

THE CORPORATION OF THE VILLAGE OF POUCE COUPE

BYLAW NO. 885, 2006

A BYLAW TO REGULATE SIGNS

WHEREAS Pursuant to the *Community Charter*, Section 65, Council may by Bylaw regulate and prohibit signs

AND WHEREAS Pursuant to Section 551, and Section 908 of the *Local Government Act*, Council may by Bylaw regulate the erection, placing, alteration, maintenance, demolition, and removal of a sign, sign board, advertisement, advertising device or structure;

AND WHEREAS it is deemed desirable:

- (a) to enable local commercial and industrial enterprises clearly to identify their places of business and to indicate to the extent permitted by this bylaw the types and trade names of goods and services manufactured or sold on the premises;
- (b) to protect the appearance of the various zones of the Village from the effect of signs which may be inappropriate as to size, design or location;
- (c) to protect the public from the effects of signs that conflict with signs and lights erected for the direction of vehicular and pedestrian traffic;
- (d) to protect the public from the dangers of signs of inferior construction and from the public nuisance or hazard arising from improperly cited signs.

NOW THEREFORE, the Municipal Council, in open meeting assembled, enacts as follows;

1. TITLE AND INTERPRETATION

1.1 This Bylaw may be cited for all purposes as the “**SIGN REGULATION BYLAW NO. 885, 2006**”

1.2 Definitions

Any term not defined shall be interpreted in accordance with the current edition of the Concise Oxford English Dictionary. In this Bylaw:

“Banner Sign” means a flexible plastic or fabric sign, excluding an awning affixed to a building;

“Building” means any structure used or intended for supporting or sheltering any use or occupancy;

“Building Inspector” means the Municipal Official duly appointed by Council from time to time to administer the building regulation bylaw of the Village;

- “Building Projection” means any projection from a building, other than a canopy;
- “Business” means carrying on a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services for the purpose of gain or profit;
- “Canopy” means a permanent hood, cover or shelter, other than a projecting roof, which projects from the wall of a building;
- “Canopy Sign” means a sign attached to a canopy or located on the face of a canopy;
- “Changeable Copy Sign” means a sign on which all or part of the copy can be changed manually or electrically;
- “Clearance” means unobstructed space between a sign and the ground surface beneath the sign;
- “Commercial Sign” means a sign advertising a business;
- “Community Sign” means a temporary sign advertising a community service;
- “Copy” means the text, illustrations and symbols on a sign;
- “Copy Area” means the area within the shortest line surrounding the copy;
- “Development Sign” means a temporary sign indicating that a construction or development project is planned or underway;
- “Directional Sign” means a sign which only communicates information regarding pedestrian or vehicular movement on the parcel on which the sign is located;
- “Director of Operations” means the municipal official duly appointed by Council from time to time to administer the public works of the Village;
- “Fascia Sign” means a flat sign affixed on and parallel to the wall of a building, not extending beyond the horizontal width of the building nor above the roof line of the building;
- “Flashing Sign” means a sign which includes or reflects an intermittent or flashing light source but excludes an automatic changeable copy sign indicating time, temperature, date or electronically controlled messages;
- “Freestanding Sign” means a sign supported by a sign structure fixed to the ground and independent from any other building or structure;
- “Frontage” means the length of each property boundary adjoining a street;
- “Grade” means the average ground surface elevation within 6.5 m. (21.33 ft.) around a sign;
- “Height” means the vertical distance from the grade to the highest point of a sign;
- “Highway” includes a street, road, land, bridge, viaduct and any other way open to public use, but does not include a private right of way on private property;
- “Illuminated Sign” means a sign artificially illuminated by an internal or external source;
- “Parcel” means a lot, block or other area in which land is subdivided;
- “Political Sign” means a sign including only messages relating to a public election or referendum;
- “Portable Sign” means a sign not affixed to the ground or to a building and, without limiting the foregoing, includes a sign designated to be moved

