

CITY OF DUNCAN

Sign Bylaw No. 3095, 2013

A Bylaw to Regulate Signs within the City of Duncan

WHEREAS the Council of the City of Duncan may, pursuant to the *Local Government Act*, regulate the number, size, type, form, appearance and location of any signs;

AND WHEREAS pursuant to the *Community Charter*, the Council of the City of Duncan may regulate the erection, placing, alteration, maintenance, demolition and removal of signs, sign boards, advertisements, advertising devices and structures;

NOW THEREFORE the Council of the City of Duncan in open meeting assembled enacts as follows:

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1. **TITLE**

This bylaw may be cited as “City of Duncan Sign Bylaw No. 3095, 2013.

2. **INTENT**

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 City 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 form, 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.

3. **DEFINITIONS**

Words and phrases used in this Bylaw shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in the City’s current Zoning Bylaw shall have the meanings set forth in that Bylaw.


3.1 **Sign Definitions**


In this bylaw:

"Sign" means a structure, device or visual display which contains information and where the intent is to attract the attention of persons for the express purpose of the communication of that information. It does not include:

- i. Displays of goods placed inside a window;
- ii. Gravestones or other markers placed for historical or memorial purposes;
- iii. Private celebratory or holiday decorations;
- iv. Murals; or
- v. Traffic control devices.



"Temporary Signs" means a sign allowed per period of time as defined in Table III, Section 9.1




Temporary Signs - Definitions	
<p>"Banner" means a sign composed of lightweight material, including cloth, nylon, canvas or similar fabric, attached securely to a structure at all four corners, and used to promote the opening of a new business.</p>	

Temporary Signs - Definitions	
<p>" Contractor Sign" means a sign advertising a single contractor or sub-contractor involved in a construction project, erected on the site of that project.</p>	
<p>"Development Sign" means a sign erected on the site of that construction project advertising the name of any or all of the building, owners, financial backers, architects and consultants, contractors and subcontractors involved in that construction project.</p>	
<p>"Political Sign" means a sign used to promote the election of a person or political party or a position in a plebiscite or referendum.</p>	
<p>" Portable Sign" means a sign not permanently affixed to the ground, a building or other structure which may be moved from place to place and does not includes a sandwich board sign.</p>	

<p>"Poster" means a temporary sign used or intended to be used for the purpose of directing attention to a community event, gathering, activity or service and similar short-term, non-commercial notifications, but excludes notices displayed in furtherance of a business.</p>	
<p>"Real Estate Sign" means a sign on a lot that directs attention to the fact that the lot, or the lot and buildings on the lot, are for sale, for rent, or open for viewing.</p>	
<p>"Sandwich Board Sign" means an a-framed sign that is self supported, easily moved, and not affixed to a building, vehicle or base structure, or to the ground.</p>	
<p>"Special Event Sign" means a sign which promotes, identifies or directs a community service or event, which is Municipally endorsed or which is organized by a service club, church, school or health and welfare organization.</p>	

"Permanent Signs" means a sign entirely constructed out of durable materials and are intended to exist for the duration of time that the use or occupant is located in the premises. Permanent building mounted signs are erected on, applied or attached to a building. Permanent freestanding signs are entirely self supporting and are neither attached to nor form part of a building.

Permanent Signs - Definitions	
<p>"Awning/Canopy Sign " means a sign on an awning/canopy which is painted on, affixed to by means of a decal, or forms part of the fabric of an awning, and does not extend vertically or horizontally beyond the limits of the awning/canopy.</p>	
<p>"Awning" means a hood or shelter constructed of fabric on a frame which projects from the exterior wall of a building.</p>	
<p>"Business Directory Sign" means a sign consisting of only the names and locations of four (4) or more businesses located on the same parcel or at four (4) or more adjoining parcels.</p>	
<p>"Canopy" means a permanent, rigid roof-like shelter, other than an awning which projects from the face of a building, for the purpose of affording shelter from the weather. It does not include the eaves projection of a roof, or, normal architectural features such as links, sills, moldings, and pediments.</p>	

Permanent Signs - Definitions	
<p>"Channel Letter Sign" means three-dimensional individually cut letters or figures, illuminated or not illuminated, affixed to a structure.</p>	
<p>"Community Notice Board" means a permanent sign used to display educational material, promoting the health and welfare of the community, and non-profit community events or notices.</p>	
<p>"Directional Sign" means a sign designed to direct pedestrian and vehicular traffic, or indicate the direction or route from the sign to a business or businesses, place or event.</p>	

"Fascia Sign" means a flat sign, affixed on and parallel to a facade and not extending beyond the horizontal width of the building nor above the eaves, parapet or roof edge of the building, and includes channel letters applied directly onto a facade of a principle building or structure.



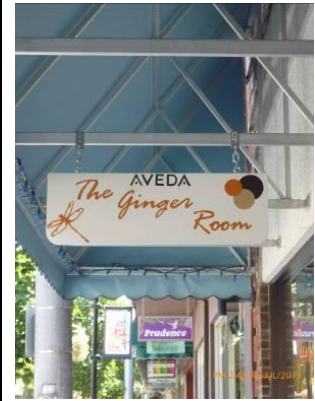
"Flag Mounted Pylon Sign" means any sign located on either side of a single support post, which is supported independent of a building or other structure, and permanently fixed to the ground.



"Freestanding Sign" means a sign that has its own structural support independent of a building or other structure, and permanently fixed to the ground.



"Hanging Sign" means a sign suspended entirely underneath an awning or canopy.





"Home Occupation Sign" means a sign advertising the name and/or address of a home occupation.



"Hours of Operation Sign" means a sign that displays the times and days that a business is in operation, and includes Open/Closed signs and Vacancy/No Vacancy signs.



<p>"Identification Sign" means a sign, other than a Third Party Sign, which contains a "non advertising" message and is limited to the name, logo, address and number of a building or institution.</p>	
<p>"Menu Box Sign" means a display box containing the menu or special promotions of a restaurant.</p>	
<p>"Monument Sign" means a freestanding sign which is supported by a solid base, with a width equal to or greater than the width of the sign area.</p>	
<p>"Projecting Sign" means a sign, other than an Awning Sign, Canopy Sign, or Fascia Sign, which is attached to and projects approximately perpendicular from a structure or building wall.</p>	

<p>" Pylon Sign" means a freestanding sign that is structurally supported by two upright posts on each side of the sign area, independent of a building or other structure, and permanently fixed to the ground.</p>	
<p>"Window Sign" means a sign, picture or symbol or combination thereof, painted on or attached to, or installed to the interior of a window including a window in a door and visible from a street.</p>	

3.2 Lighting & Motion Definitions

"Animated Sign" means a sign depicting action, motion, light or color changes through electrical or mechanical means¹.

