

CONSOLIDATED VERSION AS OF DECEMBER 1, 2009

CITY OF PORT ALBERNI

BYLAW NO. 4578

A Bylaw to Regulate Signs

WHEREAS pursuant to Section 908 of the *Local Government Act*, subject to the *Transportation Act* and section 135 of the *Motor Vehicle Act*, Council may, by bylaw, regulate the number, size, type, form, appearance and location of any signs;

AND WHEREAS pursuant to Section 8 (4) and 65 of the *Community Charter* a council may, by bylaw, regulate and impose requirements in relation to the erection, placing, alteration, maintenance, demolition and removal of signs, sign boards, advertisements, advertising devices and structures;

AND WHEREAS Council deem it to be desirable:

- a) to enable local enterprises to identify clearly their places of business and to indicate the goods and services manufactured or sold on the premises;
- b) to protect the appearance of the City from the effect of signs which may be inappropriate;
- c) to limit the effects of signs that conflict with vehicular and pedestrian traffic;
- d) to protect the public from signs of inferior construction and from nuisance or hazard arising from improperly sited and constructed signs and
- e) to make it as easy as possible for tourists and visitors to be aware of and make their way to sites, facilities and attractions of interest.

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF PORT ALBERNI, IN OPEN MEETING ASSEMBLED, ENACTS AS FOLLOWS:

1. TITLE

This Bylaw may be cited for all purposes as the "City of Port Alberni Sign Bylaw No. 4578, 2007."

2. DEFINITIONS

AGRICULTURAL DISTRICTS means those districts identified as A1, A2, and FD in the Zoning Bylaw;

ANIMATED SIGN means an illuminated sign which exhibits changing or moving colour

effects maintained at a constant intensity of illumination;

AWNING means a sheltering structure free of walls and made of flexible materials except for the frame and attached to the exterior wall of a building;

AWNING SIGN means a *sign* attached to or located upon on *awning*;

BACKGROUND AREA means the total area within the outer edge of the frame or border of the *sign* but where a *sign* has no frame or border, means the area contained within the shortest line surrounding the whole group of letters, figures or symbols. The reverse side of any *sign*, if it is parallel to the *face* and does not exceed the *background area* of the *face*, may be used for display purposes without it being included in the calculation of the permitted background and *copy area* of the *sign*, provided that such *sign* does not rotate;

BED AND BREAKFAST SIGN means one (1) non-illuminated *Fascia sign* or one (1) *Freestanding sign* not exceeding 0.2m² (2.15ft²) advertising a Bed and Breakfast on a *premise* provided the Bed and Breakfast is located on that *premise*;

BILLBOARD SIGN means a freestanding exterior structure advertising goods, products, services, or facilities which are available elsewhere than on the *premises* on which the sign is located;

BUILDING BYLAW means the Building Bylaw No. 3998 and amendments thereto and any subsequent bylaws which may be enacted in substitution therefore;

BUILDING INSPECTOR means the person appointed by Council to administer the *Building bylaw* and includes any authorized deputy;

BYLAW ENFORCEMENT OFFICER means the person appointed by Council to enforce bylaws within the City of Port Alberni.

CANOPY means a sheltering structure of permanent construction free of walls that is attached to a building, including marquees; and unattached canopies that shelter the pump islands of gasoline service stations;

CANOPY SIGN means a *sign* attached to or located upon a *canopy* and includes *signs* that project above or below the *face* of a *canopy*, but not Under Canopy signs;

CITY means the City of Port Alberni;

CLEARANCE means the unobstructed space between the lowest limit of a *sign* and the *grade*;

COMMERCIAL SIGN means a *sign* advertising a business;

COMMUNITY ACTIVITY SIGN means a *sign* related to a philanthropic, charitable, sporting, annual fair or similar event;

COPY means the text, illustrations and symbols on a *sign*;

COPY AREA means the entire area within a single square or rectangle or a combination of

squares or rectangles which enclose the extreme limits of the *copy*;

CURB LINE means the line at the *face* of the curb nearest the street or roadway. In the absence of a curb the curb line shall be established by the City Engineer;

ELECTRONIC MESSAGE CENTRE SIGN means a sign where a graphic and/or text display is or can be changed electronically or digitally by manual or automatic means;

FACE means the exterior wall or façade of a building or *premises*; or the most significant or prominent surface of an object especially the surface presented to view;

FASCIA SIGN means a *sign* attached to, marked or inscribed on, or erected or placed against a *face* of a building and having the exposed *face* thereof on a plane parallel to the plane of such building *face* and not projecting beyond the horizontal width of the building nor above the *roof line* of the building;

FLASHING SIGN means an artificially illuminated *sign*:

- a) any part of which is intermittently illuminated while the *sign* is in operation;
- b) any illuminated part of which moves or is intended to move; or
- c) any illuminated part of which is operated by varying either the intensity or colour of the light;

FREESTANDING SIGN means a *sign* not attached to or forming part of a building, excluding a billboard sign, which is supported entirely by its attachment to the ground;

FRONTAGE means the length of a property line running parallel to and along a legally accessible public street, excluding a lane or alleyway;

GENERAL COMMERCIAL DISTRICTS mean those districts identified as C8, CMX1, CMX2 and CMXA in the Zoning Bylaw;

GRADE means the average finished ground level within 6.5 m (21.33 ft) around a *sign*;

GUEST HOUSE SIGN means one (1) non-illuminated *Fascia sign* or one (1) *Freestanding sign* not exceeding 2.2m² (24ft²) located on a premise that advertises a Guest House located at and holding a valid business licence at that premise;

HEIGHT means the vertical distance measured from the *grade* of the lot upon which it is located to the highest point of the *sign*;

