

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 698

A Bylaw for the regulation of signs within the Regional District of Central Okanagan.

WHEREAS it is deemed desirable to regulate signage within the Regional District of Central Okanagan;

NOW THEREFORE, the Board of the Regional District of Central Okanagan in open meeting assembled, enacts the "Regional District of Central Okanagan Sign Regulation Bylaw No. 698, 1996", as follows:

1. **PURPOSES:**

1.1 The Sign Bylaw shall be for the following purposes:

- 1) To protect the visual appearance of land and buildings from the effects of signs which may be inappropriate as to size or location.
- 2) To allow signage to the extent permitted in the bylaw.

2. **ADMINISTRATION AND DEFINITIONS:**

2.1 The Director of Inspection Services is appointed to administer and enforce the provisions of the Sign Bylaw in a proactive manner and is hereby authorized to enter at all reasonable times upon any property to ascertain whether the requirements and regulations of the bylaw are being met and observed.

2.2 **DEFINITIONS**

All words or phrases shall have their normal or common meaning except where this is changed, modified or expanded by the definitions set forth in this Division and the Regional District of Central Okanagan Zoning Bylaw No. 176.

"Animated Sign" means any sign which includes action or motion, flashing, or colour changes of all or any part of the sign, but shall not include time and temperature, revolving or changeable copy signs.

"Awning" means a shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.

"Awning Sign" means an identification sign painted or affixed flat to the surface of an awning.

"Billboard Sign" means a sign that advertises goods, products, services or facilities at a different location than where the sign is located.

"Changeable Copy Sign" means a sign on which copy can be changed electronically or manually through the use of attachable letters, numerals and pictorial panels or electronic switching of lamps or illuminated tubes, but does not include a billboard.

"Clearance" means the vertical distance between the underside of a sign and finished grade immediately below.

"Directional Sign" means an on-site incidental sign indicating the direction only, of a business, parking area, product service or event for the purpose of directing pedestrian or vehicular traffic.

"Farm Products Sign" means a sign to advertise the sale of farm products and includes estate vineyard farm winery sales.

"Freestanding Sign" means and includes a sign wholly supported from the ground by a structural member or members, independently of and visibly separated from any building or other structure and permanently fixed to the ground.

"Frontage" means the length of the property line of any lot parallel to and along each legally accessible public street, excluding a lane or alleyway, that it borders.

"Grade" means the elevation of the surface of the sidewalk or boulevard adjacent to any sign or the elevation of the finished ground surface directly below a sign, as determined by the Building Inspector.

"Height of Sign" means the vertical distance measured from the highest point of the sign to grade.

"Identification Sign" means a sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or institution, or the occupation of the person.

"Mansard Roof" means a roof with two slopes on each of 4 sides, the lower steeper than the upper.

"Mansard Roof Sign" means a sign attached to the lower slope of a mansard roof.

"Off-Premise Directional Sign" means a sign that directs a person to a different location from where the sign is installed. The sign is for general public direction only, with no advertising other than name and address.

"Person" means, in addition to its ordinary meaning, a partnership, association, company, society and body corporate.

"Portable Sign" means any sign not permanently attached to the ground, a building, or a licensed motor vehicle.

"Projecting Sign" means a sign that is wholly or partly dependent upon a building for support and which projects more than 300 mm (12 inches) from such building.

"RDCO" means the Regional District of Central Okanagan.

"Roof Line" means the line made by the intersection of the wall of the building with the roof of the building on whichever face fronts the street.

"Roof Sign" means any sign which is located on or supported by a roof which is not a mansard roof.

"Rotating Sign" means any sign or portion of a sign which moves in a revolving or similar manner.

"Sign" means any symbol, identification, description, illustration or device, illuminated or non-illuminated which is visible from any public place or is located on private property and exposed to the public, and which directs attention to a product, service, place, activity, person, institution, business or solicitation. For the purposes of removal, sign shall also include all sign supporting structures.

