



TOWN OF SIDNEY
SIGN BYLAW 2058

TOWN OF SIDNEY

BYLAW NO. 2058

A BYLAW TO REGULATE THE CONSTRUCTION AND MAINTENANCE OF SIGNS

WHEREAS Council may, pursuant to Section 908 of the Local Government Act and Section 135 of the Motor Vehicle Act, regulate the number, size, type, form, appearance and location of any signs.

THEREFORE be it resolved that Council of the Town of Sidney, in open meeting assembled, enacts as follows:

1.0 ADMINISTRATION

- 1.1 This Bylaw may be cited for all purposes as "**Sign Bylaw No. 2058**".
- 1.2 The Building Official, Bylaw Enforcement Officer, or any other official of the Town of Sidney appointed by Council, is hereby authorized to enter, at all reasonable times, upon any lot or premises to ascertain whether the provisions of this Bylaw are being obeyed.
- 1.3 A continuation of a non-conforming use or structure shall be subject to the provisions of Section 911 of the Local Government Act of British Columbia.
- 1.4 If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason found invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

2.0 ENFORCEMENT

2.1 Offences:

The Offence Act, where applicable, shall apply to proceedings under this Bylaw
Information may be laid:

- a) In accordance with the procedures set out in the Offence Act; or
- b) By means of a ticket under the Local Government Act or Community Charter.

2.2 Penalty:

Except as otherwise provided in this Bylaw, 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 refuses, or omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by this bylaw shall be liable on summary conviction to a fine not exceeding two thousand dollars (\$2,000.00) but not less than the fines set out in the Schedule in the Municipal Ticket Information Bylaw.

- 2.3 Signs that are located on a municipal right of way or that are in contravention of this bylaw may be removed by the Town. Impounded signs will be held for a period of 30 days, during which they may be recovered subject to payment of a Fifty Dollar (\$50.00) impound fee per sign. Signs that are not recovered within thirty days become the property of the Town.

3.0 DEFINITIONS

In this Bylaw, unless otherwise stated, the following definitions shall apply:

Banner Sign means a sign projecting from a building that is composed of lightweight material including nylon, vinyl, cloth, canvas or similar fabric which is attached to a rod at the top and bottom.

Billboard Sign means a sign of a permanent or semi-permanent kind, used or intended to be used for the purpose of advertising and that is pasted, glued, fastened, or otherwise affixed by means permitting its removal or replacement.

Boulevard means the portion of the right of way between the curb lines or the lateral lines of a roadway and the adjoining property line.

Canopy means any permanently fixed structure, supported solely from the building and which projects from the face of the building and is used or intended to be used for the purpose of affording protection or shelter from the weather.

Canopy Sign means a sign which is painted on or affixed to the exterior surface of a Canopy, but does not include a Marquee or Roof Sign.

Copy means the letters, characters, numbers or graphics which make up the message on a sign, but does not include background colour.

Copy Area means, in the case of a sign having only one face, the area contained by the shortest continuous perimeter that may be drawn to circumscribe the whole of the message displayed on that face of the sign and in the case of a sign having more than one face shall mean the aggregate of the several areas contained by each perimeter.

Display Area means the area of any one face of a sign which will enclose within the area the whole of the parts of a sign used or intended to be used for the display of any message.

Establishment means a business, not-for-profit or governmental organization.

Externally Illuminated Sign means a sign illuminated from a separate lighting system that may be attached to the building itself or from the ground underneath.

Fascia Sign means a sign where the plane of its surface is parallel throughout its length to that of the building face to which it is attached, but does not include a Wall Sign or Wall Mural.

Fence Sign means any sign painted, pasted, or otherwise affixed to or inscribed upon any fence.

Flashing Sign means and includes every artificially illuminated sign in which any part is illuminated either intermittently or in any other manner that creates noticeable changes in light intensity.

Free-Standing Sign means a sign that is supported independently of a building or other separate structure.

Ground means and includes the thickness of any and all sidewalks, paths, plazas, patios, roads, roadways, and similar improved surfaces used or intended to be used for the passage of pedestrians or vehicles directly under the sign.

Home Occupation Sign means a type of Fascia Sign, Low Mount Free-Standing Sign or Projecting Sign advertising a licenced establishment being carried out in a dwelling unit.

Internally Illuminated Sign: means a sign that is illuminated from behind or within the casing of the sign by a bulb or other electronic device or equipment, including exposed neon tubes. This includes signs lit with a halo effect, where the light source is placed behind individually mounted opaque raised letters or symbols.

Logo Flag Sign means a flag bearing a distinctive commercial design or style used to represent a company or trademark.

