

# **SIGN BYLAW**

# **VILLAGE OF PEMBERTON**

# **BYLAW NO. 380, 1995**

**Fourth & Final Readings**

**January 9, 1996**



**OFFICE CONSOLIDATION: August 26, 2021**

This document is an office consolidation of the Village of Pemberton Sign Bylaw No. 380, 1995 (adopted January 9, 1996) and subsequent amendments adopted by Village Council.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application that original bylaw should be consulted.

The Village of Pemberton will, in no event, be liable or responsible for damages of any kind arising out of the use of this consolidation.

This is not the official version of the Village of Pemberton Sign Bylaw No. 380, 1995, nor is it admissible in a court of law. For such purposes, official certified copies can be obtained from the Village Office or by contacting us at: [admin@pemberton.ca](mailto:admin@pemberton.ca).

## Table of Amendments

Bylaw No.	Date of Adoption	Sections	Description
449, 2001	August 14, 2001	6.10	Adds Bed and Breakfast Directory Signs
905, 2021	July 27, 2021	Schedule C Section 2 Section 3.2 Section 5.4 Part 9	Removes Schedule C, Fees, and adds reference to Fees and Charges Bylaw in its place.

# THE CORPORATION OF THE VILLAGE OF PEMBERTON

## SIGN BYLAW NO. 380, 1995

### A Bylaw to Regulate Signs

The Council of the Corporation of the Village of Pemberton, in open meeting assembled, hereby enact as follows:

This Bylaw may be cited for all purposes as "Sign Bylaw No. 380, 1995".

### Definitions

"Area"	The surficial extent within the outer edge of the frame or border, or, where there are no borders, the area within the shortest line circumscribing the letters, symbols, objects and things comprising the sign.
"Awning"	A fabric canopy, cover or panel projecting from a building.
"Awning Sign"	An identification sign painted or fixed flat to the surface of an awning, which does not extend vertically or horizontally beyond the limits of such awning.
"Billboard"	A sign used or Intended to be used for the purpose of advertising or calling attention to any person, matter, thing, event or property that is not directly related to the business conducted on the parcel on which it is located.
"Business Frontage"	The distance from centre to centre of party walls or outside walls housing a business or commercial service or office.
"Canopy"	Any permanently fixed structure other than an awning which projects from the face of a building for the purpose of affording shelter from the weather and which is supported solely from the building.
"Clearance"	The vertical distance from grade to the lowest portion of a sign in respect of its minimum height or clearance to grade.
"Comprehensive Sign Plan"	A plan combining drawings and text showing the number, design, appearance, location and elevation of all existing and proposed signs on a parcel.
"Council"	The Council of the Village of Pemberton.
"Design"	When used In the context of a sign includes the shape, dimensions, colour, symbols, letters, materials, movement and luminosity of such sign.

“Directional Sign”	A permanent sign designed to direct pedestrian and vehicular traffic to hospitals, schools, parks, or other public services or utilities.
“Election”	An election under any statute.
“Electric Sign”	Any front-lit or rear-lit sign incorporating electrical lighting.
“Facade”	The area of a building wall facing a street, and for purposes of the calculation of percentage sign coverage, includes the exterior wall area of the first floor (and second floor if commercial space).
“Fascia Sign”	A sign mounted, displayed or painted parallel to the face of the building (including any canopies) on which it is located.
“Fees and Charges Bylaw”	means the Village of Pemberton Fees and Charges Bylaw No. 905, 2021, as amended from time to time. <i>(Amendment Bylaw No. 905, 2021)</i>
“Freestanding Sign”	Includes every sign standing apart from a building, and permanently affixed to the parcel: or street.
“Front-lit Sign”	A sign illuminated from an external electrical source.
“Grade”	The average finished ground level or street surface directly underneath a sign.
“Halo-lit Sign”	A sign comprised of individually mounted opaque raised letters or symbols incorporating rear lighting to the light source is not directly visible.
“Hanging Sign”	A sign suspended under a canopy, awning, building, arcade or structure.
“Height”	The vertical distance from grade to the top of a sign in respect of its maximum height.
“Parcel”	Any lot, block, strata lot or other area in which land is held or into which it is subdivided, but does not include street.
“Planner”	The Planner or Planning Consultant for the Village of Pemberton.
“Projecting Sign”	A sign attached to a building projecting more than 300mm from the building or structure to which it is attached, but specifically excludes awning signs.
“Rear-lit Sign”	A sign illuminated from an internal source.

