

THE CORPORATION OF THE VILLAGE OF SLOCAN

BYLAW NO. 443

A bylaw to regulate signs in the Corporation of the Village of Slocan

WHEREAS Section 967 of the Municipal Act provides that, subject to the Highway Act and Section 140 of the Motor Vehicle Act, a local government may, by bylaw, regulate the number, size, type, form, appearance and location of any signs;

AND WHEREAS the Council considers it necessary and in the public interest to regulate signs in the Village of Slocan;

NOW THEREFORE the Council of the Village of Slocan, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as the "Sign Bylaw No. 443".

Interpretation

2. For the purpose of this Bylaw, unless the context otherwise requires, the following definitions shall apply:

"advertising sign" means a sign advertising a product, commodity or service for sale or on display on the property on which the sign is erected, or advertising that a certain business or event is carried on upon the property on which the sign is erected;

"area" in relation to a sign means the total surface area of a sign exclusive of framework and supporting structure and, in the case of a double-faced sign, means the area of one face only;

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

"banner sign" means a temporary sign composed of lightweight material mounted or suspended so as to allow movement of the sign caused by air currents;

"Building Bylaw" means the Building Bylaw of the Village of Slocan;

"building frontage" means the linear length of a building facing a street;

"Building Inspector" means the person or persons authorized by Council to administer the Building Bylaw;

"canopy" means a permanent roof-like shelter extending from part or all of a building face, and constructed of one or more durable materials;

"Clerk" means the municipal clerk of the Village of Slocan;

"community activity sign" means a sign indicating that a community activity is about to be, or is being, carried on;

"community information sign" means a sign, or a group of signs at a single location designated as a community information stop, providing information on attractions, services, and facilities available in the community and surrounding area, and includes a community entrance or welcome sign;

"Council" means the municipal council of the Village of Slocan;

"directional sign" means a sign which serves solely to designate the location or direction of any place or area;

"directory sign" means a sign listing religious activities, service club activities, and other similar community activities;

"facia sign" means a sign displayed on the surface of a building, or attached to the building with the sign parallel to the building wall;

"flashing sign" means a sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or an externally-mounted intermittent light source;

"free standing sign" means a sign which is not connected in any way to a building, and is self-supporting;

"home occupation sign" means a sign identifying a use which is accessory to a residential use and permitted as a home occupation under the Zoning Bylaw;

"Municipality" means the Village of Slocan;

"owner" means the registered owner of real property on which a sign is located, or the owner or lessee of a sign or his authorized representative;

"political sign" means a sign erected to promote voting at an election for a particular candidate or in support of, or opposition to, a particular party or issue;

"prohibition sign" means a sign indicating a prohibition or penalty respecting the property on which it is located;

"projecting sign" means a sign projecting at an angle from a building or structure and attached to the building or structure or to a canopy or awning;

"public building sign" means a sign located on the property of a public building including a church, library or school, and indicating thereon only the name of the building and activities pertaining to that building;

"real estate sign" means a sign indicating only that the property on which it is located is for sale or rent, or has been sold or rented;

"scenic route sign" means a standardized blue and white sign erected by the Ministry of Transportation and Highways and designed to aid motorists who wish to follow a designated scenic route;

"service and attraction sign" means a standardized white and blue sign erected by the Ministry of Transportation and Highways and designed to direct motorists to specific tourist services, facilities, and attractions; or any sign erected or authorized by the Village for the purpose of directing the public to specific services or historic or other attractions;

"sign" means any visual representation or attention-drawing device which communicates information or advertising for any purposes, displayed out of doors or on the exterior of a building, but does not include a traffic control device;

"street" means and includes streets, roads, lanes, sidewalks, public squares, boulevards and rights-of-way open to the public;

"temporary sign" means a sign which is not permanently affixed, and includes banner signs, pennants, portable and wheeled signs, sandwich board signs, sidewalk or curb signs, and balloons or other air- or gas-filled figures which exceed 2 metres in any dimension other than circumference;