Low Mount Free-Standing Sign means a sign that is supported independently of a building or other structure and that is not greater than 1.8 metres in height.

Marquee Sign means a sign that is affixed beneath a Canopy, and is at right angles to the building face.

Moving Sign means a sign which moves or is intended to move.

Portable Sign means a sign that is not permanently affixed to a building or base and thus can be readily carried or transported manually, excluding Sandwich Board Signs.

Projecting Sign means a sign which projects more than 0.3 metres (.98 ft.) from the building to which it is attached and at right angles to the building face, but does not include a Marquee sign.

Real Estate Sign means a sign on a lot that advertises that the lot or lot and buildings are for sale, rent or open for viewing and does not exceed a Display Area of 0.4 square metres.

Roof Sign means any sign erected on or above a roof or parapet of a building.

Sandwich Board Sign means a free standing sign consisting of two boards that are hinged on their upper edges.

Sign means a visual representation of a symbol, letter, numeral, figure, word, picture, illustration, announcement, direction, logo, or other attention drawing device, which advertises, identifies or communicates information or attracts the attention of the public for any purpose.

Sign District means a sign district established under this Bylaw.

Temporary Sign means any sign that is displayed or intended to be displayed for a limited period of time.

Wall Mural means any painting, drawing, sketching or other markings inscribed directly upon any wall or other integral part of a building or structure.

Wall Sign means a sign painted, pasted, or otherwise affixed to or inscribed directly upon any wall or other integral part of a building or structure, but does not include a Wall Mural.

Window Area means the area of glass, including mullions of 12.7 centimetres (5 inches) or less, of a single window unit, set between structural materials.

Window Sign means a sign that includes any writing (letters, characters, words or numerals), logos or graphics, and is located within 20 centimetres of a window and is plainly visible from the exterior of the building.

4.0 GENERAL REGULATIONS:

- 4.1 With the exception of that which is stipulated in Section 4.6 of this Bylaw, no person shall cause, suffer or permit any sign to be placed, constructed, erected, altered or relocated except as provided for in this bylaw.
- 4.2 Signs do not require a sign permit; however, at the discretion of the Senior Building Official, a building permit may be required for structural alterations or additions intended to accommodate a sign.
- 4.3 Signs shall be located on the premises containing the establishment to which they direct attention.
- 4.4 Externally illuminated signs are permitted in all Sign Districts, provided that the lighting is downcast.
- 4.5 In Sign Districts C (Downtown Commercial) and E (Industrial) signs may be internally illuminated provided that only the Copy of the message is illuminated, either directly or through a halo effect, and the remainder of the sign is opaque. The Copy area of illuminated letters and symbols may not exceed 50% of the Display Area on internally illuminated signs.
- 4.6 The following signs are permitted in all Sign Districts, subject to the regulations of this bylaw:
 - a. One Real Estate sign, pertaining to the sale, lease, rental or viewing of the property on which the sign is displayed;
 - b. Any sign displayed pursuant to the Highways Act, the Motor Vehicle Act, the Local Government Act, or to any other statute of the Legislative Assembly or pursuant to any regulation, order, or bylaw made there under;
 - c. Signs on private land directed toward the prevention of trespassing;
 - d. Any sign displayed for the purposes of a Federal, Provincial or Municipal election, provided that:
 - i For a Municipal election, the candidate has filed his or her nomination papers with the Returning Officer;
 - ii The sign does not exceed an area of 1.5 square metres;
 - iii The sign is located on private property with the permission of the owner or on the municipal boulevard fronting private property, but only with the permission of the owner in front of whose private property the sign is placed;
 - iv Notwithstanding Section 4.6.d.iii above, no sign may be placed in a location which may create a safety hazard to pedestrians or vehicles;
 - v The sign shall not be posted on public property nor on a boulevard fronting public property;
 - vi All signs shall be removed within three days after the date of the election.
 - e. Any sign displayed from a dwelling, bearing the street number and name of the person residing in the dwelling, provided that the Display Area does not exceed 0.2 square metres (2.2 square feet); and
 - f. Any sign with the purpose of directing pedestrian, vehicle and other traffic or parking on private property including any sign denoting access and parking for the disabled provided that the sign does not exceed 0.56 square metres (6 square feet).

5.0 CONSTRUCTION, MAINTENANCE AND LOCATION

- 5.1 All signs shall be maintained in a satisfactory condition so as to be rendered safe and secure.
- 5.2 Signs and supporting structures shall be constructed of a corrosion-resistant material.
- 5.3 Every sign shall be plainly marked with the name of the maker thereof.
- 5.4 No sign shall be affixed to any fire escape or be erected so as to impede, obstruct, or impair the free and uninterrupted use of any fire escape, fire exit window, fire exit door or other device or passage used or intended to be used in the event of a fire.
- 5.5 No sign shall be erected or constructed so as to impede the free and uninterrupted use of any window, vent or other aperture for admitting light or air.
- 5.6 No sign shall be located, erected or lighted in such a manner as to interfere with the visibility of a traffic control device or to interfere with visibility at an access to or egress from a highway.