"Externally-Lit" (often referred to as 'front-lit') means a sign illuminated from an external source.

"Flashing Sign" means a sign containing an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source¹.

"Halo-Lit" signs are externally-lit channel letter signs which are comprised of opaque raised letters or symbols and a lighting source that is not directly visible, resulting in a 'halo' of light around each letter.

¹ An electronic changeable copy sign is not considered animated or flashing if the time between copy changes is longer than ten (10) seconds.

"Internally-Lit" (often referred to as 'back-lit') means a sign illuminated from an internal source.

"Neon-lit" means a sign that uses exposed neon tubing as the principal illumination method.

"Substantially Opaque" means a surface that is not transparent or translucent; impenetrable to light.

"Rotating Sign" means a sign that has the ability to turn up to 360 degrees.

3.3 Related Definitions

"Abandoned Sign" means a sign and/or sign support structure that directs attention to an activity, business, product, or service no longer conducted or available on the lot on which the sign is located or at the location stated on the sign.

"Business Frontage" means the portion of a building frontage occupied by a single tenant space having a public entrance within the building frontage. If a tenant has frontage facing two or more highways or public areas, only the two largest frontages may be used in calculating allowable sign area or number limitations.

"Changeable Copy Signs" are signs that allow for changes to be made to the sign copy, either electronically (by means of electronic switching of lamps or illuminated tubes) or manually (through the use of attachable letters, numbers, symbols and/or illustrations).

"Clearance" means the vertical distance from the lowest point of the sign to the elevation of the finished grade adjacent to the sign.

"Copy" means the graphic content of a sign surface, including letters, symbols (including logos and trademarks), illustrations and writing.

"Copy Area" means a combination of squares, rectangles, circles, or combination of these figures, which encloses the entire area of the copy on the sign.

"Erected" means attached, altered, built, constructed, reconstructed, painted, enlarged or moved, but does not include copy changes on any sign.

"Façade" means the entire outer side of a building that is exposed to public view.

"Frontage" means the length of a property line of a parcel of land abutting a highway, excluding a lane under 5.5 m.

"Grade" means the lowest of the average levels of ground adjoining each face of a structure.

"Highway" means all public streets, highways, roads, alleys, lanes, bridges, boulevards, sidewalks and any other ways in the City over or upon which the public has the right of passage or access;

"Maximum Height" means the vertical distance measured from the highest point of the sign or sign structure from grade.

"Parcel" means any lot, block or other area in which land is held or into which it is subdivided including water lease lots, but does not include a highway;

"Roof Line" means the top edge of the roof or the top of the building face, whichever forms the topline of the building silhouette. In the case of buildings with pitched roofs, the roof line shall be at the bottom edge of the eaves.

"Sign Area" means the total area within the outer edge of the frame or border of a sign, except where a sign has no frame or border, means the total area within 0.1 m (100 mm) from the outer edge of the copy area.

"Third Party Sign" means a sign that advertises goods, products, services, or facilities at or on a parcel or premises other than the parcel or premises on which the sign is located, except for community notice boards, real estate signs, contractors signs, election signs, sandwich boards and special event banners.

"Traffic Control Device" means a sign, stop sign, signal line, parking space, barrier, traffic control signal, traffic control flashing signal, or device placed or erected under the provisions of the Motor Vehicle Act or the City's Streets Bylaw for the purpose of regulating and controlling vehicular and pedestrian traffic.

4. SIGN DISTRICTS

For the purposes of this Bylaw, the area within the boundaries of the City is divided into five Sign Districts as follows:

Sign District A (Residential) includes all lands within the following Zones:

1. R-1, R-2
2. RM-1, RM-2, RM-3, RM-4

Sign District B (Downtown) includes all lands zoned as follows within the Downtown Development Permit Area - DPA-2:

1. C-1, C-3, C-1A
2. RM-6, RM-6A

Sign District C (Other Commercial) includes all lands zoned as follows within the Other Commercial Development Permit Area - DPA-4:

1. C-1, C-2, C-3, C-5

Sign District D (Highway Commercial) includes all lands zoned as follows within the Highway Corridor Development Permit Area - DPA -3:

1. C-1, C-2, C-3, C-4

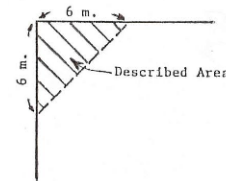
Sign District E (Institutional) includes all lands within the following Zones:

1. P-1, P-2

5. GENERAL PROVISIONS

Signs are regulated under this Bylaw as follows:

- 5.1 The Director of Planning, Planner, or designate, is authorized to collect fees in accordance with the provisions of the Bylaw, and issue a Permit with or without conditions, or reject such applications.
- 5.2 The Director of Planning, Planner or designate, and the Bylaw Enforcement Officer, or designate, are authorized to enforce this Bylaw.
- 5.3 Unless permitted or exempted under this Bylaw, or any Provincial or Federal statute, no person, nor any owner, tenant, lessee of a premises or parcel, nor contractor shall erect, alter or relocate a sign within the City until a valid Sign Permit to do so has been issued under the Bylaw.
- 5.4 Any sign that is in existence at the time of adoption of this bylaw, and which was approved by Permit at the time of previous bylaws, is deemed to be legal non-conforming subject to the provisions of Section 911 of the *Local Government Act* so long as the principal business so advertised continues, and no major façade improvement occurs.
- 5.5 No sign shall be affixed to any structure, tree, other living vegetation, pole, hydrant, bridge, fence or any other surface on public property in the City.
- 5.6 No sign shall be constructed, placed or illuminated in a way which is likely to block, obstruct or interfere with a motorist's view of other traffic, pedestrians, or traffic control devices as per Zoning Bylaw 1540, 1988, Section 5.13.
- 5.7 No sign shall be erected which interferes with any surface or underground facilities, conduits or lines for water, sewage, gas, electricity, or communications equipment;
- 5.8 No sign shall obstruct any window, door opening, passageway, fire escape, walkway, road, lane, sidewalk or similar feature.
- 5.9 No person shall erect, own, maintain or who continue the use of any sign which projects on or over any street except where expressly permitted by this bylaw.
- 5.10 When a business or institutional establishment vacates a parcel, all signs and accompanying support structures on the parcel which relate to that business or institution shall be removed by the owner of the sign or the owner of the parcel within 30 days from the day the parcel was vacated.
- 5.11 A sign requiring electrical power shall be installed and maintained in conformance with all applicable statutes and required approvals shall be obtained.



