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# SIGN REGULATION BYLAW

Bylaw No. 480,  
*Sign Regulation Bylaw, 2011*





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## DISTRICT OF SOOKE

### BYLAW No. 480

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A bylaw to regulate signage within the District of Sooke to ensure that signage is constructed and maintained in a safe and consistent manner.

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The Council of the District of Sooke, in open meeting assembled, enacts as follows:

#### **SECTION 1 – TITLE**

1.0 This bylaw is cited as *Sign Regulation Bylaw, 2011*.

#### **SECTION 2 – INTENT**

2.0 The intent of this Bylaw is to:

- (a) encourage the effective and equitable use of signs as a means of identifying businesses and services;
- (b) encourage the effective use of signs as a means of communication;
- (c) enhance the appearance of the Municipality by regulating the size, height, design and location of permitted signs;
- (d) apply the sign regulations in a fair and consistent manner;
- (e) protect the public from the dangers of inferior sign construction and from nuisance or hazards arising from improperly maintained, repaired or sited signs;
- (f) regulate the construction, maintenance, repair, replacement and removal of signs; and
- (g) regulate the issuance of sign permits.

#### **SECTION 3 - DEFINITIONS**

3.0 In this bylaw:

“address sign” means a permanent sign with a sign area not exceeding 0.3m<sup>2</sup> (3.2ft<sup>2</sup>) displaying in letters, numbers or both the civic address of, or the name of, or both, of the owner or occupant, of any land, building, structure, business, or establishment located on the same parcel as the sign.

“alarm company sign”	means a sign identifying the name of an alarm company or security company and indicating the existence of some form of security alarm or security protection on the building or parcel on which it is located and includes ‘Block Watch’ or similar signs.
“alteration”	means a change to the sign structure or sign face including the addition, deletion or re-arrangement of parts, except that a change in the message displayed by a sign does not in itself constitute an alteration.
"awning "	means a detachable system of fabric or other relatively flexible material that is supported entirely from the exterior wall of a building by a fixed or retractable frame.
“awning sign”	means a sign on an awning which is painted on, affixed to by means of a decal, or forms part of the fabric of an awning.
"banner sign"	means a banner containing sign copy that is used as a temporary sign.
“bed and breakfast sign”	means a sign identifying the name of a licensed bed and breakfast business and may include the address and a Tourism B.C. sign that identifies the business as ‘Approved Accommodation’.
“building face”	means all individual wall areas of a building in one plane or elevation.
"business"	includes any profession, trade, occupation or calling and excludes home occupation and bed and breakfast.
“business hours”	means the “open” and “closed” schedule that a business keeps.
"Building Official"	means the person appointed by Council to that position.
“business directory sign”	means a permanent sign that identifies a number of businesses or other establishments located in the same building.
"Bylaw Enforcement Officer”	means the person appointed by Council to that position, and includes all persons authorized by Council to enforce this bylaw.
“calendar year”	means a twelve month period starting with January 1 and ending December 31.
"canopy"	means any permanent, non-retractable and rigid roof-like structure that is supported solely from a building and projects from the facade of the building, excluding a gasoline bar or gasoline service station pump island canopy.



"canopy sign" means a permanent sign suspended from and entirely below a canopy that extends over the pedestrian walkway.

"changeable copy" means copy on a sign that can be changed automatically by the electronic switching of lamps, illuminated tubes or other means, or, manually using detachable letters, characters, numbers, pictorial panels or graphics.



"channel letters" means three-dimensional individually cut letters or figures, illuminated or not illuminated, affixed to a structure.

"commercial" means a use, occupation, employment, or enterprise carried on for the purpose of generating income or revenue and excludes home based business and bed and breakfast.

"construction project sign" means a temporary sign promoting a construction or real estate development project which may also be used to identify the owner, general contractor, sub-trades, architect, engineers and others associated with the design, planning, development and financing of a project under construction.

"directional sign" means a sign that only communicates information regarding pedestrian or vehicular movement on the lot on which the sign is located.

"election campaign sign" means a temporary sign promoting a candidate or political party for election to public office.

"electronic message board sign" means a digital sign which exhibits changing or moving effects at a constant intensity of illumination, or a sign with moving letters, symbols or changing messages which are displayed via light emitting diodes (LED), liquid crystal display (LCD), plasma, or similar display technologies.

"façade" means the exterior face of a building upon which a sign is to be placed.

"façade sign" means a sign which is attached and parallel to the surface of an exterior wall of a building or structure but excludes construction project signs and projecting signs.


"fascia" means the flat edge of a building eave overhang or the front or side edges of a canopy.

"first storey" means a storey of a building having its floor level not more than 2m (6.5ft) above grade.

- “flag sign” means a flag representing an organization that is used as a sign but does not include a flag representing a country of the world or any Canadian territory, province or municipal corporation.
- “flashing sign” means a sign which includes or reflects an intermittent, flashing or oscillating light source or which includes the illusion of intermittent, or oscillation light by means of animation, and may involve moving lights or beacons or a projection of images on a building but does not include an electronic message board sign.
- “free-standing sign” means a permanent sign, including a sign structure, that is attached to the ground and is independent of any building or structure, that identifies a person, product or thing.
- “frontage” means the perimeter length of any lot that abuts or faces a highway, excluding a lane.
- “front-lighting” means illumination by an external light source.
- “garage sale sign” means a temporary sign used by the occupier of a residential property to display a message indicating the sale of the occupier’s personal belongings from the residential property on a date set out on the sign.
- “governmental sign” means a sign erected or placed within a highway or on a lot, as authorized by the provisions of any statute, Order-in-Council, bylaw, resolution of Council or by order of the Municipal Engineer, and includes, but is not limited to: traffic signs, signals and pavement markings; street name signs; neighborhood identification signs; park identification signs and public notice board signs.
- “grade” means the elevation of the sidewalk, pavement or ground directly beneath a sign structure, excluding landscape berms and planter boxes.
- “height” means the vertical distance from grade to the top of the sign or sign structure, whichever is greater, or in the case of a sign attached to a building, awning or canopy, the vertical distance from the bottom to the top of the sign or sign structure, whichever is greater.
- “home occupation sign” means a sign indicating the name of a home occupation, and may include the address.
- “hours of operation sign” means a sign with a sign area that does not exceed 0.6m<sup>2</sup> (6.4ft<sup>2</sup>) that displays the times and days that a business is in operation and states if it is ‘open’ or ‘closed’.
- “human sign” means an advertisement displayed by an individual holding or wearing a sign.





