

SUMMARY:

The Sign Bylaw sets the rules and regulations for both public and private property within City limits. It governs where signs may be placed, the size, number, type and appearance of the signs permitted and prohibits certain types of signs. The Bylaw also outlines when a permit is required for a sign and the information required on the permit application.

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CITY OF KELOWNA
BYLAW NO. 8235
REVISED: December 19th, 2005

CONSOLIDATED FOR CONVENIENCE TO INCLUDE: BYLAWS NO. 8380, 8374 8396, 8519, 8742, 8763, 8910, 8982, 9142, 9370, 9391, 9112, 9478 & 9531

City of Kelowna Sign Bylaw

A bylaw to regulate the number, size, type, form, appearance and location of **signs** in the City of Kelowna.

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

SECTION 1 – INTRODUCTION

1.1 Title

1.1.1 This bylaw may be cited as the 'Sign Bylaw No. 8235.'

1.2 Interpretation

1.2.2 Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein is a reference to an enactment of the **Council** of the City of Kelowna, as amended, revised, consolidated or replaced from time to time.

1.2.3 The headings given to the sections and paragraphs in this bylaw are for convenience of reference only. They do not form part of this bylaw and will not be used in the interpretation of this bylaw.

1.2.4 If any section, paragraph or phrase of this bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

1.3 Definitions

1.3.1 In this bylaw, unless the context otherwise requires:

'Advertisement' means any word, letter, model, picture, symbol, device, or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purpose of **advertisement**, announcement or direction.

'Animated Sign' means a **sign** which exhibits changing or moving effects at a constant intensity of illumination or a **sign** with moving letters, symbols or changing message; including rotating and revolving **signs**.

'Awning' means a retractable or non-retractable covering of non-rigid materials such as canvas or similar fabric projecting from the exterior wall of the building.

'Awning Sign' means a **sign** painted, stencilled or attached on the fabric surface of a shelter supported entirely from an exterior building wall.

'**Balloon Sign**' means an air inflated structure in the general form of a hot air balloon or other similar style that is attached to the ground or other structure.

'**Banner Sign**' means any **sign** composed of material either enclosed or not enclosed in a rigid frame, which may be secured or mounted so as to allow movement of the **sign** caused by air movement.

'**Billboard**' means a free-standing or **fascia sign** with a **sign area** exceeding 10 m² and which contains advertising for products or services not provided at the location of the **sign** or for products or services which are not the principal products or services at the location of the **sign**. The message may be painted, pasted, or otherwise fixed to the face of the **sign**.

'**Building Bylaw**' means Building Bylaw, 1993, No. 7245.

'**Building Inspector**' means the persons appointed by **City Council** to administer and enforce the provisions of the City of Kelowna Building Bylaw, 1993, No. 7245 and the City of Kelowna Plumbing Regulation Bylaw No. 5968-87.

'**Bylaw Enforcement Officer**' means the officers or employees appointed by **Council** as such.

'**Canopy**' means a non-retractable hood, cover, or marquee which projects from the wall of a building. It does not include an **awning**, projecting roof, roof eaves, or enclosed structure.

'**Canopy Sign**' means a **sign** attached to, constructed as part of, suspended from, or installed upon the face of a building **canopy**.

'**Changeable Copy Sign**' (automatic or manual) means any **sign** on which message **copy** can be changed electronically or through use of attached letters and numerals and includes public service information displays and any **sign** which features automatic switching.

'**City**' means the City of Kelowna.

'**City Engineer**' means the person appointed by **Council** as such and includes a lawful designate.

'**Community Notice Board**' means a permanent **sign** used to display educational material and community events or notices.

'**Contractor Sign**' means a **temporary sign** erected for the duration of construction by the contractor listing the project name and firms involved in the construction. It may be a free standing, or **fascia sign**.

'**Copy**' means the wording of a **sign** in permanent or removable letter form, including, symbols, **logos** and other things comprising the visual message.

'**Copy Area**' means the entire area of a **sign** on which **copy** could be placed, including any frame or embellishment which forms an integral part of the display. Only half of the total area of a double sided **sign** will be counted in **sign area** calculation. The **copy area** shall be calculated on the basis of the smallest squares or rectangles that will enclose the individual letters or figures of the **sign**.

'**Council**' means the Municipal **Council** of the City of Kelowna.

'Director of Planning & Development Services' means the person appointed as such by the Municipal **Council** of the City of Kelowna and includes his or her lawful designate.

'Fascia Sign' means a flat **wall sign** that does not project more than 40 cm from the surface of a building. This includes a painted **wall sign** or a **window sign** that is not exempt from a permit.

'Free-Standing Sign' means a self-supporting **sign** permanently fixed to the ground and standing independent of any building or other structure.

'Height' means, with respect to **signs**, the maximum vertical distance between the normal grade around the **sign** (exclusive of any berm or embankment) and the highest point of the **sign**.

'Home Based Business Sign' means a **sign** containing only the name and occupation of a home based business.

'Identification Sign' means a **sign** which is limited to the name, address or number of a building, institution, or person, or a description of an activity in the building or institution or the occupation of the person.

'Logo' means a symbolic representation not including any words, names or numbers unless part of a registered trademark, which is used exclusively to simplify advertising of a product, business, service, or activity, and which contains no additional identification, information or message.