- 5.12 The area of each sign shall conform to the regulations of this Bylaw for that particular type of sign, provided that the total sign area on any one façade of a building or does not exceed 10% of the area or 80% of the length of the façade.

6. PROHIBITED SIGNS

- 6.1 Signs that are not specifically permitted in this Bylaw are prohibited, including the following types of signs, which are expressly prohibited:

- | | |
|-------------------------------------------------------------------|---------------------------------------------------------------|
| a) Animated Signs | g) Portable Signs other than a Sandwich Board Sign |
| b) Balloon Signs | h) Roof Signs |
| c) Billboards | i) Rotating Signs |
| d) Flashing Signs | j) Single Pole Pylon Signs other than Flag Mounted Pole Signs |
| e) Manual Changeable Copy Signs * except for Sandwich Board Signs | k) Third Party Signs |
| f) Obscene or Profane Signs | l) Signs containing more than two faces |
| | m) Vehicle Signs (see Section 6.2) |

- 6.2 No person shall park any vehicle or trailer on public or private property so as to be visible from a public right of way, which displays any sign or advertising device for the basic purpose of advertising products or directing people to a business or activity located on the same or any other property. This section shall not be interpreted to prohibit signage on public transit buses, lettering or logos painted or fastened by adhesives to commercial vehicles identifying the business or owner or taxi signs.

7. COMPREHENSIVE SIGN PLAN

A development site that is composed of three (3) or more businesses and over and/or of sufficient complexity to form a comprehensive development unit (e.g. shopping centre, major office complex) located in any of the above districts may apply for exception to this sign schedule for a Comprehensive Sign Plan under a Development Permit. Such plan submitted for approval shall include the location, size, height, color, lighting and orientation of all signs. Exceptions to this Sign Bylaw may only be granted if the sign areas, number and concentration of the plan as a whole conform to the intent of this schedule, and such exception results in an improved relationship between various parts of the plan.

8. ALLOWABLE SIGNS

8.1 The following signs are allowable, subject to the provisions outlined in this section, and provided the sign complies with all other applicable regulations contained within this Bylaw.

TABLE I: Allowable Sign Types

	Permit Required	Internally-Lit Sign Permitted? (see Section 10.3)	Externally-Lit Sign Permitted (see Section 10.3)	Permitted in Sign District A <u>Residential</u>	Permitted in Sign District B <u>Downtown</u>	Permitted in Sign District C <u>Other Commercial</u>	Permitted in Sign District D <u>Highway Corridor</u>	Permitted in Sign District E <u>Institutional</u>
TEMPORARY SIGNS								
Banner	✓	X	X	X	✓	✓	✓	✓
Contractor Sign	X	X	X	✓	✓	✓	✓	✓
Development Sign	X	X	X	✓	✓	✓	✓	✓
Political Sign	X	X	X	✓	✓	✓	✓	X
Real Estate Sign	X	X	X	✓	✓	✓	✓	✓
Sandwich Board	X	X	X	X	✓	✓	✓	✓
Special Event Sign	✓	X	X	X	✓	✓	✓	✓
PERMANENT SIGNS								
Awning /Canopy Sign	✓	✓	X	X	✓	✓	✓	X
Business Directory Sign	X	X	✓	X	✓	✓	✓	✓
Community Notice Board	✓	X	✓	✓	✓	✓	✓	✓
Directional Sign	X	X	X	✓	✓	✓	✓	✓
Fascia Sign	✓	✓	✓ ¹	X	✓	✓	✓	✓
Flag Mounted Pylon Sign	✓	X	X	X	✓	✓	X	X
Hanging Signs	X	X	✓	X	✓	✓	X	X
Home Occupation Sign	X	X	X	✓	X	X	X	X
Hours of Operation Sign	X	✓	X	X	✓	✓	✓	✓
Identification Sign	X	X	✓	✓	✓	✓	✓	✓
Menu Box Sign	✓	✓	✓	X	✓	✓	✓	✓
Monument Sign	✓ ³	✓ ^{1,2}	✓	X	✓	✓	✓	✓
Projecting Sign	✓	X	✓	X	✓	✓	X	X
Pylon Signs	✓ ³	✓ ^{1,2}	✓	X	✓	✓	✓	✓
Window Signs	X	X	X	X	✓	✓	✓	X

¹ See Section 12.2

² Limited to Sign District D only

³ Additionally require Development Permit

8.2 The total number of allowable signs that may be displayed in each Sign District, subject to the provisions outlined throughout this Bylaw, are as follows:

TABLE II: Number of Allowable Signs

SIGN DISTRICT	Max. # of Temporary Signs Allowed	Max. # / Type of Permanent Signs Allowed	Additional Allowances
A – Residential Single/Family / Duplex / Townhome	2 per dwelling	Up to two (2) signs per dwelling, from the following options: One (1) community notice board, as applicable; One (1) directional sign; One (1) home occupation sign, as applicable; and One (1) identification sign per dwelling.	None
A – Residential Apartment	1 per dwelling unit	One (1) identification sign per apartment building.	None
B – Downtown	2 per business frontage	Up to two (2) signs per business frontage, from the following options: One (1) awning, canopy or fascia sign; One (1) community notice board; One (1) projecting sign or hanging sign; and One (1) window sign. <u>PLUS</u> One (1) flag mounted pylon sign, monument sign, or pylon sign per frontage of any parcel; <u>PLUS</u> Two (2) directional signs per parcel; One (1) identification sign per business; and, One (1) menu box sign per restaurant, as applicable.	In addition: - qualifying properties in Sign District B may each display up to two (2) business directory signs. - all businesses in Sign District B may display Hours of Operations signs pursuant to the provisions set out in Section 9.5.
C – Other Commercial	3 per business frontage	Up to two (2) signs per business frontage, from the following options: One (1) awning, canopy or fascia sign; One (1) fascia sign; One (1) projecting sign or hanging sign; and	In addition: - qualifying properties in Sign District C may display up to two (2) business directory signs.

