

THE CORPORATION OF THE DISTRICT OF POWELL RIVER

BYLAW NO. 1945, 2002

A bylaw of the District of Powell River to regulate signs.

PART 1 – Title

1. This bylaw may be cited for all purposes as “District of Powell River Sign Bylaw No. 1945, 2002.”

PART 2 – Interpretation

2. In this bylaw:

“**copy area**” means the area of a sign containing copy including any logo or commercial oriented decoration forming an integral part of the message or display, provided that:

- (a) in the case of a double-faced, rotating, or multi-face sign, the greatest area containing copy that is visible from any one point at one time;
- (b) in the case of signs composed of individual character, copy area shall be the sum of area of the smallest polygons enclosing individual or set of characters comprising the message, reduced by 20%; and
- (c) structural sign components such as pedestals, posts, or roofs shall not constitute copy area;

“**animated**” means depiction of action or motion by means other than flashing lights;

“**banner**” means a temporary sign comprised of fabric, plastic or simulated cloth material (other than an awning);

“**billboard**” means a detached exterior sign used for advertising a product, service, or cause; typically by means of changeable paper copy applied to a permanent frame;

“**Building Code**” means the British Columbia Building Code established by the British Columbia Building Code Regulation pursuant to the *Local Government Act*;

“**building face**” means the exterior wall of a building on which a fascia or projecting sign is mounted, or, in the case of a free-standing or roof sign, the exterior wall that faces the highway towards which the sign is oriented, extending from exterior wall finished grade to the upper surface of the wall enclosing the top storey of the building;

“**changeable copy sign**” means a sign consisting of manually moveable characters attached to a fixed background panel by means of magnets, grooves, pegs, slots, or other fasteners;

“**clearance**” means the vertical distance between the lowest limit of a sign and the grade directly below the sign;

“**community event**” means a non-profit event or community activity of a temporary nature, open to the general public;

“**composite sign**” means a sign serving two or more places of business;

“**copy**” means the message, characters, or symbols communicating a message on a sign, including decorations forming a part of the sign;

“development sign” means a temporary sign indicating construction, demolition, or rezoning proposed or in progress on a particular premises;

“District” means The Corporation of the District of Powell River;

“Electrical Code” means the British Columbia Electrical Code established by the British Columbia Electrical Code Regulation pursuant to the *Electrical Safety Act*;

“face” in respect of a sign, means the surface on which copy may be placed;

“fascia sign” means a surface sign, affixed or painted, parallel to the face or wall of a building, canopy, or awning including a marquee sign and which does not project more than 0.5 metres beyond the adjacent building face;

“flashing sign” means an illuminated sign other than a "message centre" which contains three or more blinking lights or exhibits noticeable changes in light intensity;

“freestanding sign” means a sign supported from the ground by a structure detached from or independent of a building;

“grade” means the finished level of road surface, sidewalk surface or ground directly below a sign or structure;

“height” means the vertical distance from the average finished ground level at the perimeter of a building or structure of which a sign forms a part or from the elevation of a sidewalk under a sign, to the top of a sign;

“highway” includes a street, road, lane, bridge, and any other way open to public use, but does not include a private right-of-way on private property;

“illuminated sign” includes either internally or externally lighted signs, signs with reflective coatings, and glowing or radiating signs where a light source is used to increase copy legibility;

“Inspector” means the Municipal Building Inspector of the District of Powell River or other person authorized by the Municipal Council from time to time to act in his/her place;

“landscape sign” means a sign composed of flowers, shrubs, or other horticultural/landscape material;

“message centre” means a sign that communicates messages by means of mechanical or electronic continuously changing letters, pictures, or characters;

“obsolete sign” means any sign which refers to an activity, use, undertaking, or product which no longer exists or is no longer marketed on the premises on which the sign is displayed;

“gross floor area” means the total area contained within the building envelope for which an occupant is lawfully responsible;

“off-site directional sign” means a sign indicating the distance or direction to premises other than those upon which the sign is located;

“on-site directional sign” means a sign having an area not exceeding half a square metre which communicates to pedestrians or drivers on the premises on which the sign is located information regarding movement to, from, or within the premises;

“parcel” means any lot, block, or other area by which land is held or subdivided;

“portable sign” means a sign which is not fixed to, supported by, or anchored to the ground or a building and shall include but not be limited to a sidewalk A-frame or sandwich board sign;

“projecting sign” means a sign that comes within the definition of “fascia sign” but projects more than 0.5 metres from the face or wall of a building;

“roof sign” means a sign other than a fascia or projecting sign which is affixed to a building above any portion of the building that provides shelter;

“rotating sign” means a sign other than an animated sign all or part of which revolves;

“sign” means a device or fixture for visually communicating information;

“temporary sign” means a sign which is displayed for a single scheduled or seasonal event and which will be removed at the termination of that event;

“third party sign” means a sign which directs attention to a business, commodity, service, or entertainment which is conducted, sold, or offered on premises other than where the sign is located;

“vehicle sign” means any identification or advertising device permanently adhered or temporarily attached to any mechanically motorized or manually propelled vehicle or vessel;

“window sign” means a sign painted on, attached to, or installed inside a window for the purpose of viewing from outside the premises;

“zone” means a zone established by the District of Powell River Zoning Bylaw.

