be separate premises.
  - (b) a Sign Shall be considered a single display surface or display device containing elements organized, related, and composed to form a single unit:
  - (c) double-faced and three-faced Signs Shall be counted as single Signs; and
  - (d) where matter is displayed in a random manner without organized relationships or elements, or where there is reasonable doubt about the relationships of any elements, each element Shall be considered to be a single Sign.
- .2 No more than two (2) Signs, other than Facia Signs, Shall be Erected on any premises at any one time, and this includes a sandwich board Sign in the DMU Zone or on any City right-of-way.

#### **5.13 SIGNS PERMITTED IN ALL ZONES**

The following Signs Shall be permitted in all zones, and no Sign Permit Shall be required for their Erection:

- .1 Any Sign which has an area of no more than 0.2 sq. m (2.2 sq. ft.) and which identifies the name and address of a resident.
- .2 Any Sign which has an area of no more than 0.2 sq. m (2.2 sq. ft.) and which regulates the Use of property, such as a "No Trespassing" Sign and the like.
- .3 Any Real Estate Sign, lease or non-illuminated rental Sign which has an area not greater than:
  - (a) 0.6 sq. m (6.5 sq. ft.) in any residential zone for a single Lot or Building;
  - (b) 2.97 sq. m (31.9 sq. ft.) for advertising five (5) or more residential Lots in a Subdivision for a one-year period and renewable thereafter; and
  - (c) 1.4 sq. m (15.1 sq. ft.) in any other zone.
- .4 Any Sign which has an area not greater than 0.37 sq. m (4 sq. ft.) for a lot with less than 24 m (78.7 sq. ft.) of frontage on a Street and up to 3.6 sq. m (38.8 sq. ft.) for lots more than 24 m (78.7 sq. ft.) frontage on a Street and which regulates or denotes the direction or function of various parts of a Building, Structure, or premises including Parking and traffic areas.
- .5 Any Sign which has an area not greater than 3.6 sq. m (38.8 sq. ft.) and which is incidental to construction.
- .6 Any Sign which has an area not greater than 0.6 sq. m (6.5 sq. ft.) and which indicates hazardous or dangerous areas or machinery, or Signs necessary for safety of public utility, gasoline storage, bulk storage of materials, or warehousing of materials.

- .7 Any flag, insignia, notice, or advertising on a Building of any charitable, religious, or fraternal organization provided the Sign face does not exceed 1.7 sq. m (18.3 sq. ft.) in area.
- .8 Any memorial Sign, plaque, tablet, or any flags or pennants of the municipal, provincial, or federal governments.
- .9 Any identification Sign for the purpose of forming an entrance display for the identification of a residential Neighbourhood or an industrial Park which has an area not greater than 2.5 sq. m (26.9 sq. ft.).
- .10 Any Sign in a window either on the inside or outside which is not internally illuminated, and where it is internally illuminated, it Shall count as a Fascia Sign.

#### 5.14 SIGNS PROHIBITED IN THE CITY OF CHARLOTTETOWN

Except where otherwise expressly permitted by this By-law, the following Signs Shall not be permitted:

- .1 Any progressive Signs where messages on more than one Sign Shall be read to obtain the full message or meaning;
- .2 Any Sign which incorporates flashing, pulsating, oscillating, travelling or moving parts or illumination or impression or other means not providing constant illumination, except for a digital Sign, an electronic message Sign with a display no larger than 25.4 cm by 2 m for an electronic message clock on an institutional Building Lot;
- .3 A Sign which displays any obscene, indecent, or immoral matter;
- .4 A Sign Erected or placed on a government right-of-way unless Erected by a government body or with the permission of Council;
- .5 Any inflatable Sign, banner, streamer or spinner except for occasions such as grand openings, fairs, and public festivals, or Used as temporary holiday decorations for a period not to exceed fourteen (14) calendar days;
- .6 Any Roof Sign unless on a permanent awning/canopy attached as part of the Building Structure;
- .7 Abandoned Signs;
- .8 Off-premises Signs that advertise goods, products, sources or facilities or direct Person(s) to a different location from where the Sign is installed or Erected but with the exception of sandwich board Signs as permitted in this By-law and federal, provincial or civic election Signs; and
- .9 Any Mobile Sign.
- .10 Any mural painted or applied to a Building or Structure unless approved by Council on the recommendation of the Heritage Board or Planning Board.