- from place to place, whether constructed on a wheeled undercarriage or not, and whether secured to the ground or not;
- “Projecting Sign” means any sign other than a canopy or fascia sign, which is attached to and projects more than 0.3 m (0.98 ft) from a structure or building wall;
- “Real Estate Sign” means a sign indicating that the parcel or premises on which the sign is located is for sale or lease;
- “Roof Sign” means any sign erected or placed wholly or partly above the roof line of a building;
- “Rotating Sign” means any sign or portion of a sign which moves in a revolving or turning manner;
- “Sandwich Board Sign” means a non-illuminated portable sign consisting of two flat surfaces joined at one end;
- “Setback” means the minimum permitted distance required under this bylaw between a sign and a parcel boundary;
- “Sign” means any structure, device or visual display which communicates information or attracts the attention of persons for any purpose;
- “Sign Area” means the total area within the outer edge of the frame or border of a sign but where a sign has no frame or border, means the area contained within the shortest line surrounding the copy;
- “Sign Structure” means a structure constructed for the purpose of supporting a sign;
- “Temporary Sign” means a sign displayed for a limited period of time in accordance with this bylaw;
- “Use” means the purpose for which a building, lot, sign or other structure is arranged, intended, designed, occupied or maintained;
- “Vehicle Signs” means a sign painted on or attached to a motor vehicle and each having an area in excess of 0.4 m² (4.315 ft²) and/or a cumulative area in excess of 1.0 m² (10.76 ft²);
- “Village” means the Village of Pouce Coupe or the territorial area within its boundaries, as the context requires;
- “Window Sign” means a sign painted on or attached to or installed inside a window for viewing from outside the premises;
- “Zone” means a zone established pursuant to the provisions of the Village of Pouce Coupe Zoning Bylaw;

1.3 Measurements

All measurements in this bylaw are expressed in the Standard International Units (metric) system. The approximated equivalent in the Imperial system, shown in brackets following each metric standard, is included for convenience only and does not form part of this bylaw.

1.4 Severability

If any section or lesser portion of this bylaw is held to be invalid by any Court, the invalid portion shall be severed and shall not affect the validity of the remainder.

1.5 Zoning Bylaw

In the event of any conflict between the provisions of this bylaw and the provisions of the Zoning Bylaw, the provisions of the Zoning Bylaw shall prevail.

2. GENERAL REGULATIONS

2.1 Application of Bylaw

- a) No sign shall be erected, placed, displayed, altered or moved within the Village except in conformity with the provisions of this bylaw.
- b) Signs that are not specifically permitted in this bylaw are prohibited.
- c) Nothing in this bylaw relieves a person from complying with other Village bylaws.
- d) This bylaw applies to the entire area of the Village.

2.2 Exemptions

This bylaw does not apply to:

- a) Signs permitted or notices issued by the Government of Canada, the Government of British Columbia, a Court or the Village;
- b) traffic control devices provided for in the *Motor Vehicle Act*;
- c) signs on or over Village highways installed or authorized by the Director of Operations for the control of traffic and parking or for street names and direction;
- d) signs located in the interior of buildings and not visible from a highway; and
- e) vehicle signs, except when the vehicle is stationary and visible from a highway for a period in excess of four hours.

2.3 Non-Conforming Signs

- a) Any sign lawfully in existence at the time of adoption of this bylaw, although such sign does not conform to the provisions of this bylaw, may continue to be used provided it is maintained in a clean and safe condition.
- b) Any sign lawfully in existence at the time of adoption of this bylaw, shall not be reconstructed, altered or moved except in full compliance with the provisions of this bylaw.

2.4 Maintenance of Signs

- a) Normal sign maintenance, including replacement of copy, lighting and refurbishing of signs shall not require a sign permit, but shall conform to all other requirements of this bylaw
- b) All signs shall be maintained structurally sound and free from all hazards caused or resulting from decay or failure of structural members, fixtures, lighting or appurtenances. All sign area, background, copy and lighting shall be maintained in readable and clean condition, and the site of the sign shall be maintained free of weeds, debris and rubbish.

2.5 Maximum Sign Area

The sign area of a sign shall not exceed 9.3 m² (100 ft²) except as specifically permitted in this bylaw.

2.6 Maximum Projections

- a) The maximum projection of a sign from the exterior wall of a building to which the sign is attached shall not exceed 3 m (10 ft).
- b) No sign shall project within 0.6 m (2 ft.) horizontally of the curb line of any highway.

2.7 Signs on Public Property

No sign shall be tacked, posted or otherwise affixed to the walls of any structure, tree, pole, hydrant, bridge, fence or any other surface within a public place, except in accordance with Section 2.2.