HOME OCCUPATION / HOME BASED BUSINESS SIGNS means one (1) non-illuminated *Fascia sign* not exceeding 0.2m² (2.15ft²) located on a premise that advertises a Home Occupation / Home Based business located at and holding a valid Business licence at that premise;

IDENTIFICATION SIGN means a *sign* which contains no advertising but is limited to the name, address and number of a building, institution or person and to the principal activity carried on in the building or institution or the occupation of the person;

ILLUMINATED SIGN means a *sign* designed to be made more readable by use of artificial lighting, and shall include internally and externally lighted *signs*, and reflectorized, glowing or

radiating *signs*. All electrically energized *signs* shall bear the seal of an approved testing laboratory;

INDUSTRIAL DISTRICTS means those districts identified as M1, M2, M3, M4 and W2 in the Zoning Bylaw;

LOCAL ADVERTISING SIGN means a *sign* which refers only to goods or services produced, offered for sale or obtainable at the *premises*;

LOCAL COMMERCIAL DISTRICTS mean those districts identified as C1, C1A, C6, C7, and W1 in the Zoning Bylaw;

MANSARD ROOF SIGN means a *sign* attached to or located upon a mansard roof;

MULTIPLE COPY SIGN means a *sign* containing copy as defined in the definition of *Identification sign* or in the definition of *Local Advertising sign*. A Multiple Copy sign may contain either or both of identification and local advertising.

OFF-SITE DIRECTIONAL SIGN means a *sign* indicating the distance or direction, or both, to a place of business or other premise located on a separate site from where the *sign* is located or providing advertising for a business or other premise located on a separate site from where the *sign* is located except for 3rd party advertising on City of Port Alberni public transportation buses;

ON-SITE DIRECTIONAL SIGN means a *sign* intended to facilitate the movement of pedestrians and/or vehicles within the site upon which the *sign* is located;

PARCEL means a lot, block or other area in which land is held or into which land is subdivided.

POLITICAL SIGN means a *sign* including only messages relating to a public election or vote currently being carried on in which the citizens of the City of Port Alberni are eligible to vote;

PREMISES means that portion of a *parcel* and/or building in which a business is carried on, where the business does not occupy the whole of the *parcel* and/or building;

PROJECTING SIGN means a *sign* which projects perpendicularly or nearly perpendicularly from a building and which is mainly supported either by being constructed over a marquee or by being horizontally cantilevered from a building wall but not by means of supporting structures mounted on the roof of the building;

PUBLIC AND INSTITUTIONAL DISTRICTS mean those districts identified as P1 and P2 in the Zoning Bylaw;

PUBLIC NOTICE SIGN means a sign erected as required under the City of Port Alberni Development Application Notice Bylaw No. 4614;

PUBLIC TOURIST INFORMATION SIGN means a *Freestanding sign* which provides information, but not advertising, about facilities in Port Alberni to direct travelers to sites and

services of interest to them;

RESIDENTIAL DISTRICTS mean those districts identified as R1, R2, R2A, R3, R4, R5, R5A, RM1, RM2, RM3, MH1, MH2, GH, and DC in the Zoning Bylaw;

REVOLVING SIGN means a *sign* which is capable of revolving;

ROOF LINE means the line formed by the intersection of the exterior walls of a building with the roof of the building;

ROOF SIGN means an identification *sign* erected or placed upon, against, or directly above a roof or on top of or **above a parapet of a building**;

SANDWICH BOARD SIGN means a small portable *sign* with two *faces* attached at one end that is placed on or adjacent to areas accessible to pedestrian traffic;

SERVICE AND HIGHWAY COMMERCIAL DISTRICTS mean those districts identified as C2, C3, C4, and C5 in the Zoning Bylaw;

SETBACK means the setback from the property line as required under the Zoning Bylaw;

SIGN means any structure, advertisement, advertising device or visual representation intended to advertise, identify or communicate information or attract the attention of the public for any purpose and, without limiting the generality of the foregoing, includes symbols, letters, figures, illustrations, or forms painted or otherwise affixed to a building or structure, as well as any structure or device the primary purpose of which is to support, border, illuminate, animate or project a visual representation;

TEMPORARY SIGN means a *sign* not permanently displayed;

UNDER AWNING SIGN means every *sign* suspended from an *awning* and entirely under such *awning*;

UNDER CANOPY SIGN means every *sign* suspended from a *canopy* and entirely under such *canopy*;

VEHICLE SIGN means a *sign* attached to or located upon a vehicle or trailer but excluding signs printed on an insured vehicle, taxi or public transportation vehicle which states only the name of the business or authority, its' logo, address and/or phone number and excluding 3rd party advertising on City of Port Alberni public transportation buses;

ZONING BYLAW means "Port Alberni Zoning Bylaw 1998" No. 4395 and amendments thereto and any subsequent bylaws which may be enacted in substitution therefore.

2.1 Measurements

All measurements in this Bylaw are expressed in the Standard International Units (metric) system. The approximate equivalent in the Imperial system, shown in brackets following the metric standard, is included for convenience only and does not form part of this Bylaw.

2.2 Severability

If any section or lesser portion of this Bylaw is held to be invalid by any Court, the invalid portion shall be severed and shall not affect the validity of the remainder.

3. GENERAL REGULATIONS

3.1 Application of Bylaw

3.1.1 No *sign* shall be erected, placed, displayed, relocated, altered or moved within the City, except in conformity with the provisions of this Bylaw.

3.1.2 *Signs* that are not specifically permitted in this Bylaw are prohibited.

