

A BYLAW TO REGULATE SIGNS

The Municipal Council of the Town of Comox, in open meeting assembled, enacts as follows:

1. Title

- (1) This bylaw may be cited for all purposes as the “Town of Comox Sign Bylaw No. 1197, 1995”.

2. Definitions

- (1) “Awning” means a structure extending from part or all of a building face consisting of fabric or similar material stretched over a frame constructed of wood, metal or plastic.
- (2) “Awning Sign” means a sign painted or affixed flat to the surface of an awning.
- (3) “Building” means any structure used or intended for supporting or sheltering any use or occupancy.
- (4) “Clearance” means the vertical distance between the lowest limit of a sign and finished grade immediately below.
- (5) “Canopy” means a permanent roof-like structure extending from part or all of a building face and constructed of some durable material such as metal, glass or plastic.
- (6) “Canopy Sign” means a sign attached to or constructed in or on the face of a canopy.
- (7) “Development Application Sign” means a sign indicating that the property or premise is subject to an application for an official community plan change, a rezoning, or other development proposal.
- (8) “Directional Sign” means a sign that serves solely to designate the location or direction of any place or area.
- (9) “Display” means the construction, erection, installation, addition, repair, alteration or relocation of a sign.

- (10) “Facia Sign” means a sign attached to, marked or inscribed on, or erected on, or placed against, a wall of a building and having the exposed face thereof on a plane approximately parallel to the plane of such wall.
- (11) “Freestanding Sign” means any sign, except a billboard, supported independently of and separated from a building or other structure and permanently fixed to the ground.
- (12) “Grade” means the average ground surface elevation at the sign location.
- (13) “Height of Sign” means the vertical distance measured from the highest point of the sign to the average grade elevation.
- (14) “Inspector” means the Building Inspector of the Town of Comox, or a designated representative.
- Def'n Added
Bylaw 1376 –
Nov 21, 2001** (15) “Lane” means a street 6.0m or less in width, intended to furnish secondary access to a parcel.
- Def'n Amd
Bylaw 1376 –
Nov 21, 2001** (16) “Portable Sign” means any sign not permanently attached to the ground or to a building, and does not include a sandwich board/novelty sign.
- (17) “Prohibition Sign” means a sign indicating a prohibition, such as a restriction on access or a limitation on entry.
- (18) “Projecting Sign” means any sign other than a canopy, awning or facia sign which is attached to and projects from a structure or a building face or wall.
- (19) “Roof” means the top enclosure of any building.
- (20) “Roof Line” means the line made by the intersection of the wall of the building with the roof of the building at or near the face of the building.
- (21) “Roof Sign” means a sign erected upon or above a roof or parapet wall of a building and which is wholly or partially supported by said building.
- Def'n Added
Bylaw 1376 –
Nov 21, 2001** (22) “Sandwich Board/Novelty Sign” means any sign not permanently attached to the ground or to a building which is supported independently of and separate from a building or other structure, with not more than two advertising faces with an area not to exceed 0.6m² (6.45ft²) per face, does not include a portable sign.
- (23) “Sign” means a structure and includes any identification, description, illustration or device illuminated or non-illuminated, which is visible by the public and which directs attention to a product, place, activity, person, institution, business or solicitation, including any permanent installation, but does not include any display or placard placed inside a window.

- (24) “Third Party Sign” means a sign that directs attention to a business commodity, service or entertainment that is conducted, sold or offered elsewhere than on the premises at which the sign is located.
- (25) “Town” means the Town of Comox.
- (26) “Window Sign” mean any sign either painted on or attached to or installed inside a window for purpose of viewing from outside the premises. This term does not include merchandise located in a window.

3. Exemption

- (1) This bylaw does not apply to signs erected on the premises of any public institutions, including hospitals, schools, and municipal, provincial or federal government buildings, nor to any traffic, parking or directional signs erected on any highway, street, sidewalk or public right of way under the authority of the municipal, provincial or federal government.

