



**CORPORATION OF THE  
DISTRICT OF TOFINO**

**SIGN CONTROL BYLAW  
NO. 1079, 2008**

*CONSOLIDATED FOR CONVENIENCE ONLY  
AS OF February 9, 2010*

*Up to Bylaw No. 1108, 2010*

**DISTRICT OF TOFINO SIGN CONTROL BYLAW NO. 1079, 2008**

**DISTRICT OF TOFINO**

**SIGN CONTROL BYLAW NO. 1079 2008**

A Bylaw to regulate the number, size, type, form, appearance, and location of any sign under the jurisdiction of the District of Tofino.

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## DISTRICT OF TOFINO SIGN CONTROL BYLAW NO. 1079, 2008

**WHEREAS** the Council of the District of Tofino may under Section 908 of the *Local Government Act* regulate the number, size, type, form, appearance, and location of any signs.

**AND WHEREAS** pursuant to Sections 8(4) and 65 of the *Community Charter*, the Council of the District of Tofino may regulate the erection, placement, alteration, maintenance, demolition and removal of signs, sign boards, advertisements, advertising devices and structures;

**NOW THEREFORE** the Council of the District of Tofino in the Province of British Columbia, in open meeting assembled enacts as follows:

### **SECTION 1: Title**

This Bylaw may be known and cited for all purposes as “The District of Tofino Sign Control Bylaw No. 1079”.

### **SECTION 2: Definitions**

In this Bylaw, unless the context otherwise requires:

**Arterial Highway** - means an arterial highway so designated by the Provincial Government;

**Building** - means a structure having a roof supported by columns or walls used or capable of being used for the shelter or accommodation of persons, animals or chattels and include a portion or portions of a building as well as chimneys and steeples;

**Building-Face** - means a fascia, canopy fascia, mansard, roof eave, parapet, exterior wall of a building or exterior wall of a penthouse;

**Copy Area** - means the area of a rectangle or rectangles which enclose the extreme limits of the advertising message or announcement on a sign;

**Frontage** – means;

**LOT LINE, FRONT** means the lot line abutting the street:

1. In the case of a corner lot, either lot line abutting a street may be considered the front lot line, the rear lot line must be opposite to the front lot line.
2. In the case of a corner lot only one front lot line need be provided. In the case of a through lot, the lines abutting the streets or the street and waterway shall be considered as front lot lines.
3. Where the lot does not front on a public or private street, road, or way, the front line of the lot shall be as determined by the Building Inspector.
4. Where a lot is divided by a public way, whether dedicated or not, other than a lane or walkway, both sides of such public way shall be considered as front lot lines.

**LOT LINE, REAR** means the lot line furthest from and opposite to the front lot line, except that there shall not be more than one rear lot line.

**LOT LINE, SIDE** means a lot line marking the boundary between two lots, or between a lot and lane, or between a lot and a public street in the case of a corner lot; of which one or both ends intersect a front lot line.

**Fuel Station** - means any real property used or equipped to be used for the retail sale and dispensing of motor fuels, motor oils, and propane;

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**GVW** - means gross vehicle weight;

**Highway** - includes a street, road, lane, bridge, viaduct, and any other way open to the use of the public, but does not include a private right-of-way on private property;

**Home Occupation** - means any occupation or profession carried on for consideration which is clearly incidental to the use of the dwelling unit for residential purposes;

**Landscaping** - shall mean any combination of trees, bushes, shrubs, plants, flowers, lawns, bark mulch, decorative boulders, decorative paving, planters, foundations, sculpture, and decorative fences necessary to effectively screen a property, but shall not include paved parking areas and sidewalks, or un-cleared natural bush, undergrowth, or uncontrolled weed growth;

**Lot** - means land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the records of the Land Titles Office, Victoria, B.C.;

**Non-Conforming Building or Use** - means any building or use which does not conform with all the regulations for the zone in which such a building or use is located;

**Premise** - means a building or location, situated on a record lot at which a business or activity is conducted;

**Roof Line** - means the line created by the intersection of the plane of the outside face of the exterior wall of the building and the roof of the building. The height of the roof line for each building face shall be measured at the roof line above that building face;

**Sign** - means generally, but not limited to any symbols, letters, numerals, words, figures, pictures, illustrations, advertisements, announcements, direction, logo, visual representation or other attention drawing device which advertises, identifies, or communicates information or attracts the attention of the public, for any purpose, displayed out-of-doors on a record lot or on the exterior of a building on a record lot in such a manner as to be visible from a highway and shall include a sign displayed on the interior surface of an exterior window, but shall not include a traffic control device, nor architectural symbolism or graphics which are an integral part of the architectural design of the building;

**Sign - Advertising** - means a sign used solely for advertising or identifying a business, profession, or event conducted upon the record lot on which said sign is located; or for advertising or identifying goods, products, services or other things produced, displayed, offered for sale or otherwise obtainable upon the said record lot;

**Sign - Area of** - means the area of the rectangle within which the extreme limits of the face of a sign can be completely contained, exclusive of any supporting structure, except that:

- i) Where a sign has more than one face or the face of the sign is not flat the area of such sign shall be the rectangle, circle or triangle within which the extreme limits of the largest area of the face of the sign, in profile, can be completely contained, exclusive of any supporting structure, and
- ii) Where a sign is made up of individual letters the areas of such sign shall be the combined areas of the smallest rectangles, circles or triangles that will enclose the extreme limits of the individual letters or figures of the said sign;

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**Sign - Banner** - means any sign comprised of a light weight, non-ridged material which can be hung from a building or structure and shall not apply to any sign which falls under any other definition;

**Sign - Backlit Transparent** - means any sign comprised of a transparent face with lettering or logo or both being illuminated by enclosed backlighting;

**Sign - Billboard** - means a panel, sign-board, bulletin board, or other free-standing structure, and used or intended to be used for the posting or displaying of notices or advertising materials pasted, glued, fastened, or otherwise affixed thereto;

**Sign - Bulletin Board** - means a panel, sign board, bulletin board or other fascia sign, and used or intended to be used for the posting or displaying of notices;

**Sign - Canopy** - means a fascia sign displayed on a canopy fascia, but shall not include a free-standing sign or projecting sign;

**Sign - Community Activity** - means a sign or banner indicating that a community activity or event including, but not necessarily limited to a fair, rodeo or fund drive, is about to be, or is being, or has been carried on;

**Sign - Directional** - means a sign indicating the name and direction only of a commercial or industrial establishment;

**Sign - Electronic or Electric Message Board** - means an electronically powered sign displaying, moving, or changing messages, prices, or logos;

**Sign - Fascia** - means a single faced sign displayed on a building face with its display surface in a plane parallel to the building face, and shall include a sign displayed on the interior surface of an exterior window of said building in such a way as to be visible from a highway, but shall not include a billboard;

**Sign - Free-Standing** - means any sign wholly or partially supported from the ground by a structure which is independent of any of the buildings or other structures located on the same record lot on which the sign is situated, but shall not include a billboard, banner or sandwich board sign;

**Sign - Home Identification** - means a sign which identifies a residence;

**Sign - Home Occupation** - means a sign indicating that a home occupation (including but not limited to short term rentals and bed and breakfast operations) is carried out in a building on the lot;

**Sign – Illuminated** - means any sign illuminated by spotlights from the front, side or rear of said sign;

**Sign – Interior** - means any sign displayed from within the interior of a building including all signs painted, pasted, marked or inscribed on, or attached to, or erected, or placed, against the interior surface of any interior window of the building;

**Sign – Mural** - means generally, but not limited to. any figures, pictures, illustrations, advertisements, logos, visual representations or other attention drawing devise painted or drawn on the interior surface of an exterior window or on the exterior surface of a building;

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**Sign - Out of Sight** - means any sign which cannot be seen from any street or other public place to which the public has access as of right;

**Sign – Political** - means a sign erected to promote the voting at an election, or the election of a particular candidate or the voting for or support of a particular cause at an election;

**Sign – Portable** - means a sign placed upon but not fixed to the ground or a building on a record lot and used to advertise a product or an event on a temporary basis, and shall include a sign which is set upon or supported by a vehicle. A portable sign shall not include a sandwich board sign;

**Sign – Prohibition** - means a fascia or free-standing sign indicating a prohibition or penalty respecting the property on which it is situated;

**Sign – Projecting** - means a sign attached to and with its display surface(s) at right angles to and attached to a wall of a building;

**Sign - Public Building** - means a free-standing sign or fascia sign located on the site of a public building or other public facility, including but not necessarily limited to a church, library, school or park, indicating thereon the name of said public building or other public facility and the activities pertaining thereto;

**Sign - Real Estate or Construction** - means a free-standing or fascia sign indicating that the property on which it is located, or a premises on the said property is for sale, rent or lease, or that a building project of development on the said property is about to be undertaken, or is currently in progress;

**Sign – Roof** - means a sign erected upon or above a roof or parapet of a building, or a sign affixed to a building and extending above the roof line of the building, but shall not include a projecting sign;

**Sign - Sandwich Board** - means a two faced portable sign;

**Sign – Temporary** - means a sign not permanently affixed to the ground or a building or a sign displayed from a vehicle, advertising a business or a premise;

**Sign - Under Canopy** - means a sign affixed to or beneath a permanent marquee, canopy or awning and with its display surface situated at right angles to the face of the building of which said marquee, canopy, or awning forms part of the sign and does not include a projecting sign or a banner sign;

**Sign - Welcome or Tourist Information** - means a sign designed to orient the visitor and assist him/her in the location of community facilities and services, and, further indicating general tourist information relating to the District of Tofino as a whole;

**Structure** - means a construction of any kind whether fixed to, supported by or sunk into land including but not limited to sheds, fences, platforms, display signs, sign supports, tanks, poles, towers, chimney towers, satellite dishes, and spires;

**Third Party Advertising** - means content on a sign which directs attention to products sold or services provided, which cannot be considered as principal products sold or principal services provided on the premises at which such third party advertising is located;

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**Vehicle** - means a device in, on or by which a person or thing is or may be transported or drawn on a highway, sidewalk, lane or right of way;

**Yard – Front** - means a yard extending across the full width of the site and measured as to depth at the least horizontal distance between the street line and the exterior wall;

**Zones** - means the zoning districts within the District of Tofino as designated under the applicable zoning bylaw.

**SECTION 3: General**

**3.1** No person shall erect, display, alter, rebuild, enlarge, extend, relocate, or attach to, suspend from, or support or permit the erection, alteration, rebuilding, enlarging, extending, relocating or attachment to, suspension from or supporting of a sign on any structure or the lands on a record lot within the boundaries of the District of Tofino unless it fully complies with this Bylaw.

