

CITY OF WEST KELOWNA

SIGN BYLAW NO. 0250

A BYLAW TO REGULATE THE NUMBER, SIZE, TYPE, FORM, APPEARANCE
AND LOCATION OF SIGNAGE

WHEREAS the Council of the City of West Kelowna may by bylaw, as provided by Section 526 of the *Local Government Act*, adopt a Sign Bylaw;

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. TITLE

- 1.1. This Bylaw may be cited as the "CITY OF WEST KELOWNA SIGN BYLAW NO. 0250, 2018."

2. INTERPRETATION

- 2.1. Metric units are used for all measurements in this Bylaw. The approximate imperial measurement equivalents are shown in brackets for convenience only and do not form part of this Bylaw.
- 2.2. For the purpose of this Bylaw, the following units of measurement are abbreviated as follows:
 - .1 Centimetres – cm
 - .2 Meters – m
 - .3 Square metres – m²
- 2.3. For the purpose of this Bylaw, all sign images are provided as examples only and do not illustrate all possible sign types.
- 2.4. For the purpose of this Bylaw, General Manager – means the person appointed by the Chief Administrative Officer as the City's General Manager of Development Services and includes that person's delegate.

2.5. Definitions

In this Bylaw all words or phrases shall have their ordinary or common meaning except where the meaning is changed, modified or expanded by the definitions below:

Animated Display– means any portion of a sign that moves or gives the impression of movement in any way. An animated display includes but is not limited to: video, copy transitions, moving parts, motion, as well as flashing or oscillating lights.

Balloon Sign – means a portable sign that is inflated or gas-filled, attached to the ground or a structure and is intended to advertise a specific event of limited duration. Balloon signs are portable signs.

Banner Sign – means a temporary fascia sign composed of typically lightweight, non-rigid material such as cloth, canvas and/or plastic, mounted to a structure or building.

Changeable Copy Display – means any portion of a sign, illuminated or non-illuminated, on which the copy of the sign is designed to be changed manually or electronically on a regular basis without animation or movement.



Image 1. Example Changeable Copy Signs. Copyright ©2017 Sign Association of Canada

Clearance – means the vertical distance between the lowest point of a sign and the average finished grade directly below the sign.

Copy – means the wording, letters, numerals, characters, logos and/or graphics of the sign in permanent or removable form.

Directional Display – means any portion of a sign directing pedestrian or vehicle movements on the premises on which the sign is located.

Electronic Message Centre Display– means any portion of a changeable copy display that utilizes computer-generated messages or some other electronic means of changeable copy. This display includes using incandescent lamps, LEDs, LCDs or any other similar electronic, or digital technology.

Fascia Sign – means a sign, illuminated or non-illuminated, attached to and supported by the wall of a building with its face parallel to the building wall.



Image 2. Example fascia signs. Copyright ©2017 Sign Association of Canada

Freestanding Sign – means a sign that is structurally self-supporting and is not attached to a building or structure. The signage portion of a freestanding sign, except in the case of a monument sign, is typically supported by a column(s) to increase its visibility.



Image 3. Example freestanding signs. Copyright ©2017 Sign Association of Canada

Frontage – means any portion of a parcel boundary which abuts a highway, excluding a lane.

Grade – means the elevation of the surface of the sidewalk or boulevard below any sign or, where no sidewalk or boulevard exists, the average elevation of the finished ground surface directly below a sign.

Height – means the vertical distance between the highest point of a sign and the average finished grade directly below the sign.

Menu Sign – means a sign in the form of a freestanding or fascia sign erected as part of a drive-through business or restaurant that is used to display and order products available in association with the business.

Monument Sign – means a freestanding sign supported by a continuous structure that is placed on or anchored in the ground within a landscaped area and does not exceed 3m (9.8 ft.)



Image 4. Example monument sign. Copyright ©2017 Sign Association of Canada

Off-site Display – means any portion of a sign that directs attention to goods, products, services and/or events that are provided or occur at different premises from those on which the sign is located.

