

TOWN OF LADYSMITH



SIGN & CANOPY BYLAW NO. 1176

JANUARY 1996

CONSOLIDATED FOR CONVENIENCE ONLY

A BYLAW TO REGULATE SIGNS AND CANOPIES

The amendment bylaws which are included in this consolidated version of the "Ladysmith Sign and Canopy Bylaw 1996, No. 1176" are:

1303, 1335, 1407, 1445, 1751, 2010

as on June 3, 2019

TOWN OF LADYSMITH SIGN AND CANOPY BYLAW CONSOLIDATION

This consolidation of the Town of Ladysmith Sign and Canopy Bylaw and amendments has been prepared exclusively for the use of the Town of Ladysmith for convenience only.

The Town of Ladysmith does not represent that this consolidation is accurate or complete and anyone using this material should confirm its content by reference to the original Bylaws.

TOWN OF LADYSMITH

BYLAW NO. 1176

The Council of the Town of Ladysmith in open meeting assembled enacts as follows:

1.0 **DEFINITIONS**

"Awning"	means a canopy constructed of approved materials prescribed in the Downtown Specified Area Design Guidelines attached as Schedule "F";
"Banner Sign"	means a sign made of cloth, vinyl or other like material designed to be displayed temporarily from a building, structure or across a highway, street or other space which includes private rights-of-way;
"Billboard"	includes a bulletin board, boarding or other sign exceeding 5.95 sq.m. of a permanent or semi-permanent nature used or intended to be used for the display of material advertising a business or occupation which is pasted, glued, fastened or otherwise affixed to the billboard by means permitting its ready removal or replacement;
"Business"	includes any profession, trade, occupation or calling;
"Business Directory"	means a sign or group of signs which indicate a business or businesses located on one property; it may be free standing or attached to the building;
"Building Inspector"	means the person appointed by the Council to administer the Building Bylaw;
"Business Frontage"	means a portion of a property leased, owned, rented or otherwise used by a business or that faces onto the civic address;
"Bylaw Enforcement Officer"	means the person appointed by the Council to administer and enforce the bylaws of the Town of Ladysmith;
"Canopy"	means a structure which (a) is part of and projects from the exterior wall of a building and may be: (i) retracted, folded, or collapsed against the face of the building, or (ii) a rigid roof-like structure; or (b) is free-standing; and (c) affords protection or shelter from the weather to the public.
"Canopy Sign"	includes a sign attached to, forming part of or supported by a canopy but does not include a suspended sign;
"Council"	means the Council of the Town of Ladysmith;
"Display Surface"	means the area contained on any one face of a sign within the shorter continuous perimeter which encloses within that area the whole of the parts of the sign used for display purposes;
"Downtown Specified Area"	means the area defined in Official Community Plan Bylaw 1994, No.1100 as amended;
"Fascia Sign"	includes a wall sign and every sign attached to or painted, marked or inscribed on or placed against a fence, wall or other surface whether forming part of a building or not, which (a) can be seen from a street; (b) has its exposed face on a plane approximately parallel to the plane of the wall, fence or other surface, and (c) projects not more than 8 cm. from the face of the wall, fence or other surface; (d) background must be opaque
"First Storey"	means the uppermost storey having its floor level not more than 2 m above grade
"Flashing Sign"	means an artificially illuminated sign;

	(a) any part of which is intermittently illuminated while the sign is in operation;
	(b) any illuminated part of which moves or is intended to move, or
	(c) any illuminated part of which is operated by varying either the intensity or colour of the light;
	"Fluorescent Sign" means a sign which contains fluorescent tubes, designed to illuminate the sign;
	"Free-standing Sign" means a sign not attached to a building or other structure, which is supported entirely by its attachment to the ground;
	"Grade" means
	(a) the elevation of the highest point of the surface of the sidewalk or boulevard adjacent to any sign abutting or encroaching into a street;
	(b) where a sign is not adjacent to a sidewalk or boulevard, the elevation of the highest point of the natural ground surface directly below the sign;
Bylaw 1751	"Highway" has the same meaning as in the <i>Community Charter</i> ;
	"Moving Sign" means any sign that has mechanical or electronic movement with the exception of time or temperature;
	"Mural" means a painting that is applied directly to the wall of a building and contains no text or logo that may be deemed advertising;
	"Municipality" means the Town of Ladysmith;
	"Non-Conforming Sign" means a sign lawfully erected with a permit prior to the adoption of this bylaw that does not conform to the requirements of this bylaw;
	"Notice Board" means a sign for which the display surface does not exceed 2.5 sq.m.;
Bylaw 1751	"Owner" has the same meaning as in the <i>Community Charter</i> and refers to the owner of the property on or from which a sign is placed or attached;
	"Portable Sign" means a sign which is self-supporting, easily moved and not permanently attached to the ground, a building or a vehicle but does not include a sandwich board;
	"Projecting Sign" means a sign other than a fascia sign projecting outward from the wall of a building or building face more than 8 cm. by means of its supporting structures;
	"Public Buildings and Institutions" means a church, school, library, hospital, medical clinic, health clinic or public building or facility;
	"Ratio Requirement" where signs are expressed to be subject to a ratio requirement, means that the total area of the display surfaces of all signs of a particular classification on the lot shall not exceed:
	(a) 0.1 sq.m. for each 30 cm of a business building frontage for a 1 to 1 ratio
	(b) 0.2 sq.m. for each 30 cm of a business building frontage for a 2 to 1 ratio
	"Roof Sign" means a sign placed or erected on or above the roof of a building, in the air space above a roof, or painted or marked on the roof of a building;
	"Sandwich Board" means a sign advertising a business or occupation, consisting of two wood panels not permanently attached to a building or the ground, and painted to a professional standard;
	"Satellite Dish" means a telecommunication device, located outside a building, which is intended to receive or transmit signals to or from one or more communications satellites located in space above the Earth;
	"Sign" Means
	(a) a device, notice or medium, including structure and other components, that is:

- (i) visible from a street or from any site other than the one on which it is located; and
- (ii) used or capable of being used to attract attention for advertising, identification, or information purposes;

and excludes:

- (b) (i) a clock, watch or apparatus that only displays time, temperature or barometric pressure; and
- (ii) a mural;

"Sign Allowance"	means the total area of signage allowed on a parcel by this bylaw;
"Sign Area"	has the same meaning as "Display Surface";
"Suspended Sign"	means a sign suspended from and entirely under any part of a building or canopy;
"Temporary Sign"	means a non-illuminated sign, notice, structure or device not to exceed 3 sq.m. in area which is displayed or used, or intended to be displayed or used, for fewer than thirty (30) days that is not permanently attached to the ground or to the building;
"Third Party Sign"	means a sign which directs attention to a business, commodity, service or entertainment that is conducted, sold, or offered elsewhere than on the premises where the sign is located;
"Town"	means the Town of Ladysmith;
"Window Sign"	means a sign permanently affixed to or in the inside of a window that can be viewed by the general public;
"Zone"	means a zone established by the Municipality's land use bylaw adopted under Part 26 of the <i>Local Government Act</i> .

Bylaw 1751

NOTE:

FOR THE CONVENIENCE OF PERSONS UNFAMILIAR WITH THE S.I. (SYSTEM INTERNATIONAL) UNITS OF MEASUREMENT, SOFT CONVERSIONS TO IMPERIAL UNITS HAVE BEEN INCLUDED IN SCHEDULE "D" OF THE BYLAW. ALL AREA MEASUREMENTS IN SQUARE FEET ARE DENOTED BY THE ABBREVIATION "SQ.FT.". IN THE CASE OF ANY DISCREPANCIES BETWEEN METRIC AND IMPERIAL MEASUREMENTS, THE METRIC MEASUREMENT SHALL BE TAKEN AS CORRECT.

2.0 ENFORCEMENT

- 2.1 The Building Inspector is authorized to administer this bylaw and the Bylaw Enforcement Officer is authorized to enforce this bylaw.
- 2.2 No person shall commence, cause the commencement of, or allow the erection, construction, relocation, alteration, reconstruction, painting or repainting, placement or maintenance of any sign in the Municipality contrary to this bylaw.
- 2.3 No person shall erect, construct, enlarge, alter or reconstruct any sign, unless excluded in Section 4.1, without first obtaining a permit to do so from the Building Inspector.

3.0 PERMITS

3.1 Sign Permits

- 3.1.1 Application for a sign permit must be made in conjunction with a building permit or if no building permit is required, then application for sign permit must be made in conjunction with a business licence application.
- 3.1.2 The Building Inspector shall not issue a sign permit until the permit fee as prescribed in Fees and Charges Bylaw 2008, No. 1644 is paid to the Municipality; and

Bylaw 1751

- (a) the sign and its erection, construction, relocation or alteration conforms to the provisions of this bylaw, or
- (b) the applicant has obtained a Development Variance Permit or Development Permit where required.

3.2 Application

3.2.1 Application for a permit shall be made in writing to the Building Inspector upon a form (Schedule "C") and that form shall be completed to his satisfaction and shall be accompanied by

- (a) a drawing to scale giving the following information in regard to the sign and the supporting structures;
 - (i) the proposed location of the sign(s) in relation to the boundaries of the parcel upon which it is to be situate;
 - (ii) the proposed location of the sign(s) in relation to any wall, fence, or other surface it is to be attached to;
 - (iii) the overall height of the sign(s), and clearance beneath it, measured from grade;
 - (iv) the type of illumination and colours to be used;
 - (v) the type of construction of the sign(s) and the material(s) to be used.

