

DISTRICT OF VANDERHOOF

SIGN BYLAW NO. 995, 2006

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DISTRICT OF VANDERHOOF

BYLAW NO. 995, 2005

Being a bylaw for sign regulation within the District of Vanderhoof.

WHEREAS the Council of the District of Vanderhoof wishes to regulate signs to protect the appearance of the municipality from a proliferation of signs (particularly signs intended to convey commercial communication), to prevent the distraction of motorists using highways and to reduce the risk of hazardous signs;

AND WHEREAS the Council of the District of Vanderhoof recognizes the importance of individual freedom of expression;

AND WHEREAS the Council of the District of Vanderhoof wishes to find a balance between community interests and the rights of individuals to engage in personal and commercial communication;

AND WHEREAS pursuant to Section 908 of the *Local Government Act* and Section 8(4) and Section 65 of the *Community Charter*, the District of Vanderhoof Council is authorized to regulate and impose requirements in relation to signs and other advertising;

NOW THEREFORE the Council of the District of Vanderhoof, in open meeting assembled, enacts as follows:

1. DEFINITIONS

Words and phrases used in this bylaw shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in the District of Vanderhoof Zoning Bylaw, shall be given the meanings set forth in such bylaw.

banner sign means a flexible plastic or fabric sign, excluding a canopy sign affixed to a building;

bench sign means a sign forming part of a bench located on public property at a rest area or park;

billboard sign means a free standing or fascia sign with a sign area exceeding 18 m² and which contains advertising for products or services not provided at the location of the sign, or for products or services which are not the principal products or services provided at the location of the sign;

Building Official means the person(s) appointed by the District of Vanderhoof Council to perform the building inspection function for the municipality;

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- canopy** means a fixed non-retractable structure projecting from the face of a building, including an awning, for protecting the public from inclement weather;
- canopy sign** means a sign attached to a canopy or located on the face of a canopy;
- changeable copy sign** means a sign on which all or part of the copy can be changed manually or electrically;
- community sign** means a sign that indicates the name of a community or which advertises a community service;
- copy** means the text, illustrations and symbols on a sign;
- copy area** means the area within the shortest line surrounding the copy;
- Council** means the municipal Council of the District of Vanderhoof;
- District** means the District of Vanderhoof;
- fascia sign** means a flat sign affixed on and parallel to the wall of building, not extending beyond the horizontal width of the building nor above the roofline;
- flashing sign** means a sign which includes or reflects an intermittent or flashing light source but excludes an automatic changeable copy sign indicating time, temperature, date or electronically controlled messages;
- freestanding sign** means a sign which is self-supported or supported by a sign structure fixed to the ground which is independent from any building or other structure;
- highway** includes a street, road, land, bridge, viaduct and any other way open to public use;
- home occupation sign** means a sign that advertises a home based business, including a rural home based business;
- incidental sign** means an informational sign that has no commercial message and has a purpose secondary to the use of the lot on which it is located, such as 'no parking', 'loading only', 'telephone' and other similar directions;
- identification sign** means a sign that states the name, address or street number of the building, parcel, institution or person located at the parcel on which the sign is located;
- illuminated sign** means any sign artificially illuminated by an internal or external source including electric signs;
- non-commercial communication** means the expression of the views of one or more individuals on a matter of public or private interest other than the promotion of a business or other commercial product, service or enterprise;

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portable sign	includes sandwich board signs, inflatable signs, banner signs and any other mobile sign not affixed to the ground or to a building;
projecting sign	means any sign other than an awning, canopy or fascia sign, which is attached to and projects more than 0.3 m (1.0 feet) from a structure or building wall;
roof sign	means any sign erected or placed wholly above the roofline of a building;
rotating sign	means any sign or portion of a sign which moves in a revolving or turning manner;
sandwich board sign	means a non-illuminated portable sign consisting of two flat surfaces joined at one end and having a maximum area of 1.0 m ² on both faces combined;
sign	means any structure, device or visual display which communicates information or attracts the attention of persons for any purpose;
sign area	means the total area within the outer edge of the frame or border of a sign, except that where a sign has no frame or border; means the area contained within the shortest line surrounding the copy area;
sign structure	means the supports and framework for the support of a sign;
swing sign	means a sign suspended from a bar or other support so that it yields with the wind;
temporary sign	means a sign that is placed for the duration of sixty (60) days or less, not including sandwich board signs.