"Sign Area" means the area of the smallest triangle, square, rectangle, circle or oval which could enclose that portion of a sign on which a message could be placed. In the case of multi-faced signs, half of the total sign area of all sign faces is the sign area.

"Temporary Sign" means a sign displayed for a limited period of time as stated in the appropriate section of this Bylaw.

"Third Party Advertising" means content on a sign which directs attention to products sold or services provided which cannot be considered as the principal product sold or principal services provided on the premises at which the sign is located.

3. EXISTING SIGNS:

- 3.1 Any sign in existence and use in the Regional District of Central Okanagan on the date of adoption of this bylaw, which does not conform to its provisions, shall be considered to be a non-conforming sign in accordance with Section 970 of the Municipal Act R.S.B.C.
- 3.2 Non-conforming signs shall retain their status until they are structurally changed or moved. The sign shall then be brought into compliance with this Bylaw, or shall be removed. Normal maintenance does not remove non-conforming status from a non-conforming sign.

4. APPLICATION

- 4.1 The following signs are exempt from the provisions of this bylaw:
 - a) Signs displayed by a local, provincial or federal government for advising or directing the public
 - b) Traffic control signs.
 - c) Signs relating to construction which are located on the land on which the construction is being carried out.
 - d) Signs displayed on public transit fixtures which have been authorized by local government.
 - e) Memorial plaques, cornerstones, historical tablets, and similar such signs.
 - f) On site directional signs with a maximum sign area of 1.2 meters square, intended to facilitate the movement of pedestrians and vehicles on the property on which such signs are located.
 - g) House numbers and name plates which are less than 1 square meter in sign area.

h) Neighbourhood and housing project name signs smaller than 3.0 square meters in area.

4.2 The following signs are prohibited:

- a) Billboard signs.
- b) Roof signs.
- c) Portable signs.
- d) Satellite receivers used as roof signs.
- e) Animated signs.

4.3 Signs which are not specifically regulated by this bylaw are permitted.

4.4 Except for freestanding signs and projecting signs, as specified in Sections 6 and 7, permits are not required for signs under this bylaw.

5. GENERAL REGULATIONS APPLICABLE TO ALL SIGNS

5.1 No person shall construct, place, erect, display, alter, repair, or relocate any sign which does not conform to and comply with this Bylaw.

5.2 No sign shall be located or displayed in such a manner that it physically obstructs any window, door opening, or, passageway, ventilator, fire escape, sidewalk, street, lane or similar feature.

5.3 The construction, erection, posting, displaying and maintenance of signs on utility poles, fences on or above any street is prohibited.

5.4 No sign shall be displayed except on the premises to which the sign is intended to advertise, identify, provide information about, or attract attention to.

5.5 It is the responsibility of the owner and the person constructing, erecting, enlarging, converting, altering or relocating any sign to ensure that such sign is in a safe condition.

5.6 No person shall use search lights, strobe lights, or other similar effects to highlight any sign which is visible from a street.

5.7 Temporary signs promoting the sale or lease of real estate shall be limited to one (1) sign per lot frontage having a maximum area of 1.0 square meter for single family residential and 6.0 square meters for multi-family residential, industrial or commercial properties. Such signs must be removed within fourteen (14) days following the sale or lease of the property:

5.8 Political Signs erected in conjunction with elections and for referendums are permitted in accordance with the appropriate election legislation. Such signs must be removed within fourteen (14) days following the election date.

5.9 Where a sign is in an unsafe condition the Director of Inspection Services may, by a written notice, require such sign to be repaired or removed within the time limit specified in the notice. Such time limit should not be less than ten (10) days from the date of delivery to the Post Office.

