

DRAFT
SIGN BYLAW
FOR THE
VILLAGE OF PEMBERTON

BYLAW NO. XXX, 2018



Draft for Discussion Purposes #1 – April 17, 2018

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DRAFT

**Village of Pemberton
Sign Bylaw No. XXX, 2018**

**A BYLAW TO REGULATE SIGNS
WITHIN THE VILLAGE OF PEMBERTON**

WHEREAS section 526 of the *Local Government Act* authorizes a local government to enact a Bylaw respecting the regulation of signs, including the:

- number;
- size;
- type;
- form;
- appearance; and
- location of the signs;

AND WHEREAS section 8(4) of the *Community Charter*, allows for a Council to make regulations and other requirements in relation to the erection, placing, alteration, maintenance, demolition and removal of a sign, sign board, advertisement, advertising device or structure, or any class of them;

NOW THEREFORE the Municipal Council of the Village of Pemberton in open meeting assembled enacts as follows:

PART 1.0 APPLICATION AND ADMINISTRATION

1.1 Title

- a) This Bylaw may be cited for all purposes as the “Village of Pemberton Sign Bylaw No. XXX, 2018”.

1.2 Purpose

- a) The principal purpose of this Bylaw is to encourage the effective use of signs as a means of communication within the Village of Pemberton for the benefit of the residents;
- b) To minimize the adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations.

1.3 Application of Bylaw

- a) This Bylaw applies to all Lands, Buildings and Structures located within the boundaries of the Village of Pemberton, as amended from time to time, and as shown on Schedule “B”, based on the Zoning Map of Zoning Bylaw XXX, 2018 as amended from time to time.

1.4 Severability

- a) If any section, subsection, sentence, clause, or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, such decision must not affect the validity of the remaining portions of this Bylaw.

1.5 Definitions

- a) The definitions contained in the Village of Pemberton Zoning Bylaw XXX 2018, as amended from time to time plus the following definitions apply to this Bylaw;

Abandoned Sign

means any *sign* or any sign support structure that directs attention to an activity, business, and product or service that is no longer being conducted or available on the lot. In addition, it also addresses *signs* that have not been maintained as required by this Bylaw. For the purposes of this Bylaw, *signs* which are not in use for a period of three (3) months or longer must be considered *abandoned*;

Animated Sign

means a *sign* that moves or depicts movement by any means including intermittent, strobe, flashing, or oscillating lights, or mechanical rotation or movement, but does not include any *electronic message board signs*;

Awning

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

Awning Sign

means a *sign* painted on, affixed flat to, constructed on, or attached to the surface of an *awning*, that does not extend beyond the limits of such awning;

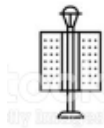
Balloon Sign

means a non-rigid *sign* or advertising device supported by gas or air pressure, designed to be airborne and tethered to the ground or any other structure, including hot air balloons, air dancers or any other inflatable shape;



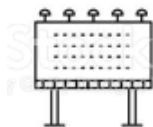
Banner Sign

means a *sign* composed of lightweight, non-rigid material such as but not limited to: vinyl, cloth, canvas or similar fabric whether affixed to a *building or structure face*, suspended above the *building or structure face* or attached on a pole or draped between two buildings or poles or any combination thereof;



Billboard Sign

means a *sign* structure upon which one or more messages is placed for the purposes of advertising or calling attention to any person, matter, thing or event that is not directly related to the lot, upon which it is located;

**Bow Flags**

means a *sign* constructed of text or branding printed on fabric affixed to free standing curved or straight poles for the purpose of calling attention or enticing onlookers;

**Building Directory Sign**

means a *sign* affixed to a *building or structure face* near any entranceway which lists only the names and location of individual business premises located within a multi-tenanted building or structure;

Building or Structure Face

means all individual wall areas of a building or structure in one plane or elevation;

Bunting Flags / Pennants

means a collection or string of colourful flags gathered or draped into swags, made of fabric, plastic, paper or cardboard. Also referred to as *Pennants*;

**Bus Shelter Sign**

means a *sign* on a shelter, structure or bench intended to serve bus patrons;

**Business**

means that part of a building, structure or lot owned or occupied for the conducting of a business or service;

Canopy

means a permanent hood, cover or shelter projecting from a *building or structure face* and which is supported wholly from the building or structure;

Canopy Sign

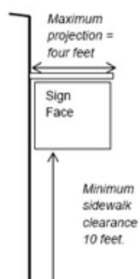
means a *sign* that is part of, or attached to, a *canopy* or other structural protective element installed over a window, door, entrance, outdoor service area or other similar type of entranceway;