'Lot' means a parcel of land, including crown land, which is legally defined either by registered plan or description.

'Menu Box' means a wall mounted display box containing only the menu of an eating and drinking establishment.

'Off-Site Sign' means a **sign** which directs attention to a business, commodity, service or entertainment, which is conducted, sold, or offered elsewhere than on the **site** on which the **sign** is located.

'Official Community Plan' means Kelowna Official Community Plan (1994-2013) Bylaw No. 7600.

'Official Sign' means a **sign** required by, or erected pursuant to the provisions of federal, provincial, or local government legislation, regulation, or bylaw.

'Owner' means the registered **owner** of an estate in fee simple, or his agent authorized in writing, and includes:

- (a) the tenant for life under a registered life estate;
- (b) the registered holder of the last registered agreement for sale; and
- (c) the holder or occupier of land held in the manner mentioned in Sections 356 and 357 of the *Local Government Act*.

'Portable Sign' means any readily transportable **sign** that can easily be re-located to another location or temporarily set-up and removed from a **site**, including a sandwich board, not permanently attached to the ground, building or vehicle and any inflatable object which is used to attract attention, or to which advertising is attached.

'Projecting Sign' means any self-supporting **sign** other than a **wall sign** which is attached to or projects more than 400 mm from the face of structure or building wall.

'Real Estate Sign' means a temporary, free-standing, or **fascia sign** indicating that the property on which it is located is for sale or rent along with the name of the agent, contact, or **owner** offering the property.

'Seasonal Decoration' means temporary ornaments and displays erected in conjunction with seasonal or holiday activities such as Christmas or Canada Day, where such ornaments and displays contain no local or general advertising of specific commercial services, merchandise, or entertainment.

'Sign' means any visual medium, including its structure and other component parts, or banner, illuminated or non-illuminated, which is visible from any public street or adjacent property or any lettering, words, pictures or symbols which identify, describe, illustrate, advertise or draw attention to a product, place, activity, business, service, or institution. Without limiting the generality of the foregoing, **signs** include banners, letters, illustrations, figures, neon tubing, placards, painted messages, but not flags, interior window displays of merchandise or **signs** painted on or attached to a motor vehicle unless the vehicle is parked on a regular basis to act as a **sign**.

'Sign Area' means the total area within the outer edge of the frame or border of a **sign**. Where a **sign** has no frame, border, or background, the area of the **sign** shall be the area contained within the shortest line surrounding the whole group of letters, figures, or other things comprising the **sign**. In the case of a multi-faced **sign**, only that face or faces which can be seen from any one direction at one time shall be deemed a **sign area**. The **sign area** shall not include **sign** structure. The area of individual letter **signs** shall be calculated on the basis of the smallest squares or rectangles that will enclose the individual letters or figures of the **sign**.

'Sign Copy' means the wording of a **sign** in permanent or removable letter form, including figures, symbols, **logos** and other things comprising the **sign**.

'Sign Face' means the entire area of a **sign** on which **copy** could be placed.

'Site' means an area of land consisting of a **lot** or two or more abutting **lots**.

'Temporary Sign' means a **sign** erected for a specified period of time announcing or advertising an event of limited duration.

'Under Canopy/Awning Sign' means a **sign** attached to the underside of a **canopy** or an **awning**.

'Wall Sign' means a **sign** painted upon the external wall of a building.

'Window Sign' means any **sign** either painted on, attached to, or installed inside a window intended to be viewed by persons passing by outside the premises and does not include merchandise located in the window for display purposes.

'Zone' means the **zones** identified and defined in City of Kelowna **Zoning Bylaw No. 8000**.

'Zoning Bylaw' means City of Kelowna Zoning Bylaw No. 8000.

1.3.2 Any term or phrase which is not defined in this bylaw but which is defined in City of Kelowna **Zoning Bylaw** No. 8000 shall have the same meaning as defined in Bylaw 8000.

1.4 Administration of Bylaw

1.4.1 The **Building Inspector** and **Bylaw Enforcement Officer** are hereby empowered to:

- (a) administer this bylaw which includes the issuance of **sign** permits where the proposed **sign** conforms to this bylaw and all other applicable bylaws of the **City**;
- (b) keep records of any application received, permits and orders issued, inspections made;
- (c) order the correction of any work which is being or has been improperly done under a permit, or is done in contravention of the terms and conditions of a permit or of this bylaw or any other bylaw of the **City**;
- (d) order the cessation of work that is proceeding in contravention of this bylaw or any permit issued pursuant to this bylaw;
- (e) revoke a permit where there is a violation of any term or condition of the permit or a contravention of this bylaw or any other bylaw of the **City**;
- (f) order the removal of a **sign** for which there is no valid and subsisting permit or which **sign** does not conform to this bylaw or any other bylaw of the **City**;
- (g) order the painting, repair, alteration or removal of any **sign** which has become dilapidated or is abandoned, or which constitutes, in the opinion of the **Building Inspector** a hazard to the public safety or property.

SECTION 2 – SIGNS

2.1 Permit Required

2.1.1 No person shall construct, place, erect, display, alter, repair, or re-locate a **sign** unless exempted by Section 2.3 without a valid **sign** permit issued pursuant to this bylaw.

