

**SQUAMISH NATION SIGNAGE CONTROL BYLAW**

**(BYLAW NO. 2, 2006)**

A bylaw regulating signage within certain Squamish Lands

I hereby certify that the within instrument is a true and correct copy of the instrument of which it purports to be a true copy.  
Given under my hand and seal of office this 1<sup>st</sup> day of April A.D. 2006

A Notary Public in and for the Province of British Columbia  
Barrister & Solicitor  
RATCLIFF & COMPANY LLP  
#500 - 221 West Esplanade  
North Vancouver, B.C. V7M 1A7  
(604) 988-5201

**WHEREAS:**

- A. Council wishes to regulate signage on some of the Nation's lands;
- B. Council under sections 81(g), 81(h), 81(q) and 81(r) of the *Indian Act*, R.S.C. 1985, C.I-5, may make bylaws for any or all of the following purposes:
- (i) the regulation of the construction, repair and use of buildings;
  - (ii) the dividing of the reserve into zones;
  - (iii) the prohibiting of the construction or maintenance of any class of buildings in any zone;
  - (iv) any matter arising out of or ancillary to the exercise of the foregoing powers; and
  - (v) the imposition on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding 30 days, or both,.

NOW THEREFORE, Council enacts as a bylaw the following:

**Short title**

- 1 This Bylaw may be cited as the "SQUAMISH NATION SIGNAGE CONTROL BYLAW NO. 1, 2006."

**Definitions**

- 2 In this Bylaw:

"Council" means the Council of the Squamish Nation within the meaning of section 2(1) of the *Indian Act*, or a successor to that Council;

"Council Signage Designee" means a Person designated under section 6(1);

"Electrical Inspector" means a Person who is qualified by training and experience to carry out electrical inspections;

"Minister" means the Minister of Indian Affairs and Northern Development;

"Owner" means a Person who owns or leases a Sign within the Signage Control Zone;

"Permit" means a permit for a Sign issued under section 8;

"Person" includes an individual, a partnership, a corporation, a trust, a first nation, an Indian band, an unincorporated association or other entity or government or any agency or political subdivision thereof, and their heirs, executors, administrators and other legal representatives;

"Public Street" includes all public places, highways, roads, lanes, alleys, avenues, thoroughfares, bridges, viaducts, squares, triangles, courts, courtyards, boulevards,

sidewalks, and rights-of-way designed or intended for use by the general public or to which the general public has access or is invited.

“Sign” means any identification, description, illustration or device, illuminated or unilluminated, whether or not containing words or symbols, which is visible from any Public Street and which directs attention to a product, place, activity, person, institution, business or other solicitation, and includes any temporary or permanent installation, but does not include a display or placard placed within a window on the first floor of a commercial building;

“Signage Control Zone” means the lands situate, lying and being in:

- (i) Capilano Indian Reserve No. 5 in the Province of British Columbia, and that are hatched in the areas outlined in heavy black print on the plans attached hereto as
  - a. Schedule A, containing .119 hectares, more or less,
  - b. Schedule B, containing .222 hectares more or less;
- (iii) Seymour Creek Indian Reserve No. 2 in the Province of British Columbia, and that are hatched in the areas outlined in heavy black print on the plans attached hereto as
  - a. Schedule B, containing 139 square meters,
  - b. Schedule C, containing 204 square meters more or less,
  - c. Schedule D, containing 99 square meters and 66 square meters respectively, more or less, and
  - d. Schedule F containing respectively 66 square meters and 121 square meters more or less; and
- (iii) Kitsilano Indian Reserve No. 6 in the Province of British Columbia, and that are hatched in the areas outlined in heavy black print on the plan attached hereto as Schedule G containing respectively .173 and .301 hectares, more or less;

“Squamish Nation” means the Squamish Indian Band;

### **Application and exemption**

- 3 This Bylaw applies to all Signs located on or within the Signage Control Zone.

### **Prohibitions**

4

- (1) No Person may keep, place, or erect a Sign on or within the Signage Control Zone
  - (a) unless a Permit has been granted by the Council Signage Designee,
  - (b) other than in conformity with the provisions of this Bylaw, and
  - (c) except pursuant to and in conformity with the terms and conditions contained in

- (i) a written lease or permit approved by the Council with respect to the land upon which the Sign is erected or to be erected, and
- (ii) any written Agreement between the Squamish Nation and the Owner.

### **Sign requirements**

5 An Owner must ensure that a Sign

- (a) is designed to provide ample strength and rigidity, and
- (b) is maintained at all times in a safe condition and free from any defect whatsoever.