Changeable Copy Sign

means a *sign* that facilitates the manual changing of attachable letters and numbers to compose new messages;

Clearance

means the vertical distance between the underside of a *sign* and *finished grade* immediately below;

**Commercial Promotional Sign**

means a temporary *sign* advertising a special event including a sale, business opening, business closing or change in ownership;

Community Event Sign

means a *sign* advertising a specific community event which is carried on by a community organization, local government or business for the betterment of the community;

Community Organization Sign

means a *sign* directing attention to a religious, community, service club or similar organization;

Comprehensive Sign Plan

means a comprehensive document that combines text, graphics and drawings that outlines the specifications and description of the design elements of a development's plan for signage. These elements may include sign type or design, number of signs, colour, illumination, location and height;

Construction Project Sign

means a *temporary sign* identifying any or all of the following construction project details: the nature of the project, owner, general contractor, architects, engineers, sub-trades and others associated with the planning, design, development and financing of the project;

Contractor Sign

means a *temporary sign* identifying individual contractors or sub-contractors relating to the construction, renovation, or demolition occurring on a parcel;

Copy

means the letters, characters, numbers or graphics that make up the message on a *sign*;

Directional Sign

means a permanent *sign* that communicates information regarding vehicular or pedestrian movement on the lot on which it is located or a *permanent sign* designed to direct pedestrian or vehicular traffic to hospitals, schools, parks, commercial areas or tourist attractions;

**Election Sign**

means a *temporary sign* that is used to identify a potential candidate for an election held under a respective Federal or Provincial statute or a *sign* containing only messages relating to an election or referendum authorized under a respective Federal or Provincial statute;

Electronic Message Board

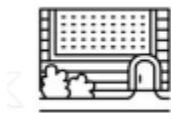
means a *sign*, or portion of a *sign*, on which the message *copy* is displayed by means of electronically controlled illumination of lamps, tubes, light emitting diodes (LEDs) or other electronic technology which can be changed through computer programming;

Façade

means the area of a building wall facing a street and for the purpose of calculating a percentage of *façade* covered by a sign, means the wall area of the floor or storey on which the sign is located;

Fascia Sign

means a *sign* mounted, displayed or painted parallel to the face of a building or structure on which it is located;



Farm Sign

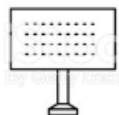
means a *sign* advertising farm produce for sale or the farm name but does not contain any other advertising;

Font Size

means the size (height) of the typeface style or graphical representation of text contained in the *copy* of a *sign*;

**Freestanding Sign**

means a permanent *sign* apart from a building or structure supported by an independent structure affixed to the ground and may include the ability to manually change the messaging;

**Grade**

means the average natural ground surface elevation or *highway* surface, at the *sign* location;

Halo Lit Sign

means a *sign* comprised of individually mounted opaque raised letters or symbols, incorporating rear lighting from a light source that is not directly visible;

**Height**

means the vertical distance measured from the highest point of a *sign* or supporting structure to the elevation of the grade directly below the *sign*. Where the *sign* has been located on a berm, the berm will be included as part of the *sign* for the purposes of determining *height*;

Highway

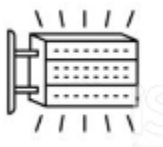
means streets, roads, *highways*, lanes, alleys, avenues, thoroughfares, bridges, squares, courts, courtyards, boulevards, sidewalks and rights of way open to the public;

Home Occupation Sign

means a *sign* identifying a home occupation as permitted under the Zoning Bylaw Section XXX, 2018, as amended from time to time;

Illuminated Sign

means a *sign* with an internal light source or designed to reflect light from an external source intentionally directed at it;

**Mural Sign**

means an artistic rendering or drawing painted or otherwise applied to a building face which is primarily intended as a public display but may have limited text, identification, information or advertising content and is not a *fascia sign*;

Neon Sign

means a *sign* that uses exposed neon tubing as the principal illumination method;

**Portable Sign**

means a *sign* not permanently affixed to the ground or a building and can be readily transported;

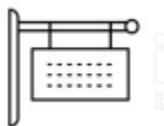
**Projecting Sign**

means a *sign* which is attached to and projects, more than 30 cm generally perpendicular, from a building, structure or wall face;



Real Estate Sign

means a *sign* indicating that the lot or business premise on which it is located is for sale, rent or lease;

**Roofline**

means the line formed by the intersection of the exterior walls of a building or structure, with the roof, including a false roof to a maximum of 2.0 m above the main *roofline*;