- “inflatable sign” means an inflatable three-dimensional device anchored, affixed to, or suspended from, a building or a parcel of land.
- “institutional” means the use of a building for public or non-profit purposes under the auspices of a government or community body and includes municipal offices, schools and colleges, day cares in non-residential buildings, hospitals, community recreation centers, halls, arenas, stadiums, armories, public swimming pools, public art galleries, libraries, museums, police stations, ambulance stations, jails and prisons, courts of law, fire halls and public and private parking lots.
- “logo” means a symbolic representation, not including any words, names or numbers unless part of the registered trademark, that is used exclusively to simplify advertising of a product, business, service or activity and which contains no additional identification, information or message.
- “menu board” means a sign erected as part of a drive-through facility used to display products and services available at the drive-through business.
- “Municipal Arts Program” means the District of Sooke Policy No. 14.3, *Municipal Arts Program Policy, 2009*, as amended from time to time, adopted by Council.
- "mural" means a pictorial representation, other than a logo or graffiti, painted on a building or structure, that is entirely decorative and does not identify or depict a land use, a business, the name of a person or place, or the sale of a product or service.
- 
- "Municipality" means the District of Sooke.
- “Municipal Engineer” means the person appointed by Council to that position and includes his or her designate.
- “Municipal Planner” means the person appointed by Council to that position and includes his or her designate.
- “neighborhood banner sign” means a sign identifying a neighborhood on a municipal street light.
- "non-conforming sign" means a sign lawfully erected prior to the adoption of this bylaw that does not conform to the requirements of this bylaw.
- “open house sign” means a temporary sign that advertises the location of property for sale at which an open house is to be held.

“parcel” means a lot, block, or other area in which land is held or into which land is subdivided, including a strata lot and a lot created under the *Strata Property Act*.

“permit” means a permit issued under this bylaw.

"portable sign" means a temporary sign, which may be self-supporting, that is easily moved and is not permanently attached to the ground, that is used to promote an idea or the sale of a product or service found on the lot on which the sign is located and includes a sandwich board sign.



“premise” means the area of building(s) and/or lands, or parts thereof, used by a business or the occupants of a residence. In a multiple occupancy building, each business or residence area shall be considered separate premises.

"projecting sign" means a sign or sign structure where the outside edge projects by more than 0.3m (1ft.) from the wall of a building.

“pump island canopy” means a canopy built to shelter fuel pumps at a gasoline bar or gasoline service station, and a pump island canopy that is L-shaped or angularly-connected shall be considered to be one pump island canopy.

“real estate sign” means a temporary sign indicating that the parcel of real estate is available for rent, lease or sale.

“roof line” means the horizontal line made by the intersection of an exterior wall of the building with the roof covering or the top of a parapet wall or a mansard roof, whichever is higher.



"roof sign" means a sign that is situated on or attached to, the roof of a building and extends above the roof line and includes the display of merchandise but excludes inflatable signs.



“sandwich board sign” means a self-supporting sign consisting of two panels not permanently attached to a building or the ground.

"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.

“shopping centre” means any group of more than five (5) permitted commercial or industrial uses, designed, developed and managed as a unit by a single owner or tenant or a group of owners or tenants, with common on-site parking.

"sign" means a structure, device, notice or visual communication medium that attracts the attention of or conveys a message to any person by means of letters, numbers, figures or other symbols, devices or representations, and includes the supporting structure, but does not include government flags, murals, the display of merchandise, vending machines, and fixed mechanical equipment.

"sign area" means the total area of all sides of a sign:  
(a) that is within the outer edge of the frame or border of a sign; or  
(b) in the case of a sign without a frame or border, the total area within the shortest straight line circumscribing the letters, numbers, figures, or other symbols, devices or representations comprising the message of the sign.

"sign copy" means letters, characters, numbers or graphics making up the message on a sign.

"special event sign" means a temporary sign indicating that a community event or activity will be, or is taking place but does not include third party advertising.

"sponsorship sign" means a sign displaying the logo or name of a business that has supported a community event or facility.

"temporary sign" means a sign that may be moved or removed and is in place for a limited period of time.

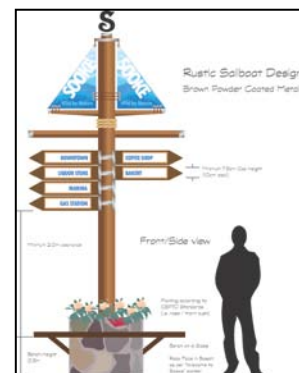
"third party advertising" means a message advertising a business, merchandise, service or activity that is not sold, produced, manufactured, furnished, performed or located on the parcel on which the sign is located.

"Town Centre" means that area of the District of Sooke that is designated as Town Centre in the *Official Community Plan* (as amended from time to time) adopted by the Council of the District of Sooke.

"valance" means a short ornamental curtain used to conceal the frame or supporting hardware of an awning.

"way finding sign" means a sign owned, installed and maintained by the municipality to provide directions to commercial businesses and institutional uses for residents and visitors.

"way finding sign panel" means the individual panel available for rent to the owners of commercial businesses who wish to be on a way finding sign.



- "window sign" means a temporary sign, picture, symbol or combination thereof, painted on, attached to, installed on, or otherwise placed on a window, that is intended for viewing from outside and includes posters, placards, decals or similar representations but excludes seasonal holiday lighting and decorations, business hours, street addresses, telephone numbers, accreditation signs and credit card logos.
- "zone" means a zone established by the Municipality's land use bylaw adopted under Part 26 of the *Local Government Act*.

## **SECTION 4 – ADMINISTRATION**

### **4.1 Authority**

- 4.1.1 The Municipal Engineer is authorized to administer this bylaw and the Bylaw Enforcement Officer is authorized to enforce this bylaw.
- 4.1.2 Despite section 4.1.1 of this Bylaw, neither the Municipal Engineer nor the Bylaw Enforcement Officer has a duty to enforce this bylaw.
- 4.1.3 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 on a parcel contrary to this or any other District of Sooke bylaw.

### **4.2 Application Requirements**

- 4.2.1 Unless exempt by the provisions of this Bylaw, prior to the installation of any sign the owner of the parcel on which the sign is to be located, or their agent authorized in writing, must apply for and obtain a sign permit.
- 4.2.2 No person shall construct, place, install, alter or relocate a sign in contravention of this or any other District of Sooke bylaw or a development permit issued by Council or the Municipal Planner or a development variance permit issued by Council.
- 4.2.3 An applicant for a sign permit must submit the following:
- 4.2.3.1 a complete application form, as established by the Municipal Engineer, signed by the parcel owner or, if there is more than one property owner or the applicant is not a property owner, then an *Owner's Authorization Form* must be completed;
  - 4.2.3.2 the applicable fees as set out in Schedule A to this Bylaw, which are not refundable;
  - 4.2.3.3 the civic address of the building, structure or lot on which the sign is to be constructed or, in the case of a sign in, on, or above a highway, the location of the sign;

4.2.3.4 the names and addresses of the applicant, the proposed sign owner, the manufacturer of the sign and the contractor for the installation of the sign;

4.2.3.5 two sets of site plans to scale showing:

- (a) the location of all buildings and structures on the parcel;
- (b) the location and dimensions of all existing signs on the buildings or structures on which the sign is proposed to be located;
- (c) the location and dimension of proposed signs;
- (d) the overall height of the sign(s) and clearance beneath it, measured from grade;
- (e) the type of illumination and colours to be used;
- (f) the type of construction of the sign(s) and the material(s) to be used;
- (g) the method of attachment to a building or structure.

4.2.4 The Municipal Engineer shall refer every sign application to the Building Official and the Municipal Planner for confirmation of compliance with relevant District of Sooke Bylaws.