### **Council Signage Designee**

6

- (1) Council may designate a Person as Council Signage Designee to
  - (a) receive and review applications for Permits, and
  - (b) approve and grant Permits, with or without conditions, or
  - (c) refuse to grant Permits.
- (2) The Council Signage Designee may require an Owner to provide sufficient evidence of proof to determine whether the material, equipment, device or construction meets the requirements of this Bylaw.
- (3) If, in the opinion of the Council Signage Designee, a Sign is unsafe, defective or in disrepair
  - (a) the Council Signage Designee may provide notice in writing to the Owner for the Owner to repair the Sign within 14 days, or a lesser time period, if, in the opinion of the Council Signage Designee, the condition of the Sign could constitute a danger to public safety, and
  - (b) the Owner must repair the Sign in accordance with a notice from the Council Signage Designee under paragraph (a).
- (4) The Owner, may, within the time period set out in the notice, appeal a notice of the Council Signage Designee under subsection (3) to the Council, whose decision on the matter will be final.

### **Applications for Permits**

7

- (1) The Owner may apply to the Council Signage Designee for a Permit for a Sign.
- (2) An application for a Permit must include:

- (a) a drawing showing the location of the proposed Sign, including, to the extent applicable, the street and street number of the building or structure to the which the Sign is, or is to be, erected, altered or painted on,
- (b) a drawing to scale for each side of the Sign, giving all pertinent dimensions as well as the colour scheme,
- (c) to the extent applicable, a drawing showing the position of the Sign painted on or attached to the building or structure, and the method of attachment,
- (d) a drawing showing details of the method, type and intensity of illumination, and
- (e) if the Sign would project on or over any public Street, a bond of indemnity or policy of insurance that is in force and effect until the Sign is removed from the premises
  - (i) in a minimum amount of one million dollars,
  - (ii) in a form satisfactory to Council Signage Designee, and
  - (iii) indemnifying or insuring the Squamish Nation, the Council and its officers, employees, agents and contractors against all claims, losses and costs of any kind which may be caused by or arise, directly or indirectly, from the erection, construction, maintenance or use of the Sign, or anything attached to the Sign, while the Sign is located on the Signage Control Zone.

#### **Issuance of Permits**

8

- (1) The Council Signage Designee must issue a Permit to an applicant upon
  - (a) receipt of an application and the required fee, and
  - (b) being satisfied that
    - (i) the Sign complies with the provisions of this Bylaw and all other applicable bylaws of the Squamish Nation, and
    - (ii) the Sign has been constructed in conformity with the terms and conditions contained in a
      - (a) written lease or permit approved by the Council, and
      - (b) any written agreement between the Squamish Nation and the Owner.
- (2) Before an electrical Sign may be connected to a power source, the Owner must arrange for an electrical inspection by an Electrical Inspector that confirms to the Council Signage Designee that the electrical Sign has been erected or attached in a manner that complies with the applicable requirements of the British Columbia Building Regulation.

- (3) Despite any other provision of this Bylaw, neither the acceptance of an application for, nor the granting of, a Permit obligates or imposes a duty upon the Squamish Nation, the Council or the Council Signage Designee to inspect, approve or provide any other or further services of any kind in respect of the Sign.

#### **Permit fees**

9

- (1) The following fees must be paid to the Council Signage Designee before a Sign Permit may be issued:
- (a) for a Sign not exceeding 18 square feet in area - \$100.00;
  - (b) for a Sign with an area exceeding 18 square feet but not exceeding 40 square feet - \$150.00, and
  - (c) for a Sign exceeding 40 square feet - \$250.
- (2) A service charge of \$30.00 must be paid in addition to the permit fee set out in subsection (1) where a Sign was installed or installation had started before a Sign Permit was issued as required under this Bylaw.

#### **Replacement and removal of Signs**

10

- (1) An Owner may, if permitted by
- (a) a written agreement between the Owner and the Squamish Nation, or
  - (b) a written lease or permit approved by the Council with respect to the land upon which the Sign is erected or to be erected,
- replace or relocate a Sign in accordance with the provisions of this Bylaw.
- (2) When an Owner vacates premises within the Signage Control Zone, the Owner must remove all Signs on the site that relate to the business or undertaking of the Owner within a reasonable time after the Owner vacates the premises.

#### **Offences**

11 It is an offence to

- (a) do or cause to be done anything,
- (b) neglect to do or refrain from doing anything, or
- (c) suffer or permit anyone doing anything

in contravention of the Bylaw.

