

DISTRICT OF LILLOOET

BYLAW NO. 274

A Bylaw to Regulate Signs in the District of Lillooet

WHEREAS Section 908 of the *Local Government Act* provides that, subject to the *Transportation Act* and Section 135 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 District of Lillooet;

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

CITATION

1. This bylaw may be cited for all purposes as the “**Sign Bylaw 2006, No. 274**”.
2. “Sign Bylaw No. 664, 1995” and all amendments thereto, are hereby repealed.

DEFINITIONS

3. 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;

“*Building Bylaw*” means the Building Bylaw of the District of Lillooet;

“*Building Inspector*” means the person or persons authorized by Council to administer the Building Bylaw;

“*Bylaw Enforcement Officer*” means a person or persons authorized to administer and enforce this bylaw or any other 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 District;
- “*community activity sign*” means a sign indicating that a community activity is about to be, is being, or will be carried on;
- “*community information sign*” means a sign, or a group of signs at a single location designated by Council 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;
- “*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;
- “*District*” means the District of Lillooet;
- “*facia sign*” means a sign displayed on the surface of a building;
- “*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 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;
- “*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 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 the 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;
- “*sandwich board sign*” means an independent, moveable, free-standing sign that is designed to be placed on a sidewalk;
- “*scenic route sign*” means a standardized white and blue 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;

“*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 highways, streets, roads, lanes, sidewalks, public squares, boulevards and rights-of-way open to the public.

“*third party sign*” means a sign

- 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
- 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 travelers or the location of a travel information centre which provides information to travelers, and includes advance warning signs for travel information or a travel information centre;

“*Treasurer*” means the Director of Finance of the District of Lillooet;

“*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 District is divided under the Zoning Bylaw.

APPLICATION AND ADMINISTRATION

4. The provisions of this Bylaw shall apply to the whole of the area within the boundaries of the District.
5. No owner or other person shall commence the installation, nor authorize or permit the installation, of a sign unless and until all permits and approvals under this Bylaw, the Building Bylaw and all other Municipal, Provincial and Federal statutes, regulations and bylaws have been obtained.
6. An application for a sign permit shall be completed on the form attached hereto as Schedule A and forming part of this Bylaw, and shall be accompanied by a permit fee of \$100.00. The application shall be accompanied by plans and specifications showing:
 - (1) The proposed location of the sign in relation to boundaries of the site upon which it is to be situated;
 - (2) The proposed location of the sign in relation to any wall of the building;

- (3) The overall height of the sign and the amount of clearance beneath it measured from finished grade;
 - (4) The type of illumination, and the colours to be used;
 - (5) The type of construction and the materials to be used;
 - (6) Such other information as the Building Inspector or Bylaw Enforcement Officer may require.
7. 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

8. Where the Building Inspector 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 Building Inspector shall issue a sign permit in the form prescribed in Schedule “A”.
9. 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.
10. Nothing in this Bylaw shall be interpreted as relieving any person from complying with the provisions of any other Bylaw of the District.
11. Notwithstanding anything herein to the contrary, where the District has issued a development permit under Section 892 of the *Local Government Act* any condition, with respect to the type, size, or placement of signs, that is included in that development permit shall apply in place of the requirements of this bylaw.
12. Every applicant for a sign permit for a sandwich board sign to be placed and displayed on a street or other District property, must indemnify the District from all liability arising from such placement and display by executing the form of indemnity set forth in Schedule “A” of this Bylaw.
13. The Building Inspector, Bylaw Enforcement Officer or such other person as may be appointed by Council to administer this Bylaw:
 - (1) 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,
 - (2) 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
 - (3) 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.

14. The Building Inspector or Bylaw Enforcement Officer may:

- (1) 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,
- (2) direct the immediate cessation or correction 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.
- (3) order that an owner or occupier of premises on which a sign is located, maintain, alter, repair or remove the sign in accordance with the requirements of this Bylaw within the time period specified in the order where the sign is:
 - (a) Unsafe, defective or there is a danger of falling or other threat to the safety of persons or property;
 - (b) The sign has been installed or erected without a sign permit or otherwise in violation of this Bylaw;
 - (c) The permit for the sign has been revoked; or
 - (d) The sign has been abandoned or no longer serves the purpose for which it was erected;

And where the owner or occupier of the premises fails to comply with such order, the Building Inspector or Bylaw Enforcement Officer may enter on the premises and carry out such works or actions as is necessary to maintain, alter, repair or remove the sign at the cost of the owner or occupier. Where the owner or occupier fails to pay the District’s cost of such works or actions, those costs may be collected from the owner of the premises, upon notice to the owner, in the same manner and with the same remedies as property taxes, and where such costs remain unpaid as of December 31st in the year in which the costs were incurred, they shall be deemed to be taxes in arrears.