Portable Sign – means any sign not permanently attached to a building, structure, motor vehicle or the ground.



Image 5. Example Portable Signs. Copyright ©2017 Sign Association of Canada

Projecting Sign – means a sign that is wholly dependent upon a building or structure for support and that projects more than 33.0 cm (13.0 in) from the building or structure. Canopies and awnings incorporating any type of sign, and signs perpendicular to buildings or structures, are projecting signs.

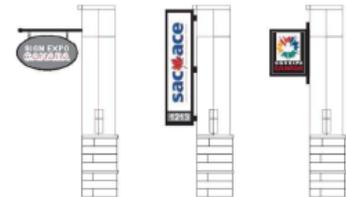


Image 6. Example projecting signs. Copyright ©2017 Sign Association of Canada

Sandwich Board Sign – means a portable sign that rests on the ground and consists of two flat surfaces joined at the upper end.

Sign – means a visual display, including all supporting structures, intended to advertise, communicate information, or attract the attention of the public for any purpose.

Sign Area – means the area within the outer edge of the frame or border of a sign. Where a sign has two sides, the maximum sign area regulation applies to each side independently. Where a sign has three or more sides of equal size, the sign area is the total area of all sides of the sign.

Wayfinding Sign – means a sign owned, installed and maintained by the City or other governmental body, or installed with the approval of the City, to convey the location of key destinations within the community to residents and visitors.

2.6. Sign and Display Type Interpretations

- .1 For the purposes of this Bylaw, Table 1 summarizes the categories of signs and types of signs referenced in this Bylaw.

Table 1. Sign Category and Type Interpretation

Sign Category	Sign Types	Permit Required	Regulations
Freestanding	Freestanding	Yes	Yes
	Monument	Yes*	Yes
	Menu	No*	Yes
Fascia	Fascia	Yes	Yes
	Banner Sign	No	No
	Menu	No*	Yes
Portable	Portable Sign	Yes	Yes
	Sandwich Board	No	Yes
	Balloon Sign	No	Yes
Projecting	Projecting sign	Yes	Yes
Temporary Special Purpose	Freestanding	No	Yes
	Portable	No	Yes
	Fascia (Banner)	No	Yes

*Some exemption criteria apply, see Section 4.

- .2 For the purposes of this Bylaw, the Table 2 summarizes the types of displays for signs referenced in this Bylaw.

Table 2. Display Type and Common Use

Display Type	Common Sign Types Containing the Display	Permitted	Regulations
Animated	Freestanding	No	No
	Fascia	No	No
Changeable Copy	Freestanding	Yes	Yes
	Fascia	Yes	Yes
	Portable	Yes	Yes
Directional	Freestanding	Yes	Yes
	Fascia	Yes	Yes
	Portable	Yes	Yes
Electronic Message Centre	Freestanding	Yes	Yes
	Fascia	Yes	Yes
Off-Site	Freestanding	No*	Yes
	Portable	No*	Yes
	Fascia	No*	Yes

*May only be permitted as part of temporary off-site display for a community event on an existing sign (see Section 6.4).

3. APPROVALS REQUIRED

- 3.1. No person shall erect, alter, move or otherwise install a sign without first ensuring that the proposed works comply with this Bylaw, including any requirement to obtain a sign permit, unless exempted by Section 4 of this Bylaw.

- 3.2. A sign permit shall be obtained from the City prior to the installation, alteration or relocation of any fascia, projecting, freestanding, or portable signs as described in Section 7.
- 3.3. Despite Section 3.2, a sign permit is not required for portable signs in the form of sandwich board and balloon signs.
- 3.4. Any person wishing to install a sign entirely on or partially over City property, which is otherwise permitted by this Bylaw, shall make a written request to the City to enter into an Encroachment Agreement with the City in respect of the sign.
- 3.5. If the work for which a permit has been issued is not carried out within one year of the date of issuance of the permit, the permit shall be deemed to have expired.