#### 5.15 SPECIFIC SIGN PROVISIONS

- .1 Canopy Signs are permitted in the Business Office (C-1), Highway Commercial (C-2), Shopping Centre Commercial (C-3), Downtown Mixed-Use (DMU), Mixed-Use Corridor (MUC), Light Industrial (M-1), Heavy Industrial (M-2), Business Park (M-3), Airport (A), and the Comprehensive Development Area (CDA) zones provided that:
  - (a) the Sign Shall be attached to, painted, or placed upon a canopy or awning;
  - (b) the maximum Sign area for a canopy is 18.6 m (200 sq. ft.);
  - (c) the length of the canopy or Awning does not extend beyond the length of the Building face;
  - (d) the canopy or Awning does not project more than 1.0 m out over the public sidewalk;
  - (e) the canopy or Awning is placed on the Building a minimum of 2.2 m (7.2 ft.) above the sidewalk or 3.0 m (9.8 ft.) above a passage where vehicles travel;
  - (f) the Sign area of the lettering, symbols, or logo Shall not exceed forty percent (40%) of the canopy or Awning area; and
  - (g) the vertical dimension of the canopy does not exceed 1.2 m (4 feet).

2. Directory Ground Signs are permitted in the Business Office (C-1), Highway Commercial (C-2), Shopping Centre Commercial (C-3), Downtown Mixed-Use (DMU), Mixed-Use Corridor (MUC), Light Industrial (M-1), Heavy Industrial (M-2), Business Park (M-3), Airport (A), and the Comprehensive Development Area (CDA) zones where there are more than two businesses on a Lot or in the same Building, provided that:
- (a) a ground Sign Shall not exceed 20 sq. m (215.3 sq. ft.) in area or a maximum size calculated by the following formula, whichever is less:
    - i. for any Lot wider than 22.85 m (75 ft.) at the Street frontage, a Directory Ground Sign Shall have a maximum size of 0.23 sq. m per metre (0.75 sq. ft. per foot) of Lot width on any one (1) Street; and for any Lot 22.85 m (75 ft.) wide or less at the Street frontage, a directory Sign Shall have a maximum size of 0.20 sq. m. per metre (0.66 sq. ft. per foot) of Lot width;
    - ii. a Corner Lot or Through Lot Shall be allowed a directory Sign for each Street, but the second Sign Shall not exceed one half the size of the Sign permitted on the main Street or 0.25 sq. m per metre (0.81 sq. ft. per foot) of Lot width on a secondary Street, whichever is less;
  - (b) in the case of a Corner Lot, Signs are placed at least 5.0 m (16.4 ft.) from the intersection of the Lot Lines;
  - (c) Signs do not exceed a maximum Height of 8.0 m (26.2 ft.) above Grade;
  - (d) any Sign has a minimum 1.0 m (3.3 ft.) Setback from the boundary of the Street, and for every additional metre the Sign is set back, it May be increased by 1.0 sq. m (3.3 ft.) up to a maximum of 20 sq. m (215.3 sq. ft.);
  - (e) Signs do not project over a public right-of-way;
  - (f) Signs do not obstruct pedestrian or vehicular traffic on the Lot or impede visibility of pedestrians or traffic accessing the Lot;
  - (g) where there are more than two (2) premises, Buildings, or businesses on a Lot, there Shall be one directory Sign per Lot and free standing Signs Shall not be permitted; and
  - (h) Signs display the name of the Shopping Centre, the group of Buildings, or a listing of the names of the businesses, as the case May be.
  - (j) a directory Sign for a Shopping Centre in a Shopping Centre Commercial (C3) Zone May be increased in size for every metre (3.3 ft.) set back from the Street right-of-way by 4 sq. m per metre (13 sq. ft. per foot) to a maximum of 34 sq. m (366 sq. ft.), and the Height May be up to 10 metres (32.8 ft.).