2.1.2 An application for a **sign** permit shall be made in conformance with Section 2.2 of this bylaw.

2.1.3 A permit expires if the authorized **sign** development is not completed within 90 days of the date of issuance.

2.1.4 Notwithstanding a permit being issued to a third party, the **owner** and occupier of the **lot** where a **sign** is located are jointly and severally responsible to complete all work in accordance with the permit and public safety and to maintain the **sign** in a safe condition free from defects.

2.2 Sign Application Information

- 2.2.1 Every person shall, before erecting, placing, displaying, re-building, re-constructing, altering or moving any **sign**, make application for and obtain all necessary permits and approvals. No application shall be considered unless it is presented on the form available from the **City**, together with the application fee.
- 2.2.2 Every application for a permit must be made on an approved form and shall be accompanied by the appropriate application fee as outlined in Development Application Fees Bylaw No. 8034. The applicant shall provide sufficient information to identify the **site** and any applicable improvements thereon including:
- (a) the completed application form signed by the **site/building owner** and, if different, the person responsible for erecting the **sign** and;
 - (b) drawings which describe the dimensions, area, material, finishes, colours, size of lettering, wording and graphics, method of illumination, and mounting or erection details;
 - (c) drawings or photos which show the dimensions and location of all existing and proposed **signs** on the building façade or on a **site** relative to grade, vehicle areas, and property lines; and
 - (d) any other information required by the **Building Inspector** in order to determine compliance with this bylaw.
- 2.2.3 The **Building Inspector** may require, as a condition of the issuance of any **sign** permit, that all drawings and specifications, or any part thereof, be prepared and sealed by, and the construction carried out under the supervision of, a professional engineer registered in British Columbia; and he may refuse to issue a permit until he is provided with a letter signed by the professional engineer registered in British Columbia undertaking to supervise the work authorized by such permit, or any part thereof, as specified by the **Building Inspector**, until it is completed.
- 2.2.4 Where a comprehensive **sign** plan is submitted according to the provisions of Section 4.3, it shall include the location, size, **height**, lighting, orientation of all **signs**, and be submitted to the **Building Inspector**.

2.3 Exemptions from Permits

- 2.3.1 The following **signs** are exempt from obtaining a permit provided they comply with all the regulations of this Bylaw:
- (a) **signs** required to be maintained or posted by law or governmental order, rule or regulation, and traffic control **signs** pursuant to the *Motor Vehicle Act*;
 - (b) **signs** not visible from a public roadway or adjacent property;
 - (c) **signs** located no closer than 0.9 m to the inside face of a window;
 - (d) decal or painted **window signs** with a combined area the lesser of 0.3 m² per metre of frontage of the premises occupied by the business or 25% of the combined window area in which they are located, except "closing out" **signs** are not limited in area provided they are limited to a period of 60 consecutive days;

- (e) a neon **sign**, advertising a particular brand of beverage, in one window of a major eating and drinking establishment;
- (f) **real estate signs** and **contractor signs** provided that:
 - (i) such **signs** are located on the same **site** as the development;
 - (ii) the combined area of all **real estate signs** is less than 1.5 m² and less than 1.8 m in **height** in rural residential and residential **zones** and less than 3.0 m² and 2.5 m in **height** in all other **zones**;
 - (iii) the combined area of all **contractor signs** is less than 2.3 m² and less than 2.5 m in **height** in agricultural, rural residential and residential **zones** and less than 3.4 m² and 3.7 m in **height** in all other **zones**;
 - (iv) there is no more than one **sign** per frontage or flanking street; and
 - (v) the display of such **signs** shall be limited to a period not to exceed the duration of the construction, sales, or demolition project or one year following the issuance of a building permit for the project.
- (g) fascia **identification signs** indicating the address, **owner**, and/or building name with a **sign area** not greater than 0.15 m² in a residential **zone** and 0.5 m² in a non-residential **zone**;

Bylaw 9391 changed the maximum sign area in subsection (h) from 1.0 m² to 1.50 m²

- (h) temporary election or referendum campaign **signs** on public or private property to a maximum of 2 **signs** per frontage for federal, provincial, municipal or school district elections, each with a maximum **sign area** of 1.50 m² and a maximum **height** of 1.8 m, subject to their removal within 4 days following the election;
- (i) on-**site signs**, not exceeding 1.0 m² and with a vertical dimension of the **sign** (exclusive of any supporting structure) of less than 1.0 m, for the direction of control of traffic, pedestrians or parking;
- (j) temporary **seasonal decorations** provided that they are erected no longer than 45 consecutive days in a year;
- (k) **banner signs** for special events, such as sales, openings, or closings, only up to 5.0 m² and no more than 20% of the banner area shall be used for the name and **logo** of a commercial sponsor. **Banner signs** may be displayed only immediately prior to and during the special event and in no areas shall the banner be displayed longer than 14 consecutive days and no more than 28 days in a calendar year;
- (l) **signs** located on the property of a public institutional building such as a church, school, or museum, provided they are used only to display the name of the institution and educational material and non-profit community events or notices; are restricted to maximum **height** of 2.0 m and a maximum area of 3.0 m²;
- (m) one international, national, municipal or provincial flag which does not exceed the permitted **height** in the **zone** provided there is only one flag for each 500 m² of **site area**;