Bylaw 2010

~~3.2.2 The Building Inspector shall refer every sign application(s) for property located in the Downtown Specified Area to the Heritage Revitalization Advisory Commission for consideration and report to him on colour, design, location and style prior to issuance of the permit.~~

3.2.2 In the case of a canopy or awning, the owner shall sign an encroachment agreement with the Municipality including a waiver of liability in the form attached hereto as Schedule "B" and submit proof of liability insurance to the Building Inspector and/or Bylaw Enforcement Officer as a condition of approval of the application.

3.3 Variance Permit

3.3.1 When a proposed sign and the work related to it do not conform to the provisions of this bylaw, the applicant for a sign permit may apply for a Variance Permit.

3.3.2 Before a Variance Permit will be considered by the Council, the applicant must apply to the Building Inspector for a sign permit, and the Building Inspector will submit both applications to the Council for its decision.

3.3.3 See Variance Permit Guidelines, Schedule "E".

3.4 Permit Fee

Bylaw 1751

3.4.1 All applicants for a sign permit under any of the provisions of this bylaw shall at the same time pay the fees prescribed in Fees and Charges Bylaw 2008, No. 1644.

4. GENERAL PROVISIONS

4.1 Application of Bylaw

This bylaw does not apply to and a permit is not required for the following types of signs and activities:

- (a) a sign which cannot be seen from a street or other public place to which the public has a right of access;
- (b) a sign that is not a window sign, is displayed entirely within a building and relates exclusively to a business carried on in the building;
- (c) a sign erected by the Municipality for municipal purposes;
- (d) a sign which has a display surface not exceeding 0.6 sq.m. and which advertises that the premises on which it is displayed are for sale or rent;
- (e) temporary window signs;
- (f) a sign smaller than 0.2 sq.m. in size;

- (g) signs indicating only name and occupation of an occupant of the premises, if not over 0.3 sq.m. in area;
- (h) fascia signs not over 0.4 sq.m. in area, indicating only the name or year of the construction of the building or structure;
- (i) signs not over 0.7 sq.m. in area advertising the sale or rent of property neither located on nor projecting over any highway or street;
- (j) signs not over 1.5 sq.m. in area advertising the sale or rent of a lot or property located on the property at least 3.0 m. from any street line;
- (k) the repainting or repairing of an approved sign;
- (l) removal of a sign;
- (m) any sign displayed under the authority of an Act;
- (n) heritage designation plaque.
- (o) gasoline price signs not already incorporated in permitted free standing signs providing they are non-illuminated and a total area of 2 sq.m. on a site;
- (p) gasoline stations will be permitted to erect up to two (2) promotional signs relating solely to automotive product purchases not to exceed 1.5 sq.m. each in total area.
- (q) political or campaign signs erected on private property on behalf of a candidate for public office or issues on election ballots, provided that such signs are erected no more than thirty (30) days prior to election day and removed within forty-eight (48) hours following an election or referendum.

Bylaw 1455**4.2 Sign Allowance Calculation**

- 4.2.1 A sign allowance permitted under this bylaw shall be based on the business frontage on a street.
- 4.2.2 Where a building has frontage on more than one street the sign allowance will be calculated by the frontage on the civic address and is also the maximum sign allowance for any other frontage of the building.

4.3 Signs and Logos

All signs and logos relating to a building occupant shall not exceed 0.1 sq.m. for every 0.30 m. of the occupant's business frontage. (See also S.6.6[3])

4.4 Signs in Street

No person shall display a sign in, on, or over any street, highway, or other public place except as expressly permitted by this bylaw.

4.5 Third Party Signs

- 4.5.1 An owner or occupier of a lot shall not erect, keep or allow the erection or keeping of a third party sign on the premises, except as may be permitted through policies established by the Ministry of Transportation and Highways, or as may be erected by the municipality. Third party signage is permitted on municipally or provincially owned property.

**Bylaw 1303
Bylaw 1455**

- 4.5.2 Political campaign signs may be erected on municipal boulevards, providing that:

- (a) a temporary sign permit is approved by the Building Inspector;
- (b) the sign shall not exceed 32 sq.ft. (4' x 8')
- (c) the sign shall not be erected where it could interfere with vehicle or pedestrian traffic safety
- (d) the sign shall not be erected prior to an election writ being issued, or thirty (30) days before the date of a referendum and shall be removed within forty-eight (48) hours following the date of the election or referendum.

4.6 Roof Top Signs

No person shall display a roof top sign in any zone within the Municipality.

4.7 Flashing Signs and Moving Signs

No person shall display a flashing sign in any zone within the Municipality.

4.8 Billboards

No person shall erect a billboard in any zone within the Municipality.

4.9 Window Signs

4.9.1 A window sign shall be regulated as a fascia sign and shall not occupy more than thirty (30%) percent of the window area it is placed in. Decorative borders not containing words or logos may be excluded from size calculation.

4.10 Portable Signs

4.10.1 No person shall place a portable sign on public property unless specified in Section 4.5.

4.10.2 A portable sign located on private property is deemed to be a free standing sign and the regulations applicable to free standing signs apply.