## **Penalties**

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- (1) Every Person who contravenes section 12 is guilty of an offence and on summary conviction is liable to a fine not exceeding \$1000.00.
- (2) Every Person who contravenes section 12 on a continuing basis is liable to a fine not to exceed \$1000.00 for each day that that offence is continued.

## **Interpretation**

13 In this Bylaw

- (a) words in the singular include the plural, and words in the plural include the singular,
- (b) words importing female persons include male persons and corporations and words importing male persons include female persons and corporations,
- (c) where a word or expression is defined, other parts of speech and grammatical forms of the same word or expression have corresponding meanings,
- (d) the expression “shall” is to be construed as imperative, and the expression “may” as permissive,
- (e) unless otherwise clear from the context,
  - (i) “including” means “including, but not limited to”, and
  - (ii) “includes” means “includes, but is not limited to”,
- (f) headings and subheadings are inserted for convenience of reference only, do not form a part of this Bylaw and in no way define, limit, alter or enlarge the scope or meaning of any provision of this Bylaw, and
- (g) a reference to an enactment includes every amendment to it, every regulation made under it and any law enacted in substitution for it or in replacement of it.

14 This Bylaw and each of its provisions shall be considered as always speaking and where a matter or thing is expressed in the present tense, it shall be applied to the circumstances as they arise, so that effect may be given to this Bylaw according to its true spirit, intent and meaning.

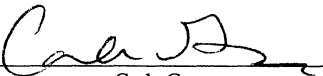
15 This Bylaw is passed with the intention that if any part of this Bylaw is declared or held invalid for any reason, the invalidity of that part shall not affect the validity of the remainder which shall continue in full force and effect and be construed as if this Bylaw had been executed without the invalid part.

## Coming into force

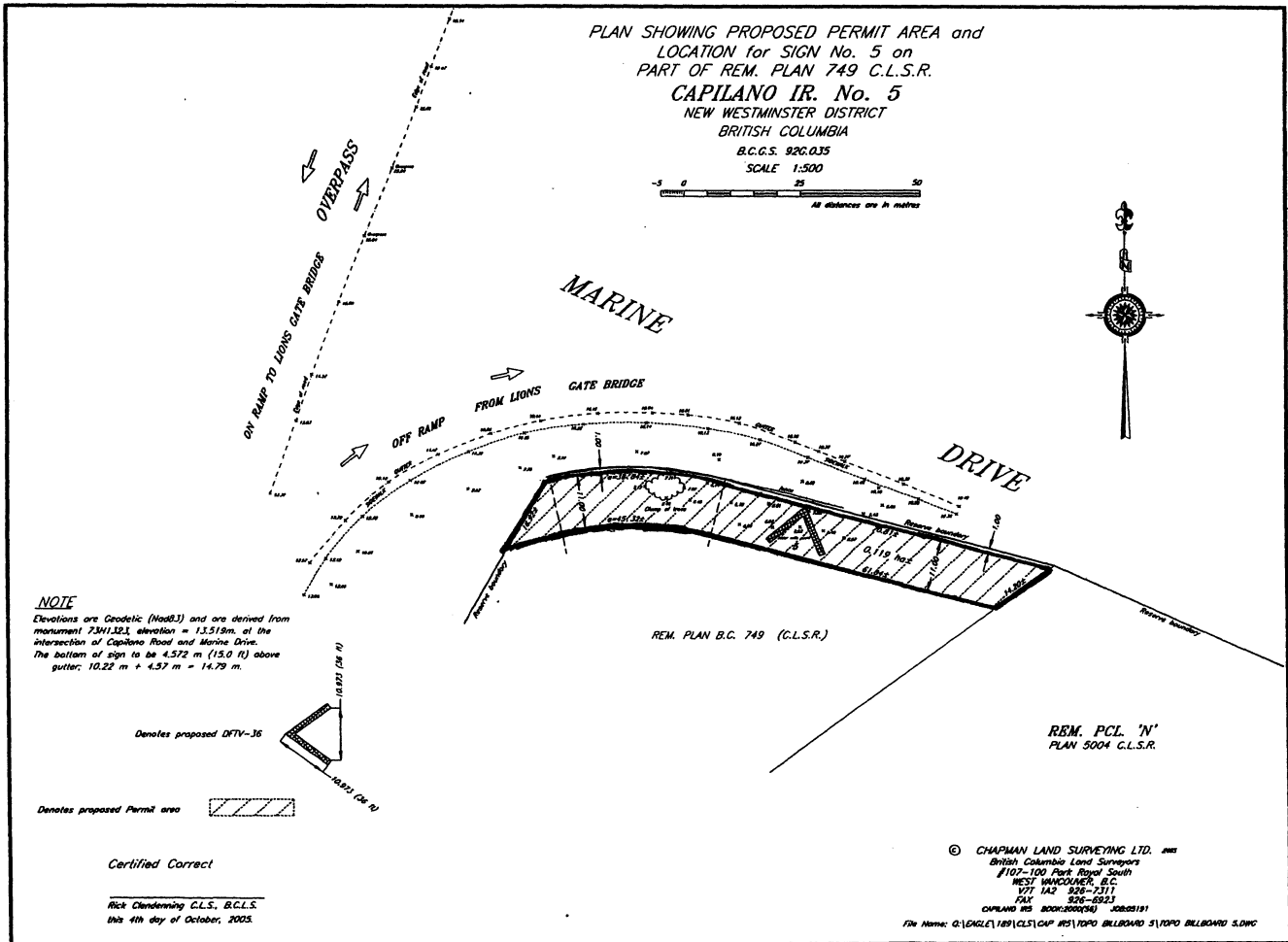
- 16 This Bylaw comes into force 40 days after a copy of it is forwarded to the Minister or at such time before the expiration of that 40 day period as the Minister may declare.

