

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 885

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. 885, 2000," 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 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. 871.

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

"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.

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

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

“Director of Inspection Services” means the Bylaw Enforcement Officer, Director of Inspection Services or any other person authorized to enforce or assist in the enforcement of this bylaw.

“Farm Sign” means a sign that advertises the products and services available on a farm.

“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.

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

“Off Premises Sign” means a sign that advertises goods, products, services or facilities at different premises than where the sign is located.

“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 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 Sign” means any sign that is located on or supported by a roof which is not a mansard roof.

“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 construction or 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.

3. EXISTING SIGNS:

- 3.1 Any sign, other than an off premise 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.
- 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 Except for the regulations found in sections 5.2, 5.3, 5.5, 5.6 and 5.9 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 that are located on the land on which the construction is being carried out.
- d) Signs displayed on public transit fixtures that 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, provided to facilitate the movement of pedestrians and vehicles on the property on which such signs are located.
- g) House numbers and nameplates that are less than 1 square meter in sign area.
- h) Neighborhood community and housing project name signs.

4.2 The following signs are prohibited:

- a) Off premise signs.
- b) Roof signs.
- c) Satellite receivers used as roof signs.
- d) 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, or relocate any sign that 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 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 searchlights, strobe lights, or other similar effects to highlight any sign that 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 100 meters of lot frontage each such sign having a maximum area of 1.0 square meter for single family residential and 6.0 square meters for multi-family residential or commercial properties. Such signs must be removed within fourteen (14) days following the completion of 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 that 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 based business shall conform to the requirements of the Regional District of Central Okanagan Zoning Bylaw No. 871.

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 or 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 plat 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, portable and projecting signs shall be located entirely on the premises to which they refer.
- 7.2 Freestanding portable and projecting signs shall be set back at least 1.5 meters from an adjoining lot.
- 7.3 Where a lot has two or more freestanding, portable and projecting signs, each sign shall be at least 30 meters apart.
- 7.4 Freestanding signs shall be located in a landscaped area of at least the same area as the sign.
- 7.5 Portable signs shall not obstruct a required parking space or vehicular access area.
- 7.6 Freestanding and projecting signs shall be installed with a clearance of at least 2.5 meters in pedestrian areas. Minimum clearance 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 Except as permitted in Sections 5.7, 5.8, 5.11 and 5.13 of this bylaw, freestanding, portable or projecting signs shall not be displayed on lots in the RU-5, R1, R1M, RMP, R2, RC1, R3A, R3B, R3C or R3D zones as specified in the Regional District of Central Okanagan Zoning Bylaw No. 871.
- 7.8 Except as permitted in Sections 5.7, 5.8, 5.11 and 5.13 of this Bylaw freestanding, portable or projecting signs shall be limited to farm signs with a maximum height of 3 meters on lots in the A1, F1, RU1, RU2, RU3, RU4 and RU6 zones of the Regional District of Central Okanagan Zoning Bylaw No. 871.
- 7.9 On lots located in the C2, P1 and P2 zones of the Regional District of Central Okanagan Zoning Bylaw No. 871, freestanding, portable and projecting signs are limited to a total sign area of 6 meters square. Their maximum height shall not exceed 2 meters.
- 7.10 Except as permitted in sections 5.7, 5.8, 5.11, and 5.13 of this bylaw on lots in the C1, C3, C4, C5, C6, C7, C8, I1, I2, I3, I4A, and I5 zones of the Regional District of Central Okanagan Zoning Bylaw No. 871, freestanding, portable and projecting signs are limited to a sign area of 0.25 square meters per meter of frontage to a maximum total sign area of 6 meters square where any freestanding, portable and projecting sign is located within 6 meters of a lot line or a maximum total sign area of 14 meters square where all such signs are located more than 6 meters from a lot line. The maximum height shall not exceed 4 meters where a freestanding, portable or projecting sign is within 6 meters of a lot line or 10 meters where such sign is more than 6 or more meters from a lot line.

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

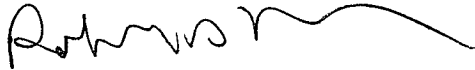
If any provision of this Bylaw is found invalid, such provision is severable and shall not affect the validity of the Bylaw as a whole.

10. REMOVAL OF SIGNS

- 10.1 The Board of the Regional District of Central Okanagan may in accordance with 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 that 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 repeals and replaces 'Regional District of Central Okanagan Sign Regulation Bylaw No. 698, 1996'
- 12, This Bylaw may be cited for all purposes as "Regional District of Central Okanagan Sign Regulation Bylaw No. 885, 2000"

READ A FIRST TIMES THIS	10th	DAY OF	July,	2000.
READ A SECOND TIME THIS	30th	DAY OF	October,	2000.
READ A THIRD TIME THIS	30th	DAY OF	October,	2000.

RECONSIDERED AND ADOPTED THIS 30th DAY OF October, 2000.



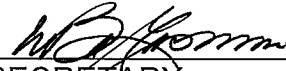
CHAIRPERSON



SECRETARY

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 885 cited as the "Regional District of Central Okanagan Sign Regulation Bylaw No. 885, 2000" as read a second and third time, reconsidered and adopted by the Regional Board on the 30th day of October, 2000.

Dated at Kelowna, B.C. this
1st day of November, 2000.



SECRETARY