“Residential Area”	An area designated as an “R-1” (residential 1), or “R-2” (residential 2), or “RM:-1” (residential mixed), or “MHP-1” (residential mobile home park).
“Roof Line”	The line made by the intersection of the building face of the building with the roof of the building. In the case of a building with a pitched roof, the roofline shall be at the eave level.
“Roof Sign”	A sign erected above the roofline of a building.
“Sign”	Any identification, description, illustration or device, which is visible from any street and which directs attention to a product, place, activity, person, institution or business.
“Signage Officer”	The Clerk, Planner, or Building Inspector.
“Site Corner”	A parcel at the intersection of two or more streets.
“Street”	Includes public places, roads, highways, lanes, alleys, avenues, thoroughfares, bridges, viaducts, squares, courts, courtyards, boulevards, sidewalks and rights of way open to the public.
“Temporary Free Standing Sign”	A sign having independent supports, standing apart from a building, or mounted on a vehicle, and not permanently affixed to land.
“Window Sign”	A sign within a building affixed on or located within 600 mm of the inside of a window in view of the general public.

### **3. Permitted and Prohibited Signs**

3.1 Signs that are not expressly permitted in this Bylaw are prohibited in the Village.

#### **3.2 Prohibited Signs**

Without restricting or limiting the generality of the foregoing, the following signs are specifically prohibited:

- a) billboards;
- b) any sign except as allowed in Section 6.6.4 of this B-law, which devotes any of its space to the advertisement of particular products, unless 100 percent of the gross revenue of the business conducted on the premises is derived from the sale of the products so advertised. this provision shall not apply where the name of the product is incorporated in the name of the business operating on the premises;
- c) revolving signs or partly revolving signs;

- d) except as otherwise permitted in this Bylaw; banners, pennants, bunting, flags (other than national, provincial or municipal flags), balloons or other gas-filled inflatable devices;
- e) roof signs and signs mounted or supported on the deck a canopy or on any part of a balcony;
- f) any sign that obstructs any part of d doorway, window, or balcony, with the exception of window signs as permitted by this Bylaw;
- g) any flashing, animated, or chasing-border signs, or moving signs of any kind (other than the hands of a clock or temperature indicator);
- h) temporary free-standing signs except Temporary Permitted signs as allowed under Section 7 of those Bylaw or signs mounted on a commercial vehicle which only identify the name of the business Which owns the vehicle;
- i) multi-sided signs except as otherwise allowed In this Bylaw;
- j) changeable copy signs;
- k) any sign which projects into, on, or over a street or public property without the approval: of the Municipal Engineer and an executed encroachment agreement;
- l) video signs or electronic message signs or any sign which incorporates animated visual messages which are projected on a screen or which changes copy electronically.

### 3.3 Permitted Signs

Signs permitted subject to the regulations In this Bylaw include:

Projecting Signs

Freestanding Signs

Fascia Signs

Awning Signs

Hanging Signs

Window Signs

Building Directories

Display Boxes

Traffic Control Signs (private)

Election Signs

Special Event Signs

Design Standards

#### 4.1 Number of Signs

A maximum of two permanent signs per business is permitted per business frontage and in addition, the following signs:

- a) Freestanding signs as permitted in this Bylaw,
- b) Temporary permitted signs as permitted in this Bylaw,
- c) Signs which do not project over public property and are visible only from within the boundaries of the property,
- d) One hanging sign as permitted by this Bylaw.