**3.2** No person shall erect, display, construct, attach or alter, and no person, being the registered owner of a record lot shall permit the erection, display, construction, attachment or alteration of a sign in the District of Tofino without first obtaining a permit, provided, however, that for the following signs no permit shall be required:

- (a) Directional Signs
- (b) Directory Signs
- (c) House Identification Signs
- (d) Interior Signs
- (e) Out of Sight Signs
- (f) Political Signs
- (g) Prohibition Signs
- (h) Real Estate or Construction Signs
- (i) Welcome or Tourist Information Signs
- (j) Other specific use signs as outlined in Section 4 (12)

**3.3** Any person applying for a permit under Section (2) shall submit the following:

- (a) A completed application as per Schedule 'A' of this bylaw, including all supplemental materials required on the application;
- (b) The application fee as specified in Section 9 (4) (a) of this bylaw.

**3.4** No sign shall be erected or lighted in such a manner as to interfere with the visibility of a traffic control device or to face an access to or egress from a highway.

**3.5** No sign shall be equipped with flashing, oscillating or moving lights.

**3.6** No sign shall be permitted on a highway right-of-way unless it meets the following requirements of this Bylaw:

- (a) A sign visible from Highway 4 shall not be erected within one hundred and fifty (150) metres of any boundary of the right-of-way of said highway unless the sign is located upon the record lot upon which the products or premises advertised are located, sold, assembled, or manufactured, except as hereunder provided:

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- (i) One off site sign may be permitted at the intersection of Highway 4 with the closest access road for any business being in possession of a valid and current business license;
    - (ii) Such sign may be erected on that side of the highway on which the business is located;
  - (b) When a sign or any part thereof is suspended or projects over a highway right-of-way or a public place, the owner, or the person for whose benefit the sign is erected, or the manufacturer of said sign, shall deposit with the District prior to issuance of a sign permit and maintain in full force and effect throughout the life of the sign a policy of insurance in a sum not less than Two Million Dollars (\$2,000,000.00) indemnifying the District against all loss, cost, damage or expense incurred or sustained by or recovered against the District by reason of the construction, erection, placement, interference, or maintenance of such sign. Such insurance should name the District as an additional named insured and the policy shall provide for 30 days notice in writing to the District of the proposed cancellation of such insurance;
  - (c) Receives approval or permit from the Ministry of Transportation & Highways for such sign;
- 3.7** The copy area of a sign shall not exceed seventy-five percent (75%) of the sign area.
- 3.8** Third party advertising shall not exceed thirty percent (30%) of the total permissible signage area of a record lot or premise.
- 3.9** Signs for seasonal business shall be taken down or have “Closed for Season” attachment added to each sign at date of seasonal closure.
- 3.10** Waterfront signs are subject to the conditions of this Bylaw.
- 3.11** Combination signs shall be subject to the individual requirements for each type of sign comprised in the same,
- 3.12** No signs be displayed so that the copy area of the sign shall be visible from any beaches within the District of Tofino.

**SECTION 4: Specific Use Signs**

The following signs are permitted in all zones subject to the provisions hereinafter set forth:

- 4.1 Community Activity Sign** - provided that such sign:
- (a) Shall not be erected for a period exceeding thirty (30) days, and
  - (b) Shall not exceed three (3) square metres in area.
- 4.2 Directional Sign** — provided that such sign:
- (a) Shall be located in a parking lot or parking area where necessary to direct the public,

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- (b) Overall height shall not be more than three decimal five (3.5) metres high, if a free standing sign, and
- (c) Shall not exceed zero decimal six (0.6) square metres in area.

**4.3 Directory Sign** - provided that such sign:

- (a) Shall not exceed three (3) square metres in area,
- (b) Shall not have more than zero decimal six (0.6) square metres of area apportioned to listing any one premise or activity,
- (c) Shall be erected by the District of Tofino for the direction of the public.

**4.4 Home Identification Sign** - identifying a residence provided that such sign:

- (a) Shall be located on the same lot as the residence it identifies,
- (b) Shall be a carved or cast sign with raised or recessed lettering and/or logos,
- (c) Shall be affixed to the buildings or to the fence of the building which is to be identified, where possible,
- (d) Shall be the only "Home Identification Sign" located on record lot, and
- (e) Shall not exceed zero decimal six (0.6) square metres in area.