EXEMPTIONS

15. The following signs are exempt from the provisions of this Bylaw:

- (1) signs displayed within a building or structure
- (2) signs owned or leased by the District for Municipal purposes;
- (3) traffic control signs as defined in the *Motor Vehicle Act*;
- (4) signs required to be posted and maintained by any municipal Bylaw or Federal or Provincial statute or regulation;

16. The following signs shall be exempt from the requirement to obtain a sign permit pursuant to this Bylaw:

- (1) signs relating to construction which are located on the land on which the construction is currently being carried on;

- (2) notwithstanding Section 5, where a sign permitted by the Bylaw constitutes a structure requiring a permit under the Building Bylaw, a sign permit shall not be required in addition to the building permit.
- (3) real estate signs with a copy area not exceeding 1.0 square meter;
- (4) third party signs on benches located on public lands where the design and location of the bench has been approved by the District, and where the sign is displayed on the face of the backrest of the bench only and does not exceed 2.5 meters in length or 0.7 meters in height;
- (5) memorial plaques, cornerstones, historical tablets, and similar signs;
- (6) on-site directional signs, not exceeding 1.0 square meters in area, intended to facilitate the movement of pedestrians and vehicles on the property on which such signs are located;
- (7) emblems or insignia of any nation, a province or territory of Canada, or of any political, civic, philanthropic, cultural, educational or religious organization;
- (8) house numbers and name plates not exceeding 0.2 square meters in area for each dwelling unit;
- (9) political signs

PROHIBITIONS

17. Except as provided elsewhere in this Bylaw, the following are prohibited:

- (1) flashing signs;
- (2) signs located in or on a balcony or on a roof of a building;
- (3) signs erected on or over a highway or District owned property, where such signs are not erected by or on behalf of the District.

18. No sign shall be erected that in the opinion of the Building Inspector or Bylaw Enforcement Officer would interfere with the safe and efficient movement of vehicular or pedestrian traffic or the visibility of any traffic control device.

19. Third party signs other than those identified in Section 15 are prohibited in all zones.

20. No person shall park any vehicle or trailer on a street or other public property, or on private property so as to be visible from a street or public property, if the vehicle or trailer has attached thereto or located thereon any sign or device for the basic purpose of advertising products, services, or events located on the same or nearby property or any other premises.

GENERAL REQUIREMENTS

21. The signs described herein shall conform to the requirements set out in the following table:

<i>Sign</i>	<i>Maximum Area in Sq. Meters</i>	<i>Permitted Zones</i>	<i>Permitted Type</i>
Advertising	10.0	Commercial Industrial	Facia, Free Standing or Projecting
Community Activity	0.6	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	0.2	Residential	Facia or Free Standing
Home Identification	0.1	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 and Attraction	None	All Zones	Free Standing
Tourist Area / Region	None	All Zones	Free Standing
Travel Info/InfoCentre	None	All Zones	Free Standing
Warning	2.0	All Zones	Facia, Free Standing or Projecting

- 22.** Notwithstanding Section 19 a sandwich board sign shall:
 - (1) not be located within .3m of a curb;
 - (2) not exceed .91m in height and .6m in width; and
 - (3) be located in such a manner as to provide 1.2m clearance from any other structure or thing so that a clear lane of travel for pedestrians and wheelchairs can be maintained;
- 23.** Where a clear lane of travel cannot be provided or maintained as per subsection 22.3 the placement of sandwich board signs are prohibited.
- 24.** Projecting signs shall not extend beyond the property line except in a commercial zone where an overhang not exceeding 1.0 meters is permitted onto a street, providing the projection is structurally sound, the overhang has a minimum vertical clearance of 2.6 meters 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.
- 25.** Facia signs shall not overhang more than 0.3 meters onto a street.
- 26.** Free standing signs shall not exceed a height of 10.0 meters from the adjacent ground level.
- 27.** Political signs 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.
- 28.** Signs and sign structures shall be designed and constructed as provided for in this Bylaw and in the Building Bylaw to resist wind and seismic and dead loads.
- 29.** 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.