SIGN DISTRICT	Max. # of Temporary Signs Allowed	Max. # / Type of Permanent Signs Allowed	Additional Allowances
Other Commercial continued ...		One (1) window sign. <u>PLUS</u> One (1) monument sign, or pylon sign per frontage of any parcel; <u>PLUS</u> One (1) identification sign per business; and, One (1) menu box sign per restaurant, as applicable Two (2) directional signs per parcel.	<ul style="list-style-type: none"> - all businesses in Sign District C may display Hours of Operations signs pursuant to the provisions set out in Section 9.5.
D – Highway Corridor	3 per business frontage	Up to two (2) signs per business frontage, from the following options: One (1) awning, canopy or fascia sign One (1) window sign <u>PLUS</u> One (1) monument sign, or pylon sign per frontage of any parcel; <u>PLUS</u> One (1) identification sign per business; and, One (1) menu box sign per restaurant, as applicable Two (2) directional signs per parcel	In addition: <ul style="list-style-type: none"> - qualifying properties in Sign District D may display up to two (2) business directory signs. - all businesses in Sign District E may display Hours of Operations signs pursuant to the provisions set out in Section 9.5.
E – Institutional	1 per business frontage	One (1) fascia sign per frontage <u>PLUS</u> One (1) monument sign, or pylon sign per frontage of any parcel; <u>PLUS</u> One (1) identification sign per institution One (1) directional sign	In addition: <ul style="list-style-type: none"> - one (1) Community Notice Board per property. - qualifying properties in Sign District E may display up to two (2) business directory signs. - all institutions in Sign District D may display Hours of Operations signs pursuant to the provisions set out in Section 7.

- 8.3 At the discretion of the building owner and with the approval of the Director of Planning or Planner, a business or institutional establishment that does not have business frontage may erect one (1) sandwich board sign, and one (1) of the following sign types: fascia, window, hanging or projecting. Businesses lacking a frontage may also erect signage on a pylon or monument sign as part of a permitted pylon or monument sign on the parcel for which the business fronts.
- 8.4 A sign erected pursuant to Section 8.3 shall be included in the maximum number and size of signs allocated per business frontage and each business frontage may contain only one sign for any business or establishment that does not have frontage.

9. ALLOWABLE TEMPORARY SIGNS

9.1 The following temporary signs shall not require a Temporary Sign Permit subject to the provisions outlined in this section, general provisions in Section 8.2, and provided that the sign complies with all other applicable regulations contained within this Bylaw:

TABLE III: Temporary Signs – No Permit Required

Type of Temporary Sign (no permit required)	Sign District / Property Type	Maximum Sign Area	Maximum Height	Minimum Clearance	Related Provisions
TEMPORARY SIGNS (no permit required)					
Contractor Sign	Permitted in all sign districts.	1.0 m ² (10.7 ft ²) per sign face	1.0 m (10.7 ft)	-	<ul style="list-style-type: none"> - limit of one (1) sign per contractor or subcontractor per parcel; - maximum of one (1) sign face; - maximum copy area of 80%; - shall not be erected no more than 5 days prior to the start of construction for which a valid Building Permit has been issued; and - shall be removed upon issuance of Occupancy Permit.
Development Sign	Permitted in all sign districts.	Single Family Dwelling & Duplex 1.0 m ² (10.7 ft ²) per sign face All Other Districts 3.0 m ² (32.2 ft ²) per sign face	3.4 m (26.9 ft)	-	<ul style="list-style-type: none"> - limit of one (1) sign per contractor or subcontractor per parcel; - maximum of one (1) sign face; - maximum copy area of 80%; - shall not be erected no more than 5 days prior to the start of construction for which a valid Building Permit has been issued; and - shall be removed upon issuance of Occupancy Permit.
Political Sign	Permitted in all sign districts.	2.0 m ² (21 ft ²) per sign face	2.4 m (7.8 ft)	-	<ul style="list-style-type: none"> - shall not be displayed prior to the date on which an election or referendum is called by the election officer; - shall be removed within seven (7) days of the date of the election in respect of which they were displayed; and - shall not be erected on non-designated public property or so as to interfere with pedestrian or traffic safety.

Type of Temporary Sign (no permit required)	Sign District / Property Type	Maximum Sign Area	Maximum Height	Minimum Clearance	Related Provisions
Real Estate Sign	Permitted in all sign districts.	1.5 m ² (16 ft ²)	-	-	<ul style="list-style-type: none"> - limit of one (1) such sign per frontage of a parcel offered for sale, rent or open for viewing; - shall be placed on the property to which the sign relates; - where more than one (1) unit or premises within a property is offered for sale, rent or open for viewing at one time, the permitted sign area for each unit or premises may be combined to a maximum sign area of 3.0 m² (32.2 ft²) and maximum height of 2.4 meters (7.8 feet), provided no other signs are erected relating to those properties; and - shall be removed no more than fourteen (14) days after the sale, rental, or lease of the advertised property, or three (3) days from the date which it is taken off the market.
Sandwich Board	Permitted in sign districts B,C, D & E.	0.73 m ² (7.8 ft ²) per sign face	1.0 m (3.2 ft)	-	<ul style="list-style-type: none"> - limit of one (1) such sign per business frontage; - maximum copy area of 80%; - shall be displayed on private property or public sidewalks, only during the operating hours of the business, and only in front of the business frontage; - if displayed on a public sidewalk must be placed either against the building or at the curb edge - a minimum width of 1.2 m (3.9 ft) of public sidewalk shall be left clear and unencumbered; - shall not damage flowerbeds, shrubs or other landscaping; - shall be placed at grade; and - shall be freestanding and self-supporting, and designed and weighted to prevent overturning.