APPROVED AND PASSED at a duly convened meeting of the Band Council of the Squamish Band of Indians 19th day of April, 2006.

A QUORUM OF SQUAMISH NATION COUNCIL CONSISTS OF & COUNCILLORS	SQUAMISH NATION COUNCIL		320 SEYMOUR BLVD
	MEETING HELD AT:		NORTH VANCOUVER, B. C.
	DATED:	THE 19	DAY April 2006
	MOVED BY: Julie Baker	SECONDED BY: Deborah Baker	

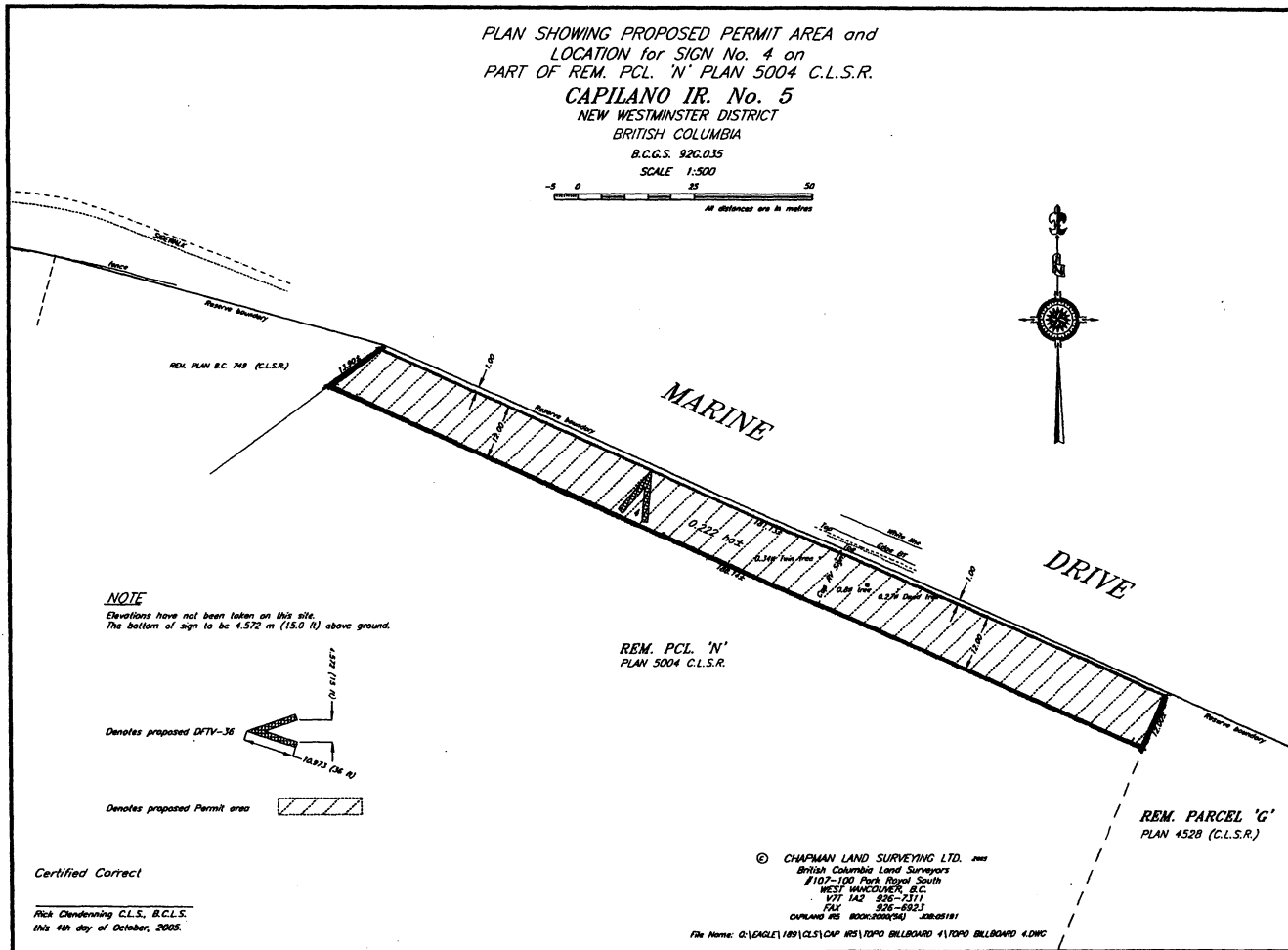
 Chief Gilbert Jacob KáKeltñ Siyam	 Chief Bill Williams telásemkin Siyam	
Alroy Baker K'etximtn	Veronica Baker Tiyaltenaat	Deborah Baker Deborah Baker
Richard E. Baker	 Pamela Baker Hi-mi-ka-las	 Dale Harry Xwa-xwalkn
 Krisandra Jacobs	Byron Joseph Ts'élkwillem	 Dennis Joseph xwóchtaál
 Carla George Kwitelut	 Chief Richard Williams Xwélxwelacha siyam	 Julie Baker Sxwélhchaliya
Anthony Moody Tsetsimshtn	 Chief Ian Campbell Xálek/Sekyú Siyam	