3.1.3 Nothing in this Bylaw relieves a person from complying with other City Bylaws.

3.1.4 This Bylaw applies to the entire area of the City encompassing both privately and public property.

3.2 Exemptions

3.2.1 This Bylaw does not apply to:

3.2.1.1 any *sign* not visible or intended to be visible from outside the lot upon which it is located;

3.2.1.2 *signs*, posters, street decorations, banners, or notices erected or authorized by the City, the Government of British Columbia, the Government of Canada, or the R.C.M.P.;

3.2.1.3 traffic control devices provided for in the *Motor Vehicle Act*;

3.2.1.4 *signs* on or over City highways installed or authorized by the City for the control of traffic and parking, or for street names and direction;

3.3 Non-conforming signs

3.3.1 Any *sign* lawfully in existence at the time of adoption of this Bylaw, although such *sign* does not conform to the provisions of this Bylaw, may continue to be used provided it is maintained in a clean and safe condition.

3.3.2 Any *sign* lawfully in existence at the time of adoption of this Bylaw shall not be reconstructed, altered or relocated except in full compliance with the provisions of this Bylaw.

3.4 Maintenance of Signs

3.4.1 Normal *sign* maintenance, including replacement of *copy*, lighting or refurbishing of *signs* shall not require a *sign* permit, but shall conform to all other requirements of this Bylaw.

3.4.2 All *signs* shall be maintained structurally sound and free from all hazards caused or resulting from decay or failure of structural members, fixtures, lighting or appurtenances. All *background area*, *copy area*, and lighting shall be maintained in readable and clean condition, and the site of the *sign* shall be maintained free of weeds, debris and rubbish.

3.5 Sign Construction

3.5.1 All *signs* permitted by this Bylaw shall be constructed of permanent materials, suitable for the type and use of the *sign* and shall be constructed in compliance with all applicable legislation, regulations, codes and bylaws, including the *British Columbia Building Code* and *British Columbia Electrical Code*.

3.5.2 A permit may be refused until such time as the applicant has submitted a plan certified by a B.C. Professional Engineer or Architect that the structure of the *sign* or *canopy/awning* and its supports and fastenings are so designed as to be safe and secure, as required by the *Building Inspector*.

3.6 Maximum Projections

3.6.1 The maximum projection of any *sign* from the exterior wall of a building to which the *sign* is attached shall not exceed 1.5 m (4.9 ft), whether or not a marquee is attached to the building.

3.6.2 No *sign* shall project to within 0.6 m (2 ft) horizontally of the *curb line* of any highway.

3.7 Maximum Height

The *height* of any *sign* shall not exceed the maximum *height* of buildings and structures permitted in the Zoning District in which it is located.

3.8 Minimum Clearance

3.8.1 Any *sign*, including its supporting structures, which projects over an area available for vehicular use shall have a *clearance* of not less than 4.5 m (14.8 ft).

3.8.2 Any *sign*, including its supporting structures, which projects over an area available for pedestrian use shall have a *clearance* of not less than 2.5 m (8.2 ft).

3.9 Signs on Public Property

No *signs* shall be erected or placed on city owned property and no *signs* shall be tacked, posted or otherwise affixed to the walls of any structure, tree, pole, hydrant, bridge, fence or any other surface within a public place, except with written permission of the City.

3.10 Hazardous Signs

3.10.1 No *signs* shall create a potential hazard to the safe, efficient movement of vehicular or pedestrian traffic.

3.10.2 No *sign* shall be placed in a manner that may obstruct any window opening, door opening, passageway, fire escape, walkway, vehicular driveway or similar feature, or increases the risk of danger to the public.

3.10.3 A person shall not erect or keep a *sign* which is likely to block, obstruct or interfere in any way with a person's view of traffic, pedestrians, or traffic control devices.

3.11 Traffic Control Signs

No *signs* shall have the shape or colour of a traffic control device referred to in the Motor Vehicle Act.

3.12 Abandoned and Obsolete Signs

When a *sign* or framework advertises or publicizes a business or undertaking that no longer exists, the *sign* shall be deemed obsolete and the owner of the *parcel* on which the *sign* is displayed shall remove the *sign* within 14 days.

3.13 Removal of Temporary Signs

Political, real estate, community activity and other temporary *signs* which are displayed on any *parcel* shall be removed by the owner of the *parcel* within four (4) days of the termination of the event which was advertised by the *sign*.

3.14 No Liability Imposed on City

No provision of this Bylaw nor issuance of a *sign* permit by the City shall be construed as relieving or limiting the responsibility or liability of any person erecting a *sign* pursuant to this Bylaw from personal injury or property damage resulting from the placing or erection 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*, nor shall any provision of this Bylaw or issuance of a *sign* permit be construed as imposing upon the City any responsibility or liability for such personal injury or property damage.

4. PROHIBITED SIGNS

4.1 Types of Prohibited Signs

4.1.1 Except as otherwise permitted in this bylaw, the following *signs* shall not be located or displayed within the City:

- a) *Billboard signs*;
- b) *Flashing signs*;
- c) *Revolving signs*;
- d) *Animated signs*;
- e) Wind actuated *signs*, except *Community Activity signs*, flags or emblems of political, civic, philanthropic, educational or religious organizations;
- f) *Mansard roof signs*;
- g) *Roof signs*
- h) *Off-Site Directional signs*;
- i) *Vehicle signs*

5. **SPECIFIC SIGN REGULATIONS**

The following regulations apply specifically to the type of *signs* referred to in each section heading.

5.1 **Sandwich Board Signs**

5.1.1 *Sandwich Board signs* are permitted in CMX1, CMX2, CMXA, C1, C1A, C3 Districts.

5.1.2 The area of each face of a *Sandwich Board sign* shall not exceed 0.5 m² (5.4 ft²).

5.2 **On-Site Directional Signs**

5.2.1 *On-Site Directional signs* are permitted in all Zoning Districts.