PART 3 – Administration

Inspection

3. During the regular hours of local government business, the Director of Operational/Development Services or the Inspector may enter onto any property that is subject to regulation under this bylaw to ascertain whether the provisions of this bylaw are being observed.

Order For Removal

4. The Inspector may order the removal or alteration of a sign upon thirty (30) days written notice to the owner if
 - 4.1 the sign does not conform to the provisions of this or any other District bylaw (subject to Section 20 of this bylaw); or
 - 4.2 it is an obsolete sign.

Obstruction

5. No person shall hinder, delay, or obstruct in any manner, directly or indirectly, the Director of Operational/Development Services or the Inspector in carrying out the duties or powers under this bylaw.

Offences & Penalties

6. Any person who contravenes this bylaw is liable upon summary conviction to a fine not exceeding Two Thousand Dollars (\$2,000.00) and the cost of prosecution. Every day during which there is an infraction of this bylaw shall constitute a separate offence.

Severance

7. If a section or lesser portion of this bylaw is held to be invalid by a Court, the invalidity shall not affect the remaining portions of the bylaw.

Valid Sign Permit

8. No person shall erect, place, alter, or remove a sign without issuance of a valid permit in a form prescribed by the Director of Operational/Development Services.
9. An application for a sign permit shall be as follows:
 - 9.1. made in a form prescribed by the Director of Operational/ Development Services;
 - 9.2. signed by the owner or authorized agent of the owner of the parcel on which the sign is proposed to be located;
 - 9.3. accompanied by payment of the fee as set out in Schedule A;
 - 9.4. accompanied by drawings to scale, in duplicate, illustrating the following:
 - a) each side of the sign, giving all pertinent dimensions, areas, construction, and copy;
 - b) the proposed position of the sign painted on or attached to the building or structure and the method of attachment;
 - c) the construction, dimensions, and weight of the sign and its supporting members;
 - d) the overall height and clearance of the sign;
 - e) the proposed location of the sign in relation to property lines, the building face, or the front of the building to which it is to be affixed;
 - f) the manner and intensity of sign illumination; and
 - g) the size and location of other signs on the property.

10. The Inspector shall issue a Sign Permit where the application complies with the provisions of this bylaw and other District bylaws, and where the applicant has paid the fee set out in Schedule A.
11. Issuance of a permit under this bylaw does not relieve the applicant from complying with this and other District bylaws.

Signs Not Requiring A Permit

12. Despite Section 8 of this bylaw, the following shall not require the issuance of a permit provided all other aspects of the bylaw are met:
 - a) a temporary sign or banner to be displayed not longer than sixty (60) days;
 - b) a temporary directional, political, community event, or real estate sign or poster;
 - c) a landscape sign;
 - d) unique works of art that do not contain commercial messages;
 - e) a window sign;
 - f) a memorial plaque, cornerstone, or historical tablet;
 - g) on-site directional sign and development sign;
 - h) a portable sign; and
 - i) a bus bench sign, placed in conformance with District bylaws;
 - j) a vehicle sign provided that it is permanently adhered to the vehicle body.
13. Political signs, posters, and similar temporary signs and banners shall be removed within seven (7) days of the termination of the event for which the signs were displayed.
14. The special purpose and temporary signs referred to in Section 12 of this bylaw are permitted in every zone unless otherwise specified in this bylaw.

Refusal to Grant Permit

15. The Inspector shall refuse a permit for a sign if:
 - 15.1. the proposed sign is prohibited or does not comply with the provisions of this or other District bylaws; or
 - 15.2. the information submitted on the permit application is incomplete, inaccurate, or insufficient to ascertain whether the sign or supporting structure complies with the provisions referred to in this bylaw.

Lapse Of Permit

16. A permit issued by the Inspector shall expire if installation of the proposed sign is not commenced within six (6) months from the date of issuance of the permit.

