

SIGN REGULATION BYLAW 2008

THE CORPORATION OF THE VILLAGE OF BURNS LAKE

BYLAW NO. #885

A Bylaw of the Village of Burns Lake hereinafter called “the Village” to regulate the use, construction and installation of signs in the Village.

WHEREAS pursuant to Section 908 of the *Local Government Act*, and subject to the *Transportation Act* and Section 135 of the *Motor Vehicle Act*, Council may regulate or prohibit the number, size, type, form, appearance and location of any signs;

AND WHEREAS pursuant to Section 551 of the *Local Government Act*, Council may regulate or prohibit the erection, placing, alteration, maintenance, demolition and removal of signs; and the construction, alteration, repair or demolition of structures;

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:

DIVISION 1: TITLE AND INTERPRETATION

1.1 This Bylaw may be cited for all purposes as the “SIGN REGULATION BYLAW NO. 885, 2008.”

1.2 Definitions

“awning sign” means a sign painted or affixed to the surface of an awning;

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

“bench sign” means a sign forming part of a bench located on public property at a bus stop, rest area or park;

“billboard sign” means an off premise sign, the sign area of which exceeds 18 m²;

- “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;
- “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;
- “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 building or other structure;
- “identification sign” means a sign that states the name, address or street number of the building, parcel, institution or person located at the parcel on which the sign is located;
- “illuminated sign” means any sign artificially illuminated by an internal or external source;
- “off-premise sign” means a sign that is located separate and apart from the land on which the business or activity is located;
- “portable sign” means a sign not affixed to the ground or to a building;
- “projecting sign” means any sign other than a canopy or fascia sign, which is attached to and projects more than 0.3 m from a structure or building wall;
- “roof sign” means any sign erected or placed wholly 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 and having a maximum area of 0.6 m² on each face, and no dimension exceeding 1.2 m;
- “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, except that where a sign has no frame or border, means the area contained within the shortest line surrounding the copy area;

1.3 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.

1.4 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.

DIVISION 2: GENERAL REGULATIONS

2.1 Application of Bylaw

- (1) No sign shall be erected, placed, displayed, altered or moved within the Village except in conformity with the provisions of this bylaw.
- (2) Signs that are not specifically permitted in this bylaw are prohibited.
- (3) Nothing in this bylaw relieves a person from complying with other Village, Provincial and Federal regulations.
- (4) This bylaw applies to the entire area of the Village.

2.2 Exemptions

(1) The sign requirements do not apply to:

- (a) notices issued by the Government of Canada, the government of British Columbia, a court or the Village;
- (b) traffic control devices provided for pursuant to the *Motor Vehicle Act*;
- (c) signs on or over highways installed or authorized by the Village or the Ministry of Transportation and Infrastructure 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;
- (e) freestanding signs identifying the name of a neighbourhood, community or subdivision;
- (f) home occupation signs;
- (g) political signs;
- (h) flags and emblems of political, civic, philanthropic, educational or religious organization;
- (i) memorial plaques, cornerstone or historical tablets;
- (j) bench signs authorized by the Village;
- (k) community identification signs with sign area less than 3m² in size;
- (l) Real Estate or Development signs provided that:
 - i) not more than one sign for each highway frontage;
 - ii) the maximum sign area is 3 m² in size and 3 m in height;
 - iii) the signs are not illuminated; and
 - iv) the signs are located on the building, lot, or parcel which is being sold or developed; and

(m) off-site directional signs having a maximum area of 0.6 m².

2.3 Non-Conforming Signs

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

2.4 Maintenance of Signs

- (1) Normal sign maintenance, including replacement of copy, lighting and refurbishing of signs will not require a sign permit pursuant to this bylaw, but must conform to all other requirements of this bylaw.
- (2) All signs must 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 must be maintained in readable condition.

2.5 Maximum Sign Area

- (1) Except as specifically permitted in this bylaw, the sign area of a sign must not exceed 15 m².

2.6 Maximum Copy Area

- (1) The copy area of a sign must not exceed 78% of the sign area.

2.7 Maximum Projections

- (1) The maximum projection of a sign from the exterior wall of a building to which the sign is attached must not exceed 2.5 m.
- (2) No sign must project to within 0.6 m horizontally of the curb line of any highway.
- (3) No part of any sign shall be located within the clear zone of any arterial highway. Clear zone is identified in the TAC (Transportation Association of Canada) manual.

2.8 Signs in Public Places

- (1) Except as permitted by this bylaw, no sign must be tacked, posted, or otherwise affixed to any structure, tree, pole, hydrant, bridge, fence or any other surface on public property in the Village.

2.9 Hazardous Signs

- (1) No sign must create a hazard to the safe, efficient movement of vehicular or pedestrian traffic, including any source of illumination that may be classed as nuisance lighting under the *Transportation Act*.