Roof Sign

means a *sign* erected and constructed wholly or partially on or over the roof of a building or structure, supported by the roof structure and extending vertically above the roof;

**Sandwich Board Sign**

means a portable *sign* consisting of two rigid surfaces or panels attached together at one edge that is not permanently attached to a building, structure or the ground;

**Sign**

means any structure, device or visual display which communicates information or attracts the attention of the public to a product, place, event, activity, person, service, institution, or business;

Sign Area

means the total *area* (measured in m²) within the outer edge of the frame or border of a *sign*, but where a *sign* has no frame or border or background, means the *area* contained within the shortest line surrounding the copy. Where a *sign* has more than one side, the *sign area* is the total of the *sign area* on all sides, unless otherwise specified. In the case of an irregularly shaped sign, the *sign area* shall be the sum of the *area* of the smallest group of rectangles, triangles or circles within which all letters and other corporate graphics would fit;

Sign District

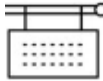
means an area designated for certain types of signage according to the “Village of Pemberton Sign Bylaw No. XXX, 2018” and all amendments thereto;

Sign Permit

means a *permit* that is issued by the Village of Pemberton that authorizes the placement or erection of a *sign*;

Suspended Sign

means a *sign* that is suspended from the underside of a horizontal building or structure's surface. Also known as a Hanging Sign;

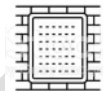
**Temporary Sign**

means a *sign* that is not permanently secured, is relocatable or removable, and is used for advertising of a limited duration, such as:

- i) *portable signs* such as *sandwich boards*;
- ii) *real estate signs*;
- iii) *community event signs*;
- iv) *construction project signs*; or
- v) *election signs*.

Window Sign

means a *sign* or messaging to promote products or services on, affixed or near the interior or exterior of a window; and includes window film depicting images or lifestyle graphics;



PART 2.0 GENERAL REGULATIONS AND COMPREHENSIVE SIGN REQUIREMENTS

2.1 General Requirements

- a) No person must erect, place, construct, or alter any *sign* without first obtaining the necessary permit, as provided under this Bylaw;
- b) No person must maintain or allow any *sign* to remain on, or be affixed to, the lands or premises of which that person is the owner or occupier unless a permit with respect to the *sign* has been issued pursuant to this Bylaw;
- c) No *sign*, window covering, sales or marketing material may contain profanity, racist, sexist, discriminatory, defamatory or otherwise offensive language;
- d) Notwithstanding the above, the following sign types do not require a permit:
 - i) No trespassing *signs* that do not exceed a *sign area* of 0.4 m²;
 - ii) *Real estate signs* that do not exceed a *sign area* of 0.6 m²;
 - iii) *Contractor signs* that do not exceed a *sign area* of 0.6m²;
 - iv) *Garage sale signs*;
 - v) *Signs* or notices exhibited by the authority of the Government of Canada, the Province of British Columbia or any municipal authority;
- e) Notwithstanding section 2.1(d) above, all other *signs* will require a permit from the Village;
- f) *Signs* must be located on the premises containing the business to which they direct attention;
- g) Notwithstanding subsection (f) above, a *sign* may, subject to approval by a *sign permit* as provided under this bylaw, be placed on premises that does not contain the business to which it directs attention to, as long as it pertains to the subject business and provided that the business is situated on a lot that does not abut a *highway*, the *sign* is placed on a lot that is adjacent to the lot on which the business is situated, and written approval of the owner of the lot on which the *sign* is to be placed is provided with the permit application;
- h) *Signs* projecting over an area used by pedestrians must have a minimum *clearance* to the underside of the projection of 2.5 m above the *finished grade* or sidewalk and must have an easement agreement with the Village;
- i) *Signs* projecting over an area used by vehicular traffic must have a minimum *clearance* to the underside of the projection of 4.5 m above the *finished grade* and must have an easement agreement with the Village;
- j) No *sign* must 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* with the exception of a *sign* located entirely within the portion of a lot

on which the Zoning Bylaw permits the siting of a building or structure other than a fence;

- k) No *fascia sign* must project more than 15 cm from the *building or structure face* or wall to which the *sign* is attached, with the exception of *illuminated fascia sign* which may project up to 0.6 m from the *building, structure face* or wall to which the *sign* is attached;
- l) No individual may affix any *sign* to a fence, with the exception of the following:
 - i) *Signs* for home occupation uses;
 - ii) No trespassing signs;
 - iii) *Signs* affixed to fences enclosing outdoor sports fields;
 - iv) *Construction project signs*; and
 - v) *Signs* advertising businesses in the Airport / Industrial Zones
- m) *Election Signs* must:
 - i) be no larger than 1.44 m²;
 - ii) be removed within seven (7) days following the election or referendum to which they pertain, if placed on public property;
 - iii) not be erected on public property so as to interfere with pedestrian or traffic safety; and
 - iv) not be a *portable sign*;
- n) The following persons are hereby appointed by Council to administer this Bylaw, the:
 - i) Chief Administrative Officer or their delegate;
- o) The obstruction of a doorway, window or sidewalk by a *sign* must not be allowed; and
- p) The Applicant must pay the required fees as outlined in Schedule "B", which is attached to and forms a part of this Bylaw.

