

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BY-LAW NO. R1022

A BYLAW TO REGULATE SIGNS

WHEREAS the Alberni-Clayoquot Regional District wishes to regulate signs to protect the appearance of the Regional District from unreasonable aesthetic light that arises from a proliferation of signs (particularly signs intended to convey commercial communication), prevent the distraction of motorists using highway and reduce the risk of hazardous signs;

AND WHEREAS the Board of the Alberni-Clayoquot Regional District recognizes the importance of freedom of expression, and in particular the freedom of individuals to express opinions, as necessary and fundamental human right in a free and democratic society;

AND WHEREAS the Board of the Alberni-Clayoquot Regional District wishes to find a reasonable balance between the interests of the community in preserving and protecting an attractive visual appearance and reducing interference with the safe use of highways with the rights of individuals and other persons to engage freely in reasonable forms of personal and commercial communication;

AND WHEREAS section 908 of the *Local Government Act* authorizes the Alberni-Clayoquot Regional District to regulate signs;

THEREFORE BE IT RESOLVED that the Alberni-Clayoquot Regional District, in open meeting assembled, ENACTS AS FOLLOWS:

INTERPRETATION

1. Title

This bylaw may be cited for all purposes as the "Alberni-Clayoquot Regional District Sign Bylaw R1022".

2. Definitions

"ANIMATED SIGN" means a sign that directs attention to itself through the movement of one or more parts or through the impression of movement including colour changes, flashing lights and illumination which exhibits noticeable changes in light intensity, but excludes digital time and/or temperature information, flags, banners or pennants.

"ARCHITECTURAL FEATURE" means a vertical projection of the building façade that extends above the roof line of the building and is an integral part of the building façade and may include an entrance canopy.

"AREA OF A SIGN"	means the area of the rectangle or square within which the face of a sign can be completely contained, exclusive of any supporting structure or, where a sign has more than one face or the face of the sign is not flat, the rectangle within which the largest area of the face of the sign in profile can be completely contained exclusive of any supporting structure.
"AWNING"	means a hood or shelter constructed of fabric on a frame which projects from the exterior wall of a building.
"AWNING SIGN"	means a non-illuminated sign affixed flat to or painted onto the surface of an awning.
"BANNER SIGN"	means a sign made up of fabric or other flexible material, of which the attachment to a building or other support structure does not require specialized structural members or alteration to support the sign.
"BILLBOARD"	means a form of third party sign that is an exterior structure containing a face of a sign displaying advertising material, pasted or otherwise affixed flat to the face of the sign to permit its periodic replacement.
"BUILDING BYLAW"	means the Alberni-Clayoquot Regional District BUILDING BYLAW NO. PS1005 and amendments thereto, and any subsequent bylaws which may be enacted in substitution therefore.
"BUILDING INSPECTOR"	means the person or persons duly appointed as such from time to time, and includes the Manager of Planning and Development and any person designed by the Manager to act on his behalf.
"CANOPY"	means a non-retractable, solid projection which extends from the wall of a building and includes a structure commonly known as the theatre marquee but does not include normal architectural features such as lintels, sills, mouldings, architraves and pediments.
"CANOPY, FREESTANDING"	means a non-retractable structure completely enclosed overhead, intended to be used for protection against the weather and supported independently of any other building or structure.
"CANOPY SIGN"	means a sign attached to or constructed in or on a face of a canopy but does not include an under-canopy sign.
"CLEARANCE"	means the shortest vertical distance between the underside of a sign and grade.
"CONSTRUCTION SITE SIGN"	means a temporary sign erected by an individual or a firm on the premises undergoing construction or a property undergoing subdivision, for which the sign user is advertising or furnishing such items as labour, services, materials or financing.
"COPY"	means the wording on a sign surface either in permanent or removable letter form.