#### 4.2 Area

The area of each sign shall conform to the regulations of this Bylaw for that particular type of sign, provided that the total sign area on one facade of a building or business frontage shall not exceed 10 percent of the area of that facade.

#### 4.3 Materials

4.3.1 Exposed surfaces of signs may be constructed of any material with the exception of plastic, fibreglass, plywood or particle board either painted or unfinished. Temporary permitted signs are not restricted as to materials of construction.

4.3.2 Notwithstanding 4.3.1, individual plastic letters only are permitted as part of rear-lit permanent signs.

#### 4.4 Colours

4.4.1 Colours should be coordinated with the building facade with which they are associated.

4.4.2 "Day-Glo," fluorescent, luminous or reflective paint or similar products are prohibited except for private traffic control signs, where reflective paint may be used.

#### 4.5 Lighting

4.5.1 All permitted permanent signs may incorporate front lighting and limited rear lighting as outlined in this section. Permitted temporary signs shall not be illuminated.

4.5.2 Limited use of rear-lighting is permitted, provided it is restricted to the name of the building or principal business only and further restricted to:

- a) individually incised plastic or glass letters or symbols mounted in a solid opaque sign face;
- b) individual halo-lit lettering or symbols mounted on a solid opaque background; and
- c) awning signs where only the letters or symbols are rear-lit, the remainder of the awning being a solid opaque fabric.

4.5.3 Illumination should be limited to the greatest extent possible to the sign surface only, and the light source should not be visible from adjacent parcels, passing vehicles or pedestrians.

4.5.4 Light fixtures must be simple in form and not clutter the building facade.

4.5.5 Neon signs are not permitted except as "window signs" complying with the regulations of this Bylaw.

4.5.6 All wiring and conduits to electric signs must be placed below grade or otherwise concealed.

#### 4.6 Coordination

4.6.1 The design and placement of signs shall be carefully coordinated with both the architectural elements of the facade and other signs on the facade.

4.6.2 Signage should complement and not obscure the architectural details of the facade.

#### 4.7 Location

4.7.1 Unless otherwise provided by this Bylaw, a sign for business premises may only be built or placed on that side of the building fronting a street and on that portion of the building facade related to the area of the building occupied by the business or activity to which the sign relates.

4.7.2 Freestanding, projecting fascia, awning and hanging signs shall be located in the middle one-third of a business frontage.

#### 4.8 Height



4.8.1 Signs must be located no higher than the lesser of 7.0m, or the roofline of the building on which it is mounted.

4.8.2 Signs located over a pedestrian area or sidewalk shall have a clearance of no less than 2.4m above grade.

4.9 Lettering

4.9.1 Maximum permitted lettering size on any sign is 300mm.

4.9.2 Raised or recessed letters or symbols are strongly encouraged to give relief to signs.

5. Comprehensive Sign Plans

5.1 Comprehensive sign plans are intended to coordinate several signs on a development, project, building or cluster of buildings and allow for unique and creative approaches. The size, location and number of signs shall generally conform to the standards for each category of sign.

5.2 A comprehensive sign plan shall be submitted to the Signage Officer in respect of any proposed new building located in a Commercial Zone or designated development permit area.

5.3 A Comprehensive Sign Plan may be submitted to the Signage Officer any time by the owner or occupant of a parcel in any zone provided that an occupant shall provide a letter from the owner of that parcel or building authorizing the sign plan

5.4 No sign shall be placed on a parcel after a Comprehensive Sign Plan has been submitted, until the Signage Officer has approved the plan.

5.5 The Signage Officer shall consider:

- a) conformance of existing and proposed signs with the regulations in this Bylaw;
- b) consistency of location, height and design of signs within the parcel and with signs on adjoining parcels; and
- c) design guidelines for any area which have been approved by Council.

