

TOWN OF OSOYOOS

**SIGN BYLAW
NO. 1282, 2012**

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Part 1. PREAMBLE

Title

1. This Bylaw may be cited as “Osoyoos Sign Bylaw. No 1282, 2012”.

Authority

2. This bylaw is enacted pursuant to Sections 8(4) and 65 of the *Community Charter* and Section 908(1) of the *Local Government Act*, subject to the *Transportation Act* and Section 135 of the *Motor Vehicle Act*.

Purposes

3. The purposes of this sign bylaw are to:
 - (1) Promote the Town’s aesthetic attractiveness as a resort community.
 - (2) Promote effective advertising that informs rather than confuses customers, and avoids excessive visual competition between signs.
 - (3) Limit distractions from commercial signs for the safety of drivers and pedestrians.
 - (4) Minimize nuisances from signs in residential neighbourhoods.
 - (5) Promote “dark sky” protection with reduced upward light loss.
 - (6) Promote energy conservation.
 - (7) Regulate safe sign placement, construction and maintenance.

Scope

4. This bylaw applies to all existing and proposed signs throughout the Town.

Compliance

5. No person shall alter, continue, erect, expand, place, relocate or replace any sign except in conformity with this bylaw.

Sign Owner Responsibility

6. It is the responsibility of the *sign owner* to ensure compliance with all provisions of this bylaw.

Development Variance Permit (DVP)

7. Pursuant to Section 922 of the *Local Government Act* any person may apply to vary any provision of this bylaw enacted under Section 908(1) of the *Act*.

Severability

8. If one or more provisions of this bylaw are for any reason declared to be invalid by a court of competent jurisdiction, the invalid provision shall be severed and all remaining provisions shall remain in full force and effect.

User Guide

9. Any person contemplating doing sign works may follow the steps below, but without prejudice to having to comply with this bylaw in its entirety:
 - (1) Check Part 2 to confirm the bylaw definition for the type of signage contemplated.
 - (2) Check Part 5 for whether the proposed signage is prohibited, or may continue as legal nonconforming signage with restrictions.
 - (3) If Part 5 does apply, check Part 6 to see whether the proposed signage may be undertaken without a sign permit, but within the specific conditions stipulated under that Part and any general applicable conditions under Part 4. For convenience it is noted that only altering a sign by replacing the face with a new commercial message does not require a sign permit.
 - (4) If the signage does not fit under Part 5 or 6, check whether it would require a sign permit subject to the specific conditions stipulated under Part 7 and any applicable general conditions under Part 4. Application procedures for sign permits are in Part 3.
 - (5) Please contact Town of Osoyoos, Planning and Development Services with any questions and /or if you need a sign permit.

Part 2. DEFINITIONS

10. All words and terms in this bylaw have their normal meaning, except that the following words and terms must be interpreted as defined below. For convenience, *italics* are used to cross-reference definitions in this Part and to reference definitions in other Parts for clarity where needed.

'abandoned sign' means a *sign* which for period of at least thirty (30) consecutive days no longer advertises or identifies a current business, product or service.

'advertised business' means the business to which a *sign* refers.

'animated sign' means a *sign* that in whole or part employs physical movement or change of lighting to depict action, whether by flashing, oscillating, pulsating or traveling illumination, and including any *sign* that emits noise, but excepting any part of a sign containing an electronic clock or thermometer, and does not include a *changeable copy sign*.

'awning' means a retractable or non-retractable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for the supporting framework.

'awning sign' means a *sign* painted, bonded or affixed flat to the surface of an *awning* and which may contain a number of *commercial messages*.

'banner sign' means a *temporary sign* constructed of flexible material that is hung on a structure or between supports.

'brand presentation' means a registered corporate trademark, or colour scheme, emblem, trademark, graphic device, physical structure, registered symbol, or use of a word or words, which through consistent use has become identifiable with a specific business.