"DISTRICTS"	means the areas into which the Regional District is divided in accordance with the Zoning Bylaw.
"FACE OF A SIGN"	means the entire area of a sign upon which copy could be placed.
"FACIA SIGN"	means a sign attached to and supported by the wall of a building with its face parallel to the building wall which does not project more than 0.4 metres (1.3 feet) from the wall to which it is attached.
"FREESTANDING SIGN"	means a sign, except a billboard, independently supported and visibly separated from a building or other structure and permanently fixed to the ground.
"GOVERNMENTAL SIGN"	means a sign authorized, required by or placed under the provisions of any federal or provincial statute, order in council or bylaw, or resolution of the Regional District, and includes traffic signs and signals, pavement markings and street name signs.
"GRADE"	means the elevation of the nearest surface of sidewalk or highway, and for a sign completely within private property, grade means the average of the finished ground surface within 3 metres (10 feet) of the sign.
"HEIGHT OF THE SIGN"	means the vertical distance measured from the highest point of the sign to grade.
"HIGHWAY LINE"	means the boundary between a highway and a lot.
"HIGHWAY FRONTAGE"	means the length of the lot line of any site parallel to and along each legally accessible highway, excluding a lane or walkway, that it borders.
"HOME OCCUPATION SIGN"	means a sign identifying a home occupation where home occupation is as defined in the Zoning Bylaw.
"IDENTIFICATION SIGN"	means a sign, other than a third party sign, and is limited to the name, logo, address, activity or occupation carried on at the site or in the premises where the sign is located.
"ILLUMINATED SIGN"	means a sign of giving forth artificial light, either directly from a source of light incorporated in or connected with the sign, or indirectly from an artificial source, so shielded that no direct illumination from it is visible elsewhere than on the sign and in the immediate proximity thereof.
"LOCAL GOVERNMENT ACT"	means the <i>Local Government Act</i> , RSBC 1996,c.323.
"LOT LINE"	means any legal boundary of a parcel.
"MOTOR VEHICLE ACT"	means the <i>Motor Vehicle Act</i> , RSBC 1996, c.318.

"NON-COMMERCIAL COMMUNICATION"	means the expression of the views of one or more individuals on a matter of public or private interest other than the promotion of a business or other commercial, product, service or enterprise.
"OFFICIAL COMMUNITY PLAN"	means any of the Alberni-Clayoquot Regional District Official Community Plans enacted under the <i>Local Government Act</i> .
"PAINTED WALL SIGN"	means a sign which is painted directly upon any outside surface of a building or other integral part of the building except when painted above a roof line.
"PARAPET"	means a wall or sloped overhang located at the edge of a roof which projects above the roof membrane.
"POLITICAL SIGN"	means a temporary sign announcing, supporting or drawing attention to a political candidate or party or issues pertaining to any local, provincial or federal election or referendum.
"PORTABLE SIGN"	means a sign not permanently affixed to the ground, a building or other structure which may be moved from place to place and includes a sandwich board sign.
"POSTER"	Means a sign made of paper not exceeding 0.2 square metres (2 square feet)
"PREMISES"	means the land and the space within a building or structure occupied by an establishment, and when an establishment is not the sole occupier of a building or structure, is deemed to extend to the centre lines of walls, partitions, floors and ceilings that separate the space occupied by such establishment from that of any other occupant.
"PROJECTING SIGN"	means a sign which projects from the face or wall of a building, but does not include an awning sign, canopy sign or fascia sign.
"PROMOTIONAL SIGN"	means a temporary sign made of cloth, cardboard or like material, the purpose of which is to promote sales campaigns for a period not exceeding thirty (30) days.
"REAL ESTATE SIGN"	means a temporary sign identifying real estate that is 'for sale', 'for lease', 'for rent', or 'sold'.
"REGIONAL DISTRICT"	means the Alberni-Clayoquot Regional District.
"REVOLVING SIGN"	means a sign where all or any part of it revolves, but does not include animation.
"ROOF SIGN"	means a sign erected upon the roof or on top of the parapet of a building, the entire face of which is situated above the roof line of the building to which it is attached.