4.2.5 The Municipal Engineer may request the following information in writing from an applicant to assist in the consideration of the application:

- (a) existing landscaped areas on the parcel;
- (b) colour photographs of the site and building on which the proposed; sign(s) are to be located, illustrating existing signs and the location of the proposed sign(s);
- (c) other reports or information necessary to evaluate the sign permit application;
- (d) development permit; or
- (e) plans sealed by a registered professional engineer.

### **4.3 Existing and Non-Conforming Signs**

4.3.1 Subject to s. 4.3.3, a sign lawfully in existence at the time of adoption of this Bylaw, although such sign does not conform to the provisions of this Bylaw, may continue to be used, if it is maintained in a clean and safe condition.

4.3.2 A sign lawfully in existence at the time of adoption of this Bylaw shall not be reconstructed, altered or moved except in conformity with the provisions of this Bylaw.

4.3.3 A sign lawfully in existence at the time of adoption of this Bylaw may be maintained for so long as the business to which it pertains is in operation, the owner of the parcel on which it is located must bring the sign into compliance with this Bylaw if

the building in which the business is located is altered to an extent requiring the issuance of a building permit.

#### **4.4 Variances**

- 4.4.1 Variances to the provisions of this Bylaw may be granted by Council under a development permit or a development variance permit.
- 4.4.2 If a development variance and/or development permit is granted, the applicant/owner must apply for a sign permit.

#### **4.5 Permit Issuance, Expiry, Cancellation and Refusal**

- 4.5.1 Subject to s. 4.5.6, the Municipal Engineer shall issue a sign permit if the application complies with all provisions of this Bylaw and all other applicable laws, and, if applicable, the applicant has obtained a Development Variance Permit or a Development Permit varying the provisions of this Bylaw to authorize the sign.
- 4.5.2 A sign permit is valid for the sign(s) described in the permit for six (6) months from the date of issue, during which time the signs authorized by the permit must be constructed or the permit shall lapse. In the case of issuance of a sign permit within a Development Permit the sign permit shall lapse at the same time as the Development Permit.
- 4.5.3 If the sign is erected, constructed, relocated or altered in contravention of the conditions of the permit, the District of Sooke may cancel the permit and remove the sign within thirty (30) days of cancellation.
- 4.5.4 If a permit expires, no refund will be issued.
- 4.5.5 Despite s. 4.5.1, the Municipal Engineer may refuse to issue a sign permit for any sign if:
  - (a) the proposed sign does not comply with the provisions of this Bylaw or any other applicable law, enactment, or approved development permit or development variance permit;
  - (b) the sign, in combination with any other existing sign would be non-complying or would make any existing sign non-complying; or
  - (c) an applicant has failed to provide adequate information to satisfy the request for further information made by the Municipal Engineer, Municipal Planner and/or Building Official.
- 4.5.6 Where a sign permit is refused, one plan or set of plans shall be marked "Not Approved" and returned to the applicant for the sign permit with written reasons for not granting approval.

#### **4.6 Inspections**

- 4.6.1 If a sign permit application includes plans that are signed and sealed by a registered professional engineer, the sign owner must have the construction and installation of

the sign inspected by a registered professional engineer and within seven (7) days of installation must submit to the Municipal Planner a certificate from that engineer confirming the structural integrity and installation of the sign, in a form satisfactory to the Municipal Planner.

#### **4.7 Unsafe Sign(s)**

- 4.7.1 The owner of a sign that may be in danger of falling or is an immediate menace to public safety must remove the sign within 24 hours of being notified to do so by the Municipal Engineer or Bylaw Enforcement Officer.
- 4.7.2 No person shall locate, erect or light a sign 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.

#### **4.8 Sign(s) in Disrepair, Obsolete Sign(s) and Sign Framework**

- 4.8.1 Any sign or framework which advertises or publicizes a business or undertaking that no longer exists at the 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.
- 4.8.2 The owner of the parcel on which an obsolete sign is located must remove any obsolete sign or framework within thirty (30) days of it becoming obsolete or within seven (7) days of being so notified by the Municipal Engineer or Bylaw Enforcement Officer, whichever is sooner.
- 4.8.3 The owner of a damaged or defaced sign must replace, repair, and restore any damaged or defaced signage on the parcel within thirty (30) days of an occurrence of damage or defacement.

#### **4.9 Encroachment Agreement**

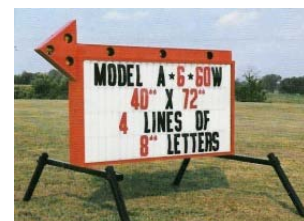
- 4.9.1 No sign or canopy shall project over land owned or occupied by the Municipality unless an encroachment agreement is first entered into with the District of Sooke at the land owner's expense.

### **SECTION 5 – GENERAL PROVISIONS**

#### **5.1 Prohibited Signs**

- 5.1.1 The following signs are prohibited in the Municipality:
  - (a) signs containing third party advertising with the exception of
    - (i) construction signs,
    - (ii) election campaign signs,
    - (iii) alarm company signs,
    - (iv) open house signs,
    - (v) real estate signs,
    - (vi) electronic message board signs,

- (vii) sponsorship signs mounted on a sports field enclosure where the sign is facing inward towards the sports field,
  - (viii) signs erected by the Municipality,
  - (ix) signs approved by Ministry of Transportation and Infrastructure on a highway,
  - (x) governmental signs,
  - (xi) human signs,
  - (xii) way finding signs,
  - (xiii) a commercial or industrial business located outside the Town Centre that has no existing highway signage (includes way finding sign panel) shall be permitted one (1) sandwich board sign or portable sign located no further than the closest street intersection with Highway 14 for the purpose of advertising the commercial or industrial business.
- (b) signs that incorporate any flashing or moving illumination which varies in intensity, or which varies in color.
  - (c) signs that have any visible moving parts, with the exception of an electronic message board sign for institutional uses and an image(s) projection on a building.
  - (d) signs on parked vehicles with the exception of signs on public transit buses, lettering or logos painted or fastened by adhesives to commercial vehicles identifying the business or owner, taxi signs or temporary “open house” display signs on real estate sales vehicles.
  - (e) signs that block, obstruct or interfere in any way with a person’s view of traffic, pedestrians, or traffic control devices and signs within public rights of way and signs that obstruct the means of access and egress to a building used by pedestrians.
  - (f) advertising located on a satellite dish, except for the logo or name of the satellite dish manufacturer.
  - (g) roof signs.
  - (h) open house signs along Highway 14 within the Town Centre boundaries.
  - (i) a sign affixed to a fence, with the exception of the following:
    - (i) home occupation sign in accordance with section 6.11 of this Bylaw,
    - (ii) directional signs in accordance with section 6.7 of this Bylaw,
    - (iii) construction project sign in accordance with section 6.6 of this Bylaw,
    - (iv) banner sign in accordance with section 6.2 of this Bylaw,
    - (v) real estate sign in accordance with section 6.17 of this Bylaw,
  - (j) a portable sign that has a changeable copy.
  - (k) sandwich board signs or portable signs for home occupation businesses.