9.2 The following temporary signs shall require a **Temporary Sign Permit** subject to the provisions outlined in this section, general provisions in Section 8.2, and provided that the sign complies with all other applicable regulations contained within this Bylaw:

TABLE IV: Temporary Signs – Permit Required

Type of Temporary Sign (Temporary Sign Permit required)	Sign District / Property Type	Maximum Sign Area	Maximum Height	Minimum Clearance	Related Provisions
TEMPORARY SIGNS (Permit required)					
Banner Sign	Permitted in sign districts B, C, D & E.	3 m ² (32 ft ²)	-	-	<ul style="list-style-type: none"> - limit of one (1) sign per business frontage for new businesses only; - maximum copy area of 80%; - shall be displayed for a period of up to 60 consecutive days; and - shall be affixed to a wall at all four corners.
Special Event Sign	Permitted in Sign Districts B, C, D & E with the written permission of the property owner and the City.	2.0 m ² (21 ft ²)	3.0 m (9.8 feet)	-	<ul style="list-style-type: none"> - may be in the form of a sandwich board, banner or window sign; - no more than four (4) special event signs are permitted per community event; - shall not be erected no more than 30 days in a calendar year. - fourteen (14) days prior to the commencement of the event to which the sign relates; - shall be removed within two (2) days after the last day of the community event; - may be placed on private property, City property or on a municipal road right of way, but only with the permission of the property owner or the City; and - shall not be illuminated or attached to trees, hydro poles, light standards, sign posts or flagpoles or placed on a vehicle or parked trailer.

- 9.3 Temporary signs not removed within the time specified in section 9.1, by the owner of such signs, or owner of property in which the sign is erected, may be removed by the City.
- 9.4 Signs identified under Subsection 9.2 which require cost to be removed, transportation and storage by the City, shall have a the debt due and recoverable from the owner by the City in any court of competent jurisdiction.
- 9.5 An owner wanting to reclaim a sign removed by the authority having jurisdiction under Section 9 of this Bylaw, must do so within 14 days from the date such sign is removed. The owner, before reclaiming such sign, shall pay for the cost of removal, transportation and storage. If the sign is not reclaimed after 14 days the City may order such sign destroyed or disposed of in any way deemed appropriate.

10. ALLOWABLE PERMANENT SIGNS

10.1 The following permanent signs shall not require a Permit subject to the provisions outlined in this section, general provisions in Section 8.2, and provided that the sign complies with all other applicable regulations contained within this Bylaw:

TABLE V: Permanent Signs – No Permit Required

Type of Permanent Sign (no permit required)	Sign District / Property Type	Maximum Sign Area	Maximum Height	Minimum Clearance	Related Provisions
PERMANENT SIGNS (no permit required)					
Business Directory Sign	Permitted in Sign Districts B,C,D & E.	1.0 m ² (3.2 ft ²) per sign face	-	-	<ul style="list-style-type: none"> - limit of two (2) signs per building or structure; - must be in the form of a fascia sign; - maximum copy area of 80%; and - may be externally lit (see Section 12.2)
Directional Sign	Permitted in all sign districts.	0.5 m ² (5.3 ft ²) per sign face	1.8 m (6.0 ft) for pylon sign	-	<ul style="list-style-type: none"> - may be in the form of a fascia or pylon sign (single or double post); - maximum copy area of 80%; - may contain the name, logo and establishment but no advertising copy; - shall be located entirely on the property to which the sign pertains; - may be affixed to a fence; and - only one directional sign is permitted for each entrance/exit to or from a parcel and must be located adjacent to the entrance/exit.
Hanging Sign	Permitted in Sign Districts B & C.	0.5 m ² (1.6 ft) per side	-	2.1 m (6.8 ft) above grade	<ul style="list-style-type: none"> - limit of one (1) sign per business frontage, provided all hanging signs are of uniform design, size, placement, and height; - shall have two (2) sign faces; - shall be attached perpendicular to the building facade;

Type of Permanent Sign (no permit required)	Sign District / Property Type	Maximum Sign Area	Maximum Height	Minimum Clearance	Related Provisions
					<p>shall be installed within the middle 2/3 of the business frontage or in the vicinity of the doorway of the business;</p> <ul style="list-style-type: none"> - maximum vertical dimension shall not exceed 0.3m (0.9 ft); - shall not exceed the width of the awning/canopy under which the sign is affixed; and - may be externally lit (see Section 12.2).
Home Occupation Sign	Permitted in Sign District A.	0.3 m ² (3.2 ft ²)	1.0 m (3.2 ft)	-	<ul style="list-style-type: none"> - limit of one (1) sign per home; - may be in the form of a fascia sign, flag-mounted pole sign or window sign; - maximum copy area of 80%; and - fascia sign must be attached to the dwelling or accessory building containing the home occupation use.
Hours of Operation Sign	Permitted in all sign districts.	0.3 m ² (6.4 ft ²)	-	-	<ul style="list-style-type: none"> - limit of one (1) open/closed sign per principal entrance; - limit of one (1) vacancy sign per business; - limit of one (1) sign listing the days and hours of operation per principal entrance; - open/closed signs may be fascia or window signs, and may include internal illumination lettering only; - vacancy / no vacancy signs may be fascia or window signs, or may be mounted on a monument sign and may include internal illumination lettering only; and - signs listing the days and hours of operation may be window signs only.

Type of Permanent Sign (no permit required)	Sign District / Property Type	Maximum Sign Area	Maximum Height	Minimum Clearance	Related Provisions
Identification Sign	Permitted in all sign districts.	<p>For Sign District A Single/Family/Duplex 0.3 m² (3.2 ft²) per side</p> <p>Apartment building, or Townhouse Developments 1.0 m² (10.7 ft²) per side</p> <p>For Sign District B,C,D & E 0.5 m² (5.3 ft²) per side</p>	<p>0.6 m (2 ft)</p> <p>0.7 m (2.5 ft)</p> <p>0.9 m (3 ft)</p>	-	<ul style="list-style-type: none"> - limit of one (1) sign per parcel; - may be in the form of a fascia sign, pylon sign or monument sign; - maximum copy area of 80%; and - apartment & townhouse developments may additionally display the name of the owner, the name of the management company and any vacancies.
Window Sign	Permitted in Sign District B, C & D.	3 m ² (32.2 ft ²) <u>or</u> 25% of the total window and glass door area of a business frontage, whichever is <u>less</u>	-	-	<ul style="list-style-type: none"> - may be erected on the first and secondary storey of a building; and - temporary window signs made of cloth, chloroplast or like material, for the purpose of which is to promote a sale or promotion may displayed for no more than 10 consecutive days, be removed within 2 days of the last day of the event and shall not be erected no more than 40 days in a calendar year. The signs may have a maximum sign area of 1.0 m² (10.7 ft²) or 15% of the area of the window where the sign is located, provided that that no more than one such sign is displayed per window.