4. Change of Sign

- (1) A permit is required for any change to the structural elements of a sign, including the lighting.
- (2) A permit is required for any change to a sign in the Marine Plaza Area.
- (3) With the exception of the Marine Plaza Area, a permit is not required for normal maintenance, including replacement of structural elements of a similar design, copy, lighting and refurbishing of signs, but shall conform to all other stipulations.

Amended –
Apr 15, 1998

5. Permits Required

- (1) No sign shall be displayed within the boundaries of the Town of Comox, except those specifically exempted under this bylaw, unless an application has been made in writing to the Inspector and a permit for such purpose has been obtained.

6. Information Required For Permit Application

- (1) Every applicant for a permit pursuant to this bylaw shall provide the information as set out in Schedule A.

7. Fee For Permit

- (1) Every applicant for a permit under this bylaw shall, with each such application, pay to the Town fees according to the scale as set out in Schedule B.

8. Issuance of Permits

- (1) The Inspector shall issue a permit if in his opinion the application complies with the provisions of this bylaw, the "Town of Comox Building Bylaw" and "Town of Comox Zoning Bylaw". Such permit shall expire if active work is not commenced within a period of six (6) months from the date of issuance of the permit.
- (2) Notwithstanding Section 8(1) above, the Inspector may refuse a permit for any sign:
 - (a) if the display of such sign is contrary to the use permitted by the "Town of Comox Zoning Bylaw", within the zone in which said sign is to be displayed;
 - (b) if the building or structure to which the same is, or is to be attached is incapable of supporting the same;
 - (c) if the information submitted regarding the construction of the said building or structure is insufficient to enable him adequately to determine the capability of such building or structure to give such support;
 - (d) if in his opinion such sign would be unsightly, grotesque, offensive in character, and in such cases the application for a sign permit would be ruled upon by Town Council.
- (3) The Inspector may require, as a condition of the issuance of any 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 the Province of British Columbia, and may refuse to issue a permit until he is provided with a letter signed by a Professional Engineer registered in the Province of British Columbia, undertaking to supervise the work authorized by such permit or any part thereof.
- (4) The issuance of a sign permit by the Inspector does not supersede the approval by the Provincial Electrical Inspector in respect to the installation of electrical signs.

9. Prohibited Signs

- (1) Unless otherwise specifically permitted by this bylaw, no sign shall be displayed anywhere within the municipality, which:
 - (a) is equipped with or illuminated by flashing, oscillating or moving lights or beacons;
 - (b) is erected, or is lighted, or is located in a manner that may detrimentally affect the health, safety and protection of persons and property;

- (c) is rotating or revolving; provided however, that devices indicating the current date, the time of the day, the temperature or barometric pressure or other public information shall not be subject to this prohibition;
- (d) is a portable sign and which shall include any sign or advertising device attached to or otherwise placed on any vehicle or structure capable of being moved, irrespective of whether or not the same may be moved on wheels or skids; and which may be placed on any public right-of-way, public property, or upon privately owned property, so as to be visible from any public highway. Nothing herein contained shall apply to any sign placed on any public vehicle or bus providing transportation for the public or to any motor vehicle where the sign thereon indicates the ownership of said vehicle or the business carried on by the said owner thereof.
- (e) is a billboard, poster, canvas sign or banner placed on a structure, pole, fence, or tree where the same is visible from any public way or highway, except such regalia put up to celebrate a special event or occasion, including a banner or canvas sign strung across a Town street or highway where permission has been granted by the Town;
- (f) is a balloon or other airborne sign;
- (g) is abandoned;
- (h) is a roof sign; or
- (i) is a third party sign.