**4.5 Home Occupation Sign** - identifying a home occupation, provided that such sign:

- (a) Shall be located in a zone that permits a home occupation,
- (b) Shall be affixed to the same building or to the fence of the same building at which the home occupation being conducted, where possible,
- (c) Shall be the only "Home Occupation Sign" located on lot,
- (d) Shall not exceed zero decimal six (0.6) square metres in area.

**4.6 Non-conforming Use Sign** - identifying or advertising a premise which is a legally established non-conforming use under this Bylaw, provided that such sign:

- (a) Shall be located on the same record lot as the premise,
- (b) Shall be the only Non-conforming Use Sign located on the record lot identifying or advertising the premise,
- (c) Shall not be permitted unless it meets the requirements of this Bylaw, and is located in a commercial or industrial area, and
- (d) Shall not exceed one decimal three (1.3) square metres in area when located in a residential area.

**4.7 Political Sign** - provided that such sign:

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- (a) Shall not be erected more than thirty (30) days prior to the election in question,
- (b) Shall be removed within seven (7) days after the election, and

**4.8 Prohibition Sign** - provided that such sign shall not exceed an area of one decimal two (1.2) square metres in area.

**4.9 Real Estate or Construction Signs** - provided that such signs:

- (a) Shall not exceed three (3) square metres in area, and
- (b) Shall be limited to one sign per proposed plan of development; and
- (c) Shall only be placed on a road frontage side of any subject lot;
- (d) Shall be removed within thirty (30) days of completion of the real estate transaction or occupancy of the premises or completion of the development in question.

**4.10 Welcome or Tourist Information Sign** — provided that such sign shall be approved and erected under the direction and authority of the District of Tofino.

**4.11 Bulletin Board Sign** - provided that such signs:

- (a) Be allowed in “C” - zones, “W” - zones and “P” - zones;
- (b) Shall not exceed three (3) square metres in area;
- (c) Shall be attached to a building in fascia design.

**4.12 Other Signs Permitted**, provided that such signs is one of the following:

- (a) Signs of the Federal, Provincial, Municipal, or Regional Government;
- (b) Traffic Control signs as defined in the “Motor Vehicle Act”;
- (c) Signs required to be maintained or posted by law or governmental order, rule or regulation;
- (d) Signs indicating a hazard;
- (e) Memorial plaques, cornerstones or historical tablets;
- (f) Place of Worship Identification Signs.

**SECTION 5: Advertising Signs**

The following advertising signs shall be permitted in “C” - zones, “M” - zones, and “W” - zones provided that the sign is located upon the record lot on which the products or premise advertised are located, sold, assembled, processed or manufactured, and subject to the provisions hereinafter set forth:

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**5.1 Free-Standing Signs** - provided that:

- (a) The number of free-standing signs located on a record lot shall not exceed the greater of one (1) for each street frontage of the site or one (1) for each four (4) businesses located on the site, provided that the total number of free-standing signs on the record lot shall not exceed three (3).
- (b) Free-standing signs situated on the same record lot shall not be located closer to each other than sixty (60) metres.
- (c) No free-standing sign shall be permitted on a record lot when the building to which it pertains is closer than seven decimal five (7.5) meters to a property line abutting a street, except that the sign to which the building pertains may not be closer than three (3) metres to the property line when a building on an adjoining property is located closer to the street than the building to which the sign pertains.
- (d) The area of a free-standing sign shall not exceed one decimal five (1.5) square metres plus:
  - (i) An additional one-half (1/2) square metre for each eighteen (18) metres of street frontage of the nearest property line which abuts a street,
  - (ii) An additional one (1) square metre for every one thousand (1000) square metres of the record lot on which the premise is located,
  - (iii) An additional one (1) square metre for each thirty (30) metres the sign is set back from the nearest property line which abuts a street,provided that the maximum area of a free-standing sign shall not exceed six (6) square metres and provided further that the combined area of all free-standing signs on each street frontage of a record lot not exceed nine (9) square metres.
- (e) The height of a free-standing sign shall not exceed three decimal five (3.5) metres plus zero decimal five (0.5) metres for each five metres the sign is set back from the nearest property line which abuts a street, provided that the maximum height of a free-standing sign shall not exceed six (6.0) metres and provided further that where grade elevation at the base of the sign is below the elevation of the centre line of the nearest street, a free-standing sign may always be at least three decimal five (3.5) metres higher than the elevation of the centre line of the nearest street as measured at a point on the centre line which is located nearest to the sign.
- (f) Where a free-standing sign is located in a walkway or a driveway it shall be located in a raised landscape planter having an elevation not less than decimal two (0.2) metres above the average level of the walkway or driveway and having a ground area of not less than the area of the sign.
- (g) Where a landscaped area already exists on the site a free-standing sign shall be located in such a landscaped area provided that this requirement shall not apply where it causes conflict with any other provision of this Bylaw.