- (n) works of art that do not include a commercial message provided they are not erected above the roof line;
- (o) memorial plaques, cornerstones, historical tablets, **signs** of date of commemoration, and the like provided they do not exceed 0.5 m²;
- (p) danger, hazard, no trespassing, no dumping, no shooting, and other similar warning or regulatory or advisory **signs** not exceeding 0.2 m² in area;
- (q) **signs** advertising major home based businesses and rural home based businesses, provided that they comply with Section 5;
- (r) **signs** that are an integral part of a bus shelter or bench or transit terminal and have been approved by the **City**;
- (s) **temporary signs** advertising special events including sporting events, community causes, charitable fund raising campaigns, and non-profit arts and cultural events provided that they are not displayed longer than 7 days at a time or a total of 45 days in a calendar year, subject to their removal within 4 days following the end of the event or campaign;
- (t) **signs** advertising agricultural produce for sale in conformance with Section 5.6.1;
- (u) **signs** painted, stencilled, or attached on **awnings** in conformance with Section 5.2.1; and

BL8519 added sub-section (v):

- (v) temporary signs identifying voting places or voter information when posted by an election official responsible for the conduct of a federal, provincial, municipal, or school trustee election.

BL9531 added sub-section (w):

- (w) **Signs** that convey a public informational message, are located on public property and have been approved by the City Engineer.

2.3.2 Provided a **sign** is in conformity with this Bylaw, the changing of **copy** on an existing approved **changeable copy sign**, the normal maintenance including painting and repair excluding structural alteration, and the replacement of plastic **sign faces** with the same advertiser required because of breakage or deterioration do not require a permit.

SECTION 3 – SIGN PROHIBITIONS

- 3.1.1 **Signs** that are not expressly permitted in this Bylaw are prohibited.
- 3.1.2 No person, **owner** or tenant shall permit pennants, beacons, or strings of lights that are not continuously fastened to a building or landscaped feature.
- 3.1.3 No person, **owner** or tenant shall permit **off-site signs** including **billboards**, except for a temporary directional **sign** for the purpose of selling agricultural products in accordance with the provisions of Section 5.6.1 of this Bylaw.
- 3.1.4 No person, **owner** or tenant shall permit **portable signs** except in accordance with Sections 5.7.1, 5.7.2 and 6.1 of this Bylaw.

- 3.1.5 No person, **owner** or tenant shall erect a **sign** on the roof or parapet of a building.
- 3.1.6 No person, **owner** or tenant shall permit **balloon signs** or other inflatable **signs** except when they advertise a special event or to identify a new business or a change in ownership, provided that they shall not be placed or maintained for a period more than 7 consecutive days and no more than 21 days in a calendar year.
- 3.1.7 No person, **owner** or tenant shall permit a **sign** which is attached to or located on any parked vehicle or trailer not normally used in the daily activity of the business which is visible from a street so as to act as a **sign** for the **advertisement** of products or to direct people to a business or to an activity.
- 3.1.8 No person, **owner** or tenant shall permit a **sign** or any portion thereof which moves or assumes any motion constituting a non-stationary or non-fixed condition, except for the rotation of barber poles, **animated signs**, and **changeable copy signs**. Signs that revolve (excluding barber poles) and pennants, ribbons, streamers, spinners, or other similar moving or fluttering devices affixed to a **sign** are prohibited.
- 3.1.9 No person, **owner** or tenant shall permit a **sign** which due to its position, shape, colour, format or illumination obstructs the view of, or may be confused with an official traffic **sign**, signal, or device. No **sign** shall be permitted which displays lights resembling the flashing, intermittent, animated or scintillating lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles; or uses chasing borders, letters, symbols or movement of any kind (which includes television, video, motion picture, or the use of holography), except on a time and/or temperature display.
- 3.1.10 No person, **owner** or tenant shall permit a **sign** to remain in place which is unsafe for persons or property, identifies a use incorrectly, or is in an overall state of dilapidation, disrepair, or abandonment.
- 3.1.11 No person, **owner** or tenant shall permit a **sign** which by reason of its location, colour, or intensity, creates a hazard to the safe and efficient movement of vehicular or pedestrian traffic, or interferes with any opening required for ventilation or natural light.
- 3.1.12 No person, **owner** or tenant shall permit a **sign** which contains statements, words or pictures of an obscene, pornographic, or immoral character or which contains advertising matter which is untruthful.
- 3.2 Identification Stickers**
- 3.2.1 Each **sign**, including an **awning sign** and a sandwich board, approved pursuant to this Bylaw for which a permit is issued and each **sign** in use on or after the passing of this Bylaw, is required to display an identification sticker provided by the **City** of Kelowna for the purpose of identifying **signs** lawfully in use. For a **sign** on which, because of its design or construction, it is impractical to display a sticker, a **Building Inspector** may approve an alternative location that is practical.
- 3.2.2 Any electrical **sign** or any **sign** greater than 45 kg shall have its weight and the manufacturer's name on the exterior of the **sign** in a manner that is readily seen.
- 3.2.3 No person shall reverse, alter, deface, cover, remove, or in any way tamper with any required notice, label, or certificate posted on or fixed to any **sign**.