'building face' means the outside wall of a building enclosing an *advertised business*, which is visible from a street right-of-way, or from an interior service road or parking lot within the *site* on which the building is located, and which may constitute one continuous wall or a series of parallel walls making up the building face as determined most appropriate by the *Building Inspector* according to the circumstances.

'Building Inspector' means the Building Inspector or Senior Building Inspector of the *Town* who is appointed to administer this bylaw, but who may be substituted by another person appointed by the *Town's* Chief Administrative Officer to administer this bylaw or parts of this bylaw.

'canopy' means a non-retractable roofed structure without walls that projects from the side of a building or is self-supporting, and is composed entirely of rigid materials.

'canopy sign' means a *sign* painted or affixed flat to the vertical face of a *canopy* and which may contain a number of *commercial messages*.

'changeable copy sign' means a *ground, fascia* or *projecting sign*, or apportion thereof with characters, letters or illustrations that can be changed manually or electronically up to a maximum of 8 times a day (any higher frequency of changes constitutes an *animated sign*).

'clearance' means the uninterrupted vertical distance between the underside of a *sign* or its supporting structure and the average finished grade below, exclusive of any berm or embankment.

'commercial flag' means a *flag* that includes a *commercial message*.

'commercial message' means any public communication that advertises or calls attention to a business, business or professional person, product, sale, sales event, service or any other business solicitation, including any *brand presentation*.

'copy area' means the total area within a single, continuous perimeter composed of the smallest circle, semicircle, rectangle, square or triangle, or combination thereof, including any contained voids, which encloses the extreme limits of a *commercial message*.

'Council' means the Municipal Council of the *Town*.

'Downtown' means the Downtown Commercial (C1) *zone*.

'Façade Guidelines' means the current Façade Guidelines in the *Town Official Community Plan*.

'fascia sign' means a *sign* containing a *commercial message* affixed parallel to, or painted on a *building face*, but excluding a *mural*.

'fence' means a railing, retaining wall, wall or other structure enclosing an area.

'fence sign' means a *sign* that is affixed flat to, or painted onto a *fence* and does not include a *banner* or a *fascia sign*.

'flag' means a piece of fabric or other flexible material attached by one edge to a pole or cord.

'free-standing sign' means any *sign* wholly supported by and permanently fixed to the ground by its own structure, which may comprise one or more uprights, poles or braces, and which may be covered by metal or fiberglass cladding to give a solid appearance, and is not a *ground sign*.

'ground sign' means a *sign* of which the entire bottom is directly supported on the ground, or is elevated off the ground with a maximum *clearance* of 0.5 m, and is not a *free-standing sign*.

'height' means the vertical distance between the highest point of a *sign* and the average finished grade below, exclusive of any berm or embankment.

'Illuminated externally' means downward illumination of a *sign* from a shielded light source outside the sign itself.

'Illuminated internally' means illumination of a *sign* from a light source within the sign itself which becomes visible by shining through a translucent surface.

'illuminated sign' means a *sign* which is *illuminated externally* or *illuminated internally* as may be allowed or prohibited in different applications under this bylaw, but is not an *animated sign*.

'institutional building' means a building used for community, educational, government, public, or religious purposes.

'joint identification sign' means a *free-standing* or *ground sign* shared by a number of businesses for their collective or individual advertising, such as in a shopping centre, strip mall or industrial park.

'real estate sign' means a sign that advertises the owner or his agent, indicating that a property is for development, lease, rent or sale.

'real estate sign, large' means a *real estate sign* with more than 0.5m² in *sign area* but not exceeding 3m².

'real estate sign, small' means a *real estate sign* not exceeding 0.5m² in *sign area*.

'Land Use Procedures (LUP) Bylaw' means the current *Town Land Use Procedures (LUP) Bylaw*.

'mansard roof' means any sloping portion of a roof with a pitch of 30 degrees or less when measured against a vertical plane.

'mansard roof sign' means a *sign* attached to the slope of a *mansard roof*.