"SANDWICH BOARD SIGN"	means a non-illuminated sign having an "A" shape which is set upon the ground and has no external support structure, does not exceed 1.11 square metres (12 squarefeet) in area per side and is a form of portable sign.
"SIGN"	means any device, object, structure, figure, writing, symbol, logo, emblem, picture, painting or the text of an illustration within a mural depicting or advertising a business, service or product, illustration, or any combination thereof, which is affixed to or represented directly or indirectly upon a building, structure or land, and which identifies, advertises or directs attention to any object, person, place, activity, condition, organization, establishment, or business in such a manner as to be visible to the public from any public area, including a highway or the ocean.
"SITE"	means one or more parcels containing a building or group of buildings, separate from one another or joined by party walls, which are devoted to a common use, for example, but not limited to, a shopping mall or an industrial park.
"SHOPPING CENTRE"	means a group of retail stores in one or more buildings designed as an integral unit and having a common parking area.
"TEMPORARY SIGN"	means a sign which is not in permanently installed or affixed position displayed for a period of time not exceeding sixty (60) days.
"THIRD PARTY SIGN"	means any sign that directs attention to a business, profession, product, service, activity, commodity, facility or entertainment at or on a parcel, premises or site other than the parcel or premises or site at or on which the sign is located and includes any sign located within a public place, highway or attached to a utility pole.
"TRAFFIC CONTROL DEVICE"	means a sign, signal, marking or other device placed or erected by the Alberni-Clayoquot Regional District or Ministry of Transportation and Highways to control pedestrian or vehicular traffic.
"UNDER CANOPY SIGN"	means a sign which is suspended beneath and attached to a canopy or awning and includes an under-awning sign.
"WALL SURFACE AREA OF A BUILDING"	means that portion of any exterior elevation of a building extending from grade to the top of a parapet wall or roof line and the entire width of the building.
"WINDOW SIGN"	means a non-animated sign which is located in or affixed to a window and which does not cover more than 50 percent of the area of the window.
"YARD"	means a yard required by the Zoning Bylaw for the zone in which the sign is located.
"ZONING BYLAW"	means the Alberni-Clayoquot Regional District Zoning Bylaw and amendments thereto and any subsequent bylaws which may be enacted in substitution therefore.

3. General Regulations

Except as otherwise provided for in this Bylaw, no person shall erect, construct or maintain:

- (1) a sign that interferes with the movement of vehicular or pedestrian traffic or a traffic control device;
- (2) a sign that interferes with any ventilation device;
- (3) a sign, guy, stay or attachment thereto that is attached to or interferes with any utility wires, poles or supports thereof;
- (4) a sign that obstructs any fire escape, required exit, window, door opening, or any wall opening intended as a means of ingress or egress;
- (5) a sign that is not in a safe condition;
- (6) a sign or portion thereof (including support structures) that extends or projects above the roof line of a building;
- (7) a sign that interferes with any surface or underground facilities, conduits or lines for water, sewage, gas, electricity, or communications equipment;
- (8) a sign attached to a tree or other living vegetation;
- (9) a sign that interferes with any existing warning, instructional or governmental sign;
- (10) a sign contrary to the Building Bylaw and accepted good engineering practice;
- (11) an illuminated sign that does not have CSA approval, the approval of the Provincial Electrical Inspector or incorporates a strobe light;
- (12) an illuminated sign that does not have the light source concealed in order to prevent glare;
- (13) a sign on, above or in a highway;
- (14) a sign located adjacent to a highway unless:
 - (a) it is located in accordance with the setbacks contained in the Zoning Bylaw;
 - (b) if it is located where, under the *Motor Vehicle Act*, approval of the Minister of Transportation is required, evidence of such approval is given to the Regional District;
- (15) a sign which projects over vehicular traffic areas with a minimum clearance of less than 4.2 metres (13.7feet);
- (16) a sign which projects over pedestrian areas with a minimum clearance of less than 2.4 metres (7.8 feet);
- (17) a sign or signs the aggregate area of which exceeds twenty-five percent (25%) of the wall surface area of the wall to which the sign or signs are affixed;
- (18) a sign which is an illuminated sign in a Residential District or Rural District;

- (19) a sign which is a roof sign, animated sign or revolving sign;
- (20) a sign which is a third party sign.

4. Permitted Signs

- (1) No person shall construct, erect or maintain a sign, except those permitted by this Section or excepted by Section 5 and only in accordance with the regulations of this Bylaw.
- (2) A sign, which at the time of adoption of this Bylaw was lawfully in existence at the time of adoption of this Bylaw, but which does not comply with the provisions of this Bylaw:
 - (a) may be maintained provided that the sign is maintained in a safe condition free from hazards and defects; and
 - (b) must not be moved, replaced, reconstructed or altered, except in compliance with the provisions of this Bylaw.
- (3) The design of signs shall be consistent with the development permit area design guidelines in the Official Community Plan.
- (4) A regulation for a class of sign applies to a sign that may combine different classes of sign into one sign.