4. EXEMPTIONS

- 4.1. The following signs are exempt from the regulations of this Bylaw, excluding Sections 5 and 6:
 - .1 signs displayed by the federal, provincial, and/or local governments for advising or directing the public (signs located on a City right of way require approval);
 - .2 traffic control signs;
 - .3 wayfinding signs;
 - .4 local government banners;
 - .5 signs directly related to construction located on the parcel on which the construction is being carried out;
 - .6 memorial plaques, cornerstones and historical tablets;
 - .7 on-site directional signs with a maximum sign area of 1.2 m² (12.9 ft²);
 - .8 house numbers and nameplates;
 - .9 neighbourhood, community, and residential development name signs that:
 - (a) do not exceed 3.0 m² (32.3 ft²) in sign area and 2.0 m (6.6 ft) in height; and
 - (b) do not include an electronic message centre;
 - .10 development proposal (i.e., notice of application) signs required by City bylaw;
 - .11 painted or vinyl signs adhered directly on a building or window;
 - .12 menu signs that do not exceed 6.0 m² (64.6 ft²) in sign area;
 - .13 banner signs;
 - .14 off-site display for community events; and
 - .15 temporary special purpose signs.

5. PROHIBITIONS

- 5.1. Signs not expressly permitted in this Bylaw are prohibited.
- 5.2. The following signs are specifically prohibited everywhere in the City:
 - .1 off-site displays, excluding temperature and time displays and except those signs permitted in Sections 6.4, 6.5, and 6.6;
 - .2 signs erected or installed on the roof of a building;
 - .3 satellite receivers incorporating a sign;

- .4 signs posted on or attached to trees, fences or utility poles; and
- .5 animated signs.

5.3. Despite section 5.2.4, banner signs and on-site directional signs are permitted on fences.

6. GENERAL REGULATIONS

6.1. Placement of Signs

- .1 Signs shall be located or displayed in a manner to avoid physically obstructing any door opening or passageway, ventilator, fire escape, sidewalk, or emergency vehicle access, street, lane or similar feature.
- .2 Sign placement must not obscure a pedestrian's or driver's line of vision from a street, access road, or sidewalk to oncoming traffic.
- .3 No sign shall be displayed where it will interfere or otherwise obstruct any traffic control device, or in any way interfere with visibility when accessing a street or with visibility from one street to another.

6.2. Responsibility to Ensure Safe Conditions

- .1 It is the responsibility of the owner of a parcel, business and/or sign, and the person constructing, erecting, enlarging, converting, altering or relocating any sign, to ensure that the sign is installed in accordance with this Bylaw and maintained in a safe condition.
- .2 Except as otherwise provided in this Bylaw, no sign shall:
 - (a) emit sound or noise;
 - (b) obstruct or interfere with the flow of pedestrian or vehicular traffic;
 - (c) be placed in a required parking stall, emergency vehicle lane or snow storage area required by the City; and
 - (d) be placed in a required landscaped setback required by the City.

6.3. Illumination of Signs

- .1 Illumination of any signs shall not create a direct glare upon the surrounding area or highway and shall not compromise traffic safety, obstruct traffic control or any other public information signs.
- .2 Lighting for illuminated signs shall be downcast or shielded to minimize reflective impact on the night sky.
- .3 Lighting shall not create excessive glare to pedestrians and/or motorists and shall not compromise traffic safety, obstruct traffic control or any other public informational signs.
- .4 Signs located at the rear or side of any building shall not be illuminated if the parcel is abutting a residential zone as defined in the City's Zoning Bylaw.
- .5 Internal lighting of signs is not permitted in agricultural, rural residential or residential zones as defined in the City's Zoning Bylaw.
- .6 Searchlights, strobe lights, and other similar effects used to illuminate signs are prohibited.

6.4. Temporary Off-site Display for Community Events

- .1 Off-site displays that advertise community events are permitted provided that:
 - (a) they are generated by charitable, faith-based or publically supported art organizations, service clubs, amateur sports teams, or public organizations.