10.2 In addition to Section 9.5, the following types of signs are permitted and shall not require a Permit subject to the provisions outlined in this section, and provided the sign complies with all other applicable regulations contained within this Bylaw:

- a) Gasoline stations are permitted to erect two (2) signs above their gas pumps, relating solely to their business name or logo, not exceeding 1.5 m² (16.1 ft²) each in area.
- b) Signs on private land directed toward the prevention of trespassing or other warning signs.

10.3 The following operations related to any sign shall not require a Permit, provided the sign complies with all other applicable regulations contained within this Bylaw:

- a) Changing the changeable copy on an existing changeable copy sign.
- b) Painting, repainting, cleaning or other normal maintenance and repair of a sign not requiring structural change.
- c) The replacement of sign faces as required because of breakage or deterioration but not for the substitution of new or different business information.

- 10.4 The following permanent signs shall require a **Sign Permit** subject to the provisions outlined in this section, general provisions in Section 8.2, and provided the sign complies with all other applicable regulations contained within this Bylaw. In addition, monument and pylon signs shall require a **Development Permit**.

TABLE VI: Permanent Signs – Permit Required

Type of Permanent Sign (Permit required)	Sign District / Property Type	Maximum Sign Area	Maximum Height	Minimum Clearance	Related Provisions
PERMANENT SIGNS (Permit required)					
Awning / Canopy	Permitted in Sign Districts B, C & D.	25% of the building facade.	-	2.2 m (7.2 ft) above grade	<ul style="list-style-type: none"> - limit of one (1) sign per business frontage, provided all awning/canopy signs are of uniform design, size, placement, method of illumination and height; - maximum copy area of 30% of the maximum sign area; - shall not include lettering on the slope or side of the canopy/awning; - logos and identifying symbols are permitted on the slope and side of the canopy/awning; - maximum copy length of 5.0 m (16.1 ft) per sign; - internally illuminated awning signs shall have only the letters or symbols internally illuminated, with the remainder of the awning being a substantially opaque fabric; - shall be installed within the middle 2/3 of the business frontage; and - may not extend vertically beyond the limits of the awning or canopy to which it is attached.
Community Notice Board	Permitted in all Sign Districts, but limited to	2.0 m ² (21.5 ft ²)	2.0 m (6.5 ft)	-	<ul style="list-style-type: none"> - limit of one (1) such sign per property; - maximum of one (1) sign face; - maximum depth of 0.1 m (100 mm); - may be internally-lit;

Type of Permanent Sign (Permit required)	Sign District / Property Type	Maximum Sign Area	Maximum Height	Minimum Clearance	Related Provisions
Community Notice Board continued ...	sites containing a school, library, church, post office, or any other public building.				<ul style="list-style-type: none"> - no more than one copy of a poster may be displayed in a community notice board; - posters shall not exceed 0.6 m (2ft) in width and 0.6 m (2ft) in height; - posters shall not be displayed for more than 30 consecutive days. - posters must be displayed by way of staples, thumbtacks, or pushpins only; and - the City may remove a poster immediately if a poster contains indecent, profane, blasphemous or grossly insulting language or images.
Fascia Sign	Permitted in Sign Districts B,C,D, & E.	<p>Sign District B & E: 2.5 m² (26.9 ft²)</p> <p>Sign District C: 3.5 m² (37.6 ft²)</p> <p>Sign District D: (a) 3.5 m² (37.6 ft²) for business frontages up to 8 m (26 ft), or 20% of the building facade, whichever is less. (b) 4.7 m² (50.5 ft²) for business frontages over 8 m (26 ft) and up to 16.0 m (52 ft), or</p>	-	2.4 m (7.8 ft) above grade, if projection is more than 0.075 m (0.2 ft) from the face of the building.	<ul style="list-style-type: none"> - limit of one (1) sign per business frontage, provided all fascia signs are of uniform design, size, placement, method of illumination and height. - limit of one (1) sign per flanking building facades which has a lane or internal access width greater than 5.5 m (18 ft), provided such sign does not face onto a residence in the adjoining property; - limit of one (1) un-illuminated sign per flanking building facades less than 5.5 m from the property line, with a maximum sign area of 1m² per flanking wall, provided such sign does not face onto a residence in the adjoining property; - maximum of one (1) sign face; - maximum copy area of 80%; - maximum logo size of 1m² (10.7ft²); - the lower limit shall be the lintel or window head of the first storey but not lower than 2.2 m (7.2 ft) from the finished grade immediately below; - the upper limit shall be the window sill of the floor

Type of Permanent Sign (Permit required)	Sign District / Property Type	Maximum Sign Area	Maximum Height	Minimum Clearance	Related Provisions
Fascia Sign continued ...		20% of the building facade, whichever is less. (c) 7.0 m ² (75.3 ft ²) for business frontages over 16 m (52 ft), or 20% of the building facade, whichever is less.			<p>immediately above the lower limit and in the absence of a window, 0.75 meters (2.4 ft) above such floor;</p> <ul style="list-style-type: none"> - in the case of a one-storey building the upper limit shall be the roof line or the top of a parapet up to a maximum of 1.0 meter (3.2 ft) above the roof line if there is a parapet; - shall not project more than 0.15 m (0.4 ft) from the face of the building on which it is located, except that individual channel letter or neon letter signs may extend up to 0.3 m (0.9 ft) from the building facade; - shall be installed within the middle 2/3 of the business frontage; - shall not be erected within 0.3m (0.9 ft) of any window, building exit or fire escape; - may be internally or externally lit; and - internally illuminated fascia signs shall have only the letters or symbols internally illuminated, with the remainder being a substantially opaque material.
Flag Mounted Pole Sign	Permitted in Sign Districts B & C.	0.5 m ² (5.3 ft ²)	2.3 m (7.5 ft)	-	<ul style="list-style-type: none"> - limit of one (1) sign per business frontage; - shall have two (2) sign faces if installed perpendicular to the building or structure; - minimum pole width of 0.1 m (ft); and - shall not be located within 0.5 m (1.6 ft) of a exterior lot line, 3.0 m (9.8 ft) of an interior side lot line, within 1.0 m (3.2 ft) of a building, or within 10.0 m (32.8 ft) measured along the frontage from a residential zone.
Menu Box Sign	Permitted in Sign Districts B, C, D & E.	0.6 m ² (6.4 ft ²)	-	-	<ul style="list-style-type: none"> - maximum one (1) menu box is permitted per principal entrance to a restaurant provided it is located within 4.0 m (13.1 ft) of the principal entrance - may be in the form of a fascia sign;