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**5.2 Fascia Sign** - provided that:

- (a) Not more than one (1) fascia sign shall be permitted for each street frontage of the premise to which pertains;
- (b) The maximum area of a fascia sign shall not exceed zero decimal two five (0.25) square metres for one (1) lineal metre of building frontage of the premise to which the sign pertains, as measured on the side of the building to which the sign is attached;
- (c) A fascia sign shall not:
  - (i) Project more than forty-five (45) centimetres in front of the building face to which it is attached.
  - (ii) Extend above the roof line of the building face to which it is attached.
- (d) A fascia sign shall not exceed thirty percent 30% of the face of the building where said sign is to be placed, in total area.

**5.3 Canopy Sign** - provided that:

- (a) Not more than one (1) canopy sign shall be permitted for each building face of the premise to which the canopy sign pertains.
- (b) A canopy sign shall not extend above or below the limits of the canopy fascia to which it is attached, except that where the said canopy fascia is less than zero decimal three (0.3) metres deep a canopy sign shall be allowed to extend above and/or below the limits of the said canopy fascia provided that the said sign shall:
  - (i) Have an area which does not exceed the maximum allowed for canopy signs,
  - (ii) Be continuous throughout the length of the canopy fascia,
- (c) The maximum area of a canopy sign shall not exceed zero decimal two five (0.25) square metres for each one (1) horizontal metre length of the face of the canopy fascia to which it is attached.
- (d) Where the canopy is mounted at an angle to the exterior wall of a building and a canopy sign is located on the fascia of the canopy the said canopy shall not project further in front of the exterior wall than would be permitted for a projecting sign in the same location,
- (e) Where the canopy fascia to which a canopy sign is attached has more than one face, the canopy sign may continue around the perimeter of the canopy fascia and still be considered as a single sign.
- (f) The canopy on which a canopy sign is located shall be affixed to the premise to which the canopy sign pertains.

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- (g) The copy area of a canopy sign shall not exceed fifty percent (50%) of the canopy area.

**5.4 Under Canopy Sign** - provided that:

- (a) Not more than one (1) under canopy sign shall be permitted for each premise.
- (b) The lowest part of an under canopy sign or supporting structure shall be at least two decimal five (2.5) metres above the grade of the sidewalk.

**5.5 Sandwich Board Sign** - provided that:

- (a) A temporary sign permit has been issued by the District of Tofino as per section 7 of this Bylaw.
- (b) The sign has a maximum area of point zero eight (0.8) square metres on each side
- (c) A sandwich board sign can only be placed outdoors while the business is open to the public;

**5.6 Banner Sign** - provided that:

- (a) A temporary sign permit has been issued by the District of Tofino as per section 7 of this Bylaw.
- (b) Banner signs shall be rectangular in shape, and be no greater than 4 meters in area;
- (c) The banner sign is securely fastened on all four (4) corners.

**5.7 Electric or Electronic Message Boards** — provided that:

- (a) The premise on which it is located is a fuel station;
- (b) The sign may only display the current price of motor fuels, including gasoline, diesel, propane, and marine fuels;
- (c) The design of the sign may allow for the price of each grade or type of fuel to be visible on either side.
- (d) The maximum copy area shall be point zero six (0.6) metres per type of grade of fuel.
- (e) The sign only displays its message in one color;
- (f) The content of the sign remains the same for a period of at least 1 hour, and does not scroll, move, fade, flash, change, or act in anyway which is designed to draw attention to the sign or premise;

**5.8 Restriction on total number of advertising signs:** - no individual premise shall have more than three (3) advertising signs, except that where s premise fronts on more than

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one (1) street, not more than two (2) additional advertising sign shall be permitted on each additional street frontage of the premise.

**SECTION 6: Prohibited Signs**

The following signs shall not be permitted anywhere within the District of Tofino:

**6.1 Billboards**

**6.2 Plywood cutouts and mannequin-type representations as free standing signs.**

**6.3 Roof Signs**

**6.4 Backlit Transparent Signs except as herein under provided:**

- (a) A Backlit transparent sign is permitted on the premises of a hospital.
- (b) A Backlit transparent sign is permitted to identify a detachment of the Royal Canadian Mounted Police.

**6.5 Temporary Signs except as herein under provided:**

- (a) One free standing sign, maximum one (1) square meter in size, conforming to the provisions of this Bylaw, may be erected at the intersections of Campbell Street in the vicinity of the wharfs to accommodate fish sales off the dock by commercial fishing vessels with a license to sell fish. Such signs may not be located in an area that would obstruct site lines where public or vehicular safety is affected.
- (b) Except as provided under section 7 of this Bylaw.

**6.6 Signs comprising wind, air or fan activated attention drawing devices, balloons or ribbons, except that this provision shall not apply to community activity signs or signs erected by the District of Tofino for the purpose of area beautification or special events.**

**6.7 Any other sign not specifically permitted under this Bylaw.**

**6.8 Off Premise Signs except as herein under provided:**

- (a) One free standing or one fascia sign, conforming to the provisions of this Bylaw, may be erected at the intersection of Highway 4 (Campbell St.) with the closest access street for each premises not abutting Highway 4.