- (b) all messages shall be intended to serve the interests of the community as a whole or a significant portion of it.
- (c) the message is limited to portable signs and existing changeable copy signs that shall be used the majority of the time to promote the on-site organization.
- (d) messages shall not:
 - I. be strictly intended to serve the interests of an organization or individual;
 - II. include religious doctrines or ideologies; and/or
 - III. name specific persons holding public office or senior government officials.
- (e) messages may only be displayed for a maximum duration of 14 calendar days.

6.5. Temporary Single Event Signs

- .1 Temporary signs advertising single, irregular events occurring on specific dates, including but not limited to garage sales, club fundraisers and similar events, are permitted provided that they are posted no earlier than four (4) calendar days prior to the first date of the event and removed within 48 hours of the completion of the event.
- .2 Section 6.5 does not apply to businesses licensed under a City bylaw.

6.6. Temporary Election Signs

- .1 Temporary election signs are permitted for the purpose of:
 - (a) a local government or school district election during the election period, beginning with the start of the nomination period and ending on the day following general voting day;
 - (b) a federal or provincial election during the relevant election period, beginning with the issuance of the writ of election and ending on the day following general voting day; or
 - (c) a federal, provincial, local government or school district referendum during the period beginning 30 calendar days before the date of the vote and ending on the day following the date of the vote.

6.7. Temporary Real Estate Signs

- .1 Temporary signs advertising the sale or lease of multiple parcels within a development are permitted provided that:
 - (a) not more than one sign is erected or installed per 100 m (328.1 ft) of parcel frontage for the development;
 - (b) each sign has a maximum area of 6.0 m² (64.6 ft²); and
 - (c) all signs are removed within 20 calendar days following the completion of the sale or lease of the parcels within the development.
- .2 One temporary sign, which advertises the sale or lease of an individual parcel, is permitted per parcel boundary on a parcel that is for sale or lease. Each temporary sign shall have a maximum sign area of 1.0 m² (10.8 ft²).

6.8. Changeable Copy Display

- .1 All changeable copy displays shall be totally contained within the sign on which it is mounted.
- .2 Changeable copy displays are permitted as part of a freestanding, fascia or portable sign and must meet the regulations specific to each sign type per parcel.
- .3 Electronic Message Centre Displays are permitted provided that:
 - (a) they are part of a freestanding or fascia sign and meet the regulations specific to each sign type;

- (b) a maximum of 25% of the sign area may be used for the purpose of an electronic message centre, except as permitted in Sections 7.1.5 and 7.1.4.(g);
- (c) the maximum area of an electronic message centre is 3.5m²;
- (d) the electronic message centre must be equipped with ambient light sensors and automatic dimming technology that adjust the brightness to the ambient light;
- (e) the electronic display shall not increase the ambient light levels adjacent to the electronic message centre by more than 3.0 LUX;
- (f) changes in electronic copy shall not occur more frequently than once per 30 seconds;
- (g) the transition between each electronic copy change shall not be displayed using any visible effects;
- (h) if any component on the electronic message centre fails or malfunctions, the sign shall be programmed to automatically turn off or default to a black screen; and
- (i) for electronic message centres located within 100 metres (328 ft) of a residential zoned parcel as defined in the City's Zoning Bylaw, the sign shall be turned off between 10:00 pm and 7:00 am.

7. SPECIFIC SIGN REGULATIONS

7.1. Fascia Signs

- .1 Fascia signs are only permitted on buildings zoned for commercial, industrial, multiple residential, or institutional uses as defined in the City's Zoning Bylaw.
- .2 The maximum combined area for fascia signage is 1.0 m² per lineal metre of building or unit side up to a maximum sign area of 14.0 m².
- .3 Fascia signs shall be installed with a minimum vertical clearance of 2.5 m (8.2 ft) and shall not project more than 33.0 cm (13.0 in) from the surface to which it is mounted.
- .4 Fascia signs shall be located on the first storey of a building above the entrance for the unit for which the sign is intended. Where a unit is located on an upper floor, fascia signage shall be placed directly corresponding with the location of the unit within the building.
- .5 Despite Section 6.8.3.(b), fascia signs for community and institutional establishments, where constant changes of events necessitate similar changes in the message of the sign, may have the electronic message centre occupy the entire sign area.
- .6 Text affixed to a building side that is intended to provide directional or safety information is not included in sign area calculations provided the area of the text does not exceed 1.2 m² (12.9 ft²) per sign.