5.6 When a Comprehensive Sign Plan is approved:

- a) all signs placed on a parcel must meet the Comprehensive Sign Plan for that parcel;
- b) the signs referred to in Section 6 of this Bylaw may be placed in compliance with the Comprehensive Sign Plan; and

c) it may be amended on further application to the Signage Officer.

6. Permitted Signs (Permanent)

6.1 Projecting Signs

Projecting signs are permitted except in residential areas, subject to the following regulations:

- a) minimum clearance of 2.4m above grade;
- b) maximum .6m<sup>2</sup> in area; and
- c) mounted in the middle one-third of the frontage of the premises and not more than 900mm from the face of the building to which it is attached nor closer than 600mm to any street.

6.2 Freestanding Signs

Freestanding signs are permitted except in residential areas, subject to the following regulations:

- a) freestanding signs are permitted only as part of a Comprehensive Sign Plan;
- b) freestanding signs outside residential areas are permitted to those parcels with a street frontage of 30m or more. On a corner site, up to two intersecting street frontages may be used to determine the total street frontage;
- c) a maximum of one freestanding sign for each parcel except where a parcel has more than one driveway entrance, where the allowable sign area may be divided to create smaller freestanding signs at each driveway entrance;
- d) a maximum area of 3.0m<sup>2</sup> on parcels fronting onto a Provincial "Controlled Access" Highway, with a maximum height of 3m. The total area must be less than 4.0m<sup>2</sup> including all supporting structures and surrounding framework;
- e) a maximum area of 2m<sup>2</sup> on parcels fronting onto streets other than a Provincial "Controlled Access" Highway, with a maximum height of 3.0m. The total area must be less than 3.0m<sup>2</sup> including all supporting structure and surrounding framework;
- f) deleted
- g) each freestanding sign may have signs on two sides only, each complying with the regulations of this section; and

- h) freestanding signs must be located in a landscaped area or planter at least twice as large as the permitted area of the sign.

### 6.3 Fascia Signs

6.3.1 Fascia signs are permitted in all zones except in residential areas subject to the following regulations:

- a) a maximum area of 2.0 m<sup>2</sup>;
- b) fascia signs shall project no further than 300mm from the face of the building to which they are attached or painted; and
- c) fascia signs which project more than 75mm from the face of a building shall have a clearance of 2.4m.

6.3.2 Fascia signs are permitted in all residential areas subject to the following regulations:

- a) maximum area of 0.35m<sup>2</sup>, limited to one sign per residence giving the name of occupant, profession and business hours where such business or profession is carried out within the residence as a home occupation;
- b) maximum area of 1.0m<sup>2</sup>, on apartment buildings, bed and breakfasts, or townhouse developments, limited to the name and address of the building, the management, any vacancies to a maximum of one such fascia sign per building; and
- c) maximum area of 0.2m<sup>2</sup>, limited to the street address of a private residence (permitted without application for permit) .

### 6.4 Awning Signs

Awning signs are permitted in all zones except in residential areas, subject to the following regulations:

- a) awning signs are permitted only as part of a Comprehensive Sign Plan;
- b) limited to 15 percent of the surface area of each awning or 1.0m<sup>2</sup>, (whichever is less);
- c) where there is more than one business frontage under a single awning, there shall be not more than one awning sign facing a street for each business; and
- d) awnings containing an awning sign shall be located only over the principal entrance to the business, commercial service or office identified by said sign and shall extend no further than 1.0 m from each side of the entrance and project beyond the face of the building no further than 2.4m.

## 6.5 Hanging Signs

Hanging signs are permitted, except in residential areas, subject to the following regulations:

- a) maximum one sign per business frontage;
- b) maximum area 0.6m<sup>2</sup>;
- c) minimum 2.4m clearance; and
- d) to be located within centre one-third of business frontage.