**6.9 Signs, posters, notices, placards, or advertisements, attached to telephone poles, electric power poles, posts, prohibition signs, trees, or Highway Traffic Signs.**

**6.10 Signs displayed in or on or over any street or other public place except as expressly permitted by this Bylaw.**

**6.11 Signs affixed to any fire escape, fire exit window or door or other devise or passage used in the event of fire.**

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**6.12 Murals - any application for a Sign Permit for a Mural must be reviewed and approved by Council prior to issuance.**

**6.13 Signs extending or projecting over a public sidewalk.**

**6.14 Projecting signs**

**SECTION 7: Temporary Sign Permits**

**7.1** The following signs may be granted a temporary sign permit:

- (a) Banner;
- (b) Sandwich Board;

**7.2** No temporary sign permit shall be granted when the sign:

- (a) Contains 3<sup>rd</sup> party advertising;
- (b) Does not conform to the policies of the OCP;
- (c) Poses a safety hazard;
- (d) Interferes with the freedom or movement of people or vehicles; or,
- (e) Is located off the lot of the business being advertised.

**7.3** A temporary sign permit shall only be issued for one of the following purposes:

- (a) To advertise an opening or closing of a business;
- (b) To advertise a new business until a permanent sign can be erected;
- (c) Where conditions such as construction or renovation interfere with or prevent the use of a permanent sign;
- (d) To advertise a special event, to a maximum of twelve (12) events, per year, per business; or,
- (e) By resolution of the District of Tofino Council.

**7.4** A temporary sign permit shall only be valid for:

- (a) If Section 7.3(a) or (d) applies, for no longer than seven (7) days;
- (b) If Section 7.3 (b) or (c) applies, until the installation of a permanent sign or four (4 )months, whichever is sooner.
- (c) If Section 7.3(e) applies, then for the period as specified by council resolution.

**7.5** An application for a temporary exemption permit (see Schedule "C") shall be completed including all supplemental information as required and submitted to the District of Tofino;

## **DISTRICT OF TOFINO SIGN CONTROL BYLAW NO. 1079, 2008**

- 7.6** No sign shall be issued a temporary sign permit if the sign is in contravention of any provision of Sections 6.9 to 6.13;
- 7.7** All temporary sign permits must be approved by a Bylaw Enforcement Officer;
- 7.8** Alteration or relocation of a sign after the temporary sign permit has been approved shall immediately cancel the permit, and the full force of this bylaw shall be in effect;
- 7.9** Temporary sign permits as prescribed in Schedule “D” of this bylaw must be available on the subject premise for inspection by a bylaw enforcement officer;
- 7.10** Prior to expiry of the temporary sign permit, the sign shall be removed, unless an additional valid sign permit has been approved.

### **SECTION 8: Design and Construction**

- 8.1** It is the intent of the District of Tofino to preserve and enhance a consistent “West Coast Natural” theme throughout the District.
- 8.2** The materials utilized shall be predominantly natural materials such as wood or metal traditionally tooled and finished. The preferred signage is carved wooden signs with logos and lettering recessed or raised against the background with the background area finished in natural wood tones.
- 8.3** Signs shall be legible and shall not employ colour combinations which inhibit legibility through lack of contrast.
- 8.4** The use of day glow, phosphorescent or fluorescent colours is prohibited.
- 8.5** The design of every sign shall be aesthetically pleasing, compatible with the quality and image of the surrounding area, and shall not detract from the architectural integrity of any building or structure to which it is attached, or beside which it is located. The arrangement and grouping of signs on a building shall be integrated with the architecture of the building and dimensioned to conform to the vertical and horizontal edges, breaks, trimlines or openings of a building face. Structural supports, bracings and ties for signs shall be kept to a minimum, consistent with structural adequacy, and as much as possible shall be concealed within the body of the sign itself.
- 8.6** Illuminated signs shall be designed to be aesthetically pleasing both by day and by night.
- 8.7** Signs attached to a building shall be securely attached to the building, using metal anchors, bolts, expansion screws, chains or cables; signs shall not be fastened by nails, staples or screws to wooden blocks, plugs or mailing strips built into masonry or concrete.
- 8.8** Where a sign is attached to a building, the building to which such sign is attached shall be structurally sound and shall be structurally adequate to support all additional loads which might be imposed by the said sign and the loads imposed by such sign shall be distributed to the structural members of the building in such a way that these members will not be over stressed.

**DISTRICT OF TOFINO SIGN CONTROL BYLAW NO. 1079, 2008**

- 8.9** All signs together with their supporting structures and any electrical equipment shall be kept fully operable, in good repair and maintained in a safe, neat, clean and attractive condition.