7.2. Projecting Signs

- .1 One projecting sign is permitted per parcel, or per unit except as permitted in Section 7.2.2.
- .2 One projecting sign is permitted per unit in a multi-tenant building zoned commercial, industrial or institutional as defined by the City's Zoning Bylaw.
- .3 The maximum sign area of a projecting sign is 3.5 m² (37.7 ft²).
- .4 The minimum clearance of a projecting sign is 2.5 m (8.2 ft).
- .5 No projecting sign shall be installed on a wall that is not a business frontage.

7.3. Portable Signs

- .1 General regulations that apply to all portable signs include:
 - (a) one portable sign is permitted on each parcel, except as permitted in Section 7.3.2;
 - (b) the maximum sign area of a portable sign is 3.5 m² (37.7 ft²);
 - (c) portable signs are not permitted on residential zoned parcels as defined in the City's Zoning Bylaw, except for a commercial use within a multiple residential building, or as permitted in Sections 6.6 and 6.7 of this Bylaw;
 - (d) every portion of a portable sign shall be sited at least 1.5 m (4.9 ft) from any parcel boundary. A sign shall be sited at least 3.0 m (9.8 ft) from the parcel boundary of a residential zone as defined in the City's Zoning Bylaw;
 - (e) no portable sign shall be placed within a landscaped area that is required by City bylaws to be landscaped, including planting beds for flowers, shrubs, and trees;
 - (f) illumination of portable signs is prohibited; and
 - (g) portable signs that require a permit shall only be displayed for a maximum duration of 24 months from the date of issuance.

- .2 Sandwich board signs are permitted provided that:
 - (a) one sandwich board sign is permitted per unit in a multi-tenant building zoned commercial, industrial or institutional as defined by the City's Zoning Bylaw;
 - (b) sandwich board signs shall be located directly in front of the business to which the sign pertains, at the edge of the travelled portion of the roadway if a curb is not in place and at the edge of the curb if a curb is in place;
 - (c) sandwich board signs shall only be permitted if an unobstructed sidewalk or other pedestrian access width of at least 1.5 m (4.9 ft) remains between the sign and the building;
 - (d) despite Section 7.3.1.(b)., the maximum sign area of a sandwich board sign is 1.0 m² (10.8 ft²); and
 - (e) sandwich board signs shall only be used during business hours.

- .3 Balloon signs are permitted provided that:
 - (a) the balloon sign is used no more than three times per calendar year; and
 - (b) they are displayed for a maximum period of 21 calendar days.

7.4. Freestanding Signs

- .1 General regulations that apply to all freestanding signs include:
 - (a) a maximum of one freestanding sign is permitted per parcel boundary consisting of 30 m (98.4 ft) of frontage or greater, to a maximum of three freestanding signs;
 - (b) where two or more signs are permitted on a site, such signs shall be located no less than 30 m (98.4 ft) apart;
 - (c) freestanding signs shall maintain a minimum clearance of 4.4 m (14.5 ft) when projecting over a vehicular traffic area such as a parking lot aisle or driveway.
 - (d) freestanding signs shall maintain a minimum clearance of 2.5 m (8.2 ft) when the sign encroaches on a pedestrian area;
 - (e) despite Sections 7.4.1(c) and 7.4.1(d), a freestanding sign may have a minimum clearance of 0 m (0 ft) when the sign does not encroach on vehicular traffic or pedestrian areas, subject to approval by the General Manager.