"third party sign" means a sign

- (a) whether on a billboard or other structure primarily intended for the display of advertising, or upon the exterior of a building, wall, fence, or other structure primarily intended for other purposes; and
- (b) which advertises other than the occupants of the premises or the goods and services available on the premises on which the sign is displayed;

"tourist area sign" or "tourist region sign" means a sign erected to identify entry points into designated tourist areas or regions within the Province of B.C.;

"Travel Info sign" or "Travel InfoCentre sign" means a sign indicating the location of information of interest to travellers or the location of a travel information centre which provides information to travellers, and includes advance warning signs for travel information or a travel information centre;

"warning sign" means a sign erected by a public authority and indicating a danger or hazard; and

"zone" means one of the zones into which the Municipality is divided under the Land Use Bylaw.

Application and Administration

3. (1) The provisions of this Bylaw shall apply to the whole of the area within the boundaries of the Municipality as well as to municipally-owned properties outside the boundaries.
- (2) No sign shall hereafter be erected, placed, altered or moved unless in conformity with this Bylaw.
- (3) Nothing in this Bylaw shall be interpreted as relieving any person from complying with the provisions of any other bylaw of the Municipality.
- (4) Notwithstanding anything herein to the contrary, where the Municipality has established a development permit area under Section 945 of the Municipal Act, any condition with respect to the type, size, or placement of signs which is included in a development permit issued under Section 976 of the Act shall apply in place of the requirements set out in this Bylaw.
- (5) The Clerk, or such other person as may be appointed by Council resolution to administer this Bylaw,
 - (a) shall keep records of applications received, permit fees paid, sign permits issued, and such other records as he may deem necessary in relation to this Bylaw,
 - (b) shall issue permits when, to the best of his knowledge, the proposed sign complies with the requirements of this and any other applicable bylaws, and
 - (c) may revoke any permit where there is a violation of any condition under which the permit was issued, or a violation of this or any other relevant bylaw.

- (6) The Clerk or the Building Inspector may
- (a) enter, at all reasonable times, upon any property on which a sign is being, or has been, erected where the sign is subject to the provisions of this Bylaw, and
 - (b) direct the immediate cessation of all or any portion of the work relating to the erection or placement of a sign whenever such work is to the best of his knowledge not in conformance with the provisions of this Bylaw.

Exemptions

4. The following signs are exempt from the provisions of this Bylaw:
- (a) signs painted on an awning;
 - (b) temporary signs authorized by Council resolution;
 - (c) signs displayed within a building or structure, except as provided for in subsection 5(4);
 - (d) signs owned or leased by the Municipality for its own purposes;
 - (e) traffic control signs as defined in the Motor Vehicle Act;
 - (f) signs required to be posted and maintained by any municipal bylaw or Federal or Provincial statute or regulation;
 - (g) signs relating to construction which are located on the land on which the construction is currently being carried on;
 - (h) real estate signs not exceeding 1.0 square metre in area;
 - (i) third party signs on benches located on public lands where the design and location of the bench has been approved by the Municipality, and where the sign is displayed on the face of the backrest of the bench only and does not exceed 2.5 metres in length or 0.7 metres in height;
 - (j) memorial plaques, cornerstones, historical tablets, and similar signs;
 - (k) on-site directional signs, not exceeding 1.0 square metres in area, intended to facilitate the movement of pedestrians and vehicles on the property on which such signs are located;
 - (l) emblems or insignia of any nation, a province or territory of Canada, or of any political, civic, philanthropic, cultural, educational or religious organization;
 - (m) house numbers and name plates not exceeding 0.3 square metres in area for each dwelling unit;
 - (n) signs advertising garage sales or yard sales, provided such signs do not exceed 1.0 square metre in area, and are located on the premises on which the sale is to take place or is taking place;
 - (o) notice or bulletin boards not exceeding 2.0 square metres in area for medical, public, charitable or religious institutions where the same are located on the premises of the said institution; and
 - (p) Existing notice or bulletin boards. (Additional notice or bulletin boards cannot be created without approval in advance by a Council resolution.)