Text Deleted
Bylaw 1376 –
Nov 21, 2001

10. Temporary Signs

- (1) The following temporary signs may be displayed without an application or sign permit provided they meet the specifications as set out in Schedule “C”.
 - (a) Community Activity
 - (b) Construction Project Sign
 - (c) Temporary Directional Sign
 - (d) Political Sign
 - (e) Real Estate Sign
 - (f) Development Application Sign
 - (g) Window Signs

- (2) The following temporary signs may be displayed with a sign permit provided they meet the specifications as set out in Schedule "C".

Sub-sec Added
Bylaw 1376 –
Nov 21, 2001

- (a) Portable Sign; and,
(b) Sandwich Board/Novelty Sign.

11. Permanent Signs

- (1) The following permanent signs are permitted with a sign permit provided they meet the specifications as set out Schedule C.
- (a) Directional Sign for Circulation
 - (b) Directory Sign for Organizations
 - (c) Home Occupation Sign
 - (d) Prohibition Sign
 - (e) Freestanding Sign
 - (f) Projecting Sign
 - (g) Facia Sign
 - (h) Canopy and Awning Sign

12. Area of Signs

- (1) For bordered signs the area shall be the total area within the outer edge of the borders of the sign.
- (2) For unbordered signs the area shall be the total area within the shortest line circumscribing the letters, figures, sub-signs or other things comprising the sign.
- (3) Notwithstanding the above, for projecting signs the area shall be that area contained within the smallest rectangle that could enclose the outside border of the sign.

13. Liability for Damage

- (1) The provisions of this bylaw shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning any sign or display for person injury or property damage resulting from the placing of such sign, or resulting from the negligence or willful acts of such person, his agents or employees, in the construction, erection, maintenance, repair or removal of any

sign erected in accordance with a permit issued hereunder. Nor can it be construed as imposing upon the Town or its officers or employees any responsibility or liability by reason of the approval of any signs, materials or devices under provision of this bylaw.

14. Non-conforming signs

- (1) A sign in existence at the time of the adoption of this bylaw although the sign does not conform with the regulations of this bylaw may continue to be used, provided it is maintained in a safe condition.
 - (b) A non-conforming sign may be maintained and repaired to extend its longevity, but no major structural alterations may be made.
 - (c) A sign in existence at the time of adoption of the bylaw shall be rebuilt, reconstructed, altered or moved only in conformity with this bylaw.

15. Repair or Removal of Signs

- (1) Removal of Abandoned Signs
 - (a) When a sign no longer correctly directs or attempts to induce any person, advertises a bona fide business, lessor, owner, product or activity conducted, or product available, on the premises where such a sign is displayed, the owner shall remove the sign within fourteen (14) days from the date of the receipt of notice of such removal from the Inspector.
- (2) Removal of Political and Real Estate Signs
 - (a) Political signs, real estate signs and similar signs which are displayed on any property shall be removed within seven (7) days of the termination of the event for which the signs were displayed by the owner of such signs, or owners of premises on which the signs were displayed, failing which the Director may have such signs removed.
- (3) Repair or Removal of Signs
 - (a) If any sign, when displayed or if after modification or alteration thereof, does not conform in every respect to the provisions of this bylaw or contravenes the provisions of "Town of Comox Zoning Bylaw", or any other bylaw or regulation applicable thereto, or if any sign is permitted to become unsafe or defective, the Inspector may give written notice to the owner of such sign to repair or remove the said sign within a period of fourteen (14) days. It shall be the duty of such owner to repair or remove such sign in accordance with the said notice. If this notice is not complied within the said period, or if the owner of the sign cannot be located, the Inspector may have the offending sign removed and the costs incurred by the municipality in so doing may be

recovered by the municipality from the owner of the land on which the said sign is displayed.

16. Marine Plaza Area

*Section Deleted
Bylaw 1269 –
Jan 21, 1998*

17. Appeal to Council

- (1) An appeal may be made to Council for permission to place, erect or maintain a sign not covered by this bylaw or not in conformity with this bylaw. Approval of such application requires an affirmative vote of at least 2/3 of all members of Council.