5.2.2 The *background area* of *On-Site Directional signs* shall not exceed 0.5 m² (5.4 ft²).

5.3 **Electronic Message Centre Signs**

5.3.1 *Electronic Message Centre signs* are permitted in CMX1, CMX2, C8 and C2 Districts. *Electronic Message Centre signs* are permitted in the P2 District only as specified in Section 5.5.1.8 of this bylaw.

5.3.2 The background area of Electronic Message Centre signs shall not exceed 9.0 m² (97.0 ft²) except;

5.3.2.1 The *background area* of a Projecting *Electronic Message Centre sign* shall not exceed 5.6 m² (60.3 ft²)

- 5.3.3 The message centre sign area shall be included in calculating the maximum sign area permitted.
- 5.3.4 The message centre display shall not change more than once in a 10 second time period.
- 5.3.5 The leading edge of the *sign* must be a minimum distance of 30 m (100 ft), from an abutting residentially zoned boundary.
- 5.3.6 When located within 46 m (150 ft) of a residentially zoned lot, the sign must be oriented so that no portion of the sign display or face is visible from an existing or permitted principal structure on that lot.
- 5.3.7 Audio speakers and/or sound are not permitted.
- 5.3.8 Only one *Electronic Message Centre sign* is permitted on any *parcel*.

5.4 Fascia Signs

- 5.4.1 *Fascia Signs* are permitted in all zones subject to the following:
 - 5.4.1.1 **Illuminated *Fascia signs*** are permitted only in C1, C1A, C2, C3, C4, C5, C6, C7, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, P1, P2, W1, and W2 Districts.
 - 5.4.1.2 **Identification *Fascia signs*** are permitted only in R1, R2, R2A, R3, R4, R5, R5A, RM1, RM2, RM3, GH, DC, A1, A2, FD, C1, C1A, C2, C3, C4, C5, C6, C7, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, P1, P2, W1, W2 Districts.
 - 5.4.1.3 **Multiple Copy *Fascia signs*** are permitted only in C1, C1A, C2, C3, C4, C5, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, W1, W2 Districts.
 - 5.4.1.4 **On-Site Directional *Fascia signs*** are permitted in all zone Districts.
 - 5.4.1.5 **Bed and Breakfast *Fascia signs*** are permitted only in R1, R2, R2A, R4, R5, R5A, RM1, A1, A2, FD Districts and provided that the Bed and Breakfast is located in that premise.
 - 5.4.1.6 **Home Occupation/Home Based Business *Fascia signs*** are permitted only in R1, R2, R2A, R3, R4, R5, R5A, A1, A2, and FD Districts and provided that the business license at that premise.
 - 5.4.1.7 **Guest House *Fascia signs*** are permitted only in GH Districts and provided the Guest House is located at and holds a valid business license at that premise.
- 5.4.2 A *Fascia sign* shall have a *clearance* of at least 2.5 m (8.2 ft), except when located above an area that is inaccessible to pedestrian traffic.

- 5.4.3** A *Fascia sign* shall not project more than 0.3 m (1 ft) from the building surface upon which it is located
- 5.4.4** No *Fascia sign* or part thereof shall project above a parapet or eaves line of the building to which it is attached.
- 5.4.5** In *Agricultural* and *Residential Districts* only **one** of a *Fascia* or *Freestanding sign* is permitted on each *parcel*.
- 5.4.6** The total *background* area of all *Fascia signs* on a premise;
- 5.4.6.1** In *Residential Districts* shall not exceed 0.2 m² (2.15 ft²) except in RM, MH Districts where the *background* area of *Fascia signs* shall not exceed 0.6 m² (6.5 ft²).
- 5.4.6.2** In *Agricultural Districts* shall not exceed 2.5 m² (25.0 ft²).
- 5.4.6.3** In *Local Commercial Districts* shall not cover an area greater than 10% of the area of the *premises* face upon which it is located.
- 5.4.6.4** In *General Commercial Districts* and in *Service and Highway Commercial districts* shall not cover an area greater than 20% of the area of the *premises* face upon which it is located.
- 5.4.6.5** In *Industrial Districts* shall not cover an area greater than 20% of the area of the *premises* face upon which it is located, except that in W2 Districts no *Fascia sign* shall cover an area greater than 10% of the area of the *premises* face.
- 5.4.6.6** In *Public and Institutional Districts* shall not cover an area greater than 10% of the *premises* face upon which it is located.
- 5.4.6.7** Shall not exceed 0.5 m² (5.4 ft²) for an *On-Site Directional sign*.

5.5 Freestanding Signs

- 5.5.1** *Freestanding signs* are permitted in all zones subject to the following:
- 5.5.1.1** **Illuminated Freestanding signs** are permitted only in GH, A1, A2, C1, C1A, C2, C3, C4, C5, C6, C7, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, P1, P2, W1, and W2 Districts.
- 5.5.1.2** **Identification Freestanding signs** are permitted in all zones.
- 5.5.1.3** **Multiple Copy Freestanding signs** are permitted only in C1, C1A, C2, C3, C4, C5, C7, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, W1, and W2 Districts.
- 5.5.1.4** **On-Site Directional Freestanding signs** are permitted in all zones.