2.2 Comprehensive Sign Plan Requirements

- a) A *Comprehensive Sign Plan* application may be required by Council or the Chief Administrative Officer or their delegate for the following type of land use developments projects:
 - i) Development Permits for commercial developments, multi-family building strata complexes, comprehensive developments, office and industrial complex applications; or
 - ii) as a condition of rezoning approval.
- b) If required, any *Comprehensive Sign Plan* application must be submitted to the Village on a form provided by the Planning Department. Information submitted from the applicant must include:

- i) a completed application form, signed by the registered owner together with the application fee;
- ii) if applicable, written authority for an agent to act on behalf of the registered owner of the subject property;
- iii) legal description and civic address of any property included in the application;
- iv) a site plan drawn at the appropriate scale showing the existing buildings, structures and signs on the property in relation to legal property boundaries;
- v) the building or structure elevations showing proposed signs;
- vi) the number, location, type, size, height, illumination and design of all the proposed *signs*; and
- vii) renderings that show the colour, font, scale, and detail of installation of the design of each sign.

PART 3.0 PROHIBITED SIGNS

- a) No person must erect, construct, place, alter, or maintain any of the following *signs* on any premises, lot or any area of the Village:
 - i). *Abandoned Signs* - an *abandoned sign* must not remain in place for more than thirty (30) days, after a written notice has been provided by the Village to the applicable owner;
 - ii) *Animated Signs or signs* equipped with flashing, strobe or oscillating lights, rotating or moving devices or which have emissions whether audible, visual or otherwise;
 - iii) *Balloon Signs* or other inflatable devices designed to attract the attention of the public;
 - iv) *Billboards*;
 - v) *Bunting Flags or Pennants*;
 - vi) *Bow Flags* or any other wind activated devices designed to attract the attention of the public;
 - vii) *Electronic Message Boards*, except as otherwise permitted by this Bylaw;
 - viii) *Neon Signs*;
 - ix) *Portable Changeable Copy Signs*, except as otherwise permitted by this Bylaw;
 - x) *Roof Signs* or *signs* mounted on a balcony;
 - xi) *Signs* attached to a tree, light post, Provincially Regulated Highway Signs or utility pole, that obstruct or interferes with the safe passage of pedestrians, cyclists or vehicles, impedes the use or visibility of an traffic control device or other equipment installed by the Village or by a utility company; or that obstruct a parking space for purposes of locating a *sign*;
 - xii) *Signs* attached to or located on any vehicle or trailer parked as to be visible from a street for the principal purpose of advertising. This section does not prohibit any form of permanent signage normally attached to motor vehicles for the purposes of identifying the owner or operator of the vehicle and goods or services it contains or provides.

PART 4.0 SIGN DISTRICTS

4.1 Sign Districts

- a) For the purposes of this Bylaw, private and public properties within the boundaries of the Village are divided into five (5) *Sign Districts* as follows:
- i) **Sign District A** comprising the zones designated by Zoning Bylaw No. XXX, 2018, as amended from time to time, as any type of Airport or Industrial Zones;
 - ii) **Sign District B** comprising the zones designated by Zoning Bylaw No. XXX, 2018, as amended from time to time, as any type of Urban Residential, including Single Detached Residential, Multi-family Residential or the residential components of Comprehensive Development Zones;
 - iii) **Sign District C** comprising the zones designated by Zoning Bylaw No. XXX, 2018, as amended from time to time, as Commercial or the commercial components of Comprehensive Development Zones;
 - iv) **Sign District D** comprising the zones designated by Zoning Bylaw XXX, 2018, as amended from time to time, as Civic and Parks and Recreation Zones, and
 - v) **Sign District E** comprising the zones designated by Zoning Bylaw XXX, 2018, as amended from time to time, as Agriculture or Rural Residential Zones.