Prohibitions

5. (1) Except as provided elsewhere in this Bylaw, the following are prohibited:
- (a) flashing signs;
 - (b) signs which are located on the roof of a building, or are attached to a building, and which project above the highest point of the roof of that building;
 - (c) signs in residential zones as identified in the Zoning Bylaw; and
 - (d) signs erected on or over Municipally-owned property, or a highway under the jurisdiction of the Municipality, where such signs are not either erected by the Municipality or authorized by Council resolution.

Legal non-conforming signs located on or over Municipally-owned property or road allowances will be permitted to remain in their current position until the Municipality establishes a site for a community information sign within Municipal boundaries or until such time as they lose their designation under the provisions of Section 6(2). At such time, the aforementioned signs must be relocated pursuant to Council resolution.

- (2) No person shall post or exhibit placards, playbills, advertising signs, writings or pictures on walls, fences, electric power or telephone poles, street light standards, or on any other similar structures on or adjacent to a highway or public place.
- (3) No sign shall be erected which, in the opinion of the Clerk, by reason of its size, location, movement, content, colouring or manner of illumination, might reasonably be confused with or construed as a traffic control device, or the light of an emergency or road equipment vehicle, or which would interfere with the safe and efficient movement of vehicular or pedestrian traffic or the visibility of any traffic control device.
- (4) No third party signs shall be permitted except as provided for in clause (h) of Section 4. Notwithstanding the definition of a third party sign in Section 2, where a sign in excess of 1.0 square metres is located within a building or structure, or on the interior of a fence, in such manner that the sign is intended to be read from off of the premises on which the sign is located, if such sign advertises other than the occupants of the premises or the goods and services available on the premises on which the sign is displayed, it shall be deemed to be a third party sign for the purposes of this bylaw.
- (5) No person shall park any unlicensed or inoperable vehicle or trailer so as to be visible from a street or public property, if the basic purpose of the vehicle or trailer is to advertise products, services, or events located on the same or nearby property or any other premises. This clause shall not be interpreted so as to prohibit any advertising or other sign which is attached to or painted on a licensed motor vehicle and is incidental to the use and operation of that vehicle.

Legal Non-Conforming Signs

6. (1) Any sign located within the Municipality, or on Municipally-owned property outside the Municipal boundaries, on the date of registration of this Bylaw which does not comply with the requirements of this Bylaw shall be deemed to be a legal non-conforming sign subject to the provisions of subsection (2).

- (2) A legal non-conforming sign shall lose its designation as such, and shall immediately be made to comply with the requirements of this Bylaw, or be removed, if
- (a) the sign is altered in any way, either in structure or copy, which tends to or makes the sign less in compliance with the requirements of this Bylaw than it was before the alteration; or
 - (b) the sign is relocated to a position making it less in compliance with the requirements of this Bylaw; or;
 - (c) the sign is replaced.
- (3) Nothing in this Section shall relieve the owner of a legal non-conforming sign, or the owner of the property on which the sign is located, from his responsibility for maintenance and repair of the sign, provided that any such maintenance or repair of the sign or sign structure shall not make it less in compliance with the requirements of this Bylaw.

General Requirements

7. (1) The signs described therein shall conform to the requirements set out in the following table.

<u>Sign</u>	<u>Maximum area in sq. metres</u>	<u>Permitted Zones</u>	<u>Permitted Type</u>
Advertising	10.0	Commercial Industrial	Facia, free standing or projecting
Community activity	2.0	All zones	Facia or free standing
Community information	None	All zones	Free standing
Directional	0.4	All zones	Free standing
Directory	6.0	All zones	Free standing
Home occupation	0.4	Residential	Facia or free standing
Political	6.0	Residential Commercial Industrial	Facia or free standing
Prohibition	0.6	All zones	Facia or free standing
Public building	2.0	All zones	Facia or free standing
Real estate	3.0	All zones	Facia or free standing
Scenic route	None	All zones	Free standing
Service & attraction	None	All zones	Free standing
Tourist area/region	None	All zones	Free standing
Travel Info/InfoCentre	None	All zones	Facia, free standing or projecting
Warning	2.0	All zones	Facia, free standing or projecting.