- 5.5.1.5 Public Tourist Information *Freestanding signs*** are permitted in all zones but shall not be erected without the approval of City Council.
- 5.5.1.6 Bed and Breakfast *Freestanding signs*** are permitted only in R1, R2, R2A, R4, R5, R5A, A1, A2 and FD Districts provided the Bed and Breakfast is located on that *parcel*.
- 5.5.1.7 Guest House *Freestanding signs*** are permitted on a *parcel* only in GH Districts and provided the Guest House holds a valid business license on that *parcel*.
- 5.5.1.8 Electronic Message Centre *Freestanding signs*** are permitted in the C2 District, the C8 District and on the following *parcels* in the P2 District:
- a) Lot 1, District Lot 1, Alberni District, Plan 5330 Except those parts in Plans 6163, 6407, 6552, 6553, 6564, 6752, 7078, 7775, 9060, 9748, 10801, 10994, 11410, 11734, 11865, 13639, 13685, 15784, 16432, 18042, 19169, 21224, 21463, 25942, 28919, 50602, VIP54601 AND VIP56962 (4255 Wallace St., Echo Centre)
 - b) Lot 1, District Lot 92, Alberni District, Plan 27429 Except part in Plan VIP58940 (3737 Roger Street., Multiplex)
- 5.5.2** *Freestanding signs* shall not project over public rights of way.
- 5.5.3** Where on any *parcel*, a *Projecting sign* projects into a *setback*, no *Freestanding sign* which will be located on the same *setback* will be permitted on the *parcel*.
- 5.5.4** *Freestanding signs* shall not be erected so as to appear to be a sign attached to a building and extending more than 1.5 m (4.9 ft) there from.
- 5.5.5** In *Agricultural, Residential, and Public and Institutional Districts* only **one** of a *Fascia* **or** *Freestanding sign* is permitted on each *parcel*.
- 5.5.6** In *Local Commercial, General Commercial, and Service, and Highway Commercial Districts* more than one *Freestanding sign* may be located on a particular *frontage* provided that they shall be separated by at least 50m (164 ft) between them except that only one *Electronic Message Centre* sign is permitted on any *parcel*.
- 5.5.7** In *Industrial Districts* where a *parcel* exceeds 4000 m² (0.99 ac.) in area or 70 m (230 ft) in *frontage*, two (2) *Freestanding signs* are permitted on the *parcel*, and where a *parcel* exceeds 1.6 ha. (3.95 ac.), three (3) *Freestanding signs* are permitted on the *parcel*.

5.5.8 The *background area of Freestanding signs*;

5.5.8.1 In *Residential Districts* shall not exceed 0.2 m² (2.15 ft²) except in RM, MH Districts where the *background area of Freestanding signs* shall not exceed 0.6 m² (6.5 ft²).

5.5.8.2 In *Agricultural Districts* shall not exceed 2.5 m² (25.0 ft²).

5.5.8.3 In *Local Commercial, General Commercial Districts* and in *Service and Highway Commercial Districts* shall not exceed 0.6 m² per metre (2 ft²/ft) of the *frontage* at the front of the *parcel* and shall not in any case exceed 12 m² (129 ft²) except that if a sign is an *Electronic Message Centre* sign the background area shall not exceed 9.0 m² (97.0 ft²).

5.5.8.4 In *Public and Institutional Districts* shall not exceed 3.25 m² (35 ft²) except in the P2 District where the background area of Freestanding Signs shall not exceed 6.0 m² (65 ft²)

5.5.8.5 In *Industrial Districts* shall not exceed 0.6 m² per metre (2 ft²/ft) of the *frontage* measured at the front of the *parcel* upon which the sign is located, and shall not in any case exceed 28 m² (301.4 ft²).

5.5.8.6 Shall not exceed 0.5 m² (5.4 ft²) for an *On-Site Directional* sign

5.5.8.7 Shall not exceed 12 m² (129 ft²) for a *Public Tourist Information* sign.

5.5.9 Notwithstanding Section 3.7, the maximum *height of Freestanding signs*:

5.5.9.1 In *Residential Districts* shall not exceed 1.5 m (4.9 ft).

5.5.9.2 In *Agricultural Districts* shall not exceed 4 m (13.1ft).

5.5.9.3 In *Local Commercial Districts* shall not exceed 4.0 m (13.1 ft) if situated on a *parcel* less than 555m² (5975 ft²) or 8.0 m (26.2 ft) if situated on a *parcel* greater than 555 m² (5975 ft²).

5.5.9.4 In *General Commercial, Service and Highway Commercial, Industrial, Public and Institutional Districts* shall not exceed 8 m (26.2 ft).

5.6 Projecting Signs

5.6.1 *Projecting signs* are permitted in C2, C3, C4, C5, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, W2 Districts subject to the following:

5.6.1.1 **Illuminated Projecting signs** are permitted in C2, C3, C4, C5, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, and W2 Districts.

5.6.1.2 **Identification Projecting signs** are permitted in C2, C3, C4, C5, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, P1, P2, and W2 Districts.

5.6.1.3 Multiple Copy Projecting signs are permitted in C2, C3, C4, C5, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, and W2 Districts.