- (l) signs on street lights or utility poles.

## **5.2 Signs Not Requiring a Permit**

5.2.1 The following signs do not require issuance of a permit:

- (a) real estate signs that comply with section 6.17 of this Bylaw;
- (b) subject to section 5.1(h) of this Bylaw, directional signs for open houses placed between 9am and 5pm, with a sign area no larger than  $0.27\text{m}^2$  ( $3\text{ft}^2$ );
- (c) window signs located on the same premises as the business to which attention is being directed;
- (d) signs erected by the Municipality for municipal purposes, but does not include way finding sign panels;
- (e) bus shelter signs and bench signs authorized by the Municipal Engineer;
- (f) signs located inside a building and not intended to be viewed from outside;
- (g) address signs, hours of operation signs, alarm company signs and governmental signs;
- (h) garage sale signs with a sign area no larger than  $0.3\text{m}^2$  ( $3.2\text{ft}^2$ ) provided it is removed within 2 days after end of the garage sale that it advertised;
- (i) election campaign signs provided that such signs are removed within three days after the election or referendum;
- (j) Flags of Canada or other country or any Province, Territory or municipal corporation providing that:
  - (i) the flag must not exceed 10m (32ft) in height, including its supporting structure,
  - (ii) must have a minimum clearance of 2.44m (8ft), and
  - (iii) must not exceed a sign area of  $2.8\text{m}^2$  ( $30\text{ft}^2$ ).
- (k) directional signs that comply with section 6.7 of this Bylaw;
- (l) the repainting or repairing of a sign for which a permit has been issued and/or the removal of a sign, provided no other permits or approvals are required from the Municipality;
- (m) any signs displayed under the authority of an enactment;
- (n) heritage designation plaques;

- (o) gasoline price signs not already incorporated in permitted free standing signs providing they are non-illuminated and do not exceed a total display area of  $2\text{m}^2$  ( $21.5\text{ft}^2$ ) on a site;
- (p) up to two (2) promotional signs relating solely to automotive product purchases not to exceed  $1\text{m}^2$  ( $10.8\text{ft}^2$ ) each in total display area and placed on the premises of gasoline stations;
- (q) sponsorship signs on community playfields provided the signs face inward to the playfield and are a solid uniform color on the outward facing;
- (r) menu board signs that comply with section 6.13 of this Bylaw;
- (s) human signs provided that the human sign is not illuminated, animated or flashing and does not obstruct the safe and efficient movement of vehicular or pedestrian traffic, sightlines or create safety hazards to vehicles, pedestrian or other persons.

### 5.3 Maximum Number of Signs and Sign Types Permitted

Except as permitted by this Bylaw,

- 5.3.1 a commercial or industrial business premise must not have more than two (2) sign types per business premise, not including:
  - (a) signs not requiring a permit under section 5.2 of this Bylaw;
  - (b) murals that are in accordance with the *Municipal Arts Program Policy*;
  - (c) banner sign, construction project sign, special event sign.
- 5.3.2 where a business premise has more than one frontage, one (1) freestanding sign will be allowed for the two frontages on a corner site.
- 5.3.3 one (1) freestanding sign is allowed per shopping centre.
- 5.3.4 For multiple story buildings, signs shall only be located at the level having direct access to a public way except that where a premise occupies more than one floor, a façade sign may be located above the level having direct access to a public way.
- 5.3.5 The sign types for business premises located along Waterview Street and Goodmere Road as identified in the *Sooke Town Centre Plan, 2009* shall be limited to projecting signs and canopy signs with the exception of:
  - (a) signs not requiring a permit under section 5.2 of this Bylaw;
  - (b) murals that are in accordance with the *Municipal Arts Program Policy*;
  - (c) banner sign, construction project sign, special event sign.



Projecting Signs



5.3.6 a residential business premise (home occupation, Bed and Breakfast, or Community Care Facility), shall not have more than one (1) sign type at any one time with the exception of:

- (a) sections 5.2.1 (a), (b), (d), (f), (g), (h), (i), (j), (l), (m), and (n) of this Bylaw;
- (b) murals that are in accordance with the *Municipal Arts Program Policy*.

5.3.7 an institutional premise must not have more than three (3) sign types at any one time with the exception of:

- (a) signs not requiring a permit under section 5.2 of this Bylaw;
- (b) murals that are in accordance with the *Municipal Arts Program Policy*;
- (c) banner sign, construction project sign, special event sign.

#### 5.4 Maximum Combined Sign Area

5.4.1 The maximum combined sign area for an awning sign, canopy sign, projecting sign and façade sign for a business premise (excluding business directory sign) is calculated using the following formula:

$$0.45 \times L = A$$

where:

- A = the maximum combined sign area, expressed in square meters (m<sup>2</sup>)
- L = the length of a building façade on which the sign is to be placed, expressed in meters (m);

5.4.2 Where more than 50% of the combined sign area of a business premise, excluding free-standing signs, business directory signs and signs listed in section 5.2 of this Bylaw, consists of individual channel or similar letters, the maximum sign area may be increased by 10% provided all new signage consists of individual channel or similar letters and the signage complies with Section 5 and Section 6 of this Bylaw.



Example of Individual Channel Letters

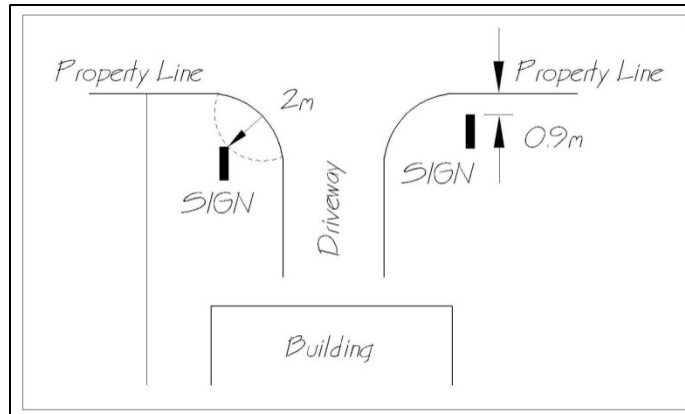
5.4.3 In the case of a double-sided sign, the allowable sign area of that sign is doubled.