**SECTION 9: Fees, Permits, and Costs**

- 9.1** No person shall commence or cause to be commenced the work of erection, construction, relocation or alteration of a sign unless he or she has obtained a permit as shown on the attached Schedule “B” of this Bylaw, from the Bylaw Enforcement Officer, being the approving officer who after ascertaining that such work and the sign to be erected, constructed, relocated or altered conforms in all respects with the provisions of this Bylaw, shall issue the same on payment of the fee prescribed.
- 9.2** When a proposed sign application does not conform to this Bylaw and the applicant wishes, he or she may request a Development Variance Permit from the District of Tofino.
- 9.3** Neither the issuance of the aforesaid permit nor anything in this by-law contained shall be read or construed so as in any way to relieve any person of or from any duty, prohibition or requirement in respect of the erection, construction and maintenance of signs, imposed or enacted by any other Bylaw of the District or by any act of the Legislature Assembly or any order or regulation made pursuant thereto.
- 9.4** The fees payable under this Bylaw shall be as follows:
- |   |          |
|---|----------|
| (a) All signs upon application for a permit:                | \$100.00 |
| (b) Signs on approval of a Sign Permit:                     | \$50.00  |
| (c) Signs on approval of a Temporary Exemption Sign Permit: | \$25.00  |
- 9.5** Where any person has erected a sign without the benefit of a permit, the fees payable to authorize erection of the sign shall be double the applicable fees set out in Section 9.4.
- 9.6** The costs payable in the case of a contravention of the Bylaw shall be as follows,
- |                              |          |
|------------------------------|----------|
| (a) Removal and impound fee: | \$135.00 |
| (b) Disposal fee:            | \$65.00  |

**SECTION 10: Signs in Contravention of this Bylaw**

- 10.1** A Bylaw Enforcement Officer is hereby authorized to remove or alter or cause to be removed or altered those signs erected, placed or displayed contrary to the District of Tofino Sign Control By-law.
- 10.2** Signs removed, pursuant to Section 10.1 shall be impounded for a period of up to thirty (30) days. Upon paying the removal fees, impounding fees, and any lawfully imposed fines or penalties, an owner may recover his or her sign.
- 10.3** Any signs which have not been recovered after thirty (30) days, pursuant to Section 10.2, may be disposed of.

## **DISTRICT OF TOFINO SIGN CONTROL BYLAW NO. 1079, 2008**

- 10.4** If the expense of the removal, impounding, and disposal is not paid, the District of Tofino may recover the expense, with interest, at the rate of 8% per year with costs in the same manner as Municipal Taxes.

### **SECTION 11: Bylaw Enforcement Officer**

- 11.1** A Bylaw Enforcement Officer is authorized and empowered to inspect, compel, and require that all the regulations and provisions prescribed in this bylaw are carried out.
- 11.2** For the purpose of this bylaw, the Bylaw Enforcement Officer means any of the following:  
Director of Development Services  
Bylaw Enforcement Officer of the District of Tofino  
Superintendent of Public Works of the District of Tofino  
Building Inspector of the District of Tofino  
RCMP Officers  
or their duly appointed designate.
- 11.3** No person shall unreasonably obstruct or prevent a Bylaw Enforcement Officer from carrying out his duties as prescribed in this bylaw.

### **SECTION 12: Offenses**

- 12.** Every person who contravenes any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfil, observe, carry out, or perform a duty or obligation imposed by this bylaw, shall be deemed to have committed an offence against this bylaw and:
- a) shall be liable to a fine set out in the District of Tofino Municipal Ticket Information System Bylaw No. 1088, 2009 as amended from time to time; or
  - b) shall be liable to a penalty set out in the District of Tofino Bylaw Notice Enforcement and Dispute Adjudication System Bylaw No. 1107, 2009 as amended from time to time; or
  - c) shall be liable, upon summary conviction, to the penalties provided under the Offence Act and amendments thereto; or
  - d) any combination of 12 a), b), and c).

### **SECTION 13: Severance**

If any portion of this bylaw is declared ultra vires by a court of competent jurisdiction, that portion shall be deemed to be severed from the bylaw to the intent that the remainder of the bylaw shall continue in full force and effect.

### **SECTION 14: Repeal**

The District of Tofino Sign Control Bylaw Bylaw No. 503, 1990 is hereby repealed.

Read a first time this 14<sup>th</sup> day of October, 2008

Read a second time this 14<sup>th</sup> day of October, 2008

Read a third time this 14<sup>th</sup> day of October, 2008

Adopted this 28<sup>th</sup> day of October, 2008

**DISTRICT OF TOFINO SIGN CONTROL BYLAW NO. 1079, 2008**

\_\_\_\_\_  
John Fraser, Mayor

\_\_\_\_\_  
Bob Long, CAO

Certified a true and correct copy of Bylaw No. 1079, 2008 cited as the "District of Tofino Sign Control By-law No. 1079, 2008" as adopted by Council this 28<sup>th</sup> day of October, 2008.

\_\_\_\_\_  
Bob Long, CAO

**DISTRICT OF TOFINO SIGN CONTROL BYLAW NO. 1079, 2008**

**Schedule 'A'**

**APPLICATION FOR SIGN PERMIT**

INFORMATION TO BE ATTACHED TO THE APPLICATION:

1. **Scaled drawing of proposed sign showing layout, size, height, dimension, colour, method of fastening, sign support, and types of materials used. All measurements must be in metric.**
2. **Site plan of the property, showing location of proposed sign in conjunction with existing or proposed buildings, heights, and setbacks from all property lines. All measurements must be in metric.**
3. **Total cost of the required works required to erect, place or otherwise install a sign on the subject property including, but not limited to cost of sign, landscaping and excavation.**
4. **Copy of current Business License.**
5. **Application Fee. (\$100)**