(2) No sign must be placed in a manner that may obstruct any window opening, door opening, passageway, fire escape, walkway, vehicular driveway or similar feature.

2.10 Traffic Control Signs

(1) No signs must have the shape and colour of a traffic control device referred to in the *Motor Vehicle Act*.

2.11 Indemnification for Signs on Highways or on Public Property

(1) No sign must be located upon or over a highway or on public property unless the owner of the sign has entered into an agreement with the Village indemnifying the Village against any loss sustained by the Village in relation to the sign and has deposited with the Village a policy of insurance in the amount of not less than \$2,000,000.

(2) Each policy of insurance under this bylaw must be maintained by the owner of the sign so long as the sign remains on or over the highway or on public property.

(3) A copy of each renewal certificate must be deposited with the Village as a condition of the continued placement of the sign over the highway or on public property.

(4) Despite this section, any sign on or over a highway controlled by the Ministry of Transportation and Infrastructure is subject to the Ministry's approval prior to approval by the Village.

2.12 Abandoned and Obsolete Signs

(1) When a sign no longer directs persons to or advertises a business tenant, 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.

2.13 Removal of Temporary Signs

(1) 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 which the signs related.

2.14 Unightly or Offensive Signs

(1) No permit shall be granted where, 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.

DIVISION 3: PROHIBITED SIGNS

3.1 Types of Prohibited Signs

(1) Except as specifically permitted by this bylaw, the following signs must not be located or displayed within the Village:

- (a) billboard signs;
- (b) flashing signs;
- (c) off-premise signs;

- (d) rotating signs;
- (e) roof signs;
- (f) signs emitting sound or matter which constitutes a nuisance; and
- (g) changeable copy sign that lies within or directly adjacent to an arterial highway.

DIVISION 4: SPECIFIC SIGN REGULATIONS

4.1 The Sign regulations will be as specified in Table 4.1.1.

Table 4.1.1

Type of Sign	Number of Signs	Regulation
Rural Zones (RR1 and UR)		
Identification	1 per dwelling	(a) 0.19 m ² maximum area
Residential Low Density Zones (R1, R2, and R3)		
Identification	1 per dwelling	(a) 0.19 m ² maximum area
Residential Higher Density Zones (R4, R5, and R6)		
Free-standing	1 per site	(a) 1.8 m maximum height (b) 3 m ² maximum area
Awning	1 per entrance	(a) only for apartments, indoor participant recreation services
Fascia	1 per site	(a) 2.5 m maximum height (b) 2 m ² maximum area
Identification	1 per dwelling	(a) 0.19 m ² maximum area
Commercial Zones (C1, C2, C3, and C4)		
Free-standing	1 per building frontage, except for a lot fronting more than 1 highway which may have 1 on each frontage, excepting a lot may have 1 additional sign for every 150 m of frontage	(a) 8 m maximum height, excepting in a C1 zone where 3 m is the maximum height; (b) maximum area is 3 m ² per lineal metre of highway frontage up to 15 m ² , and 18 m ² for lots greater than 4000 m ² ; and (c) maximum area may be increased 10% if this additional sign area is used for a changeable copy area.
Awning, fascia, canopy, under canopy/awning, and projecting	2 per building frontage	(a) maximum area 0.8 m ² per lineal metre of building frontage to a maximum of 20% of the wall surface attached to; and (b) maximum area 3.5 m ² for projecting signs.
Identification	1 per business	(a) 0.5 m ² maximum area
Portable (including sandwich board, inflatable, and mobile signs)	1 per lot except for a lot fronting more than 1 highway which may have 1 on each frontage, except where a lot has in excess of 122 m of frontage on each highway, 1 additional sign may be placed for each 60 m of lot frontage	(a) on a temporary basis not to exceed 60 days or within 7 days of the termination of the event, whichever is less; and (b) inflatable temporary portable signs must be securely grounded and 10m from utility lines and highway rights-of-way.

Table 4.1.1(con't)