2.8 Hazardous Signs

- a) No signs shall create a potential hazard to the safe, efficient movement of vehicular or pedestrian traffic.
- b) No sign shall be placed in a manner that may obstruct any window opening, door opening, passageway, fire escape, walkway, vehicular driveway or similar feature.

2.9 Traffic Control Signs

No signs shall have the shape and color of a traffic control device referred to in the Motor Vehicle Act.

2.10 Approval of Signs over Highway or Public Place

No canopy, fascia, freestanding, projecting, promotional or banner sign shall be located upon or over a highway or public place unless the owner of the sign enters into an authorizing agreement substantially in the form of agreement attached as Schedule "A" with the Village, and has deposited with the Village a policy of insurance in the amount of not less than \$2,000,000.00, indemnifying the Village against any loss sustained by the Village in relation to the sign. Each policy of insurance shall be maintained by the owner so long as the sign remains on or over the highway or public place, and a copy of each renewal certificate shall be deposited with the Village as a condition of the continued location of the sign.

2.11 Abandoned and Obsolete Signs

When a sign no longer directs persons to or advertises a business, lessor, owner, product or activity conducted, or product in existence or available on the parcel where the sign is displayed, the owner of the parcel shall remove the sign within 14 days.

2.12 Removal of Temporary Signs

A temporary sign which is displayed on any parcel shall be removed by the owner of the parcel within (7) days of the termination of the event to which the sign is related.

2.13 Unsightly or Offensive Signs

No permit shall be granted where, in the opinion of the Building Inspector, the sign or signboard is unsightly, grotesque or offensive in character or matter, subject to the right of the applicant to appeal to Council whose decision on the matter shall be final.

3. PROHIBITED SIGNS

3.1 Types of Prohibited Signs

Except as specifically permitted by this bylaw, the following signs shall not be located or displayed within the Village:

- a) banner signs;
- b) off-premise signs;
- c) flashing signs;
- d) signs emitting sound, odor or matter;
- e) community signs, directional signs, real estate signs and window signs, except as permitted to be displayed without a permit under Section 6.3;
- f) vehicle signs on a stationary vehicle that is visible from a highway for a period in excess of four hours.

4. SPECIFIC SIGN REGULATIONS

The following regulations apply specifically to the types of signs referred to in each section heading.

4.1 Fascia Signs

- a) No part of a fascia sign which projects more than 15 cm (6 in.) from the face of the building shall have a clearance of less than 2.5 m (8.2 ft.) above grade.
- b) The upper edge of a fascia sign shall not be higher than the roof line or parapet of a building.
- c) Fascia signs may be illuminated.

4.2 Freestanding Signs

- a) One freestanding sign is permitted on a parcel except as otherwise permitted in this section.
- b) Where a parcel has a frontage in excess of 50 m. (164 ft.), one additional secondary freestanding sign may be erected for each additional 50 m. (164 ft.) of frontage, provided the signs are at least 50 m. (164 ft.) apart.

- c) Freestanding signs shall not exceed a height of 12.0 m. (40 ft.) measured from the grade or from the curb elevation of the fronting highway, whichever is higher.
- d) Freestanding signs shall have a side yard setback of at least 3.5 m. (11.5 ft.) and a rear yard setback of at least 6.0 m. (20 ft.)
- e) Where a freestanding sign projects over a pedestrian traffic area such as a walkway or internal sidewalk, no part of the sign shall be less than 3m. (10 ft.) above grade.
- f) A freestanding sign may rotate provided it does not revolve more than eight (8) times per minute.
- g) A freestanding sign may be illuminated.

4.3 Projecting Signs

- a) The sign area of a projecting sign shall not exceed 2.8 m² (15 ft²) per side.
- b) A projecting sign shall be attached to the building or premises to which it pertains and shall not extend above the lowest part of the roof line of the building to which the sign is attached.
- c) A projecting sign shall have a minimum clearance of 3 m (10 ft.).
- d) A projecting sign shall be placed a minimum of 0.3 m (1 ft.) from the building to which it is attached.
- e) The maximum projection of a projecting sign from an exterior wall of a building shall not exceed 3 m (10 ft) and shall not project to within 0.6 m (2 ft.) horizontally from a curb line.