2. SCOPE AND EXEMPTIONS

This bylaw does not apply to the following:

- 2.1 notices issued by the Federal or Provincial governments, a court or the District of Vanderhoof;
- 2.2 traffic control devices installed pursuant to the *Motor Vehicle Act* and the *Transportation Act*;
- 2.3 signs on or over highways installed or authorized by the District or the Ministry of Transportation for the control of traffic and parking, or for street names and direction;
- 2.4 signs posted for the purpose of warning of a safety concern, or a hazard in relation to the condition of property or an animal on property, where the sign is less than 1 m²;
- 2.5 political signs during an election period;

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- 2.6 flags and emblems of political, civic, philanthropic, educational or religious organizations;
- 2.7 memorial plaques, cornerstones or historical tablets;
- 2.8 bench signs authorized by the District of Vanderhoof
- 2.9 window and door signs;
- 2.10 real estate and development (construction) signs provided that the signs are not illuminated and there is no more than one sign for each parcel frontage;
- 2.11 identification signs;
- 2.12 incidental signs;
- 2.13 works of art that do not include a commercial communication;
- 2.14 a sign of 1 m² or less that contains only non-commercial communication, that is posted or placed on real or other property owned or occupied by the person posting or placing the sign;
- 2.15 a temporary seasonal sign of 1 m² or less that is displayed in connection with a seasonal, religious or holiday activity where the sign contains only non-commercial communication and is removed within 60 days of being displayed.

3. APPLICATION

- 3.1 Signs that are not specifically permitted in this bylaw are prohibited.
- 3.2 Nothing in this bylaw relieves a person from complying with other Municipal regulations.
- 3.3 A sign, which at the time of adoption of this bylaw, complied with the District of Vanderhoof Sign Bylaw No. 551, 1984 or was otherwise lawfully in existence at the time of adoption of this bylaw, but which does not comply with the provisions of this bylaw:
 - 3.3.1 maybe maintained provided that the sign is maintained in a safe condition free from hazards and defects; and
 - 3.3.2 must not be moved, replaced, reconstructed or altered, except in compliance with the provisions of this bylaw.

4. MAINTENANCE OF SIGNS

- 4.1 Normal maintenance, including replacement of copy, lighting and refurbishing of signs will not require a sign permit pursuant to this bylaw, but must conform to all other requirements of this bylaw.

- 4.2 All signs must be maintained structurally sound and free from all hazards caused or resulting from decay or failure of structural members, fixtures, lighting and appurtenances. All sign area, background, copy and lighting must be maintained in readable condition.

5. REGULATIONS APPLICABLE TO ALL SIGNS

- 5.1 Except as otherwise permitted in this bylaw, the sign area of a sign must not exceed 15 m²;
- 5.2 Section 5.1 is subject to specific limitations that limit the size of particular types of signs;
- 5.3 The copy area of a sign must not exceed 78% of the sign area.
- 5.4 The maximum height of any sign shall be 9.2 meters (30 feet).
- 5.5 No person shall place or construct or cause to be placed or constructed a sign in a position or of a shape, color, format or illumination that blocks, obstructs or otherwise interferes with the view of a motorist or cyclist or other traffic, pedestrians or traffic control devices.
- 5.6 No person shall construct or place a sign on or over any real property owned by the District, or on or over a highway or other real property over which the District has possession and control without first obtaining the approval of the Council.
- 5.7 No person shall stop, stand or park a vehicle or permit a vehicle to be stopped, stood or parked on any real property of which he/she is the owner or occupier where the vehicle is stopped, stood or parked to act as a sign.
- 5.8 Upon closure of any business, any and all signs associated with that business shall be removed within 30 days. If the sign(s) remain posted after 30 days has expired, pursuant to Section 258 of the *Community Charter*, the District will effect the removal of the signs and recover the costs of removal in the same manner as property taxes.

6. SIGNS IN PUBLIC PLACES AND ON HIGHWAYS

- 6.1 A person who wishes to construct or place a sign over a highway under the jurisdiction of the Ministry of Transportation shall obtain the approval for the sign from the Ministry of Transportation before application for a sign permit to the District.

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- 6.2 No signs shall be allowed on highways, except for the following:
 - 6.2.1 informational signs of a public utility regarding its poles, lines, pipes or facilities;
 - 6.2.2. a temporary sign for the purposes of communication that is non-commercial communication for which a permit has been issued in accordance with Section 11.

7. HAZARDOUS SIGNS

- 7.1 No person shall construct or place a sign that has the shape, color or position of a traffic control device as defined in the *Motor Vehicle Act*.
- 7.2 No person shall construct or permit a sign to be placed so that it obstructs access to any police, fire, ambulance or other emergency vehicle or personnel or obstructs the free access to or from any fire escape or other means or emergency exit.
- 7.3 No sign shall create a hazard to the safe, efficient movement of vehicular or pedestrian traffic;
- 7.4 No sign shall be placed in a manner that obstructs any window opening, door opening or passageway.