Type of Sign	Number of Signs	Regulation
Industrial Zones (I1 and I2)		
Free-standing	1 per building frontage, except for a lot fronting more than 1 highway which may have 1 on each frontage, except where a lot may have 1 additional sign for every 150 m of frontage. 2 per building frontage	(a) 8 m maximum height, except that it is 3 m for a site less than 30 m in width; and (b) maximum area is 15 m ² , and 18 m ² for lots greater than 4,000 m ² .
Awning, fascia, canopy, under canopy/awning	2 per building frontage	(a) maximum area 1 m ² per lineal metre of building frontage up to a maximum of 20% of the wall surface to which it is attached.
Identification	1 per business	(a) 0.5 m ² maximum area
Portable (including sandwich board, inflatable, and mobile signs)	1 per lot except for a lot fronting more than 1 highway which may have 1 on each frontage, except where a lot has in excess of 122 m of frontage on each highway, 1 additional sign may be placed for each 60 m of lot frontage.	(a) On a temporary basis not to exceed 60 days or within 7 days of the termination of the event, whichever is less; and (b) Inflatable temporary portable signs must be securely grounded and 10 m from utility lines and highway rights-of-way.
Institutional and Parks and Recreation Zones		
Fascia or freestanding	1 per building to a maximum of 3, except on single frontage greater than 250 m	(a) 3 m maximum height for a free-standing sign; and (b) 4 m ² maximum area except for a fascia sign which is limited to 0.3 m ² for each lineal metre of building frontage to which it is attached.
Identification	1 per building	(a) 0.5 m ² maximum area
Portable (including sandwich board, inflatable, and mobile signs)	1 per building	(a) on a temporary basis not to exceed 60 days or within 7 days of the termination of the event, whichever is less; and (b) inflatable temporary portable signs must be securely grounded and 10m from utility lines and highway rights-of-way.

DIVISION 5: SIGN PERMITS, FEES AND INSPECTIONS

5.1 Requirements for Permit

Except as provided for in this bylaw in sections 2.2 and 5.2, 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.

5.2 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.

5.3 Application for Sign Permit

- (1) Application for a sign permit must be made to the Village of Burns Lake on such form as may be specified.
- (2) Every applicant for a sign permit must provide the following information:
 - (a) the legal description and civic address of the lot where the sign is to be located;
 - (b) the name and civic address of the owner of the lot;
 - (c) the sign manufacturer's name and address;
 - (d) a drawing of the sign to scale, showing the copy, sign area and dimensions of the sign, and any supporting structure;
 - (e) the proposed location of the sign in relation to the boundaries of the lot on which it is to be located and any building and structures on the parcel;
 - (f) the proposed height and clearance above grade of the sign;
 - (g) the dimensions of the wall surface of the building to which it is to be attached;
 - (h) dimensions and locations of all existing signs and buildings on the lot; and
 - (i) structural and footing details and material specifications for the proposed sign.

5.4 Permit Fees

Sign permit fees shall be as follows:

- (a) alterations to existing signs shall be \$20.00,
- (b) awning, canopy and projecting signs shall be \$70.00,
- (c) freestanding signs shall be \$100.00,
- (d) all others shall be \$40.00.

5.5 Permit Issuance

Upon compliance with all requirements of this bylaw a sign permit shall be issued.

5.6 Permit Expiry and Fee Refunds

- (1) A sign permit expires if the authorized work is not commenced within six months from the date of issuance and the fees shall be refunded.

5.7 Inspections

- (1) Every person erecting, placing, displaying, altering, or moving a sign for which a permit is required by this bylaw shall notify the Village at least 24 hours in advance of all required inspections.
- (2) An inspection shall be requested and obtained for every freestanding sign after installation of footings and before construction of the sign structure.
- (3) An inspection is required and shall be requested for every sign which requires a sign permit within ten (10) days of installation.
- (4) 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.

DIVISION 6: ENFORCEMENT AND PENALTIES

6.1 Inspections for Compliance

An officer or authorized employee of the municipality is 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.

6.2 Removal of Signs - Highway and Public Place

Any sign unlawfully occupying a portion of a highway or public place may be removed by an officer or authorized employee of the municipality. 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 Village 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.

6.3 Penalty

Every person who violates any provision of this bylaw is guilty of an offense and is punishable in accordance with the Offence Act.

6.4 Severability

If any section, subsection, paragraph or clause of this bylaw is for any reason held to be invalid by the decisions of any court of competent jurisdiction, such sections, subsections, paragraphs or clause may be severed from the bylaw and such decisions shall not affect the validity of the remaining portions of this bylaw.

6.5 Citation

This bylaw shall be cited for all purposes as the "Village of Burns Lake Sign Regulation Bylaw No. 885, 2008".

READ A FIRST TIME this _____ 30TH _____ day of SEPTEMBER _____, 2008.

READ A SECOND TIME this _____ 30TH _____ day of SEPTEMBER _____, 2008.

READ A THIRD TIME this _____ 14TH _____ day of _____ OCTOBER _____, 2008.

APPROVED PURSUANT TO TRANSPORTATION ACT, THIS _____ 3rd _____ DAY OF

February _____, 2008⁹ _____ S. Applegate _____

Approving Officer
Ministry of Transportation and Infrastructure

ADOPTED this _____ 28th _____ day of _____ April _____, 2008⁹



MAYOR



ADMINISTRATOR