4.2 Sign Permits

- a) A Sign Permit may be issued for the following sign types in their respective sign districts as follows:
- i) **Sign District A – Airport / Industrial Uses**

Types of Signs permitted in **Sign District A** (Airport / Industrial Uses) include:

- *Awning Signs,*
- *Banner Signs,*
- *Building Directional Signs,*
- *Canopy Signs,*
- *Fascia Signs,*
- *Fence Signs, and*
- *Freestanding Signs.*

Maximum Number: Two (2) signs per business, plus one (1) small illuminated electronic message board in a window, such as an open/closed sign or operating hours sign;

Maximum Sign Area: See Part 5: Specific Sign Type Requirements

Maximum Font Size: 40 cm

Materials: See Part 5: Specific Sign Type Requirements

Exceptions applicable to Sign District A: N/A

ii) Sign District B – Residential Uses

Types of Signs permitted in Sign District B (Residential Uses) include:

i. Home Occupation Sign

Maximum Number: One (1) sign per property;

Maximum Sign Area: 0.4 m² per side

Maximum Font Size: 30 cm

Materials: See Part 5: Specific Sign Type Requirements

Maximum Height: 2 m above *finished grade*

Exceptions applicable to Sign District B: Signs may be affixed to a fence.

iii) Sign District C – Commercial and Comprehensive Development Uses

Types of Signs permitted in Sign District C (Commercial or Comprehensive Development Commercial Uses) include:

- *Awning Signs,*
- *Banner Signs,*
- *Building Directional Signs,*
- *Canopy Signs,*
- *Fascia Signs,*
- *Freestanding Signs,*
- *Halo Lit Signs,*
- *Illuminated Signs,*
- *Mural Signs,*
- *Projecting Signs,*
- *Sandwich Board Signs,*
- *Suspended Signs,* and
- *Window Signs.*

Maximum Number: Two (2) signs per property, plus one (1) small illuminated electronic message board in a window, such as an open/closed sign or operating hours sign, and no more unless a *Comprehensive Sign Plan* has been approved by the Village;

Maximum Sign Area: See Part 5: Specific Sign Type Requirements

Maximum Font Size: 30 cm

Materials: See Part 5: Specific Sign Type Requirements

Exceptions applicable to Sign District C: N/A

iv) Sign District D – Civic and Parks and Recreation Uses

Types of signs permitted in Sign District D (Civic and Parks and Recreation Uses) include:

- *Awning Signs,*
- *Banner Signs,*
- *Building Directional Signs,*
- *Canopy Signs,*
- *Changeable Copy Signs*
- *Electronic Message Boards,*
- *Fascia Signs,*
- *Freestanding Signs,*
- *Halo Lit Signs,*
- *Murals,*
- *Projecting Signs,*
- *Sandwich Board Signs,*
- *Suspended Signs,*
- *Temporary Signs, and*
- *Window Signs.*

Maximum Number: Three (3) signs per property, plus one (1) small illuminated electronic message board in a window, such as an open/closed sign or operating hours sign, and no more unless a *Comprehensive Sign Plan* has been approved by the Village;

Maximum Sign Area: See Part 5: Specific Sign Type Requirements

Maximum Font Size: 40 cm

Materials: See Part 5: Specific Sign Type Requirements

Exceptions applicable to Sign District D: *Sign Permits* are not required for properties owned and maintained by the Village of Pemberton as Civic / Parks and Recreation uses. Signs in these areas must be erected by Village of Pemberton staff or contractors, and must substantially conform to the specifications contained within this Bylaw.

v) Sign District E – Agriculture and Rural Residential Uses

Types of Signs permitted in Sign District E (Agriculture /Rural Uses) include:

- *Home Occupation Signs,*
- *Farm Signs,*
- *Fascia Signs,*
- *Sandwich Board Signs.*

Maximum Number: Two (2) signs per property

Maximum Sign Area: See Part 5: Specific Sign Type Requirements

Maximum Font Size: 30 cm

Materials: See Part 5: Specific Sign Type Requirements

Exceptions applicable to Sign District E: N/A

PART 5.0 SPECIFIC SIGN TYPE REQUIREMENTS

5.1 Banner Signs

- a) A *Banner Sign* must
- i) not exceed a *sign area* greater than 20 percent of the building or structure's face or 9.0 m², whichever is less;
 - ii) be mounted perpendicular to the building or structure face on rigid poles or rods attached to the upper portion of the building or structure face with a minimum clearance of 3.0 m from either the sidewalk or grade if no sidewalk;
 - iii) not project above the *roofline*; and
 - iv) be affixed to a frame on all four corners.