#### 5.5 Sign Siting Regulations

5.5.1 A sign:

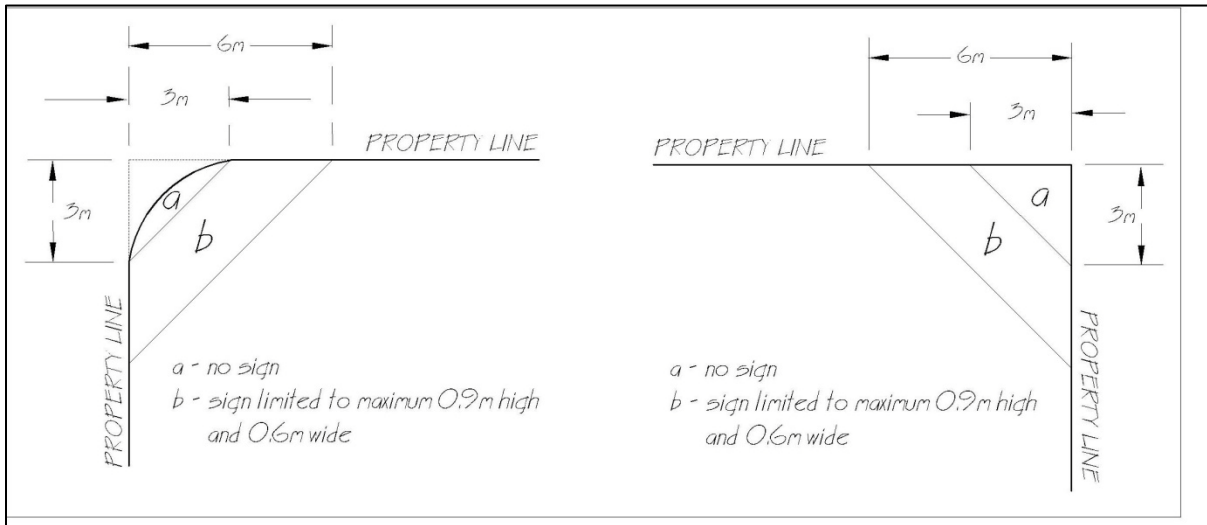
- (a) must not obstruct the safe and efficient movement of vehicular or pedestrian traffic, obstruct vehicular or pedestrian sightlines, or otherwise create safety hazard to vehicles, pedestrians or other persons;
- (b) must not damage flowerbeds, shrubs or other landscaping located on a boulevard and/or highway;

- (c) shall not be approved or if installed, must be removed or relocated when the Municipal Engineer deems the use of a highway to be adversely affected by the siting, size or illumination of a sign;
- (d) must not be attached to or obstruct or interfere with the use of any fire escape or any exit or any means of egress from a building or structure; and
- (e) shall not, in the case of a permanent sign mounted on the ground, be closer than 0.9m (2.9ft) to any property line and 2m (6.5ft) to any driveway as illustrated by the following sketch.



5.5.2 A permanent sign and/or temporary sign mounted on the ground on a corner lot:

- (a) must not be placed within the area identified as "a" in diagram below which is 3m (9.8ft) from the point of intersection; and
- (b) must not exceed 0.9m in (2.9ft) height and 0.6m (1.9ft) in width within the area between 3m (9.8ft) and 6m (19.6ft) shown as "a" and "b", as illustrated in the following sketch:



## **5.6 Clearance Regulations:**

### 5.6.1 A sign:

- (a) must maintain a clearance of at least 0.6m (2ft) between the outer edge of any sign and any electric light, power, telephone or utility pole, or their supports;
- (b) if projecting more than 0.1m (0.3ft) over a pedestrian area, must have a minimum clearance of 2.44m (8ft), excluding directional signs;
- (c) if projecting over a vehicular traffic area, must have a minimum clearance of 4.57m (14.9ft); and
- (d) must be measured for height from the natural grade. If a sign is on a man-made base, including a graded earth mound, the grade must be determined by the nearest pavement or top of any pavement curb.

## **5.7 Illumination**

### 5.7.1 The following signs may be illuminated, except where otherwise regulated:

- (a) Business Directory Sign
- (b) Electronic Message Board Sign
- (c) Façade signs
- (d) Freestanding Signs
- (e) Bed and Breakfast sign
- (f) Canopy and Projecting Sign
- (g) Menu Board Sign

5.7.2 LED, LCD, plasma, or similar display technologies are permitted in the Town Centre for all uses including bed and breakfast but not including all other uses within a residential zone.

5.7.3 Fluorescent or similar illumination is not encouraged within the Town Centre but is permitted outside the Town Centre.

5.7.4 Lighting for illuminated signs must be downcast or shielded to minimize reflective impact on the night sky by being ground oriented.

5.7.5 Lighting for illuminated signs must not shine directly onto neighboring premises or into the direction of oncoming traffic.

5.7.6 No illuminated sign nor any illuminated element of any sign may turn on or off, or change its brightness if the change of illumination produces an apparent motion of the visual image, including, but not limited to the illusion of moving objects, moving patterns or bands of light, expanding or contracting shapes, rotation or any similar effect of animation.

5.7.7 Sources of light and power must be weatherproofed and approved for outdoor use and must not present heat or electrical hazards under any weather conditions; and

5.7.8 Section 5.7 of this Bylaw must not apply to traffic signals, or other signs within a highway approved by the Municipal Engineer or seasonal holiday display lighting.

## 5.8 Design Regulations:

5.8.1 In addition to the regulations imposed by section 7.3 of this Bylaw, signs must comply with the following regulations:

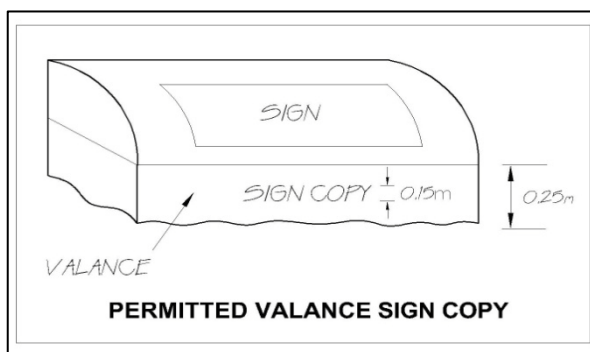
- (a) the design of signs, including any supporting base, shall be coordinated with the design of buildings on the same lot, enhancing architectural features with careful attention to detail, materials, size and location;
- (b) repetitive sign copy on one building façade, awning or canopy is not allowed;
- (c) in the case of a multi-tenant building, new or altered signs shall be consistent with the design of existing signs provided that such signage complies with the regulations contained in this Bylaw; and
- (d) where a building is subject to a development permit, the sign must be in keeping with the design elements of the development permit.

## SECTION 6 – REGULATIONS FOR SIGNS

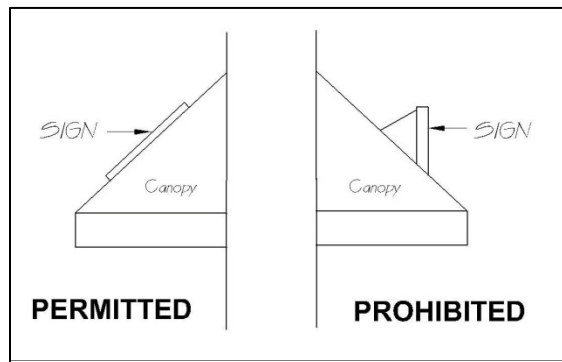
### 6.1 Awning Sign

6.1.1 An awning sign:

- (a) is allowed in all zones except single family residential and multiple family residential;
- (b) must comply with the maximum sign area and maximum number of sign types contained in section 5 of this Bylaw;
- (c) the sign copy on a flexible fabric awning valance is excluded from the maximum allowable sign area provided that the sign copy does not exceed 0.15m (0.5ft) in height as illustrated in the following sketch; and