18. Penalty

- (1) Any person who contravenes any provision of this bylaw is guilty of an offence and liable upon summary conviction to the penalties prescribed by the "Offence Act".

19. Repealment

- (1) Bylaw 479 "Comox Sign Regulation Bylaw, 1977", and all amendments thereto, is hereby repealed.

20. Adoption

- (1) Read a First and Second time this 15th day of November, 1995
- (2) Read a Third time this 6th day of December, 1995
- (3) Adopted this 14th day of February, 1996

MAYOR

CLERK

SCHEDULE “A”

Information to Accompany Permit Application

- (a) The legal description and civic address of the property, building or structure upon or to which the sign is, or is to be displayed or attached.
- (b) The sign manufacturer's name and address.
- (c) The customer's name and address.
- (d) The sign area and a drawing to scale, giving the dimensions of the sign, and the supporting structure.
- (e) The maximum height and clearance of the sign.
- (f) The dimensions of the wall surface of the building to which it is to be attached.
- (g) The proposed location of the sign in relation to the property lines and the dimensions of the building and/or the property upon which it is to be situated.
- (h) Size and location of all existing signs on the property and/or the building or buildings.
- (i) Cost of the sign.
- (j) Detailed scale drawings of the sign including copy and colours to be used.
- (k) Structural, footing details, and material specifications for proposed sign.

Updated –
Jan 21, 1998

SCHEDULE “B”

FEE SCHEDULE

- 1) For a permit to erect each fascia, awning or canopy sign:
 - i) a sign not exceeding 1.8 square metres in area: \$35.00
 - ii) a sign with an area exceeding 1.8 square metres but not exceeding 3.7 square metres: \$50.00
 - iii) a sign exceeding 3.7 square: \$65.00
- 2) For a permit to erect each freestanding or projecting sign:
 - i) a sign not exceeding 3.25 square metres in area: \$50.00
 - ii) a sign exceeding 3.25 square metres in area: \$150.00

- 3) For a permit to install a portable sign:

Added –
Nov 21, 2001

- i) for each sign permit: \$35.00 to a maximum of \$35.00 per business per calendar year.

- 4) For a permit to install a sandwich board/novelty sign:

Added –
Nov 21, 2001

- i) for each sign permit: \$35.00

SCHEDULE “C”
SPECIFICATIONS

Community Activity Sign

- a) May be displayed for a period not exceeding thirty days.
- b) No more than one such sign shall be permitted on any one premise.
- c) Such signs shall not exceed 3 square metres in area.

Construction Project Sign

- a) Not more than two construction project signs may be displayed on any one site.
- b) Such signs shall be removed within one month following final approval of the site.
- c) Such signs shall not exceed 3 square metres in area.

Temporary Directional Signs

- a) Not more than three temporary directional signs shall be permitted for each property or premise.
- b) Such signs shall be removed not later than 48 hours following the termination of the event.
- c) Such signs shall not exceed 2.25 square Metres.

Political Sign

- a) Shall be permitted provided that no such sign shall be erected prior to 30 days before the date of the election or referendum and shall be removed not later than 7 days following the date of the election or referendum.
- b) Such signs shall not exceed 3 square Metres per face.

Real Estate Signs

- a) Not more than one real estate sign may be displayed on any one premise.
- b) Such signs may have two faces.

SCHEDULE “C” - Continued

SPECIFICATIONS

c) Such signs shall not exceed 1.5 square Metres per face in R-1 and R-2 zones, and shall not exceed 3 square Metres per face in other zones.

**Text Inserted
Bylaw 1241 –
May 21, 1997**

d) A Real Estate Sign shall not be situated, in whole or in part, on boulevards, parks or other publicly owned property as determined by the sign permit issuing authority.

Development Application Sign

- a) Up to two development application signs may be permitted for each property.
- b) The number, size, location and duration of such signs shall be in accordance with the specifications as determined by the Planning Department of the Town of Comox.