- (2) No person shall erect a sign without first obtaining a sign permit pursuant to this bylaw.
- (3) Notwithstanding subsection (2), where a sign permitted by this Bylaw constitutes a structure requiring a permit under the Building Bylaw, a sign permit shall not be required in addition to the building permit.
- (4) Signs and sign structures shall be designed and constructed as provided for in this Bylaw, and in accordance with the Building Bylaw to resist wind and seismic and dead loads.
- (5) Canopy Signs
 - (a) A sign attached to the underside of a canopy, roof overhang, or similar structure shall have a minimum vertical clearance of 2.6 metres from the adjacent street level.
 - (b) A sign affixed to a canopy face shall not extend beyond the horizontal or vertical face of the canopy, and shall not project more than 0.3 metres from the said face.
- (6) Facia Signs
 - (a) Facia signs attached to a building wall shall not extend beyond the horizontal or vertical face of the wall, and shall not project more than 0.3 metres from the said wall.
 - (b) Facia signs shall not overhang more than 0.3 metres onto a street.
 - (c) The total area of a facia sign or signs shall not exceed a ratio of 1 square metre for each 2 metres of building frontage on the street on which the sign or signs face.
- (7) The height of a free standing sign shall not exceed the lesser of:
 - (a) the maximum building height permitted under the Land Use Bylaw within the zone in which the sign is located; or
 - (b) 7.5 metres from the adjacent ground level.
- (8) Illuminated signs shall be connected to an electrical circuit on the premises on which the signs are located, and all electrical installations shall be approved by the Electrical Safety Branch of the Province of British Columbia.
- (9) Political signs shall not be located on any highway or other public lands, shall not be erected more than 45 days prior to the election to which they relate, and shall be removed within 7 days after the election. The organization or candidate on behalf of whom such signs have been erected shall be responsible for their removal.
- (10) Projecting signs shall not extend beyond the property line except in a commercial zone where an overhang not exceeding 1.0 metres is permitted onto a street, providing the projection is structurally sound, the overhang has a minimum vertical clearance of 2.6 metres from the adjacent street level, and the sign is not higher than the roof line of the building or structure to which it is attached.

Responsibilities of Owners

9. (1) An application for a sign permit shall be completed on the form attached hereto as Schedule A and forming a part of this Bylaw, and shall be accompanied by a permit fee of \$10.00.
- (2) In addition to the information on the application form and any requirements of the Building Bylaw, the applicant shall provide a sketch plan of the proposed sign including the text or other material to be included in the sign message.

Sign Permits

10. (1) Where the Clerk is satisfied that an application for a sign permit, and the proposed sign, complies with the requirements of this Bylaw and any other applicable bylaw and the permit fee has been paid, the Clerk shall issue a sign permit in the form prescribed in Schedule A.
- (2) A sign permit is void if construction of the sign is not completed within 6 months of the date on which the permit was issued.

Removal of Signs

11. (1) Council may, in accordance with Section 735 of the Municipal Act, by bylaw authorize the removal of a sign which contravenes this Bylaw, or which Council believes 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.
- (2) Council may, in accordance with Section 936 of the Municipal Act, by resolution direct and order the removal of a sign which the Council believes is so dilapidated as to be offensive to the community, and the order may provide that, in case of default by the owner, agent, lessee or occupier to comply with the order within the period named in it, the Municipality may enter and remove the sign at the expense of the person defaulting, and may further order that the charges for doing so, if unpaid on December 31 in any year, shall be added to and form part of the taxes payable on the land as taxes in arrears.
- (3) Notwithstanding any other provision herein, Council may, without notice to the owner of such sign, by resolution authorize the removal of a sign located on a highway under the jurisdiction of the Municipality, or on any public land owned by the Municipality, where:
 - (a) the sign contravenes this Bylaw;
 - (b) Council believes the sign is in an unsafe condition;
or
 - (c) Council believes the sign is so dilapidated as to be offensive to the community.