5.2 Directional Signs

- a) A *Directional Sign* must:
- i) not exceed a *sign area* greater than 0.2 m², per side per business premise located on the lot, to a maximum *sign area* of 2m² per lot,
 - ii) not exceed 3m in height if a *freestanding sign*;
 - iii) may be either a *freestanding* or *suspended sign*,
 - iv) be designed with the intention to facilitate the movement of pedestrians and vehicles within the site upon which the *sign* is located, and
 - v) be limited to one (1) per lot;

5.3 Electronic Message Board

- a) An *Electronic Message Board* must:
- i) not exceed a *sign area* greater than 3 m² per side;
 - ii) be in three colours only: red, green and blue;
 - iii) be installed on the same floor and building or structure as to the business located on this lot; and
 - iv) be limited to one (1) per business.

5.4 Fascia Signs

- a) A *Fascia Sign* must:
- i) not exceed a *sign area* greater than 25 m² or 15 percent of the area of the *façade* of the building or structure to which it is attached, whichever is less, except that for a business with a Gross Floor Area of more than 3,700 m², a *fascia sign* may exceed 25 m², but must not exceed 15 percent of the area of the *façade* of the building or structure to which it is attached;
 - ii) if applicable, any *canopy sign areas* be included in the total allowable *fascia sign area*;

- iii) only be placed on those building or structure façades facing a *highway* or internal access route, and for this purpose a building facade is deemed to face a street or access route if the angle formed by the façade and the street or access route is 45 degrees or less;
- iv) be located not less than 2.5 m above the finished grade or sidewalk immediately adjacent to the building or structure;
- v) not extend horizontally beyond the wall of the building or structure to which it is attached;
- vi) not be erected on any part of the roof of the building or structure to which it is attached or extend above the *roofline* including any parapet; and
- vii) be located in the middle one-third (1/3) of the business frontage.

5.5 Freestanding Signs

a) A *Freestanding Sign* must:

- i) not exceed a maximum *sign area* of 9 m² per side in the case of business premises with a Gross Floor Area less than or equal to 3,700 m²;
- ii) have a maximum *sign area* of 8 m² per side in the case of business premises with a Gross Floor Area greater than 3,700 m² on a single lot;
- iii) have a maximum *sign area* of 2 m² and a maximum *height* of 3 m from grade, in the case of a *sign* placed on lots that do not front a Provincially Controlled Highway. The total *sign area* must be 3 m² or less which includes all the supporting structures and framework;
- iv) have a maximum *sign area* of 3 m² and a maximum *height* of 3 m on lots fronting onto Provincially Controlled Highways. The total *sign area* must be 4 m² or less which includes all the supporting structures and framework;
- v) have a maximum *height* of 7 m above the adjacent *finished grade* of the sidewalk, or where there is no sidewalk, the adjacent street grade;
- vi) in Sign Zone C, for Comprehensive Development, have a maximum *height* of 3.5 m, and a maximum *sign area* must be 4.5 m² per side;
- vii) be restricted to business premises having a *highway* frontage of at least 10 m;
- viii) be set back a minimum of 0.3 m from the any lot line that abuts a *highway* or an adjacent lot;
- ix) have no more than two sides displaying *copy*;
- x) be located in a landscaped area or planter that is a minimum of twice as large of the permitted *sign area*; and
- xi) be limited to one per *highway* frontage on any lot.

5.6 Halo Lit Signs

a) A *Halo-Lit Sign* must:

- i) be restricted to displaying either the name of the business or the name of the building or structure, but not both;
- ii) have an aluminum faceplate on all of the letters; and
- iii) be limited to one per business or building or structure.

5.7 Home Occupation Signs (including Short-Term Accommodation)

a) A *Home Occupation Sign* (including *Short-Term Accommodation*) must:

- i) not exceed a maximum *sign area* of 0.4 m² per side;
- ii) have a maximum *height* of 2 m above the finished grade;
- iii) not be internally *illuminated* or be composed of neon; and
- iv) be limited to one *sign* per home;

b) And must be one of the following sign types:

- i) *Fascia Sign*, attached to the Residential Dwelling or accessory building or structure containing the home based business use or to a fence enclosing the lot;
- ii) *Window Sign*; or
- iii) *Freestanding Sign*.

5.8 Illuminated Signs

a) An *Illuminated Sign* must:

- i) contain lighting that is downcast or shielded to minimize reflective impact on the night sky by being ground oriented;
- ii) not shine directly onto neighbouring premises or into the direction of oncoming traffic;
- iii) have all light fixtures required and all wiring and conduits installed within building or structure walls, located underground or otherwise concealed from view; and
- iv) be located within a minimum of 3.0 m from an energized power source.