3.3 Signs on Public Property

- 3.3.1 Except for **temporary signs** as authorized in this section, no person, **owner** or tenant shall place a **sign** on or over any curb, sidewalk, post, pole, hydrant, boulevard median, bridge, tree or other surface located on public property or across any street or public thoroughfare. Temporary **signs** advertising special events for community causes and charitable fund raising campaigns may be placed on the public right of way only if specifically permitted, in writing, by the **City Engineer**. Such **signs** shall be placed so as not to obstruct, hinder or in any way interfere with the use by drivers of motor vehicles and pedestrians on abutting streets or walkways.
- 3.3.2 Notwithstanding Section 3.3.1, **signs** over public sidewalks may be permitted in conformance with the provisions of Section 5.8.1 and Section 6.1, and development permit area guidelines in urban town centres as identified in the **Official Community Plan**.
- 3.3.3 Whenever any **sign**, except an **awning** or **fascia sign**, is installed or erected either wholly or partly over public property, the **owner** shall obtain and at all times maintain in full force and effect a policy of liability insurance covering bodily injury and/or property damage for claims arising out of the ownership of such **sign** in the amount of \$2,000,000.00 for so long as the **sign** or any portion thereof remains over public property. The **City** shall be named as co-insured on any such insurance policy. An endorsement in the form satisfactory to the **Building Inspector** shall form part of such insurance policy. The **owner** shall provide the **City** with a certified **copy** of such an insurance policy and any renewal thereof. In the event that the **owner** does not obtain or maintain such insurance or allows such insurance to lapse without renewal thereof the permit issued for such **sign** permit shall be deemed to be revoked and the **owner** shall forthwith remove, take down, or demolish the **sign**.
- 3.3.4 In addition to the maintenance of the insurance required by Section 3.3.3, every **owner** of a **sign** which is installed or erected over public property shall enter into an agreement with the **City** in the form satisfactory to the **Building Inspector** to indemnify against and to save the **City** harmless from any and all liability resulting from injury to person or damage to the property which results from the presence, collapse or failure of the **sign**.

SECTION 4 – GENERAL REGULATIONS

4.1 General Regulations for Signs

- 4.1.1 **Signs** shall be constructed of materials suitable to the purpose and life of the **sign**.
- 4.1.2 All **signs** except for directory **signs** and **menu boxes** shall be installed on the same floor and the same frontage of the building occupied by the business to which they relate.
- 4.1.3 All **free-standing signs** requiring power shall be connected to an underground electrical source. All light fixtures, switches and wiring shall be weather proofed unless a permanent rigid sealed structure is provided which ensures that the electrical installation is kept dry at all times. All wiring and conduits shall be placed within building walls, located underground or somehow concealed from view.
- 4.1.4 No person, **owner** or tenant shall permit an electrical cord for a **temporary sign** to pass over a sidewalk, pedestrian walkway, roadway, driveway, aisle, or parking space.

- 4.1.5 Except for banners, flags, permitted temporary and **portable signs**, and **window signs** conforming in all respects with the requirements of this Bylaw, all **signs** shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
- 4.1.6 All support structures shall be structurally sound and form an integral part of the **sign** design.
- 4.1.7 No person, **owner** or tenant shall permit a part of any **sign** to interfere with any electric or telephone utility installation. A **sign** shall maintain horizontal and vertical clearance of all electrical conductors in accordance with provincial legislation.
- 4.1.8 Where a shopping centre or comprehensive development is on a **site** of more than one **lot**, **signs** may be erected or installed on the land as if the shopping centre or comprehensive development was located on a single **lot**.

4.2 Sign Lighting

- 4.2.1 The illumination for any permanent **sign** shall not create a direct glare upon the surrounding **site**, street or lane.
- 4.2.2 A **sign** located on or at the rear or side of any building shall not be illuminated if such **sign** is adjacent to any residential **zone**.
- 4.2.3 Backlighting or animation of **signs** is not permitted in agricultural, rural residential, or residential **zones**.

4.3 Comprehensive Sign Plan

- 4.3.1 A comprehensive **sign** plan may be submitted as part of an application for permits for all **signs**. A comprehensive **sign** plan means plans and drawings that specify the location, size, materials, colour, lighting and designs of all existing and proposed development on a **site** or development in relation to buildings, access, and landscaping. The plan may pertain to one **lot** where there are multiple tenancies, a planned shopping centre, or where there is joint application for adjoining **lots** on one side of a street.
- 4.3.2 The **Director of Planning & Development Services** may recommend **Council** approval of a development variance permit for a **sign** which is part of a comprehensive **sign** plan, provided that:
- (a) the proposed **signs** are designed to be fully compatible with the existing or proposed buildings to which they are accessory;
 - (b) the overall area of the **signs** does not exceed the total area allowed for individual **signs** on the **site**;
 - (c) the proposed **signs** are suitable for the building, the **site**, and the **zone** in which they are located; and
 - (d) there would be a greater degree of visual harmony than through the application of the specific **sign** and specific **zone sign** regulations.

SECTION 5 – SPECIFIC REGULATIONS

5.1 Specific Sign Regulations

- 5.1.1 The specific **sign** regulations of this Section apply to all **signs** of the specific type unless they are superseded by the specific **zone sign** regulations of Section 6.1.
- 5.1.2 Where a **sign** is composed of more than one type of **sign**, the regulation for each type of **sign** shall be applicable to the appropriate portion of the **sign**.

5.2 Awning Signs

- 5.2.1 An **awning sign** is permitted only if it:
- (a) is no higher than the first storey;
 - (b) is limited to the **logo**, name, or principal product lines of the business occupying the building to which it is attached;
 - (c) is painted or affixed flat to the exterior of the **awning**;
 - (d) does not extend vertically or horizontally beyond the limits of the **awning**;
 - (e) has no more **copy area** than 40% of the area of the face of the **awning** it is on; and
 - (f) is in conformance with the **Building Bylaw**.