# SCHEDULE "A"

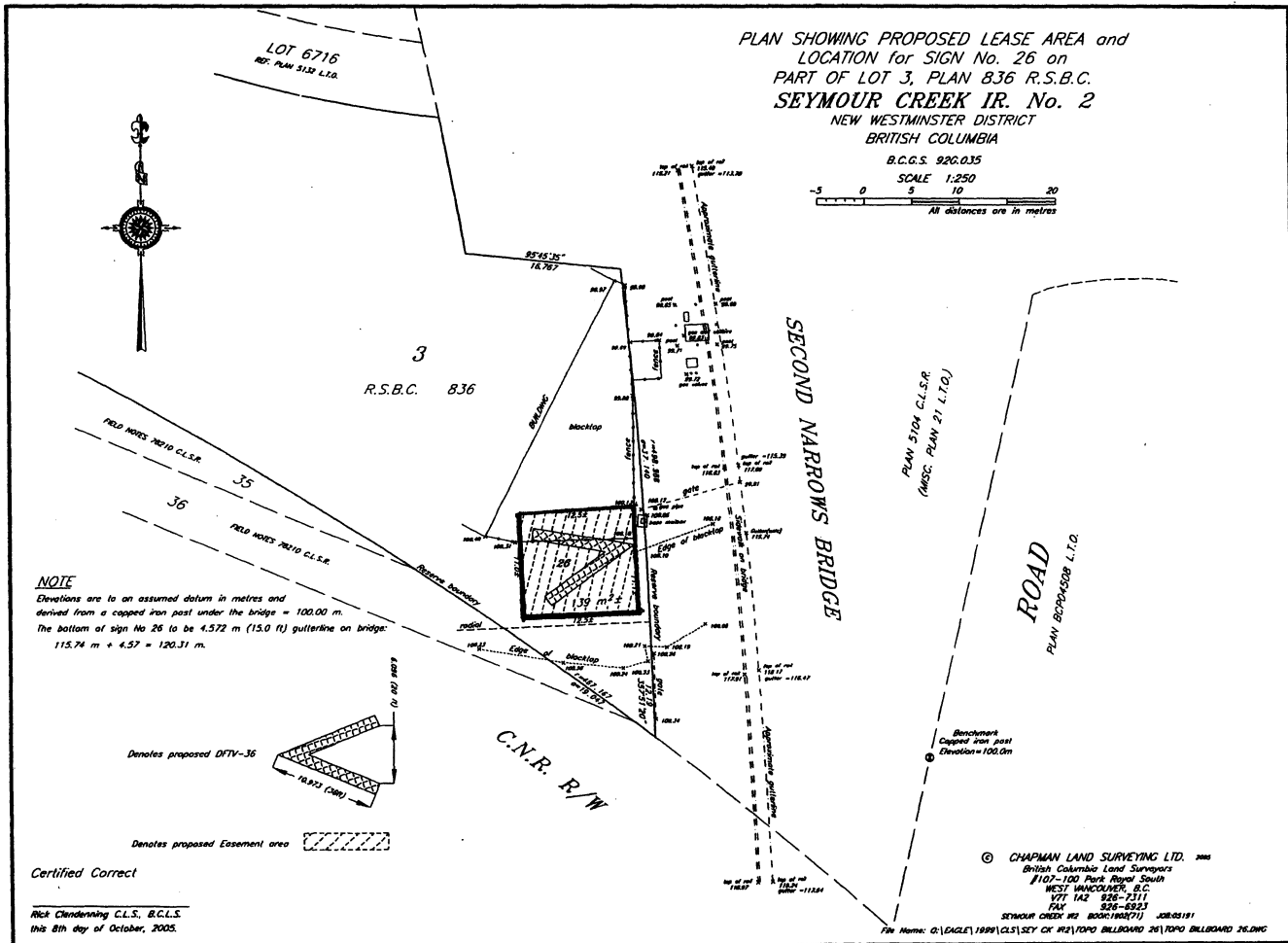




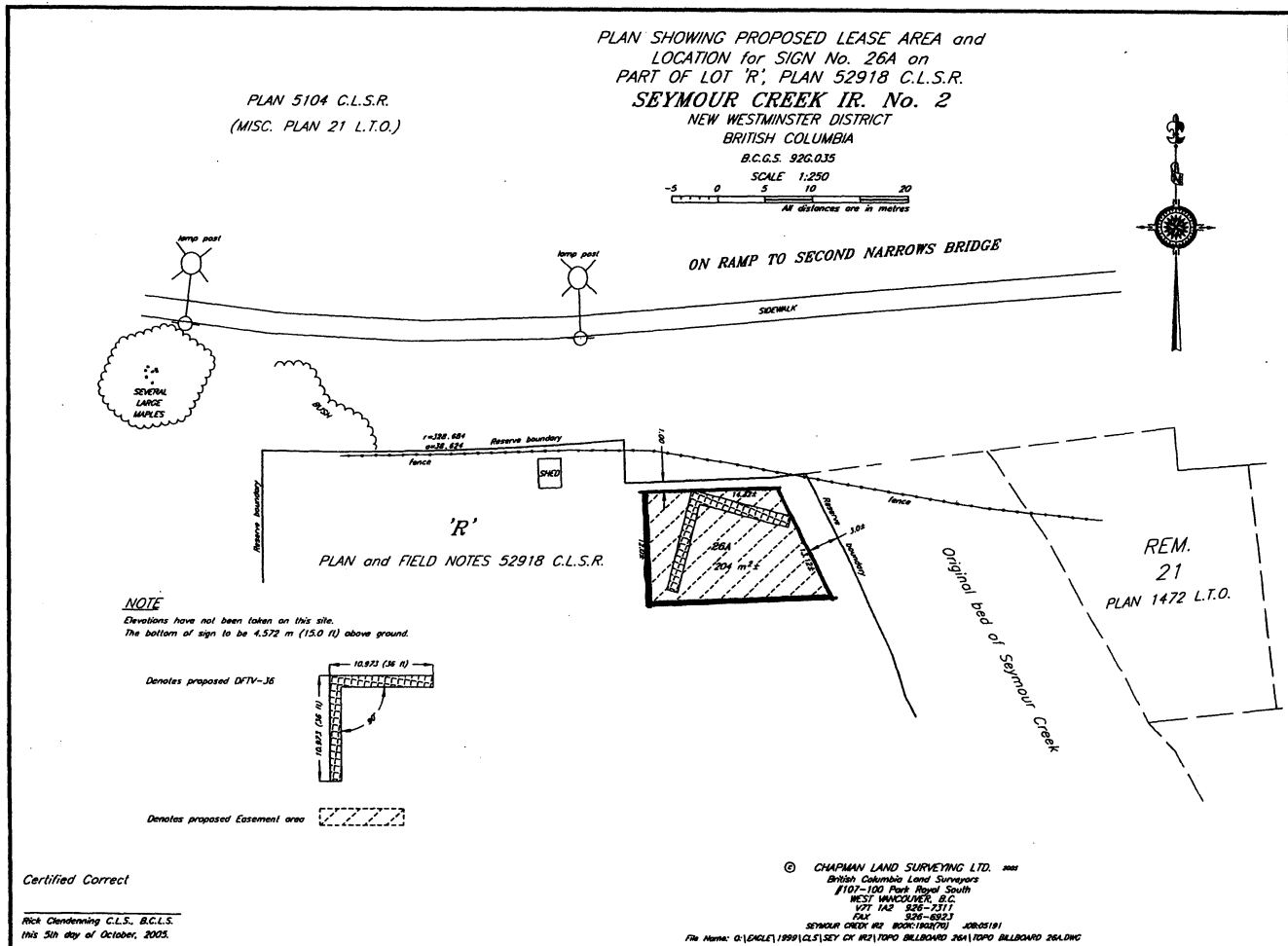