- (d) must be affixed flat to the exterior surface or fascia of an awning as illustrated in the following sketch;



## 6.2 Banner Sign

- 6.2.1 One (1) banner sign is allowed per business premise that is in a commercial, industrial, or institutional zone including commercial, industrial, or institutional uses in a comprehensive development zone, with the exception of shopping centers where there is a maximum of three (3) banner signs allowed at one time on a parcel, excluding special event signs that are in the form of a banner.
- 6.2.2 If the banner sign is for a special event, the banner sign must adhere to section 6.18 of this Bylaw.
- 6.2.3 An owner of a business on a parcel may apply for one of two types of banner sign permit:
- (a) a calendar year banner sign permit, which allows a business premise to advertise on a banner for a maximum of 72 hours per month until the end of the calendar year in which the permit was issued. Unused hours cannot be carried over to the next month. The start of a new calendar year requires a new sign permit. A banner sign with a calendar year banner sign permit must not exceed a height of 0.6m (2.0ft) and a sign area of 3.7m<sup>2</sup> (39.8ft<sup>2</sup>);
  - (b) a twenty (20) day banner sign permit, which allows a business premise to display a banner sign for a maximum of twenty (20) consecutive days from the date the permit was issued. Following the expiration of the permit, the business premise must remain free of banner signs for a minimum of 60 consecutive days. Banner signs can be displayed for a maximum of 60 days in a calendar year and not more than three 20-day banner sign permits must be issued to a business in a calendar year. A new sign permit is required for each display occasion. A banner sign with a 20-day banner sign permit must not exceed a height of 0.6m (2.0ft) and a sign area of 3.7m<sup>2</sup> (39.8ft<sup>2</sup>).
- 6.2.4 A banner sign must be affixed securely to a building, fence or structure at either end.



6.2.5 A banner sign promoting charitable organizations and events may be permitted on a street light subject to review and approval by the Municipal Engineer and the Building Official.

6.2.6 A neighborhood banner sign may be permitted on a street light in residential zones subject to review and approval of the Municipal Engineer and the Building Official.

### **6.3 Bed and Breakfast Sign**

6.3.1 A bed and breakfast sign must not exceed a sign area of 0.6m<sup>2</sup> (7ft<sup>2</sup>).

6.3.2 A free standing sign for a bed and breakfast must be at least 1.0m (3.2ft) from any parcel boundary and not exceed a height of 3.0m (10ft).

6.3.3 A bed and breakfast sign must not display information other than the name, telephone number, business hours, address, and vacancy of a bed and breakfast establishment;

6.3.4 Notwithstanding 5.3.6, where the parcel fronts on more than one highway, a second freestanding sign for a bed and breakfast may be permitted provided the display area does not exceed a sign area of 0.3m<sup>2</sup> (4.3ft<sup>2</sup>) and a height of 3.0m (10ft).

### **6.4 Business Directory Sign**

6.4.1 A business directory sign is allowed in all zones except single family residential provided that:

- (a) the sign must not include an advertising copy and must not exceed a sign area of 1.5m<sup>2</sup> (16ft<sup>2</sup>);
- (b) the sign must be erected on, and parallel to, the face of a building or structure with a maximum height of 1.22m (4 ft); and
- (c) no more than two (2) directory signs are permitted per building or structure.

### **6.5 Canopy Sign**

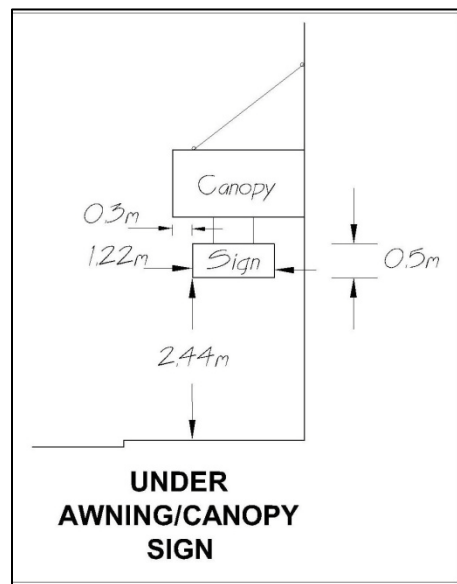
6.5.1 A canopy sign is allowed in all zones except for single-family residential and multi-family residential zones and for residential uses in commercial and comprehensive zones

6.5.2 A maximum of one canopy sign is allowed for each business premise;

6.5.3 As illustrated in the following sketch, a canopy sign:

- (a) must not exceed a height of 0.5m (1.6 ft) and a width of 1.22m (4ft);
- (b) including any front-lighting, must have a clearance of 2.44m (8ft); and
- (c) must be located perpendicular to the wall from which the awing or canopy projects.





## 6.6 Construction Project Sign

- 6.6.1 A construction project sign is allowed within all zones provided that the sign:
- (a) does not exceed a sign area of  $6\text{m}^2$  ( $64\text{ft}^2$ ) per road frontage for lots less than or equal to  $1,500\text{m}^2$  ( $16,145\text{ft}^2$ ) in area;
  - (b) does not exceed a sign area of  $12\text{m}^2$  ( $128\text{ft}^2$ ) per road frontage for lots greater than  $1,500\text{m}^2$  ( $16,145\text{ft}^2$ ) in area; and
  - (c) is removed within two (2) weeks from the date the project construction is completed.

## 6.7 Directional Sign

- 6.7.1 A directional sign is permitted in all zones except single family residential provided that:
- (a) the sign must not include an advertising copy and must not exceed a sign area of  $0.3\text{m}^2$  ( $3.2\text{ft}^2$ );
  - (b) the sign may be free standing with a maximum height of 1.22m (4ft) or affixed to a building or to a fence enclosing the parcel;
  - (c) in multi-family residential zones, not more than two (2) signs are allowed on a parcel; and
  - (d) in all other zones, not more than three signs are allowed on a parcel and not more than two additional signs signifying vehicle entry and exits are allowed at each driveway.

## **6.8 *Electronic Message Board Sign***

- 6.8.1 Electronic message boards may be erected, located or displayed in association with a school as defined by British Columbia Ministry of Education, a university or community college, hospital, library, or governmental institution or facility, provided that:
- (a) the sign area must not exceed 3m<sup>2</sup> (32ft<sup>2</sup>) per side;
  - (b) the minimum display time for any electronic message, without movement or change in color, shall be 30 seconds;
  - (c) the intensity of the illumination must be maintained at a constant level; and
  - (d) the sign is not located within 15m (49.2ft) of a traffic light or within 3m (9.8ft) of a driveway entrance or exit at the edge of the road allowance.

## **6.9 *Façade sign***

- 6.9.1 A façade sign is allowed in all zones.
- 6.9.2 In the case of a business premise with no exterior façade, no façade sign is permitted.
- 6.9.3 Signs must comply with the maximum sign area and maximum number of sign types contained in section 5 of this Bylaw.
- 6.9.4 A sign may not project more than 0.3m (0.9ft) from the façade on which it is mounted.