5.9 Projected Signs

a). A *Projected Sign* must:

- i) not exceed a *sign area* greater than 0.6 m²;
- ii) not be more than 0.9 m from the face of a building or structure;
- iii) be attached to the first storey of a building or structure;
- iv) have a minimum clearance of 2.4 m above *finished grade*; and
- v) be mounted in the middle one-third (1/3) of the frontage of the building or structure.

An Encroachment Agreement may be required and all costs associated with the preparation and registration of the Agreement will be borne by the applicant.

5.10 Sandwich Board Signs

a) A *Sandwich Board Sign* must:

- i) not exceed a *sign area* greater than 0.6 m² per face and not exceed a total *height* of 1.0 m;
- ii) only be displayed during the posted business hours for the associated business use of the building or structure;
- iii) be situated no more than 300 m from the front door of the business in a location approved in advance by the Village, either on a sidewalk subject to the *sandwich board sign* being located along the street edge or another location agreed to by the Village;
- iv) leave an unobstructed walkway, a minimum of 1.2 m, between the building or structure face and the placement of the sign;
- v) display a valid authorization sticker or risk removal by the Village. An unauthorized *sandwich board sign* will only be returned once the *sign permit* fee and fine is paid; and
- vi) be limited to one (1) per business.

5.11 Suspended Signs

a) A *Suspended Sign* must:

- i) not exceed a *sign area* greater than 0.6 m²;
- ii) have a minimum clearance of 2.4 m above *finished grade*;
- iii) be two-sided, with *sign copy* on both sides;
- iv) be attached to the first storey of a building or structure;
- v) be mounted in the middle one-third (1/3) of the frontage of the building or structure; and
- vi) be limited to one (1) per business;

5.12 Temporary Signs

a) A *Temporary Sign* must:

- i) not exceed a *sign area* greater than 1 m² per side, if they are a *temporary real estate sign*;
- ii) not be of a sign type that is prohibited by this Bylaw;
- iii) not remain in place for more than sixty (60) days, unless the Sign Permit is renewed for a second sixty (60)-day period, for which the applicant must pay the fee specified in Schedule "A" of this Bylaw, which is attached to and forms a part of this Bylaw;
- iv) be removed from public or private property when the permit expires, or risk the Village removing the sign at the owner's expense;
- v) unless permission is otherwise granted by the Village, the placement of a *temporary sign* within or on any Municipal right-of-way or property must be performed by a Village Staff with all costs paid in full by the applicant prior to placement;
- vi) not be placed on a municipal right of way contrary to this Bylaw, or without a permit, or risk removal by the Village. Impounded signs will be held for a period of thirty (30) days, at which time they will become the property of the Village

unless returned to their owner upon payment of the fee specified in Schedule "A" of this Bylaw, which is attached to and forms a part of this Bylaw.

5.13 Window Signs

- a) A *Window Sign* must:
 - i) be excluded from the requirements of this Bylaw, if the artwork or design does not include any lettering or advertising message.

PART 6.0 SIGN CONSTRUCTION AND MAINTENANCE STANDARDS

- a) All permanent signage must comply with the requirements of the *BC Building Code*, as amended from time to time;
- b) All *signs*, excluding *sandwich board signs*, shall be securely attached to the ground or building or structure surface upon which they are placed;
- c) Where a *sign* is attached to a building, structure or portion thereof, the portion of the building or structure to which the *sign* is attached must be structurally sound and must be structurally adequate to support any additional loads;
- d) Signs must be anchored to prevent any lateral movement that could cause wear on supporting members or connections;
- e) All *signs* including any supporting structures and any related electrical equipment must be kept fully operable, in good repair, and maintained in a safe, neat, clean, and attractive condition; and
- f) Where the Building Inspector deems it necessary, the design and construction of a *sign* must be certified by a professional engineer.