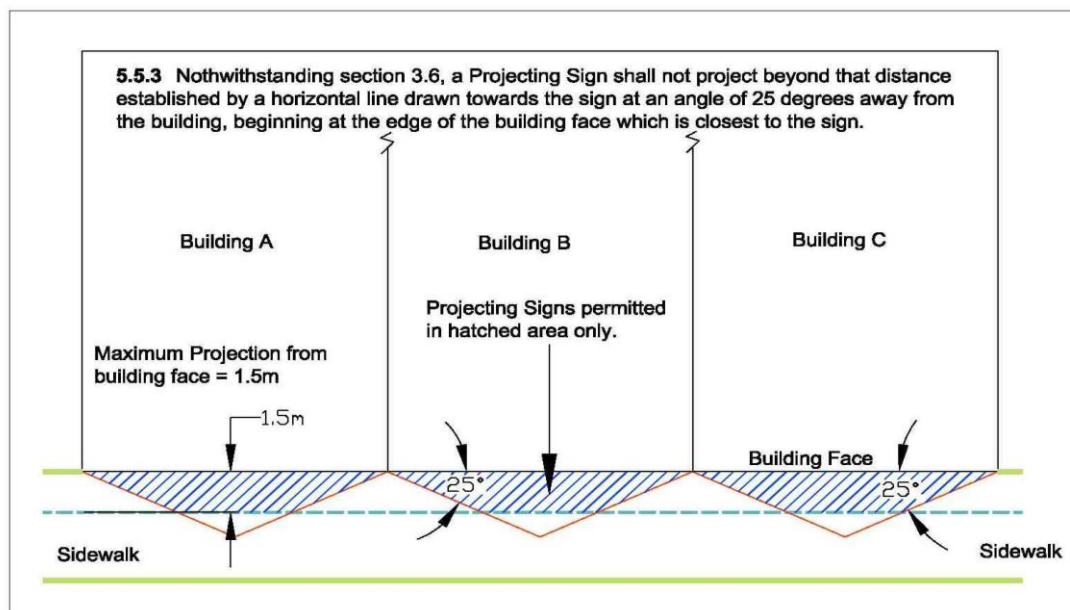
5.6.1.4 On-Site Directional Projecting signs are permitted in all zone districts.

5.6.1.5 Public Tourist Information Projecting signs are not permitted.

5.6.1.6 Electronic Message Centre Projecting signs are permitted in the CMX1 and CMX2 District.

5.6.2 No part of a *Projecting sign* shall project over any area legally accessible to vehicular traffic.

5.6.3 Notwithstanding Section 3.6, a *Projecting sign* shall not project beyond that distance established by a horizontal line drawn towards the sign at an angle of 25 degrees away from the building, beginning at that edge of the building face which is closest to the sign.



5.6.4 The distance between a *Projecting sign* and the building to which it is attached shall not exceed 0.3 m (1 ft).

5.6.5 A *Projecting sign* or part thereof shall not extend above the *roof line* of the building to which it is attached, except in CMX Districts where *Projecting signs* may project not more than 1 m (3.3 ft) above the *roof line*.

5.6.6 In *General Commercial Districts*, *Projecting signs* shall be located only on the *frontage of a parcel*.

- 5.6.7** In *General Commercial, Service and Highway Commercial and Industrial Districts* only one *Projecting sign* is permitted on each *frontage*.
- 5.6.8** Where on any *parcel*, a *Freestanding sign* is located on an area constituting the *setback*, no *Projecting sign* shall project into that *setback*.
- 5.6.9** Where a *roof sign* is located on any *parcel*, no *Projecting sign* which projects into a *setback* or over a public right of way shall be permitted on the *parcel*.
- 5.6.10** The *background area* of a *Projecting sign* shall not exceed 5.6 m² (60.3 ft²) except;
- 5.6.10.1** The *background area* of an *On-Site Directional sign* shall not exceed 0.5 m² (5.4 ft²).

5.7 Awning and Canopy Signs

- 5.7.1** *Awning and Canopy signs* are permitted in C1, C1A, C2, C3, C4, C5, C6, C7, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, P1, P2, W1, and W2 Districts subject to the following:
- 5.7.1.1** **ILLUMINATED *Awning and Canopy signs*** are permitted only in C2, C3, C4, C5, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, and W2 Districts.
- 5.7.1.2** **IDENTIFICATION *Awning and Canopy signs*** are permitted in C1, C1A, C2, C3, C4, C5, C6, C7, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, P1, P2, W1, and W2 Districts.
- 5.7.1.3** **MULTIPLE COPY *Awning and Canopy signs*** are permitted only in C1, C1A, C2, C3, C4, C5, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, P1, P2, W1, and W2 Districts.
- 5.7.2** An *awning* may have signs on its ends in addition to signs on the main face, but the signs on the ends shall not be included in the *copy area* of the sign.
- 5.7.3** Signs suspended from or below an *awning* are subject to the regulations of “Under Awning and/or Under Canopy” Signs.
- 5.7.4** In *Local Commercial, Industrial, Public and Institutional, General Commercial, and Service and Highway Commercial districts*, *Awnings, canopies, and Awning and Canopy signs* which project over public property shall be illuminated.
- 5.7.5** The *background area* of a *Canopy sign*:
- 5.7.5.1** In *Local Commercial, General Commercial, Service and Highway Commercial and Industrial Districts* shall not exceed 0.6 m² per metre (2 ft²/ft) of the length of the *canopy*.

5.7.5.2 In *Public and Institutional Districts* shall not exceed 0.3 m² per metre (1 ft²/ft) of the length of the *canopy*.

5.7.6 The *copy area* of an *Awning sign*:

5.7.6.1 In *Local Commercial, General Commercial, Service and Highway Commercial* and *Industrial Districts* shall not exceed 50% of the area of the *awning*.

5.7.6.2 In *Public and Institutional Districts* shall not exceed 40% of the area of the *awning*.

5.8 Under Awning and Under Canopy Signs

5.8.1 *Under Awning and Under Canopy Signs* are permitted in C1, C1A, C2, C3, C4, C5, C6, C7, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, P1, P2, W1, and W2 Districts subject to the following:

5.8.1.1 **Illuminated *Under Awning and Under Canopy signs*** are permitted in C1, C1A, C2, C3, C4, C5, C6, C7, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, P1, P2, W1, and W2 Districts.

5.8.1.2 **Identification *Under Awning and Under Canopy signs*** are permitted in C1, C1A, C2, C3, C4, C5, C6, C7, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, P1, P2, W1, W2 Districts.