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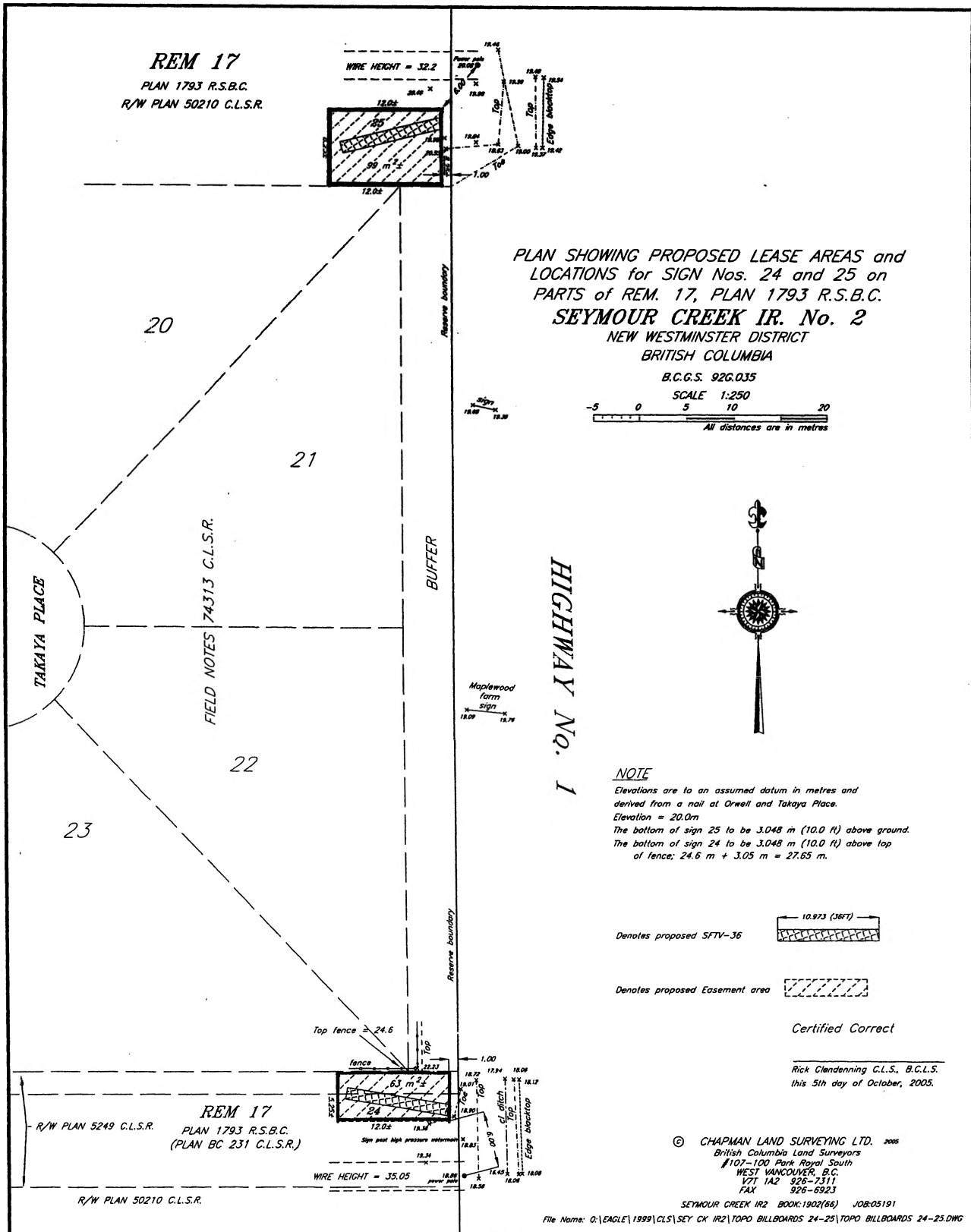