PART 7.0 SIGN PERMIT APPLICATION REQUIREMENTS

- a) Any person wishing to construct, alter, or relocate a Sign for which this Bylaw requires a permit must make an application to the Village in a form prescribed by the Village, unless the construction, alteration or relocation of the sign has been authorized by the issuance of a development permit or a building permit;
- b) An application must include:
 - i) the civic address of the lot, premises, building or structure on which the *sign* is to be placed, erected or altered;
 - ii) the written authorization of the owner of the lot;
 - iii) a statement of the number and type of *signs* that are already affixed or placed on the lot or premises;
 - iv) one copy of a scaled drawing for each side of the *sign*, giving all dimensions and

- v) areas and showing colours and materials used; and
- v) one copy of a drawing showing the position of the proposed *sign* as it will appear attached to the building or structure and showing the method of attachment, or in the case of a *freestanding sign*, the location of the *sign* on the lot and the method of installation.
- c) Every applicant for a *sign permit* must pay to the Village, at the time of application, a fee based on the type of *sign* listed in Schedule “A” of this Bylaw; and
- d) No person must proceed with the placing, erection, or altering of any Sign until the permit has been issued. In the event that any *sign* is placed, erected or altered without a permit having previously been obtained, the fee for the permit must be double the amount which would have been payable had the permit been obtained before commencement of the work and the original sign must be removed and a new application submitted.

PART 8.0 VIOLATIONS, ENFORCEMENT AND PENALTIES

8.1 Violation

- a) Any person who:
 - i) violates any of the provisions of this Bylaw;
 - ii) causes or permits any act or thing to be done in contravention or violation of any provision of this Bylaw;
 - iii) neglects to do or refrains from doing any act or thing which is required to be done by any provisions of this Bylaw;
 - iv) carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to this Bylaw;
 - v) fails to comply with an order, direction or notice given under this Bylaw; or
 - vi) prevents or obstructs or attempts to prevent or obstruct the authorized entry of any of the Enforcement persons noted in Section 2.1(l) above,

commits an offence against this Bylaw and is liable to the penalties imposed under the Village of Pemberton’s Municipal Ticket Utilization Bylaw, as amended from time to time;

- b) Each day that an offence of this Bylaw is caused to continue or allowed to continue, constitutes a separate offence.

8.2 Enforcement

- a) The provisions of this bylaw may be enforced by a designated Village Official as

identified in 2.1 (m) of this Bylaw.

8.3 Penalties

- a) Where a specific penalty has not otherwise been designated, the fine and or penalty must be not less than One Hundred Fifty Dollars (\$150) and not more than Ten Thousand Dollars (\$10,000), plus the costs of prosecution, any other order imposed or any combination thereof;
- b) The penalties and remedies imposed under subsection a) must also include and not be in substitution for, any other penalty or remedy imposed by or permissible under this Bylaw or any other enactment.

8.4 Fees and Cost Recovery

- a) Where a person fails to pay the Village's costs as required by this Bylaw or where a person subject to an order under this bylaw fails to take action required by the order and the Village carries out the work or otherwise fulfills the requirement, the Village may recover its costs from the owner, occupier or person responsible for the work or for payment of the costs, as a debt to the Village. Money owed to the Village under this bylaw is payable upon receipt of an invoice from the Village.
- b) If an amount owing under this Bylaw for work done or services provided to land or improvements remains unpaid on December 31st of the year in which the debt was incurred, the amount is deemed to be taxes in arrear and may be collected from the owner of the land or improvements in the same manner and with the same remedies as for property taxes.

PART 9.0 REPEAL AND EFFECTIVE DATE

The Village of Pemberton Sign Bylaw, 380, 1995, and all amendments, are repealed upon adoption of this Bylaw.

9.1 Effective Date

READ A FIRST TIME THIS _____ DAY OF _____, 2018

READ A SECOND TIME THIS _____ DAY OF _____, 2018

READ A THIRD TIME THIS _____ DAY OF _____, 2018

ADOPTED THIS _____ DAY OF _____, 2018

Mayor

Corporate Officer

Schedule "A" to Bylaw XXX, 2018.

A.1 Fees

Type of Sign	Fee – Base fee of \$50 plus
<i>Awning</i>	\$50 per Sign
<i>Banner</i>	\$50 per Sign
<i>Canopy</i>	\$50 per Sign
<i>Directional</i>	\$50 per Sign
<i>Election Signs</i>	\$30 per election and a \$200 refundable deposit
<i>Electronic Messaging Board</i>	\$50 per Sign
<i>Freestanding</i>	\$50 per Sign
<i>Halo-Lit</i>	\$25 per Sign
<i>Home Occupation</i>	\$25 per Sign
<i>Illuminated</i>	\$50 per Sign
<i>Mural</i>	\$50 per Sign
<i>Projecting</i>	\$50 per Sign plus an Encroachment Agreement
<i>Sandwich Board</i>	\$50 per Sign
<i>Suspended</i>	\$50 per Sign
<i>Temporary</i>	\$50 per Sign and a \$200 refundable deposit
<i>Window</i>	\$25 per Sign
<i>Penalty for erecting a Sign without a Permit</i>	Double the Sign Fee per Sign