5.8.1.3 **Multiple Copy *Under Awning and Under Canopy signs*** are permitted only in C1, C1A, C2, C3, C4, C5, C8, CMX1, CMX2, CMXA, M1, M2, M3, M4, W1, W2 Districts.

5.8.1.4 Notwithstanding 5.7.1, **On-Site Directional *Under Awning and Under Canopy signs*** are permitted in all zoning Districts.

5.8.2 No *Under Awning and Under Canopy sign* shall be located such that any part is more than 0.3 m (1 ft) below the bottom of the *awning* or *canopy*.

5.8.3 *Under Awning and Under Canopy signs* may be located over public rights of way but shall not be located over areas legally accessible to vehicular traffic.

5.8.4 *Under Awning and Under Canopy signs* shall not exceed 1.25 m (4.1 ft) in length.

5.8.5 The *background area* of *Under Awning and Under Canopy signs* shall not exceed 0.375 m² (4.0 ft²).

5.8.6 One *Under Awning or Under Canopy sign* is permitted on each premise in *Local Commercial, General Commercial, Service and Highway Commercial, Public and Institutional* and *Industrial Districts* provided that such signs are placed at least 7.5 m (25 ft) apart.

5.9 Temporary Signs

5.9.1 *Temporary signs* are permitted in all zones.

5.9.2 The *background area* of Temporary signs described in Section 7.3.1.5 shall not exceed;

5.9.2.1 In R Districts, 0.6 m² (6.5 ft²)

5.9.2.2 In RM, MH, GH Districts, 1.5 m² (16.1 ft²) for *parcels* with an area of 2000 m² (21,528 ft²) or less and 3.0 m² (32.3 ft²) for *parcels* with an area greater than 2000 m² (21,528 ft²)

5.9.2.3 In *Agricultural Districts*, 1.2 m² (12.9 ft²)

5.9.2.4 In *Local Commercial, General Commercial, Service and Highway Commercial, Industrial, and Public and Institutional Districts*, 1.5 m² (16.1 ft²) for *parcels* with an area of 2000 m² (21,528 ft²) or less and 3.0 m² (32.3 ft²) for *parcels* with an area greater than 2000 m² (21,528 ft²)

6. ZONE RESTRICTIONS AND REGULATIONS

6.1 *Signs* which are not specifically permitted in a Zoning District by this Bylaw are prohibited in that Zoning District.

7. SIGN PERMITS, FEES AND INSPECTIONS

7.1 Requirement for Permit

Except as provided in Sections 7.2 and 7.3, no person shall erect, place, display, alter or move a *sign* unless a permit for that purpose has been issued by the City in relation to that *sign*.

7.2 Change of Sign

A change of *copy* or colour of any *sign*, other than a change of the name of the owner or business, shall not require a permit.

7.3 Signs not Requiring a Permit

7.3.1 A permit is not required for the following types of *signs*, provided that every *sign* shall conform in all other respects to the requirements of this Bylaw:

7.3.1.1 Signs indicating a hazard;

7.3.1.2 *On-Site Directional signs*;

7.3.1.3 *Identification signs* in any structural form, provided that:

- a) Only one such sign is located on each *parcel* or *premises*, and;
- b) The *background area* of the sign does not exceed 0.2 m² (2.15 ft²).

7.3.1.4 Memorial plaques, cornerstones, historical tablets or similar signs;

7.3.1.5 *Temporary signs* which:

- a) Advertise the sale, lease or rental of the *parcel*, *premises* or a portion thereof upon which such *signs* are located;
- b) Indicate the nature of a construction or demolition project, including the names of the contractors, sub-contractors and professional advisors, on the *parcel* upon which such *signs* are located, provided that such *signs* are removed after an occupancy permit has been issued;
- c) Advertise events of a political, civic, philanthropic, educational or religious nature, including temporary directional *signs*;
- d) Promote any political candidate or party provided that such *signs*:
 - are located on private property
 - are relevant to a current election or vote in which citizens of the City of Port Alberni are eligible to vote.
 - are not displayed more than 30 days prior to and not more than four (4) days following the date of the election or vote.
- e) Are *Community Activity* signs.
- f) Are *Public Notice Signs* as required under the City of Port Alberni Development Application Notice Bylaw.

7.3.1.6 *Public Tourist Information Signs* that have been approved by City Council;

7.3.1.7 *Signs* which indicate only that no person shall trespass on the property, provided that:

- a) Only one such *sign* is located on each *parcel* or *premises*, and
- b) The *background area* of the *sign* does not exceed 0.2 m² (2.15 ft²).

7.4 Application for Permit

7.4.1 Application for a *sign* permit shall be made to the Building Department of the City in substantially the same form as prescribed in Schedule "A".

7.5 Permit Fees

A permit fee based on the estimated value of the *sign* and any supporting structure shall be paid prior to issuance of a *sign* permit as follows:

\$20.00 flat fee plus: \$30.00 for *signs* with an estimated value up to \$1000.00 plus \$6.00 per each \$1,000.00 estimated value greater than \$1000.00.

7.6 Building Permit

Issuance of a *sign* permit shall not exempt the owner of the *sign* or owner of the *parcel* from obtaining a building permit for a *sign* structure, if required pursuant to the City's *Building bylaw*.

7.7 Permit Issuance

Upon compliance with all requirements of this Bylaw and following issuance of any required building permit, the *Building Inspector* shall issue a *sign* permit.

7.8 Permit Expiry and Fee Refunds

7.8.1 A *sign* permit expires if work is not commenced within six months from the date of issue.

7.8.2 There shall be no refund of the permit fee upon the expiry of a *sign* permit. If no work has been commenced under the permit and if the *Building Inspector* so certifies, the Director of Finance may refund to the applicant with respect to a valid permit, the amount of the permit fee less \$30.00 or 10% of the permit fee whichever is the greater.