8. TYPES OF PROHIBITED SIGNS

- 8.1 Except as specifically permitted by this bylaw, the following signs must not be located or displayed within the District of Vanderhoof:
 - 8.1.1 billboard signs;
 - 8.1.2 flashing signs;
 - 8.1.3 rotating and revolving signs;
 - 8.1.4 swing signs;
 - 8.1.5 signs emitting sound which constitutes a nuisance.

9. TYPES OF SIGNS

9.1 CANOPY SIGNS

- 9.1.1 may be attached to any or all faces of the canopy;
- 9.1.2 shall not project above the top nor extend below the bottom of the canopy;
- 9.1.3 may be of a length of the face to which it is attached;
- 9.1.4 shall be no more than .914 m (3 feet) in height;
- 9.1.5 shall be at least 2.743 m (9 feet) above the sidewalk;
- 9.1.6 shall be securely attached to the main frame of the canopy.

9.2 FASCIA SIGNS

- 9.2.1 shall not exceed an area of 0.8m² per meter of building frontage to a maximum of 20% of the wall surface to which it is attached;
- 9.2.2 shall not exceed one for each building face of the business adjacent to a street;
- 9.2.3 shall be placed only on a building face;
- 9.2.4 shall have no part of the sign erected above the wall, or on any part of the roof of the building on which it is placed.

9.3 FREE STANDING SIGNS

- 9.3.1 shall not exceed one per lot;
- 9.3.2 shall not have more than two advertising faces;
- 9.3.3 shall not move or rotate;
- 9.3.4 shall be located on that part of the lot lying between a building face and the lot line abutting the street;
- 9.3.5 may require engineered review and design of the foundation and anchor assembly where the Building Official determines that this is warranted by the size, site or complexity of the proposed structure.

9.4 ILLUMINATED SIGNS

- 9.4.1 shall be C.S.A. approved;
- 9.4.2 shall be connected in conformity with the BC Electrical Code;
- 9.4.3 shall not be located so as to form a confusing background for, or in any way obstruct a traffic signal;

9.5 PROJECTING SIGNS

- 9.5.1 shall project no more than a ratio of two (2) inches (5.08 cm) for each foot of the frontage wall to which it is attached;
- 9.5.2 shall be located in the center one-third (1/3) portion of the premises;
- 9.5.3 shall project no more than seven (7) feet (2.134 m) from the wall to which it is attached and despite section 9.5.1, shall not exceed the width of the underlying sidewalk;
- 9.5.4 shall be located at least ten (10) feet (3.048 m) above the level of the sidewalk immediately under the sign;
- 9.5.5 shall be suspended by hardware designed to bear the weight of the sign and to withstand the wind load;
- 9.5.6 may require engineered review and design of the anchor assembly where the Building Official determines that this is warranted by the size, site or complexity of the proposed sign

9.6 ROOF SIGNS

- 9.6.1 shall be permitted only on review and design by a professional engineer licensed to practise in the Province of British Columbia;
- 9.6.2 shall not exceed 9 m (30 feet) in height above street level;
- 9.6.3 shall be permitted only in commercial and industrial zones.

9.7 SANDWICH BOARD SIGNS

- 9.7.1 shall not exceed one per business;
- 9.7.2 shall not interfere with vehicular or pedestrian traffic;
- 9.7.3 shall not require a sign permit.

9.8 TEMPORARY SIGNS

- 9.8.1 shall require a permit from the District of Vanderhoof;
- 9.8.2 shall include banner signs, canvas signs, inflatable signs and any other types of portable signs designed to be placed for temporary purposes, excluding political signs, real estate signs and sandwich board signs;
- 9.8.3 temporary canvas signs exceeding 1.858 square meters (20 square feet) in area shall be securely attached on the top and bottom edges;
- 9.8.4 shall be removed within 7 days of the termination of an event;
- 9.8.5 portable, inflatable signs must be securely grounded and placed no less than 10 meters from utility lines and highway rights-of-way;
- 9.8.6 shall not be illuminated.

10. STRUCTURAL STANDARDS

Notwithstanding any other provisions of this bylaw, whenever in the opinion of the Building Official the proposed work requires special technical knowledge, it may be required that all drawings, specifications and plot plans, or any part thereof, be prepared and signed by and the construction carried out under the supervision of an architect or professional engineer registered in the Province of British Columbia.