- (f) freestanding signs are not permitted on parcels zoned for agricultural use or on residential zoned parcels as defined in the City's Zoning Bylaw, except for a commercial use within a multiple residential building or as permitted in Section 6.6 and 6.7 of this Bylaw;
- (g) Despite Section 6.8.3.(b), freestanding signs for community and institutional establishments, where constant changes of events necessitate similar changes in the message of the sign, may have the electronic message centre occupy the entire sign area; and
- (h) on parcels zoned for commercial, industrial and institutional uses as defined by the City's Zoning Bylaw, each freestanding sign is limited to the sign area, height, and setback specified in Table 3, except as permitted in Sections 6.6 and 6.7 of this Bylaw:

Table 3. Zone Based Freestanding Sign Regulations

Zoning ¹	Maximum Sign Area	Maximum Height	Minimum Setback
Neighbourhood Commercial	6.0 m ² (64.6 ft ²)	4.0 m (13.1 ft)	1.5 m (4.9 ft)
Commercial, Industrial & Institutional parcels less than 1000 m ²	3.0 m ² per lineal metre of frontage to a maximum of 12.0 m ² (129.2 ft ²)	9.0 m (29.5 ft)	
Commercial, Industrial & Institutional parcels equal to or greater than 1000 m ² and less than 4000 m ²	3.0 m ² per lineal metre of frontage to a maximum of 15.0 m ² (161.5 ft ²)		
Commercial, Industrial & Institutional parcels equal to or greater than 4000 m ²	3.0 m ² per lineal metre of frontage to a maximum of 18.0 m ² (193.8 ft ²)		

¹ Zoning refers to the applicable zoning of a parcel as defined by the City's Zoning Bylaw.

- .2 Monument signs are permitted on parcels zoned for agricultural, commercial, industrial, institutional or multiple residential uses as defined in the City's Zoning Bylaw provide that:
 - (a) the maximum sign area of a monument sign is 6.0 m² (64.6 ft²);
 - (b) the maximum height of a monument sign is 3.0 m (9.8 ft);
 - (c) where a parcel has frontage on more than one parcel boundary one additional monument sign is permitted provided that the total combined sign area does not exceed the maximum permitted in Section 7.4.2(a);
 - (d) the sign is located in an area that includes a minimum setback of 1.5 m (4.9 ft) and 1.5 m (4.9 ft) of landscaping on all sides; and
 - (e) the sign does not contain internal lighting or an electronic message centre.

8. REMOVAL OF SIGNS

- 8.1. The City may remove and impound any sign found to be on City property in contravention of this Bylaw. Such signs may be claimed within 30 days of removal by the owner upon payment of a fee specified in the Fees and Charges Bylaw. Where a sign is not claimed within 30 days the City may destroy or otherwise dispose of the sign.

9. ENFORCEMENT

- 9.1. Any person who contravenes this Bylaw may be served with an Enforcement Compliance Order.
- 9.2. Any person who is subject to an Enforcement Compliance Order may request Council to reconsider the order by providing written notice within 14 days of the date on which the City provided notice of the order. Council shall provide the person with an opportunity to make representations to the Council. Council may after hearing such representations conform, amend or cancel the order, and shall provide notice of its decision to the person who requested the reconsideration.
- 9.3. If a contravention of this Bylaw creates an imminent safety hazard to members of the public, whether on City property or private land, the order provided under Section 8.2 may specify a compliance period of less than 30 days, and may require that a request for reconsideration be provided within fewer than 14 days of the date on which the City provided notice of the order, but not fewer than two (2) days.
- 9.4. Any person violating any provision of this Bylaw is liable on summary conviction to a fine. A separate offence shall be deemed to be committed on each day during or on which a violation occurs or continues.

10. SEVERABILITY

- 10.1. If any part or section of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder of this Bylaw.

11. The "City of West Kelowna Sign Bylaw No. 0183, 2016" is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME THIS 22ND DAY OF MAY, 2018
ADOPTED THIS 12TH DAY OF JUNE, 2018

MAYOR

CITY CLERK