PART 4 – Basic Provisions

Application

17. This bylaw applies to the entirety of the District except where otherwise specifically stated.
18. No person may erect, place, alter, or maintain a sign except as specifically permitted by this bylaw.
19. This bylaw does not apply to traffic control devices and signs referred to in the Motor Vehicle Act.

Non-conformity

20. Sign(s) lawfully in existence at the time of the adoption of this bylaw may be maintained but shall not be rebuilt, reconstructed, altered, or moved unless conforming to this bylaw .
21. Nothing in this bylaw relieves a person from complying with other District bylaws.

PART 5 – General Regulations

22. Numbers and Placement

- 22.1. Signs are permitted only as set forth in Schedule B.
- 22.2. Only one free standing sign is permitted, single or composite, unless the property fronts more than one highway and occupies a gross ground floor area of over 2000 m² [21,500 ft²], in which case two freestanding signs are permitted.
- 22.3. In the case of multiple fascia signs for a single tenant building, the total area of all fascia signs shall not exceed the area stipulated in Schedule B. For multi-tenant buildings, fascia or projecting signs are allowed for each tenant provided that the area of the sign(s) does not exceed the area stipulated in Schedule B.
- 22.4. Placement of signs shall not obstruct circulation areas or compromise public safety. Where a sign is adjacent to or within circulation areas, a minimum of 2.5 metres of clearance shall be maintained below the sign.

Maintenance

23. Subject to Section 20 of this bylaw, all signs shall be maintained so as to ensure continued compliance with the provisions of this bylaw.
24. Maintenance including replacement of structural elements, copy, lamps, and refurbishing of signs may be undertaken without a sign permit.

25. Structural/Electrical Regulations

- 25.1. Signs, sign structures, and all fastenings shall be designed and constructed in accordance with the provisions of this bylaw and the Building Code.
- 25.2. The Inspector may require that technical data be submitted by:
 - a) the manufacturer of any sign or material used in any sign; or
 - b) a testing agency approved by the Inspector to establish working stresses, maximum unsupported spans, or any other information required by the Inspector including but not limited to CSA approval, certified drawings, and so forthin order to assess compliance of a proposed sign with District bylaws, the Building Code, and the Electrical Code.
- 25.3. Any sign requiring electrical power shall be serviced and wired in conformance with the Electrical Code.
- 25.4. Signs and support structures for signs shall not be fastened to a window frame.

- 25.5. No sign, guy, stay, or attachment thereto shall be erected, placed, or maintained by any person in such a manner as to contact or interfere with any above or below ground utility or the free use of any exit or means of egress.
- 25.6. It shall be unlawful for any person to change the design or construction of any sign which has been placed or erected until the change has been approved by the Inspector.
- 25.7. Every sign shall be designed, erected, constructed, and maintained to withstand a wind pressure to a velocity as required by the District Building Bylaw.
- 25.8. All signs shall not affect the requirements of fire separation and safety of buildings as required by the Building Code.

26. **Highway Encroachment**

- 26.1. No person shall cause or permit all or part of a sign fixture attached to land or improvements upon land to encroach on, over, or under all or part of a highway other than a highway designated as "arterial" under the Highway Act unless the owner first enters into an agreement with the District substantively in the form prescribed by District of Powell River Highway Encroachment Bylaw No. 1683, 1996, and pays the administration fee as set out in Schedule A.
- 26.2. All signs encroaching upon designated "arterial" highways under the Highway Act must comply with current British Columbia Ministry of Transportation policies and regulations in addition to the requirements described in Sections 8 and 9.

27. **Signs Occupying a Portion of a Highway or Public Place**

- 27.1 Subject to Section 26.1, Council hereby authorizes the removal, detention, and impounding by the Inspector of a sign unlawfully occupying a portion of a highway.
- 27.2. Not more than ten (10) days after the removal, detention, or impounding of the sign; the Inspector shall deliver to the institution or person named on the sign a notice of removal, detention, and impounding.
- 27.3. The notice shall provide that:
 - a) the owner of the sign may recover the sign by paying the District compensation in the amount of total sign removal, detention, and impounding costs, and
 - b) after the expiration of sixty (60) days from the date of the delivery of the notice, the Inspector is authorized to sell the sign by auction and the proceeds of the sale shall be the property of the District to reimburse the District for the costs of the removal, detention, impounding, and auction with any remaining monies in excess of District costs to be paid over to the owner.