Bylaw 1303 4.11 Sandwich Board Signs

4.11.1 No person shall erect more than one sandwich board on their property.

4.11.2 The sign must not exceed 0.6m (2 feet) wide by 0.9 m (3 feet) high.

4.11.3 The sign must be located either adjacent to the building or in grassed boulevards only and located in such a manner so as not to create a pedestrian hazard (i.e. not immediately in front of entrance / exit doors or straddling building corners at intersections).

4.11.4 The signs must be professionally constructed of wood or wood-based commercial sign products and painted to a professional standard of design and finish.

4.11.5 The signs must be removed when the business is not open.

4.11.6 The business is not in contravention of other regulations.

4.11.7 The applicant accepts full liability for any occurrence involving this sign and indemnifies the Town of Ladysmith.

4.12 Temporary Signs

4.12.1 The holder of a permit for a temporary sign shall remove the sign within thirty (30) days of the date the sign permit was issued.

4.12.2 No person shall erect a temporary sign which has a display surface exceeding 3 sq.m.

4.12.3 A period of 120 days from the expiry of the temporary permit must lapse before re-application is made.

4.13 Free Standing Sign

4.13.1 Unless otherwise permitted by this bylaw, no person shall erect a free standing sign which exceeds a height of 6.0 m.

4.13.2 If a free standing sign projecting over a street or other public place, the lowest part of the display surface shall not be less than 2.4 m. above grade.

4.13.3 No person shall erect more than one free standing sign per property.

4.13.4 No person shall erect a free standing sign closer than 3.0 m. to a neighbouring residential property line which is not a street line.

4.14 Satellite Dish

A satellite dish shall not contain any advertising whatsoever, except for the logo or name of the manufacturer.

4.15 Construction / Project Sign

One sign board or group of sign boards of not more than 6.0 sq.m. in total area and relative to the project shall be permitted on the site of any building or structure during the course of construction and the sign will be removed when the building or structure is completed.

4.16 Projecting Signs

4.16.1 Unless otherwise permitted by this bylaw, no person shall erect a projecting sign, any portion of which is nearer than 1 m. to the portion of a street used or intended for motor vehicle traffic.

4.16.2 No person shall erect a projecting sign which projects into or over a street for a distance of more than 1 m. measured at right angles from the nearest boundary of the street.

4.16.3 No person shall erect a projecting sign any part of which is less than 2.4 m. above grade.

4.16.4 No person shall erect a projecting sign which is supported in whole or in part by a canopy.

4.16.5 A projecting sign shall be placed and kept at right angles to the face of the building or structure to which it is attached at or at right angles to the boundary of the lot on or from which it is displayed.

4.16.6 No person shall erect a projecting sign which has a thickness of more than 0.4 m. at its base.

4.16.7 A projecting sign

(a) shall not have a total display surface exceeding 1.1 sq.m. for all sides of the sign which can be seen simultaneously for the first storey of a building, and

(b) shall not have a display surface exceeding 0.5 sq.m. for all sides of the sign which can be seen simultaneously for each storey above the first storey.

4.16.8 Only one projecting sign per building is permitted if the building has a canopy, otherwise, one projecting sign is permitted for each business.

4.16.9 Two or more projecting signs on any building must be of compatible material and design with the other(s).

4.16.10 Section 3.2(3) applies to all signs projecting over a street or public place.

4.17 Awning / Canopy Signs

4.17.1 No person shall erect a sign on an awning/canopy unless:

(a) the sign is the logo or name (or both) of the business occupying the business frontage to which the awning/canopy is attached;

(b) any part of the canopy sign is less than 2.4 m. above grade;

(c) the sign will be only on the front or side of the canopy/awning;

(d) the valance shall not exceed 0.3 m. in height and lettering may not exceed 0.25 m. in height;

(e) there is no lettering, logo or identifying symbol on the slope of the

- canopy/awning;
- (f) the lettering does not extend beyond ninety (90%) percent of the length of the valance;
- (g) the total canopy/awning signage, including any painted logo identifying symbol, does not exceed ten (10%) percent of the total canopy/awning area.

4.18 **Suspended Signs**

- 4.18.1 Where a suspended sign or its supports are over a street or sidewalk, all parts of the sign or its supports shall be at least 2.4 m. above grade.
- 4.18.2 No person shall erect a suspended sign which has a vertical dimension exceeding 0.30 m., a horizontal dimension exceeding 1.20 m ; or an area of 0.4 sq.m.

4.19 **Streamers, Balloons, Flags, Banners**

- 4.19.1 Streamers, balloons and flags are permitted in all zones.
- 4.19.2 A banner is permitted in any zone if it does not exceed the permitted sign allowance for fascia signs and the permit holder removes the banner within 30 days of the date the sign permit was issued. A banner deposit of \$100.00 is required which will be refunded if the banner is removed by the expiration of the permit period.
- 4.19.3 Canvas and other similar signs stretched across streets, highways or other public places may be permitted for charitable organizations only in designated areas for a period established by Council on a case by case basis, and must provide for a minimum clearance of 6.2 m. above the surface of the highway for vehicular traffic.