## 6.6 Window Signs

6.6.1 Window signs are permitted except in residential areas provided they are substituted for one or more permitted exterior signs. Window signs shall not exceed the lesser of 1.0m<sup>2</sup> in area or 15 percent of the total window area of a business frontage.

6.6.2 Window signs are permitted only on the first and second storeys of a building.

6.6.3 Window decals comprising the lesser of five percent of the window area or 0.5m<sup>2</sup> are permitted without application for permit in addition to a window sign.

6.6.4 Temporary paper or cardboard posters and placards advertising a sale or event and comprising the lesser of 1.0m<sup>2</sup> or 15 percent of the window area are permitted without application for permit in addition to a window sign.

6.6.5 Stained glass windows or windows with painted artwork are excluded from the regulations of this subsection, provided they include no lettering or advertising message.

## 6.7 Building Directories

Directory signs for buildings which are intended to list and guide pedestrians to such premises are permitted in all zones except residential areas subject to the following regulations:

- a) permitted only as part of a Comprehensive Sign Plan;
- b) maximum area of 0.2m<sup>2</sup> per business premises to a maximum of 2.0m<sup>2</sup> per building or parcel;
- c) maximum height of 2.4m;
- d) not more than one building directory facing each street on which the parcel fronts;
- e) building directories must be located on the same parcel as the building;

- f) building directories may be freestanding, fascia, or hanging signs; and
- g) each building directory may have signs on two sides only, each complying with the regulations of this section.

#### 6.8 Display Boxes

Display boxes are permitted in all zones except residential areas in addition to other approved signs, subject to the following regulations:

- a) permitted only as part of a Comprehensive Sign Plan;
- b) maximum area of 0.6m<sup>2</sup>;
- c) maximum height of 2.0m;
- d) maximum depth of 100mm;
- e) maximum one display box is permitted per principal entrance to a building or business frontage provided it is located within 4m of the principal entrance of the business frontage to which it relates:
- f) except for restaurants, a display box is only permitted where the business frontage to which it relates is not located on the main floor of the building or does not have sufficient window area to house the sign or signs;
- g) display boxes shall display only current menus, real estate listings, or entertainment events.

#### 6.9 Traffic Control (Private Property)

Signs designed to promote the safe and expedient flow of pedestrian and vehicular traffic on private property are permitted in all zones subject to the following regulations:

- a) maximum size 0.4m<sup>2</sup>;
- b) no corporate logos, business identification or other information other than that required for the direction of traffic is allowed;
- c) reflective materials are permitted; and
- d) number, location, design to Municipal standards.

#### 6.10 Bed and Breakfast Directory Signs (Amendment Bylaw No. 449, 2001)

Directory signs for Bed and Breakfast operations are intended to list and provide a directional location to such operations and shall be permitted to be located on a Street provided that the Village constructs and installs the sign in accordance with the Bed and Breakfast Directory Sign Advertising Policy.

## 6.11 Signs in Residential Areas

Signs permitted in residential areas by The Corporation of the Village of Pemberton Zoning Bylaw No. 466, 2001, as amended from time to time, shall meet the requirements of this section.

6.11.1 Size: The maximum permitted size shall be 0.4m<sup>2</sup> (4.31 ft<sup>2</sup>).

6.11.2 Number: One (1) sign only to be permitted per lot.

6.11.3 Location:

a) Signs must be located on the owner's property so as to not obstruct access or vision lines from or to the access to the property.

b) The sign is to be located in a front yard only.

6.11.4 Height: The maximum height of a sign shall be 1.2 m

6.11.5 Type: Only free-standing or hanging signs will be permitted.

6.11.6 Design:

a) Signs should match/complement the colour(s) and style of the other structure(s) on the property.

b) Signs are to have complimentary landscaping around the sign for a minimum radius of 1.0 m

6.11.7 Lighting: Lighting shall conform to section 4.5 except that rear lighting shall not be permitted.

## 7.1 Permitted Signs (Temporary)

Temporary signs are permitted only as outlined in this section and such signs (except election signs and special event signs) are permitted without a formal sign permit provided they comply in all respects with the regulations of this Bylaw.