Prohibition

- 28. The following classes of signs are prohibited in the District:
 - a) signs that are not expressly permitted in this bylaw;
 - b) obsolete signs;
 - c) flashing or animated signs;
 - d) signs having the shape, colour, or other resemblance to traffic control devices, including those referred to in the Motor Vehicle Act;
 - e) signs containing any form of subliminal advertising, other hidden copy, or pornographic content;
 - f) signs emitting audible sound, odor, or visible matter;
 - g) signs which interfere or are likely to interfere with traffic or operation of traffic control devices;
 - h) vehicle signs temporarily attached to a vehicle body or other signs affixed to or located upon any parked vehicle or trailer visible from the street so as to act as an advertisement of products, services, or to direct attention to a business or activity;

- i) off-site directional signs, advertising signs, or billboards;
- j) signs affixed to a utility pole, standard, or similar structure;
- k) third party signs, with the exception of message centres or changeable copy signs in C1, C2, M1, and M2 zones and signs referred to in Section 19 of this bylaw; and
- l) illuminated or rotating signs in any residential zone, agricultural zone, or parks and institutional zone along property lines contiguous with residential or agricultural zones.

Zones

29. Schedule B specifies the classes of signs permitted in each zone and the conditions precedent to erecting or placing a sign on a parcel located in a zone.

PART 6

Repeal

30. Powell River Sign Bylaw No. 1159, 1985 is hereby repealed.

Effective Date

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

READ A FIRST TIME this 11th day of March, 2002.

READ A SECOND TIME this 11th day of March, 2002.

AMENDED AND READ A THIRD TIME this 8th day of April, 2002.

ADOPTED this 13th day of May, 2002.

Ian Fremantle, Chief Administrative Officer

Stewart B. Alsgard, Mayor

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1945, cited as "District of Powell River Sign Bylaw No. 1945, 2002.

Dated at Powell River, B.C. this _____ day of _____, 2002.

Ian Fremantle, Chief Administrative Officer

THE DISTRICT OF POWELL RIVER

Schedule A: PERMIT FEES

A permit fee as set out below shall be payable to the District of Powell River by any applicant when making an application for a sign permit.

(1)	Fee for each new sign	\$10.76 per m ² (\$1 per ft ²) of copy area with a minimum charge of \$30.00
(2)	Fee for each new temporary sign not exempted under this bylaw	\$25.00
(3)	Fee for the alteration or relocation of a sign upon the same property for which a permit has already been issued	\$20.00
(4)	Administration fee for sign highway encroachment	\$100.00

THE DISTRICT OF POWELL RIVER

Schedule B: SIGN AND ZONING LIMITATIONS

TABLE I	ZONES C1, C2, C3, M1, M2, M3, CM1, MC1
Type of Sign:	<u>LIMITATIONS</u>
1 FASCIA	<p>1.1 Sign copy area shall not exceed the greater of 3m² or 3% of the building face, site area, or occupied gross floor area of applicable premises, to a maximum of 25m². In the case of buildings less than 20m² gross floor area, the maximum sign copy area is 2m².</p> <p>1.2 In multi-tenant buildings, the maximum sign copy area for each tenant shall be calculated in accordance with 1.1 except that site area and building face shall not be a factor in considering sign size.</p> <p>1.3 No sign shall project more than 1m above the roofline of the building to which it is attached. No sign or structural component shall exceed the maximum height for structures set out in the Zoning Bylaw.</p>
2 FREE STANDING	<p>2.1 Sign copy area shall not exceed the greater of 3m² or 2% of the site area, building face, or gross floor area to a maximum of 15m².</p> <p>2.2 Minimum required setback is 1m from the property line to any support structure or aerial sign component.</p> <p>2.3 Maximum sign height is 10m.</p> <p>2.4 Minimum clearance of pylon-type freestanding sign is 2.5m when projecting over circulation areas.</p>
3 PROJECTING	<p>3.1 Sign copy area shall not exceed 2m².</p> <p>3.2 Projecting signs must not comprise an aerial trespass by projecting beyond property lines.</p>
4 ROOF	<p>4.1 Sign copy shall not exceed the greater of 3m² or 2% of building face.</p> <p>4.2 Total height of sign and building shall not exceed the maximum height for structures set out in the Zoning Bylaw.</p>
5 PORTABLE	<p>5.1 Sign copy area shall not exceed 1m².</p> <p>5.2 Sign height shall not exceed 1m.</p> <p>5.3 Maximum number of portable signs is one (1) per business premises.</p>