6.0 SIGNS NOT PERMITTED:

- 6.1 No person shall erect, construct, place, maintain or suffer any of the following signs on any lands or premises of which he/she is the owner or occupier:
 - a. Flashing Signs;
 - b. Moving Signs;
 - c. Billboard Signs;
 - d. Roof Signs;
 - e. Portable Signs;
 - f. Wall Murals;
 - g. Wall Signs;
 - h. Fence Sign; and
 - i. Inflatable devices

7.0 SIGN DISTRICTS:

- 7.1 For the purposes of this Bylaw, the Town of Sidney is divided into seven (7) Sign Districts, the boundaries of which are shown on Appendix 'A', which is attached to and forms part of this Bylaw.
- 7.2 The Table in Section 7.4 stipulates which sign types are permitted in each Sign District. In the Table, a blank cell shall mean that the sign type is not permitted and a check mark shall mean that the sign type is permitted.
- 7.3 Unless otherwise indicated in Section 8, one (1) sign of each sign type in Section 7.4 is permitted per establishment to a maximum of three (3) sign types in total. Sandwich Board Signs, Temporary Signs and Window Signs do not count toward the total.

7.4 Table of Permitted Sign Types

Sign District	Home Occupation Sign	Low Mount Free Standing Sign	Free Standing Sign	Fascia Sign	Canopy Sign	Marquee Sign	Projecting Sign	Banner Sign	Logo Flag Sign	Sandwich Board Sign	Temporary Sign	Window Sign
A (Home Occupations)	✓											
B (Multi-Family)		✓		✓							✓	
C (Downtown Commercial)				✓	✓	✓	✓	✓		✓	✓	✓
D (Neighbourhood Commercial)		✓		✓	✓		✓	✓		✓	✓	✓
E (Industrial)		✓	✓	✓	✓		✓	✓	✓	✓	✓	✓
F (Marine Industrial)		✓		✓	✓		✓	✓		✓	✓	✓
G (Institutional)		✓		✓	✓		✓			✓	✓	✓

8.0 SIGN TYPES:

8.1 Home Occupation Sign:

- a. No sign shall exceed a Display Area of 0.2 square metres (2.2 square feet);
- b. No part of the sign shall exceed a height of 2.4 metres (7.9 feet) from the Ground directly underneath; and
- c. No sign shall be located on a building wall facing an interior side or rear property line.

8.2 Free-Standing Sign:

- a. No sign shall be permitted on a property less than 929 square metres (10,000 square feet) in area;
- b. No sign shall project over a street;
- c. In the case of a sign having 2 faces, the faces must be parallel to each other and not exceed a depth of 0.3 metres (0.98 feet);
- d. The total Display Area of each face shall not exceed a maximum of 9.3 square metres (100 square feet);
- e. No sign shall exceed a height of 4.5 metres (15 feet);
- f. No sign shall be located within 3.0 metres (9.8 feet) of adjoining property lines; and
- g. No portion of any sign shall be located in the area bounded by the intersecting front and exterior side lots lines of a lot and a line joining points along the lot lines 3.0 metres (9.8 feet) from their point of intersection if adjoining a street.

8.3 Low Mount Free-Standing Sign:

- a. No sign shall project over a public right of way;
- b. In the case of a sign having 2 faces, the faces must be parallel to each other and not exceed a depth of 0.3 metres (0.98 feet);
- c. Display Area of a sign shall not exceed 0.9 square metres (10 square feet) if one sided or 1.8 square metres (20 square feet) if two sided;
- d. No sign shall exceed a height of 1.6 metres (5.2 feet); and
- e. No sign shall be located within 3.0 metres (9.8 feet) of adjoining property lines.
- f. **In Sign District B (Multi-Family):**
 - i. Nothing other than the name and address of the building complex shall be displayed on a sign; and
 - ii. No sign shall be internally illuminated.

8.4 Fascia Sign:

- a. Notwithstanding Section 7.0, one Fascia Sign is permitted per establishment, per building face;
- b. The horizontal dimension of a sign shall not exceed 80% of the horizontal width of the building face on which it is mounted, with no vertical dimension being greater 0.6 metres (1.97 feet);
- c. No sign, including its fastenings and supports, shall be less than 2.1 metres (6.9 feet) from the Ground directly underneath;

- d. The Display Area of the sign shall be parallel, throughout its length, to the plane of the building to which it is attached, and no part of the sign shall be further distant than 0.15 metres (0.5 feet) from the building face.
- e. No part of a sign shall extend beyond the width or height of the wall to which it is attached; and
- f. **In Sign District B (Multi-Family):**
 - i Only the name and address of the building complex shall be displayed on a sign; and
 - ii The Display Area of a sign shall not exceed 1.0 square metres (10.8 square feet);.