## 7.2 Election Signs

7.2.1 Subject to compliance with the provisions of the "Municipal Act", the "Motor Vehicle Act", the "Highway Act", and other applicable provincial or federal statutes, orders, Bylaws or regulations relating thereto, posters, advertising cards, and sign boards are permitted for election purposes which advertise a particular party or candidate, plebiscite or issue subject to the regulation of this section.

7.2.2 An election sign shall not exceed 2m<sup>2</sup> in area.

7.2.3 An election sign shall not exceed 2.4m in height.

7.2.4 In addition to the permit fee provided for election signs, an applicant for a permit to erect one or more election signs shall pay a security deposit to the Village to ensure the removal of the sign or signs. *(Amendment Bylaw No. 905, 2021)*

7.2.5 Signs may be placed on private property or on a Municipal road right of way in front of private property, but only with the permission of the owner of the parcel.

7.2.6 No sign may be placed on any public property which has thereon a building or structure or has otherwise been improved by the municipal or other government agency, including a park, nor on any road allowance or land under control of the Department of Transportation and Highways.

7.2.7 All election signs permitted under this Section shall be removed within seven days after the date of the election, plebiscite or other event in respect of which the same were placed or erected.

### 7.3 Special Event Signs

7.3.1 Temporary signs for promoting, identifying, or directing a special event are permitted in all zones provided the signs are in conformance with the regulations for election signs listed in this Bylaw.

7.3.2 Special event banners up to 5m<sup>2</sup> in area displayed on or over public or private property may be approved by the Signage Officer if the following conditions are met:

- a) the primary purpose of such banners shall be to advertise and inform of upcoming community events. No more than twenty-five percent (25%) of any sign shall be used on the name or logo of a commercial sponsor;
- b) banners shall only be displayed at sites approved by the Signage Officer and reserved on a first come, first served basis;
- c) the owner of a banner shall agree to assume full liability and indemnify the Village for any damage to persons or property arising from its display, mounting, or removal; and
- d) banners may be displayed only immediately before and during the Special Event, and in no case shall the banner be displayed more than fourteen (14) days.

### 7.4 Real Estate Signs

7.4.1 Real estate signs advertising a property "for sale" or "for rent" or "for lease" are permitted in all zones of the Village subject to the following regulations:

- a) one sign per parcel up to a maximum area of 0.6m<sup>2</sup>;

- b) where more than one parcel is offered for sale or lease at one time, the permitted sign area for each parcel may be combined up to a maximum of 3.0m<sup>2</sup>, provided no other real estate signs are erected relating to those parcels;
- c) maximum height of 2.0m;
- d) not more than one sign may be placed or erected on the parcel to which it relates; and
- e) such signs shall be removed not later than two weeks after the sale, rental or lease of the parcel(s) or if it is otherwise taken off the market.

7.4.2 In addition to the signs permitted under this section, an "open house" signs and "directional arrow" signs are permitted in all zones subject to the following regulations:

- a) one "open house" sign may be located on the parcel to which the sign relates or on a vehicle;
- b) one "directional arrow" sign is permitted at each intersection leading directly to the parcel;
- c) maximum area 0.6m<sup>2</sup> with a maximum height of 2.0m; and
- d) signs permitted under this section may only be displayed during the hours that the parcel to which they relate is open to the public for inspection and must otherwise be removed.

7.4.3 Real Estate signs advertising a property "for rent", or "for lease" are permitted subject to the following regulations:

- a) one sign per parcel up to a maximum area of 0.6m<sup>2</sup>;
- b) only window signs are permitted; and
- c) real estate signs are permitted only for commercial, retail, personal service, or office uses on a parcel.