(5) Awning Signs

An awning sign is permitted as follows:

- (a) An awning sign is permitted in the Commercial District.
- (b) The maximum awning sign area is limited to twenty-five percent (25%) of the wall area to which the awning is affixed.
- (c) Awnings on which signage is located may project up to 1.5 metres (5 feet) above a building roofline.
- (d) Where a part of an awning projects above a building roofline, no signage shall be located on that portion of the awning above the roofline.
- (e) Where an awning projects above a building roofline, no structural support or element shall be attached to or be reliant for support upon any portion of the building above the roofline.

(6) Billboards

Billboard signs are permitted as follows:

- (a) One billboard per lot.
- (b) The maximum area of the sign portion of a billboard shall not exceed 13 square metres (140 square feet).

- (c) No billboard shall be located within a 91.5 metres (300 feet) distance from another.
- (d) No part of a billboard shall be located within any setback established in the Zoning Bylaw.
- (e) The maximum height of a billboard shall be 7 metres (22.9 feet) or the height of the roofline of the nearest building whichever is the lesser.

(7) Canopy Signs

Canopy signs are permitted as follows:

- (a) Canopy signs are permitted in the Commercial, Industrial and Institutional Districts.
- (b) The maximum canopy sign area shall be 0.6 square metres per lineal metre (2 square feet per lineal foot) of the canopy frontage to which it is affixed or twenty-five percent (25%) of the building face of the same building elevation, whichever is the greater.
- (c) No canopy sign shall extend or project above the upper edge of a canopy or marquee by more than 0.6 metres (2 feet) and in no case may project above the roof line of a building.
- (d) The length of the canopy sign shall not be greater than the length of the canopy.
- (e) Notwithstanding (b) and (c), freestanding canopies are permitted to have signage on all sides except that no sign shall project above the upper edge or be greater in length than the length of the canopy and the vertical dimension shall not exceed 1.5 metre (5 feet).

(8) Facia Signs

(a) Facia signs are permitted as follows:

- (i) A non-illuminated facia sign only for the purpose of identifying a home occupation use provided it does not exceed 0.2 square metres in area (2.2 square feet).
- (ii) An identification sign in the form of a facia sign in the Multi-family Residential District provided it does not exceed 1.5 square metres in area (16.1 square feet).
- (iii) In the Commercial, Industrial and Institutional Districts, facia signs shall be permitted for every wall facing a highway or yard as follows:
 - (A) One (1) facia sign with a total area of signage not exceeding twenty-five percent (25%) of the surface wall to which it is affixed, or
 - (B) two (2) facia signs whose total area of signage does not exceed twenty percent (20%) of the surface wall to which they are affixed, or

- (C) where there is more than two fascia signs the total area of signage does not exceed ten percent (10%) of the wall surface of building to which they are affixed.
- (iv) No part of a fascia sign shall project beyond a corner of the wall to which it is attached except in the case of a mitred corner which makes up an integral part of the sign.
- (b) Fascia signage located on an architectural feature on the façade of the building may project a maximum of 1.2 metres (3.94 feet) above the roof line of the building.

(9) Freestanding Signs

- (a) Freestanding signs are permitted as follows:
 - (i) In the Multi-family Residential District, freestanding signs are permitted only as identification signs and the maximum sign area shall be 1.5 square metres (16.1 square feet) and the maximum height shall not exceed 2.0 metres (6.5 feet)
 - (ii) In the Mobile Home Residential District, the maximum area of the sign shall be 3.0 square metres (32.3 square feet) and the maximum height shall be 4 metres. (13.1 feet).
 - (iii) (A) In the Commercial, Industrial and Institutional Districts, the maximum area of the sign shall be 10 square metres inclusive of the area of any promotional and gas price signs permitted in subsections 5(10) and 5(11), (107.6 square feet) and the maximum height of 9.0 metres (29.5 feet).
 - (B) Despite Section 4(9)(a)(iii)(A), freestanding signs for shopping centres having a gross floor area exceeding 2,000 square metres (21,500 square feet) are permitted to be located on the shopping centre site to a maximum height of 13.7 metres (45 feet) and an area not to exceed 0.1 square metres (1.1 square feet) of sign area for each 0.3 metres of highway frontage to a maximum of 30 square metres (323 square feet).
- (b) (i) Not more than one freestanding sign shall be permitted adjacent to each highway frontage of a site, and in no case shall more than three freestanding signs be permitted per site or shopping centre. Each sign shall be located adjacent to the allowing highway frontage.
- (ii) Where two or more freestanding signs are permitted on a site, such signs must be separated by a distance of not less than 10 metres.
- (c) No part of the freestanding sign shall extend over any parcel line and shall not be in conflict with the regulations of the Zoning Bylaw related to visibility at intersections.