TO BE COMPLETED BY APPLICANT — Please print clearly

Applicant's name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Postal Code: \_\_\_\_\_ Phone #: \_\_\_\_\_

Registered Property Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Phone #: \_\_\_\_\_

Legal Description of Property where Sign is to be installed: \_\_\_\_\_  
\_\_\_\_\_

Civic Address of Property where Sign is to be installed: \_\_\_\_\_  
\_\_\_\_\_

Business Name: \_\_\_\_\_

Seasonal?      YES      or      NO      Dates \_\_\_\_\_

\_\_\_\_\_

Date

\_\_\_\_\_

(Signed)

**TO BE COMPLETED BY MUNICIPALITY:**

Development Permit Required      YES      or      NO

Application Fee Paid      \$ \_\_\_\_\_

Receipt # \_\_\_\_\_

Date Paid \_\_\_\_\_

**DISTRICT OF TOFINO SIGN CONTROL BYLAW NO. 1079, 2008**

**Schedule 'B'  
SIGN PERMIT**

Subject to the provisions of "The District of Tofino Sign Control Bylaw No. 1079, 2008", permission is hereby granted to:

\_\_\_\_\_

for the \_\_\_\_\_ of a  
(erection, construction, alteration, etc)

sign at \_\_\_\_\_  
(legal description and civic address)

in conformity with the plans and specifications submitted by the applicant as per Schedule "A" and approved of by the Bylaw Enforcement Officer of the District of Tofino on this day of \_\_\_\_\_.

\_\_\_\_\_  
Bylaw Enforcement Officer,  
District of Tofino

**DISTRICT OF TOFINO SIGN CONTROL BYLAW NO. 1079, 2008**

**Schedule 'C'**

**APPLICATION FOR TEMPORARY SIGN PERMIT**

**INFORMATION TO BE ATTACHED TO THE APPLICATION:**

1.  Scaled drawing or photograph of the sign showing layout, size, height, dimension, colour, method of fastening, sign support, and type materials used. All measurements must be in metric.
2.  Site plan of the property, showing location of proposed sign in conjunction with existing or proposed buildings, heights, and setbacks from all property lines. All measurements must be in metric.
3.  Total cost of the required works required to erect, place or otherwise install a sign on the subject property including, but not limited to cost of sign, landscaping and excavation.
4.  Copy of current Business License.
5.  Application fee (\$100).

**TO BE COMPLETED BY APPLICANT — Please print clearly**

Applicant's name: \_\_\_\_\_

Address: \_\_\_\_\_ PostalCode: \_\_\_\_\_ Phone#: \_\_\_\_\_

Registered Property Owner: \_\_\_\_\_

Address: \_\_\_\_\_ PostalCode: \_\_\_\_\_ Phone#: \_\_\_\_\_

Legal Description of Property where Sign is located: \_\_\_\_\_

Civic Address of Property where Sign is located: \_\_\_\_\_

Business Name: \_\_\_\_\_

Seasonal?      YES      or      NO      Dates \_\_\_\_\_

**Type of sign to be used (check one):**

- Banner
- Sandwich Board

**Date requested for temporary sign to be displayed between:**

Starting: \_\_\_\_\_ Ending: \_\_\_\_\_

**Use of temporary sign (check one):**

- To advertise an opening or closing of a business. Date of opening or closing: \_\_\_\_\_
- To advertise a new business until a permanent sign can be erected.
- Conditions interfere with or prevent the use of a permanent sign. \*Provide details on separate sheet.
- To advertise a special event. (maximum of 12 events per year per business) \*Provide Name of event and details on separate sheet.
- When written approval has been given by council. \*Attach copy.

I, \_\_\_\_\_ hereby request a temporary sign permit as authorized by the District of Tofino Sign Control Bylaw for the above mentioned sign. I certify that all the information in my application is true and accurate to the best of my knowledge.

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signed)

**TO BE COMPLETED BY MUNICIPALITY:**

Development Permit Required      YES      or      NO

Application Fee Paid      \$ \_\_\_\_\_

Receipt # \_\_\_\_\_

Date Paid \_\_\_\_\_

**DISTRICT OF TOFINO SIGN CONTROL BYLAW NO. 1079, 2008**

**Schedule 'D'**

**TEMPORARY SIGN PERMIT**

Subject to provisions of Bylaw No. 1079, 2008 permission is hereby granted to:

\_\_\_\_\_

for a sign to be temporarily displayed or erected at for the sign at:

\_\_\_\_\_

(legal description and civic address)

in conformity with the plans and specifications submitted by the applicant as per Schedule "C" and approved of by the Bylaw Enforcement Officer of the District of Tofino on the day of \_\_\_\_\_.

THIS PERMIT SHALL EXPIRE IS VALID BETWEEN \_\_\_\_\_ AND \_\_\_\_\_.

ANY ALTERATIONS TO THE ABOVE MENTIONED SIGN SHALL IMMEDIATELY CANCEL THIS PERMIT.

\_\_\_\_\_  
Bylaw Enforcement Officer,  
District of Tofino