Directional Signs

- a) Not more than 3 directional signs shall be permitted for each property or premise.
- b) Such signs shall not exceed 2.25 square Metres.

Directional Sign for Circulation

- a) Directional signs may be permitted in parking lots or parking areas, where necessary, to direct the public.
- b) Such signs shall not exceed 0.75 square Metres per face.

Directory Sign for Organizations

- a) One directory sign may be permitted on the premises occupied by a religious, community, service club or similar organization.
- b) Such signs shall not exceed 1.5 square Metres.

Home Occupation Sign

- a) For areas that are designated residential on the Official Community Plan

SCHEDULE “C” - Continued

SPECIFICATIONS

only facia signs indicating a home occupation shall be permitted for residential properties (see Facia Signs - Residential Section). For any other areas, other signs may be permitted for home occupations on approval of Council.

Prohibition Signs

- a) Prohibition signs shall not exceed 1.12 square Metres.

Free standing Signs

- a) Shall only be permitted on Commercial, Industrial, Institutional or Multi-family properties.
- b) Shall be situated wholly upon the site of the structure or land use to which it refers and shall not project over public property.
- c) One free standing sign is permitted for each frontage of a premises provided that for each property signs are not less than 30 metres apart regardless of property lines.
- d) A free standing sign may exist instead of, but not in addition to, a projecting sign.
- e) Free standing signs to a maximum area of 3.25 square Metres are permitted provided they do not exceed 6 Metres in height above the street or sidewalk, except for a multi-family property in which case the maximum height shall be 2.25 Metres above the street or sidewalk.
- f) The permitted area of a free standing sign may be increased to a maximum of 14 square Metres based on 0.1 square Metres for every one Metre of frontage of the property on which the sign is located provided the application is made to Council and approve an affirmative vote of at least two thirds of all members of Council.

Projecting Signs

- a) Shall be permitted only for commercial, industrial or institutional uses.
- b) One projecting standing sign is permitted for each frontage of a premises.

SCHEDULE “C” - Continued

SPECIFICATIONS

- c) A projecting sign may exist instead of, but not in addition to, a free standing sign.
- d) Projecting signs shall not be mounted more than 0.3 Metres from the face of the building to which they are attached and shall remain at least 0.3 Metres inside the property line. No position of any such sign or supporting structure shall be less than 2.75 Metres above the nearest finished grade of the site upon which it is situated.
- e) The projecting sign shall be in an area no greater than 0.14 square Metres per 1/3 Metre of wall length upon which it is affixed and shall not exceed a maximum area of 1.8 square Metres.
- f) Where a corner premises fronting on two streets would be permitted two (2) projecting signs, the occupant may replace or substitute one (1) corner projecting sign affixed at forty-five (45) degrees to the corner. In this case, the maximum area of the sign shall not exceed 2.3 square metres.

Facia Signs

1. Commercial Section

- a) The sign shall be situated wholly upon the site of the structure or land use to which it refers.
- b) Facia signs shall be in area not greater than 0.18 square Metres per 1/3 Metre of wall length upon which it is affixed and shall be limited to twenty-five (25) per centum of the area of the facade of the building. For the purposes of this bylaw the mansard roof area of a building shall be considered a part of the facade.
- c) Facia signs shall project no further than 0.6 Metres from the building to which they are attached or painted.
- d) Where a facia sign projects over public property and projects more than 0.3 Metres from the face of the building to which it is attached it shall be installed so as to obtain a minimum clear height above the sidewalk or street of 2.75 Metres.
- e) Only one (1) facia sign per frontage shall be permitted per premises with the following exception:

SCHEDULE “C” - Continued

SPECIFICATIONS

- (i) A building on waterfront property shall be permitted up to two (2) facia signs, with only one of these being on the waterfront side.
 - (ii) Where a business premises consists of more than one department with a separate entrance to each department, an additional facia sign may be placed on the facade of the building for each department.
- f) The total area of all facia signs for each frontage shall not exceed the maximum area allowable for one sign.