## 7.5 Contractor's Signs

Contractor's signs are permitted subject to the following regulations:

- a) one contractor's sign up to a maximum of 1.0m<sup>2</sup> may be erected on the site of a single family dwelling or duplex under construction in a residential area;
- b) one contractor's sign up to a maximum area of 3.0m<sup>2</sup>, giving the name of the building, owners, financial backers, architects and consultants,



contractors and subcontractors, may be erected on the site of a building under construction other than a single family dwelling or duplex in any area of the Village;

- c) maximum height of 2.4m;
- d) all contractor's signs shall be removed upon issuance of the occupancy permit;
- e) maximum of one contractor's sign per parcel.

## 8.1 General Provisions and Specifications

8.1 The keeping, placing or erection of any sign shall be in conformity with all of the provisions of this Bylaw and any other applicable Village of Pemberton Bylaws.

8.2 Any person who erects, owns, maintains or who continues the use of any permanent sign which projects on or over any street shall register with the Village an Encroachment Agreement Bond of Indemnity or Policy of Insurance in form satisfactory to the Village Solicitor indemnifying and holding harmless the Village of Pemberton against all claims and demands, actions, suits, or other proceedings, and against all loss and costs of whatsoever kind, which may be caused by or arise out of, or in any way be attributable or incidental to the erection, construction, maintenance or use of such projecting sign, or appurtenance thereto or in connection therewith during the maintenance of any such sign; such Bond of Indemnity or Policy of Insurance shall be a minimum amount of one million dollars (\$1,000,000) which shall be continued and in full force and effect during the maintenance and use of such sign.

8.3 If at any time any sign does not conform in every respect with the provisions of this Bylaw or any other Bylaw applicable thereto, or if any sign is in the opinion of the Signage Officer, in an unsafe or defective condition or in disrepair, or if the information on the sign has become obsolete due to changed use or occupancy of the parcel, the Signage Officer may give notice to the owner of such sign, or owner or occupier of the parcel or premise upon which it is displayed, to repair or remove the same within the period specified in the notice. It shall be the duty of such owner to repair or remove such sign in accordance with the said notice, failing which the Council may authorize the removal of said sign according to Section 735 of the Municipal Act.

8.4 When a business or other commercial undertaking vacates premises all signs on the site which relate to that business or undertaking shall be forthwith removed by the owner of the sign or property.

8.5 Signs, sign structures and fastenings shall be designed and constructed and maintained to comply with the provisions of this Bylaw and of the British Columbia Building Regulations as amended from time to time.

8.6 The Signage Officer may require that technical data be submitted by the applicant from:

- a) the manufacturer of any sign or material used in any sign; or
- b) a testing agency approved by the Signage Officer to provide structural or other
- c) technical information required by the Signage Officer; or
- d) a registered structural engineer;

in order to assess compliance of a proposed sign with Village of Pemberton Bylaws, and/or the British Columbia Building Regulations.

8.7 A sign requiring electrical power shall be serviced and wired in conformance with the Canadian Electrical Code as amended for use in British Columbia and be approved by the Electrical Inspector.

8.8 No sign, guy, stay or attachment thereto shall be erected, placed, or maintained by any person in such a manner as to contact or interfere with any electric light, power or telephone wires or their supports, or the free use of any exit or means of egress.

8.9 A minimum spatial separation of 1.0m shall be maintained between any two signs including their supports.

8.10 Appeals

An appeal may be made to Council by way of a Development Variance Permit Application for permission to place, erect or maintain a sign not provided for by this Bylaw.

8.11 Council Authorization

8.11.1 Council hereby authorizes the Signage Officer to remove, detain, or impound a sign occupying a portion of any Village property or right of way.

8.11.2 Council hereby authorizes the Signage Officer to remove, detain or impound a sign attached to lands or improvements to lands projecting on, over or under all or part of a highway other than a highway designated as "arterial" under Section 31(1) of the Highway/act R.S.B.C. 1979, c. 167 unless the owner of the sign first enters into an Encroachment Agreement with the Municipality.