4.4 Sandwich Board Signs

- a) Two sandwich board signs are permitted only on parcels not provided with a projecting sign.
- b) The sandwich board sign area shall not exceed 0.65 m² (6.5 ft²) per side.
- c) No dimension of a sandwich board sign shall exceed 1.2 m (4 ft.).
- d) No sandwich board sign shall be located in any parking area, any landscaping area or on any highway.
- e) A sandwich board sign shall be located entirely on or within the property or parcel and in front of the building or premise to which the sign pertains.
- f) A sandwich board sign shall not be a nuisance nor interfere with normal pedestrian traffic.
- g) A sandwich board sign shall only be displayed during the operating hours of the business or activity to which it pertains.
- h) A sandwich board sign shall not be illuminated.

4.5 Promotional Signs

- a) Promotional signs are permitted in the form of a portable sign, a temporary fascia sign, temporary freestanding sign, or a temporary banner sign.
- b) Promotional signs may only advertise a new business premise, or a change in use or trade name of a business premise, or a special business event.
- c) A promotional sign may be displayed for not more than thirty days in any calendar year.

- d) A promotional sign shall not exceed 1.5 m^2 (16 ft^2) in area per face.

4.6 Electric Portable or Portable Sign Boards

An electrical portable or portable sign may be permitted for a period of up to one year. The permit for each new sign shall expire on December 31st of each year and is renewable following payment of a sign permit fee for the sign.

- a) In the case of a newly opened business an electrical portable or portable sign may be permitted until a permanent sign has been installed but in no case shall such an electrical portable or portable signboard be permitted for a period of more than 60 days.
- b) In the case of a community activity a portable signboard may be erected for a period of 30 days.
- c) In no case shall more than one electrical portable or portable signboard be permitted at any one time for any one business premise.
- d) The electrical portable or portable signboard shall be erected within the lot to which the sign pertains.
- e) The electrical portable or portable signboard shall not exceed an area of 3 m^2 (60 ft^2).
- f) The electrical portable or portable signboard shall not restrict a public thoroughfare, pedestrian travel, or obstruct reasonable vehicle site distances.
- g) The electrical portable or portable signboard shall not be located in any required parking areas.
- h) The electrical portable or portable signboard shall not be located in or supported by a vehicle as defined by the Motor Vehicle Act, as amended.
- i) A permit fee for electrical portable or portable signboards shall be Twenty Dollars (\$20.00) for each period specified in this Bylaw.

4.7 Mural Signs

- a) Signs advertising a third party or goods or services available at another premise are permitted to form part of a mural in C-1 or C-2 zones.
- b) The murals referred to in 4.7(a) shall be regulated by a committee of the Village Council.
- c) The portion of the mural which is devoted to all advertising may not exceed 20% of the total mural area.

5. ZONE RESTRICTIONS

5.1 On each parcel in the R-1 Residential-1; R-2 Residential-2; R-3 Residential-3"; and A-1 "Agricultural" zone, one "for rent", "for sale", "parent or neighbourhood watch", "block parent" or "home occupation" sign, not exceeding $.2 \text{ m}^2$ (2.15 ft^2) in area, shall be permitted. The sign shall not be illuminated.

5.2 On each parcel in the C-1, C-2, C-3, M-1, and T-1 zones a sign or signs not exceeding 5 m^2 (50 ft^2) in total, shall be permitted.

5.3 On each parcel in the P-1 and P-2 zones, one sign not exceeding 1 m² (12 ft²) in area shall be permitted.

6. SIGN PERMITS, FEES AND INSPECTIONS

6.1 Requirements for Permit

Except as provided in Sections 6.2 and 6.3, no person shall erect, place, display, alter or move a sign unless a sign permit for that purpose has been issued in relation to that sign.

6.2 Change of Sign

A change of copy or color of any sign, other than a change of the name of the owner or business, shall not require a permit.

6.3 Signs not Requiring a Permit:

A permit is not required for the following types of signs, provided that every sign conforms in all other respects to the requirements of this bylaw;

a) Flags and emblems of political, civic, philanthropic, educational or religious organizations.

b) Memorial plaques, cornerstones or historical tablets.

c) Directional Signs in a parking lot or parking area, as fascia or freestanding signs, provided that;

(i) The sign area of each directional sign shall not exceed 0.6 m² (6,459 ft²)

(ii) Setbacks shall be maintained as follows: front 1 m. (3.3 ft.); side 3 m. (9.8 ft.) and rear 3 m (9.8 ft.).

(iii) The maximum height of a directional sign shall be 1.22 m (4 ft.).