3. Fascia Wall Signs Shall be permitted in all zones provided that:

- (a) in residential zones, they Shall be non-illuminated and Shall be Used to show such information as the names of residents, no trespassing warnings, or a Home Occupation, and Shall have a maximum size of 0.45 sq. m (4.8 sq. ft.);
- (b) in all other zones, Fascia Signs Shall:
  - i. be attached to, painted, or Erected upon a wall or surface of a Building with the face of the Sign parallel to the wall;
  - ii. not be painted upon or cover a fence or roof;
  - iii. not exceed the length of the wall and the maximum area of the Sign Shall be calculated on the Building wall upon which the Sign is displayed;
  - iv. on a Corner Lot, and Signs for a Shopping Centre May be permitted on the side of the Building facing the Street and the Parking Lot;
  - v. not project more than 30.5 cm (12 inches) from the wall on which the Sign is located except for individual channel letters are used, in which case the maximum projection shall be 61 cm (24 in.);
  - vi. for Lots with a Frontage of up to and including 18.2 m (60 ft.), the Sign area is based on 0.092 sq. m for every linear meter (1 sq. ft. for every linear foot) of Building Facade which faces the Front Yard; for Lots with a Frontage of over 18.2 m (60 ft.), the Sign area is based on 0.6 sq. m for every linear meter (1.97 sq. ft. for every linear foot) of Building Facade which faces the Front Yard;
  - vii. and in the case of a Shopping Centre or a Building with more than two (2) premises or businesses on a Lot, 0.47 sq. m. for every linear meter (1.55 sq. ft. for every linear foot) of Building Facade which faces the Front Yard or an internal Parking Lot, with only a maximum of two sides of a building facing parking lots used for facial signs.
  - viii. For Buildings up to and including 3 Stories, Fascia signs are to be located below the Height of the second floor windows

- ix. For Buildings that have 4 or more stories, Fascia signs May be permitted above the second floor windows on no more than two sides of the building, and are not to extend beyond the Height of the Building; the size of the Fascia wall sign(s) located above the Height of the second floor windows is to be included in the calculation of the total Sign area permitted for the Building Façade which faces the street.
- .4 Free Standing Signs are permitted in all commercial, business Office, business Park, mixed Use, institutional, and industrial zones provided that the following requirements are met:
- (a) where there are more than two premises, businesses, Shopping Centres or Buildings on a Lot, there Shall be one (1) directory Sign per Lot, and free standing Signs Shall not be permitted;
  - (b) a free standing Sign Shall not exceed a maximum Height of 6.0 m (19.7 ft.);
  - (c) a free standing Sign for any Lot wider than 22.85 m (75 ft.) at the Street frontage, Shall have a maximum size of 0.22 sq. m per metre (0.72 sq. ft. per foot) of Lot width; and for any Lot 22.85 (75 ft.) wide or less at the Street frontage, a free standing Sign Shall have a maximum size of 0.13 sq. m. per metre (.42 sq. ft. per foot) of Lot width;
  - (d) a minimum 0.5 m (1.6 ft.) Setback, and for every additional metre Setback, the Sign May be increased by 0.75 sq. m (8.1 sq. ft.) in area;
  - (e) a free standing Sign Shall not exceed a maximum size of 12 sq. m (129.2 sq. ft.);
  - (f) in the case of a Corner Lot, a free standing Sign Shall be at least 5.0 m (16.4 ft.) from the intersection of the Lot Lines;
  - (h) a free standing Sign Shall not project over a public right-of-way and Shall not obstruct pedestrian or vehicular traffic on the Lot or impede visibility for pedestrians or traffic accessing the Lot;
  - (i) the Sign area for an existing lot with no frontage on a Street but with a right-of-way to a Street May be calculated by using the smallest dimension of the Lot (length or width) in calculating the area of the Sign;
  - (j) a Corner Lot or Through Lot Shall be allowed a directory Sign for each Street, but the second Sign Shall not exceed one half the size of the Sign permitted on the main Street or 0.22 sq. m per metre (0.72 sq. ft. per foot) of Lot width on a secondary Street, whichever is less.
- .5 Projecting Signs Shall be permitted in all zones except residential zones provided that any such Sign Shall:
- (a) be limited to a maximum of 2.0 sq. m (21.5 sq. ft.) per Sign face;
  - (b) not project more than 1.1 m (3.6 ft.) from the Building wall and be at least 2.2 m (7.2 ft.) from the ground;
  - (c) not project over adjoining property lines;
  - (d) be limited to one (1) per business;
  - (e) not be permitted to project over the roof of a Building; and
  - (f) not obstruct pedestrian or vehicular traffic on the Lot or impede visibility for pedestrians or traffic accessing the Lot.
- and the Owner of a Projecting Sign Shall carry liability insurance satisfactory to the City if such Sign projects over a public right-of-way.
- .6 Sandwich Signs Shall be permitted in all commercial, business Office, business Park, mixed Use, institutional, and industrial zones provided that:
- (a) it is the only Sandwich Sign on the Lot;
  - (b) it does not obstruct pedestrian or vehicular traffic or impede visibility of pedestrians or traffic accessing the Lot;
  - (c) in the DMU zone, it does not exceed a single-faced area of 0.6 sq. m (6.4 sq. ft.), and in all other permitted zones, a single-face area Shall not exceed 1.2 sq. m (12.9 sq. ft.);
  - (d) in the DMU zone, it May be placed on the City right-of-way provided that it is located in front of the Building but not on a City sidewalk and it does not obstruct pedestrian or vehicular traffic or impede visibility of pedestrians or traffic accessing the Lot;
  - (e) if the Sign meets the size requirements of this subsection, Council May permit one (1) Sign per season on a Street corner for Buildings not located on an arterial or collector Street or require a group Sign with all Owners on one Sign; and
  - (f) the applicant Shall carry liability insurance satisfactory to the City.
- .7 Signs on Rural Lands Shall be permitted as free standing Signs, which May be placed, Erected, or displayed as follows:

- (a) one (1) Sign not exceeding 3.0 sq. m (32.3 sq. ft.) in area indicating the name of a Farm; and
  - (b) one (1) Sign identifying a business carried on therein, or a Sign located on a Farm advertising the sale of products produced thereon, provided such Sign does not exceed 1.5 sq. m (16.1 sq. ft.) in area.
- .8 Marquee Signs Shall be permitted in all commercial businesses provided that:
- (a) the Sign Shall not exceed a maximum size of 0.4 sq. m (4.3 sq. ft.) in area;
  - (b) the Sign is no lower than 2.2 m (7.2 ft.) over a public right-of-way;
  - (c) the Owner Shall carry public liability satisfactory to the City if the Sign is over a public right-of-way;
- .9 Banners, Pennants, Flags, Ribbons, Inflatable Sign, Activated Devices May be Used in association with a Sign, Lot or Building provided that:
- (a) the banners, pennants, flags, banners, ribbons, inflatable Sign, or activated devices advocate community activities;
  - (b) there is no lettering or symbol that is associated with a business, and if there is, the area Shall be calculated in determining the number of Signs; and
  - (c) the banners, pennants, flags, banners, ribbons, inflatable Sign, or activated devices are Erected on a temporary basis by a business for up to thirty (30) days in a year for no longer than two (2) weeks at any one time.
- .10 Signs in Pedways over the Street Shall be subject to the following requirements:
- (a) such Signs Shall be permitted on a temporary basis for no more than two (2) weeks; and
  - (b) after a Sign has been removed from a Pedway, there Shall be a period of at least one (1) week when the Pedway Shall be free of Signs.

#### **5.16 SPECIFIC SIGN PROVISIONS**

- .11 A Heritage Sign Shall be reviewed by the Heritage Board at the time of application for a permit but the sign does not have to meet the requirements of Section 5 of this bylaw provided it receives approval of Council and Shall be permitted within a Heritage Preservation Area and on a Building or Structure that is Designated as a Heritage Resource provided that the Sign:
- (a) does not obscure distinctive Architectural Details or features of a heritage Building or Structure;
  - (b) is constructed of, or appears to be constructed of, natural materials such as wood, metal, glass or fabric;
  - (c) if mounted to a Building or Structure, is fixed so as not to damage or irreversibly affect the Building or Structure and so as not to overload or overstress any part of the Building or Structure;
  - (d) if projecting over a public way, including a sidewalk, Shall be covered by a public liability insurance policy that names the City as the insured party; and
  - (e) reflects reasonable sensitivity of size and colour in relation to the Heritage Resource for which it is proposed.
- .12 Any Person who Designs or proposes to install a Heritage Sign Shall have regard for the Heritage Sign Guidelines in Appendix “B” of this By-law, and the Heritage Board Shall employ the said guidelines when making a recommendation on Signs in the Heritage Preservation Area and on Heritage Resources.