TABLE II		ZONES RM1, RM2, RM3	
Type of Sign:		<u>LIMITATIONS</u>	
1 FASCIA	1.1	Sign copy area shall not exceed the greater of 1% of the building face or occupied gross floor area to a maximum of 3m ² . For buildings less than 200m ² in gross floor area, the maximum allowable area is 0.5m ² .	
	1.2	Sign height shall not exceed the roof line.	
2 FREE STANDING	2.1	Sign copy area shall not exceed the greater of 1% of site area or building face to a maximum of 3m ² . For buildings less than 200m ² in gross floor area, the maximum allowable area is 0.5m ² .	
	2.2	Minimum required setback is 1m from the property line to any support structure or aerial sign component.	
	2.3	Sign height shall not exceed 3m.	
	2.4	Minimum clearance of pylon-type freestanding sign is 3.5m when projecting over circulation areas.	
3 PROJECTING	3.1	Maximum sign area shall not exceed the greater of 3m ² or 1% of building face. For buildings less than 200m ² in gross floor area, the maximum allowable area is 0.5m ² .	
	3.2	Overall height of sign and building or projection must not exceed maximum building height and minimum setback from the property line as stipulated in the Zoning Bylaw.	
4 ROOF	4.1	Not permitted.	
5 PORTABLE	5.1	Maximum copy sign area shall not exceed 1m ² .	
	5.2	Sign height shall not exceed 1m.	
	5.3	Not permitted on public highway property.	
	5.4	Maximum number of portable signs is one (1) per parcel.	

TABLE III		ZONES A1, A2	
Type of Sign:		<u>LIMITATIONS</u>	
1 FASCIA	1.1	Sign copy area shall not exceed the greater of 1m ² or 1% of the building face to a maximum of 3m ² .	
	1.2	Sign height shall not exceed the roof line.	
2 FREE STANDING	2.1	Sign copy area shall not exceed 2m ² .	
	2.2	Maximum sign height shall not exceed 3m.	
	2.3	Minimum required setback is 4m from any property line to any support structure or aerial portion of the sign.	
3 PROJECTING	3.1	Sign copy area shall not exceed 1m ² .	
	3.2	Maximum projection from building face shall not exceed 2m.	
4 ROOF	4.1	Roof signs are not permitted.	
5 PORTABLE	5.1	Sign copy area shall not exceed 1m ² .	
	5.2	Sign height shall not exceed 1m.	
	5.3	Not permitted on public highway property.	
	5.4	Maximum number of portable signs is one (1) per parcel.	

TABLE IV		ZONES P1, C4, C5, W1, W2	
Type of Sign:		<u>LIMITATIONS</u>	
1 FASCIA	1.1	Sign copy area shall not exceed the greater of 3% of the building face, site area, or occupied gross floor area, to a maximum of 15m ² . In the case of buildings less than 20m ² in gross floor area, the maximum sign copy area is 2m ² .	
	1.2	Height shall not exceed the roof line.	
2 FREE STANDING	2.1	Sign copy area shall not exceed the greater of 1% of site area or building face to a maximum of 10m ² . In the case of buildings less than 20m ² in gross floor area, the maximum sign copy area is 2m ² .	
	2.2	Minimum setback of 2m from the property line to any support structure or aerial portion of a sign.	
	2.3	Sign height shall not exceed 6m.	
3 PROJECTING	3.1	Sign copy area shall not exceed 2m ² .	
	3.2	Maximum projection from building face shall not exceed 2m.	
4 ROOF	4.1	Sign copy area: the greater of 1% of the site area or building face to a maximum of 10m ² . In the case of small buildings, the maximum area of signs is 2m ² .	
5 PORTABLE	5.1	Sign copy area shall not exceed 1m ² .	
	5.2	Sign height shall not exceed 1m.	
	5.3	Not permitted on public highway property.	
	5.4	Maximum number of portable signs is one (1) per business premises.	

TABLE V

ZONES R1, R2, R3, R4, RA1

Type of Sign:

LIMITATIONS*

***In the R1, R2, R3, R4, and RA1 zones, only one of the following permitted sign types is allowed on each parcel.**

1 FASCIA	1.1	Sign copy area shall not exceed 0.5m ² with the exception of Bed and Breakfast home occupations.
	1.2	Bed and Breakfast home occupation sign copy area shall not exceed 1.5m ² .
	1.3	Sign height shall not exceed the roof line.
2 FREE STANDING	2.1	Minimum required setback is 2m from the property line to any support structure or aerial portion of the sign.
	2.2	Sign copy area shall not exceed 0.5m ² with the exception of Bed and Breakfast home occupations.
	2.3	Bed and Breakfast home occupation sign copy area shall not exceed 1.5m ² .
	2.4	Maximum sign height shall not exceed 1.5m.
3 PROJECTING	3.1	Not permitted.
4 ROOF	4.1	Not permitted.
5 PORTABLE	5.1	Sign copy area shall not exceed 1m ² .
	5.2	Sign height shall not exceed 1m.
	5.3	Not permitted on public highway property.
	5.4	Maximum number of portable signs is one (1) per parcel.