4.20 **Fascia Sign**

- 4.20.1 No person shall erect a fascia sign unless it projects not more than 8 cm. from the face of the wall, fence, or other surface.
- 4.20.2 A fascia sign is limited to 0.1 sq.m. for every 0.3 m. of occupants business frontage except in the case of corner properties where a fascia sign will be allowed on the non-frontage wall provided that it is limited to 100% of the fascia allowed on the occupants business frontage.

4.21 **Business Directory Signs**

A Business Directory sign shall not exceed 0.2 sq.m. for all sides of a sign which can be seen simultaneously. These signs may be displayed off a free-standing directory or attached to a building.

4.22 **Community Events / Special Occasions**

- 4.22.1 Applications for sign permits for community events/special occasions will be reviewed by the Bylaw Enforcement Officer who will submit his recommendations to Council.
- 4.22.2 Council will issue any permits for community event or special occasions for a specific period of time on a case-by-case basis.

4.23 **Visibility**

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

4.24 **Responsibility**

In the absence of evidence to the contrary, a person, business, operation or establishment

which is promoted by a sign and the owner of the premises on which the sign is located shall be deemed to be responsible for the sign and for carrying out the work in strict accordance with the provisions of this bylaw and of all other bylaws of the Municipality applicable thereto.

4.25 **Permit Expiry**

- (1) Any permit issued under the provisions of this bylaw shall expire in six months (180 days) from the date on which it was issued if the work is incomplete. All stages of construction or removal of works shall be to the satisfaction of the Bylaw Enforcement Officer.
- (2) In the case of issuance of a sign permit within the Downtown Specified Area, the time frame may be changed on the recommendation of the Bylaw Enforcement Officer, but only on specific written request.

5.0 **CONSTRUCTION AND MAINTENANCE**

5.1 **General**

- 5.1.1 The holder of a sign permit and the owner of the property on which a sign is located shall maintain the sign, including its supports and fastenings, in a safe and secure condition, free from defect, and a non-deteriorated condition at all times.
- 5.1.2 A person shall not affix a sign to or keep a sign affixed to a fire escape and shall not erect, construct or keep a sign that obstructs, impedes, impairs the free and uninterrupted use and enjoyment of a fire escape, fire exit window, fire exit door or passage intended to be used in the event of a fire, or a window or other aperture which admits light or provides ventilation.
- 5.1.3 Every sign, including supports and fastenings, shall be kept clean and painted at all times.
- 5.1.4 Whenever any sign is in a dangerous, defective or not up to bylaw standards as set out in this section, an order in writing shall be served on the owner of the property the sign is situated and the holder of the sign permit requiring that the sign be put in a satisfactory condition or remove within a time limit set forth in such order.
- 5.1.5 If the order is not complied with, the sign shall be removed by the Municipality at the expense of the holder of the permit and the property owner.

5.2 **Sign Clearance and Construction**

- 5.2.1 All signs, supports and cables thereof shall be at least 0.6 m from electrical and telephone wires, provided that the Building Inspector may require a further separation, in his opinion, the circumstances so warrant.
- 5.2.2 All glass tubing or exposed electrical wiring attached to or forming part of the sign shall be at least 2.7 m above the street.
- 5.2.3 Where electrical signs are installed within a building the requirements of the B.C. Building Code apply to the display surface material, distribution and area of the display surface of the sign.

5.3 **Safety**

- 5.3.1 Every sign shall be designed, erected, constructed and maintained to withstand the pressure of a wind having a velocity of 160 km/hour.
- 5.3.2 All pliable plastic display surface material including, but not limited to, awnings/canopies shall have the following:
 - (a) waterproof seams and joints
 - (b) tear-resisting reinforcement with a tensile strength of 22.5 kg per 25 mm of width capable of withstanding puncture from the impact of a 0.45 kg, 22 mm steel ball, dropped from a height of 3.0 m or with the equivalent

tensile strength; and

- (c) proof of conformance with ULC S109-1979 "Standard for Flame Test of Flame-Resistant Fabrics and Films"

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

5.4 **Corrosion**

5.4.1 All cables, turnbuckles, links, bolts and screws, and all devices which are used to support a part of a sign or canopy/awning shall be non-corrosive or be otherwise protected by galvanize

5.4.2 The metal used in making the sign shall be not less than #28 U.S. sheet metal gauge

5.4.3 Historic signage may be exempted from the requirement of this section by development variance permit issued by Council after having been reviewed by the Heritage Revitalization Advisory Commission

5.5 **Anchorage**

5.5.1 A person who erects, places, or keep a sign, canopy/awning shall ensure that:

- (a) it is attached to masonry, concrete or steel by means of metal anchors, bolts, or approved expansion screws of sufficient size and anchorage to safely support the load of the sign
- (b) it is not fastened by nails, staples or screws to wooden blocks, plugs or railing strips built into masonry or concrete

5.6 **Obsolete Signs and Sign Framework**

5.6.1 Any obsolete sign or framework which advertises or publicizes a business or undertaking that no longer exists at that premises on which the sign is located or pertains to a product which is no longer being marketed within the area, shall be deemed obsolete

5.6.2 Any obsolete sign or framework shall be removed by the owner within thirty (30) days of becoming obsolete or within seven (7) days of being so notified by the Bylaw Enforcement Officer.