8.11.3 Not more than ten (10) days after the removal, detention or impounding of the sign, the Signage Officer shall deliver to an institution or person named on the sign a notice of the removal, detention or impounding.

8.11.4 Council hereby authorizes the Signage Officer to give written notice by registered mail to the owner or person in charge of the premises to repair or remove any sign not installed and/or maintained according to the provisions of this Bylaw. Should the owner or person in charge of the lands or premises upon which any such sign is situated not comply with the notice to repair or remove such sign, within two (2) days of said notice, the Signage Officer is hereby empowered to remove the sign or signs at the expense of the Owner.

8.11.5 A sign removed by the Signage Officer shall be impounded for thirty (30) days and then will be disposed of by sale, auction or demolition with all proceeds being retained by the Village of Pemberton.

9. Application for Permits

9.1 Before any person places or erects or alters the design or construction of sign, that person shall apply in writing to the Signage Officer and shall obtain a sign permit, except where the sign or alteration is exempt from permit requirements of this Bylaw.

9.2 An application shall include:

- a) a completed sign permit application on a form provided by the Village of Pemberton; and
- b) drawing(s) to scale for each side of the sign, giving all pertinent dimensions as well as the colour scheme, materials, copy and type face, and details of any surrounding framework; and
- c) large scale drawing(s) or photograph(s) showing the position of the sign painted on or attached to the building or structure together with the location of any existing signs; and
- d) a drawing showing details of the method and type of wiring, illumination (if any) and attachment to the building; and
- e) for freestanding signs a drawing to scale showing the location on the parcel relative to the parcel lines, buildings and adjacent streets, together with existing and proposed landscaping.

9.3 The Signage Officer shall consider each application for a permit and if the proposed sign conforms with all the requirements of this Bylaw and any other applicable Bylaws of the Village of Pemberton, and upon payment of the requisite fee, he shall issue a permit to the applicant therefore.

9.4 The applicant shall supply the Signage Officer with evidence of approval by the Electrical Inspector before connecting any sign to its supply wires.

9.5 Notwithstanding any provision in this or any other Bylaw, neither the acceptance of an application for nor the granting of a sign permit obligates or imposes a duty on the Village or the Signage Officer to inspect, approve or provide any other or further services of any kind, nor shall the Village, its officers, employees, agents or contractors be liable for any direct or indirect loss, cost or damage, however occasioned, incurred by an owner or developer or anyone taking under or from them, which arises from the Village's or Signage Officer's failure to inspect, approve, or provide any other or further service, where that failure is a result of labour disturbances, Acts of God, actions of governmental authorities, war, lack of funds or personnel or any other cause whatever which, In the sole opinion of the Village or Signage Officer, causes the Village or Signage Officer not to provide such services.

10. Permit Fees

10.1 No person shall place, erect or alter the design or construction of any sign without a permit first obtained from the Signage Officer and payment of a permit fee unless the sign is specifically exempted from permit requirement by this Bylaw. *(Amendment Bylaw No. 905, 2021)*

10.2 Permit fees and charges shall be payable as set out in the *Fees and Charges Bylaw*. *(Amendment Bylaw No. 905, 2021)*

10.3 Comprehensive sign plans and signs not in conformity with this Bylaw requiring Council approval will be considered as Development Permit Variance Applications requiring the Application fees as established by Council.

10.4 All electric signs shall, in addition to the sign permit require an electrical permit, and the payment of permit fees as determined by the Electrical Safety Branch of the Provincial Government.

11. Penalty and Enactment

Every person who contravenes any provision of this Bylaw or who suffers or permits any act or thing to be done in contravention of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, shall be deemed to be guilty of an infraction of this Bylaw and, upon conviction thereof, shall be liable to a fine not exceeding two thousand dollars (\$2,000) or six months imprisonment, or both.