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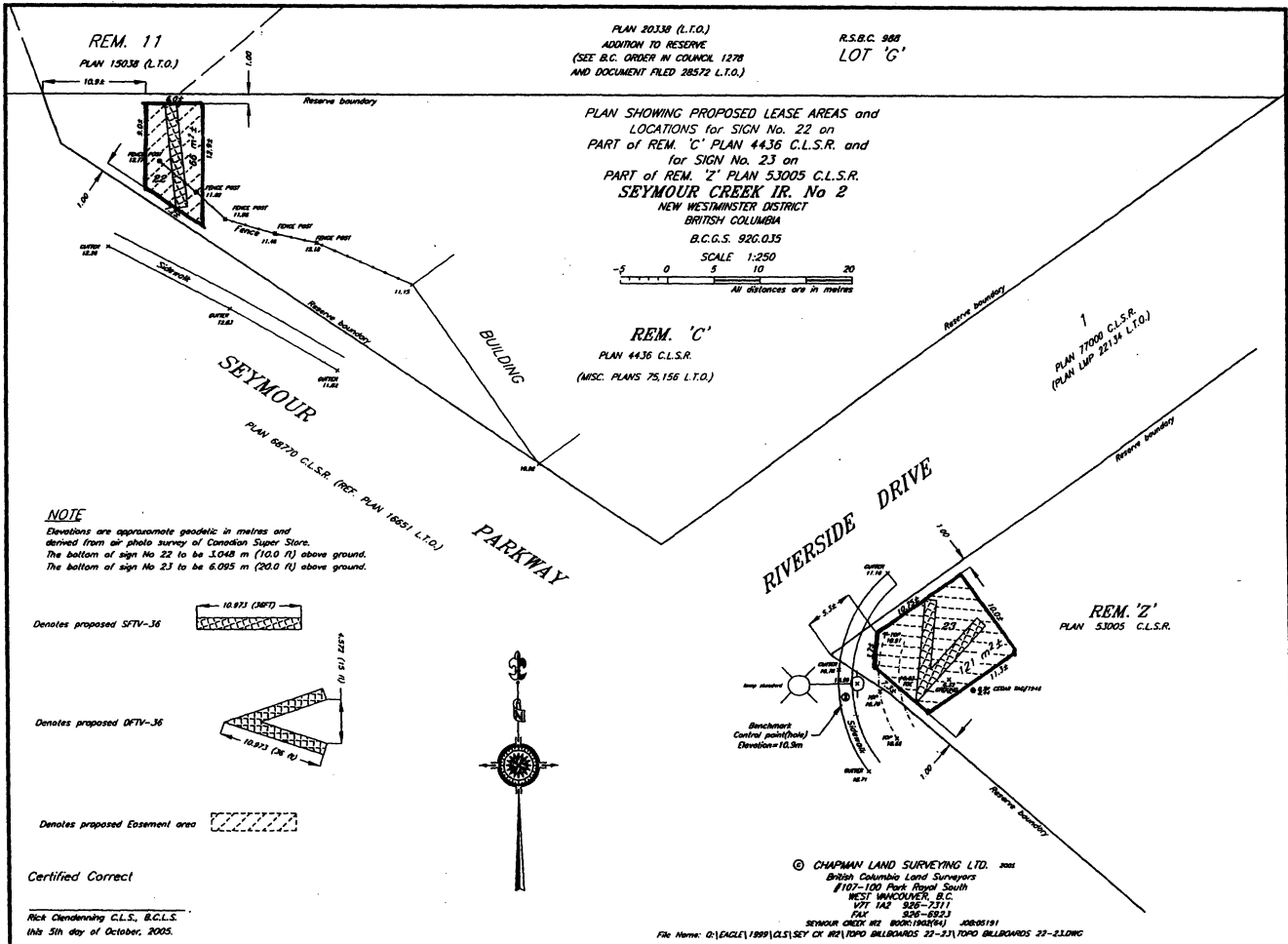
# SCHEDULE "D"



# SCHEDULE "E"



**SCHEDULE "F"**



# SCHEDULE "G"