## **6.10 *Freestanding Sign***

- 6.10.1 A freestanding sign is allowed in all zones.
- 6.10.2 Freestanding signs are limited to one per parcel if the business premise has a street frontage of not less than 10m (32ft).
- 6.10.3 A freestanding sign must not be sited less than 3m (9.8ft) from another freestanding sign.
- 6.10.4 In the case of a freestanding sign with changeable copy, the changeable copy is allowed only as a component of a freestanding sign at a gasoline bar, gasoline service station, shopping centre, or on a lot in an institutional zone. The changeable copy must not exceed 50% of the sign area.
- 6.10.5 A freestanding sign must not project over an area used for pedestrian or vehicle traffic including a sidewalk or parking space.
- 6.10.6 A freestanding sign in residential zones shall be subject to section 6.3 or 6.11 of this Bylaw, whichever is applicable.

6.10.7 Unless otherwise permitted by this Bylaw, the maximum sign area for freestanding signs in all zones except residential zones must be  $9.3\text{m}^2$  ( $100\text{ft}^2$ ), except in the case of identifying a shopping centre the maximum sign area must be  $14.86\text{m}^2$  ( $159.9\text{ft}^2$ ).

6.10.8 In the case of a freestanding sign located at a shopping centre, no part of the freestanding sign will exceed the following maximum height:

Gross Floor Area (GFA) of the Shopping Centre (Square Metres)	Maximum Height
0 - 8,000	6.0m (19.6ft)
8,001 +	8.0m (26.2ft)

### **6.11 Home Occupation Sign**

6.11.1 A home occupation sign must not exceed a sign area of  $0.3\text{m}^2$  ( $3.2\text{ft}^2$ ).

6.11.2 A home occupation sign must not be illuminated.

6.11.3 A home occupation sign must be one of the following sign types:

- (a) façade sign, attached to the dwelling or accessory building containing the home occupation use or to a fence enclosing the parcel;
- (b) window sign; or
- (c) freestanding sign.

6.11.4 A home occupation sign must be at least 1.0m (3.2ft) from any parcel boundary and must not exceed a height of 3.0m (10ft).

### **6.12 Inflatable Sign**

6.12.1 An inflatable sign is allowed in commercial or industrial zones and for commercial or industrial uses in comprehensive development zones.

6.12.2 An inflatable sign permit for a business premise is valid for a maximum of seventy two (72) hours per month from the date the permit was issued. Inflatable signs can be displayed for a maximum of one (1) time per calendar year.

6.12.3 Not more than one (1) inflatable sign is allowed per business premise with the exception of shopping centers where a maximum of two (2) inflatable signs are allowed at one time on a parcel.

6.12.4 An inflatable sign on a building or parcel must be setback from any property line a minimum distance equal to the height of the inflatable sign.

6.12.5 An inflatable sign not exceed a height of 6m (19.6ft).

### **6.13 Menu Board Sign**

6.13.1 One (1) menu board sign shall be permitted in association with a drive-through facility in a commercial zone, provided the menu board does not exceed a maximum height of 2.0m (6.5ft) and a maximum sign area of 4.0m<sup>2</sup> (43ft<sup>2</sup>).

### **6.14 Mural**

6.14.1 A mural is allowed in all zones provided the mural is in accordance with the *Municipal Arts Program Policy* prior to approval of a permit.

### **6.15 Portable Sign and Sandwich Board Sign**

6.15.1 A business premise is permitted either one (1) portable sign or one (1) sandwich board sign and the sign must be placed on the same parcel as the business to which it directs attention and must not be located more than 3m (10ft) away from the business frontage, except a commercial or industrial business located outside the Town Centre that has no existing highway signage (includes way finding sign panel) shall be permitted one (1) sandwich board sign or portable sign located no further than the closest street intersection with Highway 14 for the purpose of advertising the commercial or industrial business.

6.15.2 If a business premise has more than one frontage, one portable sign and one sandwich board sign is permitted.

6.15.3 A portable sign must be professionally constructed and painted to a professional standard of design and finish and must not be illuminated.

6.15.4 A portable sign must not impede the regular movement of pedestrians or vehicles.

6.15.5 A portable sign can only be displayed during the business hours of the business to which it directs attention.

6.15.6 Permit applications for sandwich board signs and portable signs must indicate on a site plan the location in which the sign will be displayed.

6.15.7 A portable sign must not exceed 0.8m (2.6ft) in width by 1.7m (5.6ft) in height.

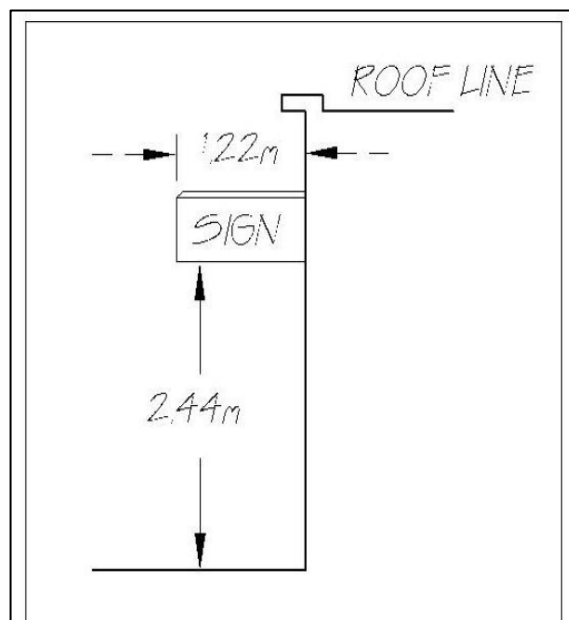
6.15.8 A sandwich board sign must not exceed 0.6m (2ft) in width by 1.0m (3.2ft) in height if located in the Town Centre and must not exceed 1.0m (3.2ft) in width by 1.2m (3.9ft) in height if located outside the Town Centre.

### **6.16 Projecting Sign**

6.16.1 A projecting sign is allowed in all zones except for single-family and multi-family residential zones and for residential uses in a commercial or comprehensive development zone.



- 6.16.2 No person shall erect a projecting sign which is supported in whole or in part by a canopy or awning.
- 6.16.3 A projecting sign must comply with the maximum combined sign area contained in Section 5 of this Bylaw.
- 6.16.4 A maximum of one projecting sign is allowed for each business premise.
- 6.16.5 The projecting sign must be attached to the business premise to which it pertains and be two-sided, with sign copy on both sides.
- 6.16.6 Where two or more projecting signs are displayed on any building they must be of compatible material and design.
- 6.16.7 As illustrated in the following sketches, the projecting sign must comply with the following:
- (a) the maximum sign area per side must be  $1.11\text{m}^2$  (11.9ft<sup>2</sup>) and must not exceed a height of 1.83m (6ft);
  - (b) must have a clearance of 2.44m (8ft) except when located over a driveway, manoeuvring aisle or parking area in which case a sign must have a clearance of 4.57m (14.9ft);
  - (c) the outer edge of a sign must not project more than 1.22m (4ft) from a building;
  - (d) the average thickness must not exceed more than 0.4m (1.3ft);
  - (e) the distance between the sign and the building to which it is attached must not exceed 0.6m (1.96ft); and
  - (f) must be attached to the first storey of a building.