5.6.3 Historic signage may be exempt from this section, upon recommendation of the Heritage Revitalization Advisory Committee to and approved by Council

6.0 **PERMITTED SIGNS**

Bylaw 1751

6.1 **Institutional**

6.1.1 The signs permitted in this designation are:

- (a) facia signs
- (b) free standing signs
- (c) projecting signs
- (d) awning/canopy signs

6.1.2 A facia sign, free standing sign and projecting sign

- (a) may be displayed from a school, library, church, hospital, medical clinic, health clinic, or other public building or facility
- (b) shall not display information other than:
 - (i) the name, address or occupancy of the premise

- (ii) information relating to the occupancy of or activity in a school, library, church, hospital, medical clinic, health clinic or other public building or facility
- (c) shall not have a display surface exceeding 2.2 sq.m. for all sides of the sign which can be seen simultaneously

6.1.3 A free standing sign shall be at least 3.0 m behind any street line and not exceed a height of 6.0 m on the property being advertised

6.1.4 Canopy/awning signs shall be regulated by subsection 4.17 in this designation

6.1.5 Public or Institutional buildings in the Downtown Specified Area will be permitted to have the same sign dimensions as commercial buildings in this area.

Bylaw 1335

6.2 Home Occupation

6.2.1 The only signs permitted within this designation are:

- (a) a projecting sign
- (b) sandwich board sign

6.2.2 Only one of the permitted signs are allowed within this designation and:

- (a) shall not display information other than
 - (i) the name, telephone number, business hours, address or business in the premises or the occupation of the occupant
- (b) shall not exceed 0.4 sq.m. on any property for all sides of the sign which can be seen simultaneously

6.3 Bed and Breakfast

6.3.1 The only signage allowed within this designation is:

- (a) projecting sign
- (b) free standing sign

6.3.2 Only one of the permitted signs are allowed within this designation and

- (a) shall not display information other than
 - (i) the name, telephone number, business hours, address of a bed and breakfast establishment
- (b) shall not exceed 0.4 sq.m. on any property for all sides of the sign which can be seen simultaneously

6.3.3 A free standing sign shall be at least 1.0 m behind any property line and not exceed a height of 2.0 m on the property being advertised

6.4 Day Care

6.4.1 The only signs permitted within this designation are:

- (a) projecting sign
- (b) free standing sign

6.4.2 Only one of the permitted signs are allowed with this designation, and

- (a) shall not display information other than
 - (i) information related to the occupancy of the premises
 - (ii) shall not exceed 0.4 sq.m. on any property for all of the sides which can be sen simultaneously

6.4.3 A free standing sign shall be at least 1.0 m behind any property line and not exceed

a height of 2.0 m on the property being advertised

6.5 **Mobile Home Park**

6.5.1 The only signs permitted within this designation are:

- (a) projecting sign
- (b) fascia sign
- (c) free standing sign

6.5.2 A projecting sign may be used in this designation providing

- (a) shall not exceed 0.2 sq.m.
- (b) be located within a mobile home park
- (c) shall be limited to the word "Office"

6.5.3A free standing sign or fascia sign

- (a) shall not exceed a height of 3.0 m
 - (i) providing it faces each street abutting the site of a mobile home park
 - (ii) such a sign is placed 3.0 m behind any property line
- (b) shall not have a display surface exceeding 2.3 sq.m.

6.5.4 Only one free standing sign or fascia sign is allowed within this designation

6.6 **Highway Commercial**

6.6.1 The signs permitted in this designation are:

- (a) fascia sign
- (b) free standing sign
- (c) projecting sign
- (d) canopy / awning sign
- (e) suspended sign
- (f) temporary sign
- (g) sandwich board sign
- (h) window sign
- (i) business directory sign

6.6.2 Unless otherwise stated, the allowable signage in this designation is governed by Section 4 of this Bylaw

6.6.3 Unless otherwise stated, the sign allowance permitted in the Highway Commercial zone is a 2 to 1 ratio

6.6.4 A free standing sign shall not have a total display surface exceeding 7.4 sq.m. for all sides of the sign which can be seen simultaneously

6.6.5 A projecting sign shall not have a display surface exceeding 4.5 sq.m. for all sides of the sign which can be seen simultaneously