(10) Painted Wall Signs

Painted wall signs are permitted as follows:

- (a) Painted wall signs are permitted in the Commercial, Industrial and Institutional Districts.
- (b) One painted wall sign shall be permitted per business for every wall facing a highway or yard. For each wall the maximum area permitted for painted signs shall not exceed twenty-five percent (25%) of the wall surface of the side of the building upon which the sign or signs have been painted.

(11) Portable Signs

- (a) Portable signs shall be permitted in all zones except Residential and Rural Districts.
- (b) Portable signs are permitted subject to the following:
 - (i) Only new businesses may use a portable sign. For the purposes of this section, a new business shall be defined as a business that has been in operation for 90 days or less.
 - (ii) Only one portable sign shall be permitted per new business and must be located entirely on the premises to which it pertains.
 - (iii) No portable sign shall be illuminated or electrified.
 - (iv) No portable sign shall exceed 3 square metres (32 square feet) in area per side.
 - (v) When installed on a site, the maximum height of a portable sign measured from grade shall not exceed 2.5 metres (8.2 feet)

(12) Projecting Signs

Projecting signs are permitted as follows:

- (a) Projecting Signs are permitted in the Commercial, Industrial, Institutional and Waterfront Districts.
- (b) One projecting sign shall be permitted for each business within a building.
- (c) The maximum area of a projecting sign shall not exceed 6 square metres (64.6square feet).
- (d) A projecting sign and support structure may project 0.3 metres from the building face for each metre (1 foot for every 3.3 feet) that the sign is located from the nearest edge or corner of the business premises to a maximum of 2 metres (6.5 feet) from the building face.
- (e) A projecting sign shall not project closer than 0.6 metres (2 feet) to the curblines of a highway.
- (f) Guy wires are permitted to be installed only when solid cantilever support is not possible to provide wind bracing. The number of guy wires shall not exceed two per face of the sign or four in total.

(13) Under Canopy Signs

Under canopy signs are permitted as follows:

- (a) Under canopy signs are permitted in the Commercial, Industrial, Institutional and Waterfront Districts.
- (b) The maximum vertical dimension of an under canopy sign shall be 0.3 metres.
- (c) No under canopy sign shall exceed the width of the canopy under which the sign is affixed.

(14) Banner Signs

Banner signs are permitted as follows:

- (a) Banner signs are permitted in the Commercial, Industrial, Institutional and Waterfront Districts.
- (b) Banner signs are permitted to be located on a site for a maximum total of ninety (90) days per year. No single banner sign shall be installed for a period exceeding thirty (30) consecutive days.
- (c) No more than one banner sign shall be installed at a time on a site or at a premises.

5. Exceptions

Subject to all other provisions of this Bylaw and despite specific prohibitions or regulations applicable to classes or locations of the following signs in Sections 3 and 4, the following classes of signs may be erected or placed in the following locations:

- (1) One real estate sign for the lot or premises on which the sign is displayed, provided the sign shall not exceed 3 square metres (32.3 square feet) in area, is located on the property to which the sign applies and is removed within fourteen (14) days after the sale, rental or lease has been accomplished.
- (2) One construction site sign per construction project not to exceed 3 square metres (32.3 square feet) in sign area provided that such signs shall be erected no more than five (5) days prior to the beginning of construction for which a valid building permit has been issued, shall be confined to the site of construction, and shall be removed 5 days after completion of construction and prior to occupancy.
- (3) One sign with an area of less than 0.1 square metre (1.1 square feet) per parcel.
- (4) An advertising sign displayed on bus shelters and seats, and on garbage/recycling containers.
- (5) A political sign provided that such sign is removed within seven (7) days after the election or referendum.
- (6) A sign which provides direction or instruction and is located entirely on the property to which it pertains and does not in any way advertise a business, a sign identifying restrooms, public telephones, walkways, or a sign providing directions such as parking

lot entrance and an exit sign and those of similar nature. Such signs shall not exceed 1.5 square metres (16.1 square feet) in area or 1.5 metre (5 feet) in height. Directional signs may include the name and/or logo of a company but such information shall be limited to a maximum area of twenty-five percent (25%) of the sign. Only one directional sign is permitted for each entrance/exit to or from a parcel and must be located adjacent to the entrance/exit.