11. SIGN PERMIT APPLICATION AND FEES

- 11.1 Except where otherwise noted in this bylaw, no person shall place a sign within the District without first completing a sign permit application in the form provided by the District;
- 11.2 The placement of all signs within the District shall conform to the provisions outlined in this bylaw;

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- 11.3 Every applicant for a sign permit shall provide the following information:
 - 11.3.1 the legal description and civic address of the lot where the sign is to be located;
 - 11.3.2 the name and civic address of the owner of the lot;
 - 11.3.3 the sign manufacturer name and address;
 - 11.3.4 a drawing of the sign to scale showing the copy area, the sign area and dimensions of the sign, and any supporting structure;
 - 11.3.5 the proposed location of the sign in relation to the boundaries of the lot on which it is to be located and any building and structures on the parcel;
 - 11.3.6 the proposed height and clearance above grade of the sign;
 - 11.3.7 the dimensions of the wall surface of the building to which the sign is to be attached;
 - 11.3.8 dimensions and locations of all existing signs and buildings on the lot
 - 11.3.9 structural and footing details and material specifications for the proposed sign.
- 11.4 The permit fee for a sign permit shall be \$100 for the first \$1000 value and 0.6% per \$1000 value thereafter.
- 11.5 The permit fee for placement of a temporary sign shall be \$25.00.

12. DUTIES OF THE BUILDING OFFICIAL

- 12.1 The Building Official has the authority to issue sign permits for the District.
- 12.2 Neither review or approval of an application or plans or the issuance of a sign permit constitute a warranty or representation by the District that a sign, including any supporting structure for a sign, is safe and the owner of the lot where the sign is located and the occupier of the premises in respect of which the sign is placed or constructed (if any), are jointly and severally responsible to complete all work in accordance with this bylaw and the permit and to maintain the sign in a safe condition free from defects.
- 12.3 The Building Official and Bylaw Enforcement Officer may enter at all reasonable times any land or premises in order to ascertain whether or not the provisions of this bylaw are being observed.
- 12.4 No person shall obstruct, or attempt to obstruct entry by the Building Official or Bylaw Enforcement Officer onto any property under this bylaw.
- 12.5 It is a condition of every permit issued under this bylaw that the owner of the lot on which the sign is located, and the occupier of the premises in respect of which the sign is placed or constructed, maintain the sign in a safe condition free from hazards and defects.

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- 12.6 A permit may be revoked by the Building Official where the sign is not maintained in accordance with Section 12.5.

13. LIABILITY

- 13.1 The provisions of this bylaw shall not be construed in any way as imposing upon the District or its officers or employees any responsibility or liability by reason of the placement of any signs, materials or devices under provisions of this bylaw.
- 13.2 The provisions in this bylaw shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning any sign or display from personal 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.
- 13.3 No sign must be located upon or over a highway or on public property unless the owner of the sign has entered into an agreement with the District indemnifying the District against any loss sustained by the District in relation to the sign and has deposited with the District a policy of insurance in the amount of not less than \$2,000,000. Each policy of insurance under this bylaw must be maintained by the owner of the sign so long as the sign remains on or over the highway or on public property, and proof of each renewal certificate must be deposited with the District as a condition of the continued placement of the sign over the highway or on public property. Public utilities are exempted from this provision.

14. PENALTIES

Any person who violates any provisions of this bylaw is guilty of an offence and is punishable in accordance with the Offence Act.

15. SEVERABILITY

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

16. REPEAL

The District of Vanderhoof Sign Bylaw No. 551, 1984 is hereby repealed.

17. CITATION

This bylaw shall be cited for all purposes as the District of Vanderhoof Sign Bylaw No. 995, 2005.

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READ A FIRST TIME THIS 22nd DAY OF March, 2006.

READ A SECOND TIME THIS 22nd DAY OF March, 2006.

READ A THIRD TIME THIS 22nd DAY OF March, 2006.

ADOPTED THIS 12th DAY OF April, 2006.

MAYOR

CORPORATE OFFICER

**DISTRICT OF VANDERHOOF
SIGN BYLAW NO. 995, 2006**

SIGN PERMIT APPLICATION

DATE _____

Address where sign is to be located

For (name of firm) _____

Legal description _____ Zoning _____

Name/address of agent or person erecting sign _____

Name of manufacturer _____

Type of sign: _____

Vertical distance over the street _____ meters; over the sidewalk _____ meters

Distance of projection from wall _____ meters;

Sign size _____ square meters

Weight of sign _____ kg

Value of sign(s): _____ Fee: _____ Paid in full: _____

A detailed drawing must accompany this application.

I hereby agree to indemnify and keep harmless the District of Vanderhoof against all claims of whatsoever kind, which may in any way occur against the District in consequence of, and incidental to, the granting of this permit, if issued. And I further agree to conform to all requirements of any Bylaw relating to erection of signs in the District of Vanderhoof.

Signature of Applicant

This application does not constitute a permit until signed by the District of Vanderhoof. Signs must not be erected until this application is complete.

Permit issued by _____ Sign Permit No. _____
(for the District of Vanderhoof)