5.3 Canopy Signs

- 5.3.1 A **canopy sign** is permitted only if it:
- (a) attaches to the edge of the **canopy**;
 - (b) does not extend horizontally or vertically beyond the limits of the **canopy** unless permitted by 5.3.1 (c);
 - (c) does not extend or project above the upper edge of a **canopy** by more than 300 mm except **canopy signs** for theatres and cinemas may extend 1.5 m above the upper edge of a **canopy**;
 - (d) is in conformance with the **Building Bylaw**; and
 - (e) does not exceed 0.6 m² per lineal metre of the **canopy** frontage to which it is affixed.

5.4 Under Canopy/Awning Signs

- 5.4.1 An **under canopy/awning sign** is permitted only if it:
- (a) does not extend horizontally beyond the limits of the **canopy**;
 - (b) has a minimum clearance of 2.5 m;
 - (c) is in conformance with the **Building Bylaw**;

- (d) is generally perpendicular to the building face;
- (e) has a maximum vertical dimension that does not exceed 0.3 m; and
- (f) has a maximum area of 0.4 m².

5.5 Fascia Signs

5.5.1 A **fascia sign** is permitted only if it:

- (a) does not project above the roofline or parapet to which it is attached;
- (b) does not project 400 mm from the wall face to which it is attached, except for a **changeable copy sign** for which the maximum projection is 450 mm from the wall face to which it is attached;
- (c) does not extend over any window sill immediately above the **sign** or above guard rails or balustrades immediately above the **sign**; and

BL8380 replaced sub-section 5.5.1(d):

- (d) has a minimum clearance of 2.5 m. This minimum **height** does not apply to **fascia signs** created by printing, painting, or inscribing directly upon a wall of a building or structure, **fascia signs** situated entirely over private property, and immediately above a landscaped area which discourages pedestrians from the **sign, menu boxes** that do not project beyond 100 mm from the wall, **fascia signs** that do not project more than 25 mm from the wall to which they are affixed and, within Town Centres, **fascia signs** projecting no more than 300 mm over at grade doorways leading to upper storey premises, where no other external signage is possible.

5.5.2 No **fascia signs** shall be allowed on a wall which is not a business frontage.

5.5.3 A **fascia sign** may only be located more than 1.0 m above the second story provided that:

- (a) the **sign** consists only of a **logo**, the name of a building, the street address, or a particular tenant;
- (b) the **sign**, in the form of individual letters, symbols or **logos** is directly attached to or inscribed on the building face; and
- (c) there are no more than one **sign** per building face and no more than 4 per building provided all **signs** are identical and identify the same business.

5.6 Free-Standing Signs

5.6.1 A **free-standing sign** is permitted only if it:

- (a) has a minimum clearance of 2.5 m when projecting over an open area, unless it is an integral part of a permanent landscaped area which discourages pedestrians;

- (b) does not obscure a pedestrian or drivers' line of vision from a street, access road or sidewalk to oncoming traffic. The line of vision shall be measured a distance of 8.0 m back along both abutting and intersecting streets along the abutting property lines of the **lot** from the point of intersection of the streets. In the case of an access road, the 8.0 m shall be measured back along the edge of the access road from the point of intersection with the street;
- (c) maintains a minimum clearance of 4.4 m when it projects over a vehicular traffic area such as a parking **lot** aisle or driveway; and
- (d) is not located closer than 1.5 m to a **lot** line, within 1.0 m of any building, or within 30.0 m of another free standing **sign**.

5.7 Temporary Signs

5.7.1 One off-**site** free standing or **portable sign** is permitted only if:

- (a) the **sign** is erected for the purposes of selling agricultural products that are produced on the **site** to which the **sign** is directed;
- (b) the **sign** does not exceed 1.0 m² in area, except it may be increased to 3.0 m² for **sites** greater than 5.0 ha.; and
- (c) the **sign** remains only for the period that the agricultural product is available.

5.7.2 A **portable sign** other than a sandwich board is permitted only if it:

- (a) does not exceed an area of 3.0 m² or a maximum **height** of 2.5 m;
- (b) is placed on a **lot** so that it does not obscure the line of vision from a street, access road or sidewalk to incoming traffic. The line of vision shall be measured a distance of 8.0 m back along both abutting and intersecting streets along the abutting property lines of the **lot** from the point of intersection of the streets. In the case of the access road the 8.0 m shall be measured back along the edge of the access road from the point of intersection of street; and
- (c) is not placed or maintained on a **lot** more than a total of 90 days in a calendar year.

5.8 Projecting Signs

5.8.1 A **projecting sign** is only permitted if it:

- (a) has a minimum **height** of a 2.5 m and a maximum **height** of 7.5 m above grade;
- (b) does not project above the top of the vertical face of the roofline or parapet to which it is attached, except that a cantilever support may extend a maximum of 0.3 m above the roofline;
- (c) does not have visible angle iron support structures above the roof line;
- (d) has no more than 0.6 m in space between the **sign** and the supporting wall; and

- (e) is the only **projecting sign** for each business frontage, except that if a business frontage exceeds 15.0 m, a further **projecting sign** be permitted for each additional 15.0 m or portion thereof.