8.5 Marquee Sign

- a. No part of the sign shall extend beyond the outer edges of the Canopy to which it is attached;
- b. In the case of a sign having two faces, the faces must be parallel to each other and not exceed a thickness of 10.16 centimeters (4 inches);
- c. The Display Area of a sign shall not exceed 0.6 square metres (6.5 square feet) if one-sided or 1.2 square metres (13 square feet) if two-sided; and
- d. No part of the sign shall be less than 2.3 metres (7.5 feet) from the Ground directly underneath.

8.6 Canopy Sign

- a. Notwithstanding Section 7.0, three Canopy Signs are permitted per establishment per building face;
- b. The Copy Area of a Canopy Sign may not exceed more than 50% of the face on which it is displayed;
- c. No part of a sign shall be less than 2.4 metres (7.9 feet) from the Ground directly underneath;
- d. No part of a sign shall project above the top of the Canopy; and
- e. Any lighting mechanism shall not directly or primarily illuminate the Canopy or its signage from within or underneath the Canopy.

8.7 Projecting Sign

- a. No sign shall exceed 0.56 square metres (6 square feet) in area, with the width of a sign being no greater than 1.0 metres (3.2 feet);
- b. In the case of a sign having two faces, the faces must be parallel to each other and not exceed a depth of 0.15 metres (6 inches);
- c. The portion of the Display Area of the sign closest to the building face shall be no more than 0.3 meters (1.0 feet) from the building face to which it is attached; and
- d. No sign shall be higher than 3.66 metres (12 feet), nor lower than 2.4 metres (7.9 feet) from the Ground directly underneath.

8.8 Banner Sign

- a. Notwithstanding Section 7.0, two Banner Signs are permitted per establishment;
- b. No sign shall exceed 0.28 square metres (3 square feet) in area, with the width of the sign being no greater than 0.3 metres (1.0 feet);

- c. The portion of the Display Area of the sign closest to the building face shall be no more than 0.3 meters (1.0 feet) from the building face to which it is attached, and no portion of the sign may extend beyond 0.6 metres (2.0 feet) from the building face;
- d. No sign shall be higher than 3.66 metres (12 feet), nor lower than 2.2 metres (7.2 feet) from the Ground directly underneath;
- e. The Display Area of the sign shall be supported by rods constructed of metal which are no more than 1.32 metres (4.3 feet) apart; and
- f. The Display Area of the sign must be vertical and perpendicular in relation to the building face to which it is attached.

8.9 Logo Flag Sign

- a. No sign shall project into or over a public right of way;
- b. No sign shall exceed 0.7 square metres (7.5 square feet) in area and no dimension shall be greater than 1.2 metres (3.9 feet); and
- c. No sign shall exceed a height of 4.9 metres (16 feet).

8.10 Temporary Sign:

- a. Notwithstanding Section 4, no sign shall be externally or internally illuminated;
- b. The Display Area shall not exceed 5.0 square metres (53.8 square feet) or have any single dimension that exceeds 3.0 metres (9.8 feet);
- c. No sign shall be located less than 3.0 metres (9.8 feet) from any lot line; and
- d. The sign shall not be displayed for more than a six months per calendar year.

8.11 Sandwich Board Sign

- a. No sign shall be located on public property or municipal right of way;
- b. The Display Area of a sign shall not exceed 0.56 square metres in area (6 square feet) per face and have dimensions not exceeding 0.6 metres (1.97 feet) in width by 1.0 metres (3.2 feet) in height; and
- c. The sign shall be hinged along the sign's upper edges, with not more than two faces.

8.12 Window Sign

- a. A Window Sign shall be limited to windows located on the first and second storey of a building;
- b. Only Window Signs which identify the name of an establishment, including the professional designation, are permitted above the first storey of a building; and
- c. Window Signs are limited to a maximum 50 percent of the Window Area in which it is placed.

9.0 REPEAL:

9.1 That Town of Sidney Sign Bylaw No. 1806, 2004 and all amendments thereto are hereby repealed.

Introduced and read a first time the 24th day of March, 2014.

Read a second time the 24th day of March, 2014.

Read a third time the 24th day of March, 2014.

Reconsidered and finally adopted the 14th day of April, 2014.

MAYOR

CORPORATE ADMINISTRATOR