6.6.6 Only one suspended sign is permitted per business frontage

6.6.7 Temporary sign permits may be re-issued every 30 days, or up to 12 periods in advance

6.6.8 Allowances for signage for other business must be made prior to application on multi-level commercial property

6.7 **General Commercial / Industrial**

6.7.1 The signs permitted in this designation are:

- (a) fascia sign
- (b) free standing sign
- (c) projecting sign
- (d) canopy / awning sign
- (e) suspended sign
- (f) temporary sign
- (g) sandwich board sign
- (h) window sign
- (i) business directory sign

6.7.2 Unless otherwise stated, the allowable signage in this designation is governed by Section 4 of this Bylaw

6.7.3 Unless otherwise stated, the sign allowance permitted in the General Commercial / Industrial zone is a 2 to 1 ratio requirement

6.7.4 A free standing sign:

- (a) shall not have a total display surface exceeding 7.4 sq.m. for all sides of the sign which can be seen simultaneously
- (b) shall be allowed on property under 1,800 sq.m. Any property over 1,800 sq.m. will be allowed a maximum of two (2) free standing signs, provided that the first free standing sign does not exceed 6.0 m. in height and the second does not exceed 7.6 m. in height

6.7.5 A projecting sign shall not have a display surface exceeding 4.5 sq.m. for all sides of the sign which can be seen simultaneously

6.7.6 Only one suspended sign is allowed per business frontage

6.7.7 Temporary sign permits may be re-issued every 30 days

6.7.8 Allowances for signage for other business must be made prior to application on multi-level commercial/industrial property

Bylaw 1407

6.7.9 the allowable signage permitted on the business frontage is also permitted on one other non-business frontage side of the property

Bylaw 1751

6.8 **Downtown Core**

6.8.1 The signs permitted in this designation are:

- (a) fascia sign
- (b) free standing sign
- (c) projecting sign
- (d) canopy / awning sign
- (e) suspended sign
- (f) temporary sign
- (g) sandwich board sign
- (h) window sign
- (i) business directory sign

6.8.2 Unless otherwise stated, the allowable signage is governed by Section 4 of this Bylaw

6.8.3 Unless otherwise stated, the sign allowance permitted in the Downtown Commercial Zone is a 1 to 1 ratio excluding suspended signs and projecting signs

6.8.4 A free standing sign shall not have a total display surface exceeding 2.9 sq.m. for all sides of the sign which can be seen simultaneously

6.8.5 A projecting sign

- (a) shall not have a total display surface exceeding 1.1 sq.m. for all sides of

the sign which can be seen simultaneously for the first storey of a building, and

- (b) shall not have a display surface exceeding 0.5 sq.m. for all sides of the sign which can be seen simultaneously for each storey above the first storey

6.8.6 Only one suspended sign shall be allowed per business building frontage

6.8.7 Allowances for signage for other business must be made prior to application on multi-level commercial property

6.9 Local Commercial

6.9.1 The signs permitted in this designation are:

- (a) fascia sign
- (b) free standing sign
- (c) projecting sign
- (d) canopy / awning sign
- (e) suspended sign
- (f) temporary sign
- (g) sandwich board sign
- (h) window sign
- (i) business directory sign

6.9.2 Unless otherwise stated, the allowable signage is governed by Section 4 of this Bylaw

6.9.3 Unless otherwise stated, the sign allowance permitted in the Local Commercial zone is 1 to 1 ratio

6.9.4 A free standing sign shall not have a total display surface exceeding 1.44 sq.m. for all sides of the sign which can be seen simultaneously and not exceed a height of 4.0 m.

6.9.5 A projecting sign

- (a) shall not have a total display surface exceeding 1.1 sq.m. for all sides of the sign which can be seen simultaneously for the first storey of the building, and
- (b) shall not have a display surface exceeding 0.6 sq.m. for all sides of the sign which can be seen simultaneously for each storey above the first storey

6.9.6 Only one suspended sign will be allowed per business building frontage

6.9.7 Allowances for signage for other business must be made prior to application on multi-level commercial property

6.10 Ladysmith Waterfront

Any signage permitted in this zone will be controlled by Waterfront Design Guidelines and Development Permit.