CANOPY SIGNS

- 30.** A sign attached to the underside of a canopy, roof overhang, or similar structure shall have a minimum vertical clearance of 2.6 meters from the adjacent street level.
- 31.** 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 meters from the said face.
- 32.** 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 meters from the said wall.
- 33.** Under no circumstances shall a sign project into the traveled portion of the street.

RESPONSIBILITIES OF OWNERS

34. Every owner shall ensure the removal of any sign erected on his property when the purpose of the sign or the message thereon is no longer applicable.
35. Every owner shall ensure that all signs erected on their property are constructed and maintained in a safe and secure manner to avoid the risk of injury to any person or damage to any property. This shall include the cleaning or repainting of a sign structure at least once in each calendar year.
36. Neither the granting of a sign permit, not the acceptance of plans and specification, or any inspection which may be made by the Building Inspector, shall relieve the owner from the responsibility for fully complying with the requirements of this Bylaw, the Building Bylaw if applicable, and any conditions attached to the sign permit.
37. Approval of a sign permit does not relieve the owner of responsibility in the event of accident or death resulting from the existence of said sign.

MUNICIPAL TICKET INFORMATION PROVISIONS

38. This Bylaw is designated pursuant to Section 264 of the *Community Charter*, as a bylaw that may be enforced by means of a ticket in the form prescribed.
39. Bylaw Enforcement Officers, Building Inspector and members of the RCMP are designated to enforce this bylaw by means of a ticket pursuant to Section 264 of the *Community Charter*.
40. The words or expressions listed in Schedule “B” of this bylaw in the “Offence” column are authorized to be used on a ticket pursuant to Section 264(1)(c) of the *Community Charter* to designate an offence against the respective section of this bylaw appearing opposite in the “Section” column. The amounts appearing in the “Fine” column are the fines set pursuant to Section 265 of the *Community Charter* for contravention of the respective section of this Bylaw appearing opposite in the section column.
41. The Bylaw Enforcement Officer shall refer every disputed ticket to the Provincial Court for a hearing.

OFFENCES AND PENALTIES

42. Any person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this bylaw, shall be deemed to have violated the provisions of this bylaw and shall be liable to penalties hereby imposed. Each day that such violation is permitted to continue shall be a separate offence.
43. Every person who violates any of the provisions of this bylaw shall, upon summary conviction thereof, be liable to a penalty of not less than \$100.00 (one hundred dollars) nor more than \$10,000.00 (ten thousand dollars), as provided under the *Offence Act*.

- 44.** If action is taken pursuant to this bylaw, expenses may be recovered, together with costs and interest, in the same manner as municipal taxes.

SEVERABILITY CLAUSE

- 45.** If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provision of this Bylaw.

READ A FIRST TIME on the 5th day of September, 2006.

READ A SECOND TIME on the 5th day of September, 2006.

AMENDED AND READ A THIRD TIME on the 4th day of December, 2006.

FINALLY PASSED AND ADOPTED on the 18th day of December, 2006.

“C. Roshard”

Mayor

“G. Loyer”

Corporate Officer

**“Sign Bylaw 2006, No. 274”
Schedule “A”**

APPLICATION FOR A SIGN PERMIT (continued)

Sandwich Board Sign Indemnity

1. In the event that this permit authorizes placement of a sandwich board sign, the permit holder agrees, in consideration for being able to place a sign on public property, to:
 - (1) indemnify and hold harmless the District of Lillooet and its officers, employees, elected officials and agents from and against any and all actions, causes of action, claims, losses and damages arising at any time in any way related to the issuance of this permit or the placement, existence or maintenance of said sign;
 - (2) add the District of Lillooet as a named insured on their liability insurance;
 - (3) incorporate a clause in their insurance that prohibits the cancellation of the District of Lillooet as a named insured without the municipality receiving proper notification.
 - (4) provide proof of the District as a named insured to the satisfaction of the Treasurer.
 - (5) recognize that the cancellation of the District as a named insured invalidates this sign permit and provides authorization for the municipality to remove said sandwich board without notice.

Applicants Signature

**“Sign Bylaw 2006, No. 274”
Schedule “B”**

Offence	Section	Fine: First Offence	Fine: Second and each Subsequent Offence
No sign permit	5	\$100.00	\$200.00
Sign at variance with plans	6	\$100.00	\$200,00
Failure to Maintain Sign	36	\$100.00	\$200.00
Failure to Obey Notice to Remove Unsafe Sign	14(3)	\$100.00	\$200.00
Prohibited Sign	17, 18, 19	\$100.00	\$200.00
Failure to Maintain Liability Insurance for Sign as Required	12	\$100.00	\$200.00