(iv) A directional sign may be illuminated.

d) Political Signs

e) Real Estate Signs provided that:

(i) Not more than one sign for each highway frontage shall be permitted on each building, premises or parcel.

(ii) Not more than four signs shall be permitted for each building, premises or parcel.

(iii) The maximum sign area per sign face in R-1 and R-2 zones shall be 0.6 m² (6.45 ft²). In all other zones the maximum sign area shall be 3 m² (32.29 ft²).

(iv) Real Estate signs shall not be illuminated.

f) Window Signs, provided that no window signs shall be permitted in residential zones, with the exception of "Block Parents" and "Neighborhood Watch" signs.

g) Development Signs, as fascia or freestanding signs, provided that:

(i) Not more than one sign for each street frontage is permitted.

(ii) Not more than four signs are permitted for each subdivision or development project.

(iii) The sign area of each sign shall not exceed 3 m² (32.29 ft²) in area per sign face.

(iv) The height of a freestanding development sign shall not exceed 4.0 m. (13.12 ft.)

(v) Development signs shall be removed within one (1) month following the issuance of the final occupancy permit, or in the case of a subdivision development, upon the sale of 90% of the subdivided parcels.

6.4 Application for Permit

- a) Application for a sign permit shall be made to the Building Department of the Village.
- b) Every applicant for a sign permit shall provide the following information:
 - (i) The legal description and civic address of the property where the sign is to be located.
 - (ii) The name and address of the owner of the property.
 - (iii) The sign manufacturer's name and address.
 - (iv) A drawing of the sign to scale, showing the copy, sign area and dimensions of the sign, and any supporting structure.
 - (v) The proposed location of the sign in relation to the property boundaries and any building on the property.
 - (vi) The proposed height and ground clearance of the sign.
 - (vii) The dimensions and locations of all existing signs and buildings on the property.
 - (viii) Structural and footing details and material specifications for the proposed sign.
 - (ix) The applicant's business license number, when the applicant is installing the sign for payment.

6.5 Permit Fees

A permit fee shall be \$30.00.

6.6 Permit Issuance

Upon compliance with all requirements of this bylaw the Building Inspector shall issue a sign permit.

6.7 Permit Expiry and Fee Refunds

A sign permit expires if the authorized work is not commenced within six months from the date of issuance.

6.8 Inspections

- a) Every person erecting, placing, displaying, altering, or moving a sign for which a permit is required by this bylaw shall notify the Building Inspector at least 24 hours in advance of all required inspections.
- b) An inspection shall be requested and obtained for every freestanding sign after installation of footings and before construction of the sign structure.
- c) An inspection is required and shall be requested for every sign which requires a sign permit within ten (10) days of installation.

d) All signs (except promotional signs) connected to an electrical energy source shall have a provincial electrical permit, which shall be produced at the final inspection.

7. ENFORCEMENT AND PENALTIES

7.1 Inspections for Compliance

The Building Inspector and Bylaw Enforcement Officers of the Village are authorized at all reasonable times upon any property subject to this bylaw to ascertain whether the regulations or directions in this bylaw are being obeyed.

7.2 Removal of Signs - Highway and Public Place

Any sign unlawfully occupying a portion of a highway or public place may be removed by a Bylaw Enforcement Officer or Building Inspector of the Village. A fee of \$100.00 and the costs of removal shall be payable for recovery of the sign and failing recovery within 30 days of removal, the Building Inspector or the Bylaw Enforcement Officer may sell the sign at public auction, retaining sufficient proceeds to pay the fees and costs imposed by this section and the costs of sale.

7.3 Penalty

Every person who violates any provision of this bylaw is guilty of an offense and, upon summary conviction, shall be liable to a fine of not more than \$2,000.00 and the costs of prosecution.

Read a First Time this 18th day of September 2006.

Read a Second Time this 18th day of September 2006.

Read a Third Time this 18th day of September 2006.

Reconsidered and Finally Adopted this 16th day of October, 2006.

Mayor Barb Smith

Chief Administrative Officer, Peter Thomas

***Certified** a true copy of the
"Village of Pouce Coupe Sign Regulation Bylaw No. 885, 2006"*

The Corporate Seal of
**THE CORPORATION OF
THE VILLAGE OF POUCE COUPE**
was hereto affixed in the presence of:

Peter Thomas
Chief Administrative Officer

File: Shared/Administration/bylaws/sign bylaw