7.0 MATERIAL AND ILLUMINATION

Bylaw 1751

7.1 Downtown Core/Downtown Mixed Use, Home Occupation, Bed and Breakfast, Daycare, Mobile Home Park Zones

The following are acceptable materials and forms of illumination:

Bylaw 1335

- (a) individual letters or signs made of wood, metal, or plastic material to replicate wood or metal
- (b) wooden signs:
 - (i) flat (painted)
 - (ii) raised or incised letters

- (c) spotlights, floodlights or other incandescent light fixtures that are focused directly on the face of the sign
- (d) solid sign panels that are "haloed" by hidden reflecting light
- (e) incised lettering into a wall or other surface within the property boundary
- (f) canopy material shall be:
 - (i) a non shiny outdoor canopy fabric
 - (ii) opaque
 - (iii) in compliance with section 5.3, subsection 2(a)(b) and (c)

Bylaw 1751 7.2 Institutional, Highway Commercial, Industrial, Local and General Commercial Zones

The following are acceptable materials and forms of illumination:

- (a) individual letters made of wood, metal, or plastic materials to replicate wood or metal
- (b) wooden signs:
 - (i) flat (painted)
 - (ii) raised or incised letters
- (c) spotlights, floodlights or other incandescent light fixtures that are focused directly on the face of the sign
- (d) solid sign panels that are "haloed" by hidden reflecting light
- (e) incised lettering into a wall or other surface within the property boundary
- (f) canopy materials shall be:
 - (i) a non shiny outdoor canopy fabric
 - (ii) opaque
 - (iii) in compliance with section 5.3, subsection 2(a)(b) and (c)
- (g) backlit signage of any type

Bylaw 1335 7.3 All signage must be of a compatible design with the building style and design.

8.0 INSPECTIONS

- 8.1 All work carried out pursuant to the provisions of this bylaw shall be subject to inspection by the Building Inspector
- 8.2 Prior to inspection, no work shall be enclosed or concealed in such a way as to make inspection difficult or impossible
- 8.3 On completion of the installation of a sign for which a sign permit has been issued, the permittee shall immediately give the Building Inspector the sign permit and notice of completion.
- 8.4 Once the Building Inspector is satisfied all work has been completed within the guidelines of the bylaw, he shall issue to the permit holder a certificate of inspection
- 8.5 where, under the provisions of this bylaw, the Building Inspector exercises a discretionary power, he shall at the same time inform the person(s) concerned that an appeal from this discretion may be made to Council and that the decision of Council on any such appeal shall be final and binding on all parties concerned.
- 8.6 If, in the opinion of the Building Inspector, immediate action is necessary, he may exercise a discretionary power verbally. Upon doing so, he shall within a period of seventy-two (72) hours thereafter confirm his verbal decision in writing to all parties concerned.

Bylaw 1751

9.0 EXISTING SIGNS

- 9.1 For any signage that is non-conforming and not approved by permit an application for a

permit or a variance permit must be made upon adoption of this Bylaw within sixty (60) days.

- 9.2 Any signage that is non-conforming and not approved by permit must comply upon adoption of this bylaw within one hundred and twenty (120) days.
- 9.3 Any banner or temporary sign that is non-conforming and not approved by permit must comply upon adoption of this bylaw within thirty (30) days.
- 9.4 Any sign which is in place upon adoption of this bylaw, and which was approved by permit at the time of previous bylaws or grandfathered by Council, is exempt from the provisions of this Bylaw so long as the principal business so advertised continues, and no major facade improvement occurs.

10.0 **ENFORCEMENT**

10.1 **Encroachment Agreement**

- (a) no sign or canopy shall project over property owned or possessed by the municipality unless an "Encroachment Agreement" in the form of Schedule "B" attached to and forming part of this bylaw is first entered into with the Municipality

10.2 **Offence**

- (a) a person who contravenes a provision of this bylaw is guilty of an offence and is subject to the penalties imposed by this bylaw and the "Offence Act"
- (b) each day that such a violation is caused or permitted to continue constitutes a separate offence.

10.3 **Penalties**

- (a) a person found guilty of an offence under this bylaw is subject to a fine of not less than \$100.00 for every day the offence continues up to a maximum of \$2,500.00
- (b) an offence notice may be delivered by hand, or by prepaid registered mail to the person who has constructed, erected, placed or kept the sign or to the person, business, operation, establishment or owner deemed to be responsible for the sign under section 4.22
- (c) an offence notice shall indicate the alleged offence and the amount of the voluntary penalty that may be paid to the Municipality in respect of the alleged offence
- (d) where a voluntary penalty is paid in compliance with this bylaw before an Information is sworn and a Summons is issued, a writ of prosecution shall not be started in respect of an offence described in an offence notice
- (e) the voluntary penalty for a contravention of any section of this bylaw is:
- (i) \$100.00 if paid within 15 days of the date of the offence notice; and
 - (ii) \$200.00 if paid within 30 days of the date of the offence notice.

11.0 **BYLAW REPEALED**

"Sign and Canopy Bylaw 1992, No. 1029" is hereby repealed.

12.0 **CITATION**

This bylaw may be cited for all purposes as "Sign and Canopy Bylaw 1995, No. 1176".

READ A FIRST TIME on the 20th day of NOVEMBER 1995

READ A SECOND TIME on the 20th day of NOVEMBER 1995

READ A THIRD TIME on the 18th day of DECEMBER 1995

ADOPTED on the 2nd day of JANUARY 1996

Original signed by Mayor Rob Hutchins

Mayor

Original signed by Ed Gilman

Clerk