Type of Permanent Sign (Permit required)	Sign District / Property Type	Maximum Sign Area	Maximum Height	Minimum Clearance	Related Provisions
Menu Box Sign continued ...					<ul style="list-style-type: none"> - shall have a maximum depth of case of 0.1 m (0.3 ft); - a minimum width of 1.5 m (4.9 ft) of public sidewalk shall be left clear and unencumbered; - drive-thru menu board signs may be in the form of monument or pylon signs, shall not exceed 4.5m² (48.4 ft²) in area, 2.0 m (6.5 ft) in height, lettering may be a maximum 0.1 m (0.3 ft) height, and must be directed only to persons using the drive-thru
Monument Signs or Pylon Signs *(Development Permit Required)	Permitted in Sign Districts B,C,D, & E.	Sign District B & E: 1.8 m ² (19.3 ft ²) per sign face Sign District C: 2.3 m ² (24.7 ft ²) per sign face Sign District D: <u>Frontage less than 20m (65 ft)</u> 3.0 m ² (32.3 ft ²) per side; <u>Frontage between 20m - 30m (65ft -98 ft)</u> 3.5 m ² (37.7 ft ²) per side; <u>Frontage greater than 30m (98 ft)</u> 4.0 m ² (43.1 ft ²) per side;	1.8 m (6.0 ft) 2.3 m (7.5 ft) 3.0 m (9.8 ft) 3.5 m (11.4ft) 4.5 m (14.8 ft)	- - -	<ul style="list-style-type: none"> - limit of one (1) per frontage of any parcel; - where a parcel has more than one driveway entrance, allowable sign area may be divided to create smaller signs at each driveway entrance; - restricted to parcels with a frontage of at least 10m; - on a corner site, up to two intersecting frontages may be used to determine the total frontage; - maximum copy area of 50%; - two or more businesses may combine their signage on one single monument sign; - shall not be located within 1.5 m (4.9 ft) of a exterior lot line, 3.0 m (9.8 ft) of an interior side lot line, within 1.0 m (3.2 ft) of a building, within 30.0 m (98.4 ft) measured along the frontage of another monument sign on the same lot, or within 10.0 m (32.8 ft) measured along the frontage from a residential zone. - sign shall be placed adjacent to a landscaped area or planter at least twice the size of the sign area; and - may only be internally lit in Sign District D (see Section 12.2).

Type of Permanent Sign (Permit required)	Sign District / Property Type	Maximum Sign Area	Maximum Height	Minimum Clearance	Related Provisions
Projecting Sign	Permitted in Sign Districts B & C.	0.7 m ² (7.5 ft ²) per side	-	2.5 m (8.2 ft) above grade	<ul style="list-style-type: none"> - limit of one (1) sign per business frontage, provided all projecting signs are of uniform design, size, placement, method of illumination and height. - maximum copy area of 50%; - shall have two (2) sign faces; - shall not extend further than 1.2 meters (3.94 ft) from the supporting wall; - shall be installed within the middle 2/3 of the business frontage or in the vicinity of the doorway; and - may be externally lit (see Section 12.2).

10.5 Signs projecting over an area used by vehicular traffic shall have a minimum clearance to the underside of the projection of 5.5 m above the finished grade.

11 MAINTENANCE

11.1 All signs permitted in accordance with this Bylaw shall:

11.1.1 be continuously maintained so that at no time is there any danger from the sign and its supporting structures, surrounding framework or illumination; and

11.1.2 be kept in readable and clean condition, and the site on which the freestanding sign is situated shall be kept free of weeds, debris and rubbish.

12 DESIGN & CONSTRUCTION STANDARDS**12.1 Materials**

12.1.1 Exposed surfaces of a sign must be constructed of a durable exterior material, and may not be constructed of chloroplast. Unless otherwise noted, temporary signs permitted under this Bylaw are not restricted as to materials of construction other than cardboard.

12.2 Illumination

12.2.1 Illuminated signs shall be downcast or shielded to minimize reflective impact the night sky by being ground oriented.

12.2.2 Illumination for any sign shall not create a direct glare causing nuisance to adjacent properties or create a safety concern on the adjacent public rights-of-way.

12.2.3 Externally illuminated hanging signs and projecting signs shall use a shielded light source.

12.2.4 Internally illuminated fascia signs that feature reverse channel letters shall be mounted on a substantially solid opaque sign face.

12.2.5 Internally illuminated awning signs shall have only the letters or symbols internally illuminated, with the remainder of the awning being a substantially solid opaque fabric.

12.2.6 Internally illuminated signs shall have only the letters or symbols internally illuminated, with the remainder sign being a substantially solid opaque material.

12.2.7 The use of exposed neon tube lighting is limited to Open/Closed and Vacancy / No Vacancy signs. (Refer to Section 9.5 – Hours of Operation Signs)

- 12.2.8 All wiring and conduits for electric signs shall be either placed below grade or otherwise concealed.
- 12.2.9 Electronic Changeable Copy messaging may be included on monument signs or window signs in Sign Districts C and D only, provided that only one sign per business contains electronic changeable copy, that the electronic message area is limited to no more than 30% of the copy area, and that the light required to display the message is emitted at a consistent level (no flashing, scrolling or otherwise moving messages – time between copy changes must be longer than ten seconds).

12.3 Location

- 12.3.1 A sign for a business premises may only be erected or placed on that side of the building fronting a street and on that portion of the building façade related to the area of the building occupied by the business or activity to which the sign relates. See Section 8.3 & 8.4 for allowances pertaining to establishments with no frontage.
- 12.3.2 Where more than one sign per business frontage is permitted, a minimum separation of 1.0 m shall be provided between permanent signs.