2. Residential Section

- a) Facia signs are permitted in a residential area limited to one sign per residence of a maximum size of 0.18 square Metres giving the name of the occupant, profession and business hours where such business or profession is carried on within the residence as a home occupation.
- b) Facia signs to a maximum area of one (1) square Metre to the name and address of the building, the management and the vacancies are permitted on apartment buildings. Only one such facia sign is permitted per building.

Canopy and Awning Signs

Canopy and Awning signs are permitted in all areas of the Municipality, other than residential areas, subject to the following regulations:

- a) Shall be situated upon the site of the structure or land use to which it refers.
- b) Shall be subject to the same restrictions as to size, location and number as for Facia Signs - Commercial Section.
- c) A canopy or awning sign may exist instead of, but not in addition to a facia sign.

Portable Signs

*Section Added
Bylaw 1376 –
Nov 21, 2001*

- (a) Portable signs shall be only permitted on Institutional, Commercial and Industrial-used properties.

SCHEDULE “C” - Continued

SPECIFICATIONS

- (b) Portable signs are permitted subject to the following:
 - (i) No portable sign shall be illuminated or electrified.
 - (ii) No portable sign shall have more than two advertising faces;
 - (iii) Portable signs shall be situated wholly upon the parcel of the structure or land use to which they refer and shall not project over public property.
 - (iv) One portable sign is permitted per business provided that the total number of portable signs does not exceed 1 per 4.0m of parcel street frontage excluding lanes.
 - (v) A portable sign may exist instead of but not in addition to, a Sandwich Board/Novelty Sign;
 - (vi) The sign shall not exceed 0.8m² (8.6ft²) in area per side;
 - (vii) When installed on a site, the maximum height of a portable sign measured from grade shall not exceed 1.5m (4.9 ft);
 - (viii) Portable signs are permitted to be located on a site for a maximum of 90 days per business per calendar year. No permit shall be issued for a period exceeding 30 consecutive days; and,
 - (ix) No permit for a portable sign shall be issued to a business until a period of 30 days has elapsed from the expiry date of any previous portable sign permit issued to that business.

Sandwich Board/Novelty Signs

Added 1376 –
Nov 21, 2001

- (a) Sandwich Board/Novelty Signs shall be only permitted on Institutional, Commercial or Industrial-used properties.
- (b) Sandwich Board/Novelty Signs are permitted subject to the following:
 - (i) No Sandwich Board/Novelty Sign shall be illuminated or electrified;
 - (i) Sandwich Board/Novelty Signs shall not exceed 0.6 m² (6.45 ft²) in area per side.

SCHEDULE “C” - Continued

SPECIFICATIONS

- (iii) Sandwich Board/Novelty Signs shall be situated:
 - 1. wholly upon the parcel of the structure or land use to which they refer and shall not project over public property; or,
 - 2. on the abutting sidewalk or boulevard.
- (iv) one Sandwich Board/Novelty Sign is permitted per business provided that the total number of sandwich board/novelty signs does not exceed 1 per 4.0m of parcel street frontage excluding lanes.
- (v) A Sandwich Board/Novelty Sign may exist instead of, but not in addition to, a projecting sign;
- (vi) The height of a Sandwich Board/Novelty Sign measured from grade shall not be less than 1.0m (3.2ft);
- (vii) The maximum width of a Sandwich Board/Novelty Sign shall not exceed 1.0m (3.2ft);
- (viii) An application to place a Sandwich Board/Novelty Sign on a sidewalk or boulevard must include:
 - 1. an agreement that the applicant shall be fully responsible for any injury or damage caused by the display or placement of the Sandwich Board/Novelty Sign, and:
 - 2. applicant save harmless and indemnification of the Town, its agents and employees from and against all manner of actions, claims, debts, demands, promises or legal costs of any kind which may arise either directly or indirectly from the issuance of a sign permit for a Sandwich Board/Novelty Sign.