BL9142 replaced subsection 5.9 in its entirety

5.9 Signs for Home Based Businesses, Bed and Breakfast Homes, and Minor or Intermediate Care Facilities

- 5.9.1 No **sign** advertising a minor home based business is permitted in any zone.
- 5.9.2 Notwithstanding the specific zone regulations set out in subsection 6.1, in the case of a major home based business or a minor or intermediate care facility, one non-illuminated **sign** to a maximum size of 0.15m², with no dimension greater than 610mm, may be attached to the principal residence.
- 5.9.3 Notwithstanding the specific zone regulations set out in subsection 6.1, in the case of a rural home based business or a minor or intermediate care facility located in an Agricultural or Rural Residential zone, one **sign** which may be externally illuminated, to a maximum size of 0.5m², may be attached to the principal residence or located at the entrance to the driveway.
- 5.9.4 Notwithstanding the specific zone regulations set out in subsection 6.1, in the case of a bed and breakfast home, one **sign** to a maximum size of 2.0m² and a maximum height of 1.0m may be attached to the residence or may be free standing located in the front yard or a flanking side yard. Any such free standing **sign** may be located on the property line but must not encroach or overhang beyond the property line. It must not be located within the triangle to be kept clear of obstructions as specified in City of Kelowna Traffic Bylaw No. 8120. Any such free standing **sign** may be indirectly lit by one single fixture of incandescent light per side of the **sign**.

SECTION 6 – SPECIFIC ZONE REGULATIONS

6.1 The specific **zone** regulations of this Section for **signs** shall apply in addition to, and take precedence over, the general **sign** regulations of Sections 4.1 and 5.1. The **zone** regulations are as follows:

Type of Sign	Number of Signs	Regulation
BL8763 replaced the heading as follows:		
Agricultural Zone (A1)*		
Fascia or Free-standing	1 per building frontage	(a) 2.5 m maximum height (b) 3 m ² maximum area for a principal commercial use and 1.5 m ² maximum area for a secondary commercial use
Identification	1 per dwelling	(a) 0.5 m ² maximum area
Portable	1 per lot	(a) on a temporary basis according to Section 5.7

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Residential Zones (RR1, RR2, RR3, RU1, RU2, RU3, RU4, RU5, and RU6)*		
Identification	1 per lot	(a) 0.15 m ² maximum area
Portable	1 per lot	(a) on a temporary basis according to Section 5.7 in a Rural Residential zone located in the ALR
Higher Density Residential Zones (RM1, RM2, RM3, RM4, RM5, RM6, and RM7)*		
Awning	1 per window or entrance	(a) only for apartment hotels, indoor participant recreation services, personal service establishments, convenience retail sales, and minor eating and drinking establishments in RM6 zone
Fascia	1 per site	(a) 2.5 m maximum height (b) 2.0 m ² maximum area for secondary commercial uses except minor home based businesses
Free-standing	1 per site	(a) 1.8 m maximum height (b) 3.0 m ² maximum area (c) only for multiple housing, retail convenience stores indoor participant recreation services, minor eating and drinking establishments, and personal service establishments in RM6 zone
Identification	1 per dwelling	(a) 0.15 m ² maximum area
Local Commercial Zones (C1, C2, and C5)*		
Fascia, Awning and Canopy Signs	1 per building frontage	(a) 0.3 m ² for each lineal metre of building frontage to which it is attached, up to 4.0 m ² maximum area
Free-standing	1 per site	(a) 3.0 m maximum height (b) 3.0 m ² maximum area (c) no animated signs
Identification	1 per dwelling or business	(a) 0.5 m ² maximum area

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Portable	One portable sign fronting each street abutting a lot, except where a lot has in excess of 122 m of frontage on each street, one additional sign may be placed for each additional 61 m or portion thereof of lot frontage on each street	(a) on a temporary basis according to Section 5.7
Major Commercial (C3, C4, C6, C7, and C8)*		
Awning, Fascia, Canopy, Under canopy/awning, and Projecting	2 per business frontage	<p>(a) maximum total area is 0.8 m² per lineal metre of building frontage to a maximum of 20% of the wall it is attached to</p> <p>(b) a projecting sign shall not exceed 3.5 m²</p> <p>(c) in a C4 or C7 zone, a projecting sign shall not exceed 2.5 m² except that this may be reduced to 1.0 m² where required by the guidelines of a development permit area in an urban town centre. Such signs shall only be lit by wall mounted directional lighting, and signs are limited to 1 sign per 30 m of building frontage</p>
Free-standing	1 per building frontage, except for a flanking lot over 45 m long which may have 1 on each frontage, except a lot may have 1 additional for every additional 150 m frontage over 150 m to a maximum of 4 signs	<p>(a) 8.0 m maximum height except that it is 3.0 m for a site less than 30 m in width or a site in an urban town centre not fronting on Highway 33 or 97</p> <p>(b) the maximum area is 3.0 m² per lineal metre of street frontage the sign is located on, up to a maximum 12 m² for lots smaller than 1000 m² or on any site in an urban town centre not fronting Highway 33 or 97, 15 m² for lots greater than 1000 m² but smaller than 4000 m², and 18 m² for lots greater than 4000 m²</p> <p>(c) the maximum area may be increased by up to 10% if this additional sign area is used for a changeable copy sign</p>