13 APPLICATION FOR SIGN PERMIT

- 13.1 Every applicant for a Sign Permit shall submit to the Director of Planning or Planner, a completed Sign Permit application form signed by the owner, or a person authorized in writing by the owner to act as his or her agent, accompanied by plans, photographs and specifications showing:
- a) the applicant's name and address;
 - b) the sign manufacturer's name and address;
 - c) the legal description and civic address of the parcel where the sign is to be located;
 - d) the name and civic address of the owner of the parcel;
 - e) a drawing, to scale, for each side of the sign, showing the dimensions of the sign, the size of the copy area of the sign, as well as the colour scheme and materials, and details of any supporting structures and surrounding framework;
 - f) the overall height of the sign and the amount of clearance beneath it, both measured from finished grade;
 - g) a drawing or photograph showing the proposed location of the sign, in relation to the boundaries of the lot upon which it is to be situated, including detail of all buildings and structures located on the land, as well as the location and size of all existing signs;
 - h) details of the method and type of wiring, illumination and attachment to a building, if applicable;
 - i) for window signs, the total window area where the sign will be located;

- j) for awning signs and canopy signs, the size of the sign area of the awning or canopy in relation to the total building wall area;
- k) for fascia signs, the business frontage size;
- l) for pylon and monument signs or flag mounted pole signs, a drawing to scale showing the business frontage size, proposed location of the sign on the parcel, relative to parcel lines, buildings and adjacent streets, as well as details of proposed landscaping;
- m) an encroachment agreement with the City, if required, and
- n) any other information required by the Director of Planning or Planner.

13.2 The Director of Planning, Planner or designate shall have the authority to require certification, by a structural engineer, if so required.

13.3 The Director of Planning, Planner or designate shall consider each application for a Sign Permit and if the proposed sign conforms with all of the provisions of this Bylaw, and upon payment of the requisite permit fee in accordance with this Bylaw, a Permit shall be issued to the applicant.

13.4 The issuance of a Sign Permit does not supercede the approval by the Electrical Inspector in respect to installation of illuminated or electrical changeable copy signs.

13.5 A Sign Permit shall expire if active work is not completed within a period of six (6) months from the date of issuance of the Permit.

14 **PERMIT FEES**

Sign permit fees are outlined in the City of Duncan Fees and Charges Bylaw.

15 **ABANDONED SIGNS**

15.1 When a sign remains in place after the activity, business, product or service the sign advertises is no longer conducted or available on the premises on which the sign is located, such sign is considered to have been abandoned and the owner of the premises in question shall then remove the sign within 30 days from the date written notice by the Building Inspector to do so has been received. This section shall be deemed to include abandoned sign structures and supports.

15.2 Any and all expenses incurred by the City in the removal of an abandoned sign shall be payable forthwith by the owner of the said lands and premises upon which the sign was located, and failure to so pay forthwith shall render the said property to be liable for the payment thereof and such expenses shall be added to and become a part of the unpaid taxes at the end of any calendar year in which the said expenses remain unpaid.

16 **ENFORCEMENT, OFFENCES & PENALTIES**

16.1 The Director of Planning, Planner, Building Inspector and/or the Bylaw Enforcement Officer may enter upon any parcel, at all reasonable hours, in order to inspect any sign to ascertain compliance with this bylaw.

- 16.2 No person shall interfere with or obstruct any authorized person seeking entry into or onto any parcel for the purpose of an inspection to ascertain compliance with the bylaw.
- 16.3 The Director of Planning or Planner and/or Bylaw Enforcement Officer are authorized to give written notice by registered mail to the owner or person in charge of the premises to repair or remove any sign not installed and/or maintained in accordance with the provisions of this Bylaw. Should the owner or person in charge of the lands or premises upon which any such sign is situated not comply with the notice to repair or remove such sign within ten (10) days of said notice, the Director of Planning or Planner and/or Bylaw Enforcement Officer is empowered to remove the sign or signs at the expense of the owner and/or apply the appropriate penalties.
- 16.4 Each day that the offence is continued after receiving written notice from the City constitutes a separate and distinct offence.
- 16.5 The City, by its employees or agents, may remove and impound any sign that is unlawfully occupying a portion of the highway or public place.
- 16.6 Any sign structure that is in immediate danger of falling, or is an immediate menace to the safety of persons, shall be removed by the owner of such sign structure within 24 hours of being notified to do so in writing by the Director of Planning or Planner.
- 16.7 A sign removed by the City shall be impounded for a period of up to thirty (30) days, at which point, if the sign remains unclaimed, will be disposed of by sale, auction or demolition with all proceeds being retained by the City. To reclaim a sign within the impoundment period, the owner shall obtain and pay for a Permit issued in accordance with this bylaw, pay a penalty of twice the normal permit fee, and reimburse the City for all expenses incurred in its removal before the sign will be released.
- 16.8 The City shall not be responsible for any damage incurred to any sign, or to any building or property from which such sign is required to be removed under the terms of this bylaw as a result of the removal of such sign.
- 16.9 The Director of Planning or Planner may revoke a Sign Permit:
- a) where there is a violation of any provision of this bylaw or any other applicable law or enactment, Development Permit or Development Variance Permit issued by the City;
 - b) if it is deemed that the Sign Permit was issued by reason of incorrect, false or misleading information furnished by the applicant, sign manufacturer or sign installation contractor; or
 - c) if, in the case of a sign over any highway or public property where the sign interferes with or may interfere with the placement or use of equipment installed by the City or a utility company; or the use of the highway by vehicles or pedestrians or public property.

16.10 Any person who contravenes any provision of this bylaw commits an offence punishable upon summary conviction and is liable for a fine not exceeding \$1,000.00, as set out in the City's current Ticketing Bylaw.

17 **SEVERABILITY**

If any section, subsection, clause or phrase of this Bylaw is, for any reason, held to be invalid by a court, it will be deemed to be severed, and the remainder of the bylaw will remain valid and enforceable in accordance with its terms.

18 **REPEAL**

City of Duncan Bylaw 1451 "Sign Bylaw, 1985" and all amendments thereto are hereby repealed.

READ THE FIRST TIME THE 21st DAY OF OCTOBER, 2013.

READ THE SECOND TIME THE 21st DAY OF OCTOBER, 2013.

READ THE THIRD TIME THE 21st DAY OF OCTOBER, 2013.

ADOPTED THE 18TH DAY OF NOVEMBER, 2013.

Karen Burley,
Director of Corporate Services

Phil Kent,
Mayor