### **6.17 Real Estate Sign**

- 6.17.1 In a residential zone one real estate sign, with a sign area not exceeding 1.0m<sup>2</sup> (10.8 ft<sup>2</sup>) is allowed for a maximum period of 24 months and the sign must be removed no later than 7 days after the date that a final sale is achieved for the parcel.
- 6.17.2 In non-residential zones one real estate sign, with a sign area not exceeding 2.0m<sup>2</sup> (21.5 ft<sup>2</sup>) is allowed for a maximum period of 24 months and the sign must be removed no later than 7 days after the date that a final sale is achieved for the parcel.
- 6.17.3 For parcels with primary uses that are commercial, industrial or multi-family residential and have a site area exceeding 2.0ha (4.94 ac) two (2) real estate signs each with a sign area not exceeding 7.0m<sup>2</sup> (75.3 ft<sup>2</sup>) are allowed for a maximum period of 24 months and the signs must be removed no later than 7 days after the date that a final sale is achieved for the parcel.

### **6.18 Special Event Signs**

- 6.18.1 One (1) special event sign, with a sign area not exceeding 3m<sup>2</sup> (32.3ft<sup>2</sup>) and a height of 3m (9.8ft) is allowed on a parcel with the permission of the property owner, provided that the sign must not be erected prior to fourteen (14) days before the date of the event and must be removed no later than three (3) days following the date of the event. The limit on the total number of special event signs per special event is four (4) signs.
- 6.18.2 A special event sign in the form of a banner sign in, on or over any street, highway, sidewalk, pathway or other public place may be permitted subject to review and approval by the Municipal Engineer and Building Official.

### **6.19 Way finding Sign and Way Finding Panels**

- 6.19.1 The District of Sooke will establish locations for way finding signs and for renting out way finding panels.
- 6.19.2 Once a way finding sign has been located and constructed, advertising may be displayed on a way finding panel in return for a rental fee per calendar year.
- 6.19.3 Businesses that are not visible and are not located along Highway 14 will have first choice for a way finding panel over those businesses located on Highway 14.
- 6.19.4 Uses within residential zones are not permitted to rent a way finding panel.

## **SECTION 7 – CONSTRUCTION STANDARDS**

### **7.1 General**

- 7.1.1 No person shall affix a sign to or keep a sign affixed to a fire escape nor shall 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.

- 7.1.2 Whenever any sign presents a safety hazard, is defective or not up to Bylaw standards, an order in writing may be served to the owner of the parcel where the sign is located and the holder of the sign permit requiring that the sign be put in a satisfactory condition or removed within a time limit set forth in such order.

## **7.2 Maintenance**

- 7.2.1 The holder of the sign permit and the owner of the parcel on which the sign is located must maintain the sign, including its supports and fastenings, in a safe and secure condition, free from defect, defacement and in a non-deteriorated condition, at all times.

## **7.3 Design**

- 7.3.1 The design of a sign, except those signs exempted from the provisions of this Bylaw shall conform to Part 4 of the *British Columbia Building Code*.

## **7.4 Materials and Methods of Construction of Signs and Sign Structures**

- 7.4.1 A sign supplied with electrical energy must not be constructed of combustible materials unless that material has been C.S.A approved.
- 7.4.2 Except for electric lamps and tubing, glass used in a sign must be safety glass.
- 7.4.3 The sign must be weatherproof and all steel supporting members must be galvanized or otherwise protected from rusting.

## **SECTION 8 – ENFORCEMENT**

### **8.1 Offence**

- 8.1.1 A person who contravenes a provision of this Bylaw; or causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw; or neglects or refrains from doing anything required to be done by any of the provisions of this Bylaw is guilty of an offence and is subject to the penalties imposed by this bylaw and the "Offence Act";
- 8.1.2 Each day that such a violation is caused or permitted to continue constitutes a separate offence.

### **8.2 Penalties**

- 8.2.1 This Bylaw may be enforced by means of a ticket in the form prescribed for the purpose of Section 264 of the *Community Charter*.

- 8.2.2 A person found guilty of an offence under this Bylaw is subject on summary conviction to a fine of not less than \$100.00 for every day the offence continues up to a maximum of \$10,000.00 per offence.
- 8.2.3 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.
- 8.2.4 Under section 264(1)(c) and section 265(1)(a) of the *Community Charter*, the penalty will be set at the following amounts:
- |     |                                 |                         |
|-----|---------------------------------|-------------------------|
| (a) | Install in Contravention        | Double Application Fees |
| (b) | Unlawfully Use Sign             | Double Application Fees |
| (c) | Install without a Permit        | Double Application Fees |
| (d) | Sign without permit impound fee | \$ 50.00                |
| (d) | Obstruct Entry                  | \$100.00                |
| (e) | Disobey Order                   | \$200.00                |
| (f) | Fail to Remove                  | \$200.00                |
| (g) | Fail to Maintain or Repair      | \$100.00                |
| (h) | Unsafe Sign                     | \$100.00                |
- 8.2.5 Nothing in this Bylaw limits the District of Sooke from utilizing any other remedy that would otherwise be available to the municipality at law, including remedies available through prosecution or civil remedies, including injunction.

### **8.3 Severability**

- 8.3.1 If any portion of this bylaw is held to be invalid, illegal or unenforceable, it will be severable from the remainder of this Bylaw and the remainder of this Bylaw shall be construed as if such invalid, illegal or unenforceable provision had been deleted.

## **SECTION 9 – REPEAL**

- 9.1 The District of Sooke Bylaw No. 109, *Sign Regulation Bylaw, 2003* as amended is repealed.

Introduced and read a first time the 11 day of July, 2011.

Read a second time the 11 day of July, 2011.

Amended the 12<sup>th</sup> day of September, 2011

Public Input the 12<sup>th</sup> day of September, 2011

Read a third time the 12<sup>th</sup> day of September, 2011



Adopted on the 11<sup>th</sup> day of October, 2011.

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Janet Evans  
Mayor

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Bonnie Sprinkling  
Corporate Officer

## Schedule A – Sign Permit Application Fees

Alteration/Replacement	\$ 25.00
Awning	\$100.00
Banner: Calendar Year	\$ 50.00
Banner: Twenty Day	\$ 25.00
Bed and Breakfast	\$ 25.00
Canopy Sign	\$100.00
Construction project	\$100.00
Directional	\$ 25.00
Directory	\$ 50.00
Electronic Message Board	\$100.00
Façade	\$100.00
Free Standing	\$100.00
Home Occupation	\$ 25.00
Inflatable	\$ 25.00
Mural	\$ 20.00
Sandwich Board Sign <i>(Initial permit application)</i>	\$ 20.00 per sign for first calendar year
Sandwich Board Sign <i>(Application to renew existing permit)</i>	\$ 5.00 per sign per calendar year
Projecting Sign	\$100.00
Way Finding Panels	\$200.00 per panel per calendar year
Other	\$ 50.00
Special Event	\$ NIL
Municipal	\$ NIL