7.9 Inspections

7.9.1 Every person erecting, placing, displaying, altering, or moving a *sign* for which a permit is required by this Bylaw shall notify the *Building Inspector* at least 24 hours in advance of all required inspections.

7.9.2 An inspection shall be requested and obtained for every *Freestanding sign* after installation of footings and before construction of the sign structure.

7.9.3 An inspection shall be requested and obtained within ten (10) days of installation for every *sign* which requires a building permit.

8. ENFORCEMENT AND PENALTIES

8.1 Inspections for Compliance

Building Inspectors, Bylaw Enforcement Officers and the City Planner of the City are authorized to enter at all reasonable times upon any property subject to this Bylaw to ascertain compliance with the regulations contained in this Bylaw.

8.2 Removal of Signs - Public Right of Way

Any *sign* unlawfully occupying a portion of a public right of way may be removed by a *Bylaw Enforcement Officer, Building Inspector* or any other person authorized by the City. A fee of \$100.00 and the costs of removal shall be payable for recovery of the *sign* and failing recovery within 30 days of removal, the *Bylaw Enforcement Officer* may sell the *sign* at public auction, retaining sufficient proceeds to pay the fees and costs imposed by this section and the costs of sale.

8.3 Removal of Signs - Private Property

If a *sign* does not conform to this Bylaw or any other bylaw of the City, a *Building Inspector* or *Bylaw Enforcement Officer* may give written notice to the owner of the *sign* or the owner of the *parcel* to bring the *sign* into compliance or remove the *sign* within a period of 14 days. The owners shall act in accordance with the notice and if the notice is not complied with or if the owners cannot be located, the *Building Inspector* or *Bylaw Enforcement Officer* may have the *sign* removed at the expense of the person in default, and the expense incurred may be recovered from the owner of the land on which the *sign* is displayed in the same manner as municipal taxes.

8.4 Penalty

Every person who violates any provision of this Bylaw is guilty of an offence and, upon summary conviction, shall be liable to a fine of not more than \$2,000.00 and the costs of prosecution. Each day that a violation exists or is permitted to exist shall constitute a separate offence under this Bylaw.

READ A FIRST TIME THIS 13TH DAY OF AUGUST, 2007.

READ A SECOND TIME THIS 13TH DAY OF AUGUST, 2007.

READ A THIRD TIME THIS 13TH DAY OF AUGUST, 2007.

FINALLY ADOPTED THIS 10TH DAY OF SEPTEMBER, 2007.

MAYOR

CLERK



SCHEDULE "A"

CITY OF PORT ALBERNI- SIGN PERMIT APPLICATION

Note: The personal information collected on this form is collected for the purpose of an operating program or activity of the City of Port Alberni as authorized by Section 26(c) of the *Freedom of Information and Protection of Privacy Act*. All information collected with this form shall be disclosed to the public upon request. If you have any questions about the collection and use of this information, please contact the City Clerk at (250) 720-2810

All applications must be accompanied by the following **(all measurements and scales must be in metric units)**:

1. Two (2) sets of detailed drawings to scale showing:
 - Sign copy (including colours), *copy area* and dimensions of the sign;
 - The proposed height and *clearance* of the sign;
 - Dimensions of the wall surface of the building to which the sign will be attached;
 - Structural and footing details and material specifications for the proposed sign;

2. Two (2) copies of a detailed plot / site plan to scale showing
 - The proposed location of the sign in relation to the property boundaries and any building on the property;
 - Dimensions and locations of all existing signs and buildings on the property;
 - A recent (within 30 days of application date) copy of the Land Title for the subject property.

3. Any additional information as required by the Bylaw.

TO BE COMPLETED BY APPLICANT:

REGISTERED OWNER INFORMATION:

(Please list names of **ALL** owners of the subject property where the Sign is to be located along with **full mailing addresses and phone numbers**. Attach a separate sheet if required)

Registered Property Owner(s) Name(s) (Please Print):.....
.....

Mailing Address:
.....

Postal Code: Telephone:.....

Business License Number (if applicable):.....
.....

APPLICANT INFORMATION (if the applicant is NOT the owner):

Applicant Name:

Mailing Address:

.....

Postal Code: Telephone:.....

Business License Number:.....

PROPERTY INFORMATION (for land where Sign is to be located):

Legal Description of property (as shown on Land Title or Tax Assessment Notice)(PLEASE PRINT):

.....

Civic Address of property (as verified by the City of Port Alberni)

.....

AUTHORIZATION:

City of Port Alberni, 4850 Argyle Street, Port Alberni, B.C., V9Y 1V8

I Hereby make application for a Sign Permit for the property described above.

Date:..... **Applicant's Signature:**

Note: Where the applicant is NOT the property owner, the following certification must be signed by all Registered Owners or their Solicitor/s:

This application is made with my consent and full knowledge of the particulars of the above request.

Date:..... **Owner(s) Signature(s)**.....

SIGN MANUFACTURER:

Name and Company Name:.....

Address:.....

Phone:

Business License Number:.....

SIGN DETAILS:

Type of Sign (as per this Bylaw):.....

Area (m²):.....

Background Area (m²):.....

Dimensions (m²):.....

Overall Height (m):.....

Clearance from Grade (m):

Estimated Value:.....

Dimensions of wall surface (m) (if applicable):

FOR OFFICE USE:

Folio No.:_____

Current Zoning:_____

DPA Required (Y/N)_____

Planning Dept. Approval(Y/N):_____

Permit No.:_____

Permit Fee:_____

Date of Issue:_____

Signature:_____