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Identification	1 per business	(a) 0.5 m ² maximum area
Portable	One portable sign fronting each street abutting a lot, except where a lot has in excess of 122 m of frontage on each street, one additional sign may be placed for each additional 61 m or portion thereof of lot frontage on each street	(a) on a temporary basis according to Section 5.7
BL8374, 9112 and 9478 replaced the Heading with the following: Industrial and Commercial Zones (C9, C10 ,I1, I2, I3, I4, and I5) and the CD12 - Airport Zone* and the CD15 - Airport Business Park Zone*		
Awning, Fascia, Canopy, Under canopy/awning	2 signs per business	(a) maximum area is 1.0 m ² per lineal metre of building frontage up to a maximum of 20% of the wall surface to which it is attached
Free-standing	1 per building frontage, except for a flanking lot over 45 m long which may have 1 on each frontage, except a lot may have 1 additional for every additional 150 m frontage over 150 m to a maximum of 4 signs	(a) 8.0 m maximum height except that it is 3.0 m for a site less than 30 m in width (b) the maximum area per lineal metre of street frontage is located up to a maximum of 12 m ² for lots smaller than 1000 m ² , 15 m ² for lots greater than 1000 m ² but smaller than 4000 m ² , and 18 m ² for lots greater than 4000 m ² .
Identification	1 per business	(a) 0.40 m ² maximum area
Portable	One portable sign fronting each street abutting a lot, except where a lot has in excess of 122 m of frontage on each street, one additional sign may be placed for each additional 61 m or portion thereof of lot frontage on each street	(a) on a temporary basis according to Section 5.7
Public and Institutional Zones (P1, P2, P3, P4, W1, and W2)* BL9370 amended (a):		
Fascia or Free-standing	1 per building and shore frontage to a maximum of 3, except 2 on a single frontage site greater than 250.0 m	(a) 4.0 m maximum height for a free-standing sign (b) 4.0 m ² maximum area except the area of a fascia sign is limited to 0.3 m ² for each lineal metre of building frontage to which it is attached (c) no animated signs

Identification	1 per building and shore frontage	(a) 0.5 m ² maximum area
Portable	1 per business	(a) on a temporary basis according to Section 5.7
BL8910 added the following: Public and Institutional Zones (P5)*		
Fascia or Canopy	1 per business	Maximum area if 0.3 m ² per lineal metre of building frontage up to a maximum of 4.0m ²
Free Standing Signs	1 per site frontage	(a) 4.5 m maximum height (b) 15 m ² maximum area
Identification Signs for Building Name	1 on freestanding sign 1 on building	Exempt
BL8374 and 9112 replaced the Heading with the following: Comprehensive Development Zones (CD) - except the CD12 - Airport zone and CD15 – Airport Business Park zone		
as prescribed in specific CD zone	as prescribed in specific CD zone	(a) as prescribed in specific CD zone or by cross-reference to another standard zone in this Bylaw

BL8396, BL8742 and BL 8982 each replaced the following:

*The **zones** identified in this table are the **zones** designated for specific properties in **City** of Kelowna **Zoning Bylaw** No. 8000. Properties with an 's', 'b', 'h', 'lp, or 'rls' as part of the Zoning Designation shall comply with the requirements of the parent **zone** (e.g. RU1s shall comply with the requirements of the RU1 **zone**, C4lp shall comply with the requirements of the C4 **zone**).

SECTION 7 – ENFORCEMENT AND OFFENCES

7.1 General

7.1.1 The **Director of Planning & Development Services, Building Inspectors** and **Bylaw Enforcement Officers** are authorized to enforce the provisions of this bylaw.

7.2 Right of Entry

7.2.1 The **Director of Planning & Development Services, Building Inspectors** and **Bylaw Enforcement Officers** shall have the right of entry and may enter onto any land at all reasonable hours in order to ascertain whether the provisions of this bylaw have been carried out.

7.2.2 No person shall interfere with or obstruct the entry of any authorized **City** representative onto any land to which entry is made or attempted pursuant to the provisions of this bylaw.

7.3 Offence

7.3.1 Every person who violates a provision of this bylaw commits an offence and is liable on summary conviction to a penalty not exceeding Ten Thousand Dollars (\$10,000.00) and the costs of prosecution.

7.3.2 Each day a violation of the provisions of this bylaw exists or is permitted to exist shall constitute a separate offence.

SECTION 8 – REPEAL AND EFFECTIVE DATE

8.1 Repeal

8.1.1 City of Kelowna Sign Bylaw No. 5561-84 together with all amendments is hereby repealed.

8.2 Effective Date

8.2.1 This bylaw comes into force and takes effect on the date of adoption.

Read a first, second and third time by the Municipal Council this 29th day of June, 1998.

Adopted by the Municipal Council of the City of Kelowna this 19th day of October, 1998.

"Walter Gray"

Mayor

"D.L. Shipclark"

City Clerk

I HEREBY CERTIFY THIS TO BE A TRUE
CONSOLIDATED COPY OF BYLAW NO.
8235 WHICH INCLUDE AMENDING
BYLAWs NO. 8380, 8374 8396, 8519,
8742, 8763, 8910, 8982, 9142, 9370, 9391,
9112, 9478 and 9531.

City Clerk, City of Kelowna

Date