Offences and Penalties

12. Every person who
 - (a) violates any provision of this Bylaw, or
 - (b) causes, suffers, or permits any act or thing to be done in contravention or in violation of any provision of this Bylaw, or

- (c) neglects or refrains from doing anything required to be done by any provision of this Bylaw, or
 - (d) fails to comply with any order, directive or notice given under this Bylaw,
- is guilty of an offence under this Bylaw and, upon summary conviction, is liable to a fine of not more than \$2,000 or to imprisonment for not more than 6 months, or to both fine and imprisonment.

Amendment to Land Use Bylaw

- 13. Clause (d) of Section 3.4 of The Village of Slocan Land Use Bylaw No. 393 is amended by deleting the words "one unilluminated sign not exceeding 0.1 square metre" and substituting therefore the words "a sign as provided for in the Sign Bylaw No. 443".

Effective Date of Bylaw

- 14. This bylaw shall come into full force and effect upon its registration by the Inspector of Municipalities.

Schedules

- 15. Schedules 'A' and 'B' attach to and form part of this bylaw.

READ A FIRST TIME this 14th day of April, 1993.

READ A SECOND TIME this 14th day of April, 1993.

READ A THIRD TIME this 14th day of April, 1993.

RECONSIDERED, PASSED and FINALLY ADOPTED


this 12th day of May, 1993.

Bernard Galeski
 Mayor

Bonnie A Thomas
 Municipal Clerk

Certified a true copy
of Bylaw No. 443
as adopted.

Bonnie A Thomas
 Municipal Clerk

A true copy of By-Law No. 443
 registered in the office of the Inspector
 of Municipalities this 26th day of
 November 1993.

 Deputy Inspector of Municipalities

**APPLICATION
FOR A SIGN PERMIT**

1. Name of applicant: _____ Phone: _____
Mailing address: _____

2. Location of sign (street address or description): _____

3. Type of sign: Projecting Facia
Free standing Illuminated

4. Area of sign in square metres _____.

5. Sign will project: _____ metres beyond the building face
_____ metres beyond the property line.

6. Vertical clearance from bottom of sign to street level will be
_____ metres.

7. Height of free standing sign: _____ metres.

Date: _____

Signature of Applicant

NOTE: A sketch plan of the proposed sign, including the text or other material to be included in the sign message, must be provided on Page 2 of this form.

SKETCH PLAN OF PROPOSED SIGN (including the text or other material
to be included in the sign message)

(for Village use only below this line)

SIGN PERMIT

This permit is issued on the basis of the information provided in the application and accompanying sketch plan, and on the condition that the proposed sign will comply with all requirements of the Sign Bylaw and any applicable requirement of the Building Bylaw.

Receipt of the \$10.00 permit fee is acknowledged, and this permit is issued on _____, 19__.

Municipal Clerk

TABLE OF METRIC AND IMPERIAL MEASUREMENTS

(Note: This table is provided solely as a convenience to users in converting the metric measurements in Bylaw No. 443 to approximate Imperial equivalents.)

Square Metres to Square Feet

0.1 square metres	=	1.1 square feet
0.2 square metres	=	2.1 square feet
0.3 square metres	=	3.2 square feet
0.4 square metres	=	4.3 square feet
0.5 square metres	=	5.4 square feet
0.6 square metres	=	6.5 square feet
0.7 square metres	=	7.5 square feet
0.8 square metres	=	8.6 square feet
0.9 square metres	=	9.7 square feet
1.0 square metres	=	10.8 square feet
2.0 square metres	=	21.5 square feet
3.0 square metres	=	32.3 square feet
4.0 square metres	=	43.0 square feet
5.0 square metres	=	53.8 square feet
6.0 square metres	=	64.6 square feet
7.0 square metres	=	75.3 square feet
8.0 square metres	=	86.1 square feet
9.0 square metres	=	96.9 square feet
10.0 square metres	=	107.6 square feet

Metres to Inches and Feet

0.3 metres	=	11.8 inches
0.7 metres	=	2.3 feet
1.0 metres	=	3.3 feet
2.0 metres	=	6.6 feet
2.5 metres	=	8.2 feet
2.6 metres	=	8.5 feet
7.5 metres	=	24.8 feet