- (7) A sign, masonry walls, landscaping and other similar materials or features may be combined to form a display for neighbourhood or tract identification, provided that the legend of such sign or display shall consist only of the neighbourhood or tract name.
- (8) A banner sign up to a maximum of 3 square metres (32.3 square feet) and a maximum height of 9 metres (29.5 feet).
- (9) A temporary sign not exceeding 0.6 square metres (6.5 square feet) pertaining to drives or events of civic, philanthropic, educational or religious organizations, provided that said signs are posted only during said drive or no more than thirty (30) days before said event and area removed no more than seven (7) days after an event.
- (10) Gasoline price signs, not already incorporated in permitted freestanding signs, provided such signs are non-illuminated and that the total area of all such signs on a site is less than 2 square metres (21.5 square feet).
- (11) Gasoline stations are permitted to erect up to two (2) promotional signs relating solely to automotive products purchases, not exceeding 1.5 square metres (16.2 square feet) each in area. The area of such promotional signs shall be included in the calculation of the maximum allowable area of freestanding signage on a site.
- (12) Gasoline stations and gas bars are permitted to erect two (2) freestanding signs above their gas pumps, relating solely to their business name or logo, not exceeding 1.5 square metres (16.2 square feet) each in area.
- (13) A non-illuminated under canopy sign less than 0.6 square metres (6.5 square feet) in area.
- (14) Any sign erected as a requirement of any Alberni-Clayoquot Regional District Bylaw.
- (15) A window sign.
- (16) A menu board sign for restaurants and drive-through restaurants, provided the sign shall not exceed 4.5 square metres (48.3 square feet) in area, contain lettering that is a maximum 100 millimetres (4 inches) in height, and be located on the restaurant premises or lot and directed only to persons using drive-throughs associated with that menu board.
- (17) A third party sign in the form of a poster within a public place or highway or on a utility pole.
- (18) Temporary seasonal sign constructed, placed or displayed in connection with a seasonal, religious or holiday activity where the sign contains only non-commercial communication and is removed within forty-five (45) days of being constructed, placed or displayed.
- (19) A sign of 1 square metres or less that contains only non-commercial communication, that is postered or placed on real or other property owned or occupied by the person posting or placing the sign, that is removed within one (1) month of being affixed or displayed and is not replacing a sign containing the same or similar content.

6. Abandoned Signs

Except as otherwise provided in this Bylaw, any sign which pertains to a time, event or purpose which no longer applies or no longer fulfills its function under the terms of a Sign Permit shall be deemed to have been abandoned and may be removed by the Regional District.

7. Offences

No person shall erect, construct, place, display, rebuild, reconstruct, alter, maintain or move or cause, suffer or permit the erecting, placing, construction, displaying, rebuilding, reconstructing, altering, maintaining or moving of any sign contrary to the provisions of this Bylaw.

8. Penalties

Every person who violates any of the provisions of this Bylaw, or who causes, suffers, or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who carries out or who suffers, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this Bylaw shall be liable on summary conviction to a fine not exceeding the maximum prescribed in the *Offence Act*.

9. Inspection

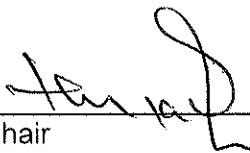
The Bylaw Enforcement Officer or Building Inspector is hereby authorized to enter, at all reasonable times upon any property or premises subject to this Bylaw to ascertain whether the regulations of this Bylaw are being or have been complied with.

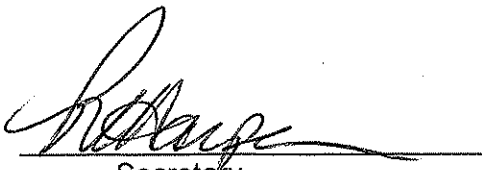
Read a first time this 23rd day of April, 2008.

Read a second time this 23rd day of April, 2008.

Read a third time this 28th day of May, 2008.

Adopted this 28th day of May, 2008.


Chair


Secretary