- 5.10 Changeable Copy Signs shall restrict their messages and displays to those products and services which are available from the same property on which the sign is located. Public service notices and time and temperature displays are exempt from these requirements.
- 5.11 Temporary signs advertising garage sales and similar events shall be removed within forty-eight (48) hours of completion of such sale or event.
- 5.12 No person shall place a sign on or above a street or a right-of-way associated with a street.
- 5.13 Signs for home occupations, as permitted by the Regional District of Central Okanagan Zoning Bylaw No. 176, shall be limited to one unilluminated name plate not exceeding 1000 cm² (1.1 sq. ft.) in area, placed within or flat against the dwelling unit or accessory building which houses the home occupation.

6. PERMITS AND FEES:

- 6.1 A person shall obtain a Regional District of Central Okanagan permit prior to installing, altering or relocating a free standing or projecting sign.
- 6.2 The applicant for a sign permit shall make written application to the Director of Inspection Services on the form provided. Such application shall include the following:
 - 1) The street address and legal description of the site of the proposed sign.
 - 2) The name and address of the person constructing, erecting, enlarging, converting, altering or relocating the sign, and if different, the manufacturer of the sign.
 - 3) The name and address of the person for whose benefit the sign is being constructed, erected, enlarged, converted, altered or relocated, and where other than the owner of the premises in question, the name of the owner.
 - 4) Two (2) complete sets of plans and specifications drawn to scale, and shall include the following:
 - (a) the dimensions, area and weight of the sign;
 - (b) the overall height of the sign and clearance beneath it measured from finished grade;
 - (c) the proposed location of the sign in relation to the face of the building, or in front of which it is to be affixed and in relation to the legal boundaries of the lot;
 - (d) the size, type and location of all other freestanding and projecting signs on the property;
 - (e) sufficient detail of the sign design to allow for calculation of area;
 - (f) sufficient detail to show the physical construction of the sign, including size and types of material used, methods of attachment including number used and type of material of support, and any other information which may be needed to show how the sign will be constructed and supported;

(g) the value of the sign and installation.

(h) the weight of each projecting sign.

- 6.3 The Director of Inspection Services shall issue the sign permit, when to the best of his knowledge, the proposed sign for which application has been made, conforms to this Bylaw and all other pertinent regulations of the Regional District of Central Okanagan, including payment of the permit fees.
- 6.4 If the work for which a permit was issued is not started within six months of the date of issuance, such permit shall be deemed to have expired and no refund will be given.
- 6.5 Notwithstanding any other provisions of this Bylaw, whenever the proposed work requires specialized technical knowledge, it shall be required that all drawings, specifications and plot plans, or any part thereof, be prepared and signed by, and the construction carried out with the supervision of, an architect or professional engineer or both.
- 6.6 The fees charged for a sign permit shall be 1.2% of the actual cost of the construction and installation of the sign. The minimum permit fee shall be \$100.00.

7. REGULATIONS FOR FREESTANDING AND PROJECTING SIGNS

- 7.1 Freestanding and projecting signs shall be located entirely on the premises to which they refer. No part of the signs shall project or encroach onto a street, road allowance or other property.
- 7.2 Freestanding and projecting signs shall be set back at least 1.5 metres from an adjoining lot.
- 7.3 Where, because it fronts more than one highway, a lot is permitted two (2) or more freestanding or projecting signs, each sign shall be separated by at least thirty (30) meters along the frontages.
- 7.4 Freestanding signs shall be located in a landscaped area. Such landscaping shall be at least equal in area to the sign.
- 7.5 A projecting sign may be used as an alternate to a freestanding sign, and vice versa. Such signs may be used interchangeably, but not in addition to one another.
- 7.6 Freestanding and projecting signs shall be installed with a clearance of at least 2.5 meters in pedestrian areas. Minimum clearances for vehicular areas shall be as required for the type of vehicles that will be using the area but in no case less than 2.5 meters.
- 7.7 Freestanding and projecting signs are permissible in Regional District of Central Okanagan Zoning Bylaw No. 176 zones with the sizes and heights conforming to Table I for the various zones:

TABLE I

- A) Residential Zones (R1, R2, R3, R4, R5) Freestanding or projecting signs are not allowed.
- B) Rural Zones (RUALR, RU1, RU2, RU3, RU4, RU5, RU6) Freestanding. Farm Products Signs are permitted with a maximum height of three (3) meters and a sign area of 0.25m² per lineal meter of lot frontage to a maximum sign area of 6m² per lot frontage. Sign height shall not exceed three (3) meters.
- C) Neighbourhood Commercial Zones (C-2) Freestanding or projecting signs are prohibited where a lot frontage is less than 25 meters and limited to a maximum of 6m² where the lot frontage exceeds 24 meters. The maximum height shall not exceed 2 meters.
- D) Commercial and Industrial Zones (C1, C3, C4, C5, C6, I1, I2, I3, I4, I5) Freestanding or projecting signs are prohibited where a lot frontage is less than 25 meters. For lots with a frontage of 25 meters or more, the sign areas shall not exceed 0.25 meter square per meter of frontage to a maximum sign area of 6m² where the sign is within six (6) meters of a lot line and 14m² where a sign is located six (6) or more meters from a property line. The maximum height shall not exceed four (4) meters where the sign is within six (6) meters of a lot line or ten (10) meters where the sign is six (6) or more meters from the lot line.
- E) Institutional Zones (P1, P2) Projecting signs are not permitted. Freestanding signs are permitted on the same basis as in Neighbourhood Commercial Zones.

8. ENFORCEMENT

Every person violating any provision of this Bylaw is liable on summary conviction to a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00), or in the alternative, to imprisonment for a period of time not exceeding six (6) months. A separate offence shall be deemed to be committed on each day during, or on which, a violation occurs or continues, provided however, where more than one registered owner of land is charged with a single offence hereunder, they shall be considered as one person.

9. SEVERABILITY

If any provision of this Bylaw is found invalid, such provision is severable and shall not affect the validity of the Bylaw as a whole.

10. REMOVAL OF SIGNS

- 10.1 The Board of the Regional District of Central Okanagan may, in accordance with Section 735 of the Municipal Act, by bylaw authorize the removal of a sign which contravenes this bylaw, or which the Board of the Regional District of Central Okanagan believes is in an unsafe condition, and such bylaw shall provide for 30 days notice of the contemplated action to be given the owner, tenant or occupier of the property on which the sign is located.
- 10.2 Notwithstanding any other provision of this bylaw, the Director of Inspection Services may, without further notice, remove a sign located on any public land owned by the Regional District of Central Okanagan, where the sign contravenes this bylaw.

10.3 The Director may remove and impound any sign found to be on a highway in contravention of this bylaw. Such signs may be claimed within thirty (30) days of removal by the owner upon payment of a fee of \$50.00 which represents the Regional District of Central Okanagan cost of removing such signs. Where a sign is not claimed within thirty (30) days such sign may be destroyed or otherwise disposed of by the Regional District of Central Okanagan.


11. This Bylaw may be cited for all purposes as "Regional District of Central Okanagan Sign Regulation Bylaw No. 698, 1996".

READ A FIRST TIME THIS 23rd DAY OF September, 1996.

READ A SECOND TIME THIS 23rd DAY OF September, 1996.

READ A THIRD TIME THIS 23rd DAY OF September, 1996.

RECONSIDERED AND ADOPTED THIS 4th DAY OF November , 1996.



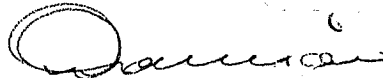
CHAIRPERSON



SECRETARY

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 698 cited as the "Regional District of Central Okanagan Sign Regulation Bylaw No. 698, 1996" as read a third time by the Regional Board on the 23rd day of September, 1996.

Dated at Kelowna, B.C. this 25th day of September, 1996.



Secretary

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 698 cited as the "Regional District of Central Okanagan Sign Regulation Bylaw No. 698, 1996" as adopted by the Regional Board on the 4th day of November , 1996.

Dated at Kelowna, B.C. this 7th day of November , 1996.



Secretary

(SIGN.BLW)