'movable sign' means a *sign* not permanently affixed to the ground or to a building but which is mounted on a frame or a wheeled structure, including where the wheels have been subsequently removed, designed to permit removal and reuse but not manually by one person, and is not a *sandwich board sign* or a *sidewalk sandwich board sign*.

'mural' means an artistic image applied to a *building face* or a window which is intended as a public art display and not to portray a *commercial message*, and is not a *fascia sign*.

'neon sign' means a *sign* using neon tubing as a light source.

'person' means in addition to its ordinary meaning, an agency, association, company, corporation, institution, partnership or society.

'progressive signage' means where messages on more than one *sign* must be read to obtain the full message.

'projecting sign' means a vertical, self-supporting sign which projects perpendicularly

from the *building face* to which it is attached, and is not a *canopy sign*.

‘public flag’ means a national, provincial, municipal, foreign state, or other collective entity *flag* without a *commercial message*.

‘roof sign’ means a *sign* erected on the roof of a building, other than a *mansard roof sign* or a *commercial flag*.

‘sandwich board sign’ means a non-illuminated, portable *sign* designed to be moved manually by one person that is located on the same property of the business it advertises.

‘sidewalk sandwich board sign’ means a *sandwich board sign* that is located on a sidewalk directly in front of the business it advertises.

‘sign’ means any device, fixture, flag, structure or surface outside a building, or a *window sign*, using any colour, form, graphic, illumination, symbol or writing for purposes of public communication, including but not limited to conveying a *commercial message*.

‘sign area’ means the total area within the outer edge of the border or frame of a *sign*, or where there is no border or frame shall be the area occupied by the *copy area*.

‘sign owner’ means the owner of the property on which the sign is located and / or another person having legal interest in a sign as determined most appropriate by the *Building Inspector* according to the circumstances.

‘site’ means for purposes of this bylaw the area used to compute maximum numbers of allowable *signs* or establish sign setbacks which, as determined most appropriate by the *Building Inspector* according to the circumstances, may include one building premise, or one lot / or two or more adjoining lots containing a building or a complex of buildings.

‘suspended sign’ means a *sign* that is suspended from a first storey roof, or from under the overhang of a first storey roof, or from under an *awning* or *canopy sign*.

‘temporary sign’ means a *sign* displayed for a limited allowable period of time as specified in applicable sections of this bylaw.

‘third party sign’ means a *sign* that advertises attractions, events, facilities, goods, products, or services at a different property or location from where the advertised business is located, but which is not a *sidewalk sandwich board sign*.

‘Town’ means the Town of Osoyoos.

‘Traffic Bylaw’ means the current *Town Traffic Bylaw*.

‘window sign’ means a *sign* displayed within 1 meter of the inside of a window, but is not a *mural*.

‘zone’ means a zone as designated in the current *Town Zoning Bylaw*.

Part 3. ADMINISTRATION

The following bylaw provisions are pursuant to Sections 8(4) and 65 of the *Community Charter*:

Building Inspector Powers

11. The *Building Inspector* is empowered to:
- (1) Issue a sign permit meeting all bylaw requirements and specifying the conditions of allowed signage on the permit; or deny an application for a sign permit with reasons given to the applicant on the application form.
 - (2) Keep records of all sign applications received, permits issued or denied, orders issued, and inspections made.
 - (3) Order the cessation of any sign works that are proceeding in contravention of any sign permit or any other provisions of this bylaw, which shall be in force immediately upon receipt of the order by the *sign owner*.
 - (4) Order the correction of any sign works improperly done or not properly completed pursuant to a sign permit, or otherwise in contravention of this bylaw, and the *sign owner* shall comply with the order within forty-five (45) days of receiving the order.
 - (5) Revoke a sign permit where there has been a contravention with the conditions of the permit or of any other provisions of this bylaw, which shall be in force immediately upon receipt of the order by the *sign owner*.
 - (6) Order the removal of any sign works which have been undertaken without any valid or subsisting permit, or do not conform with other provisions of this bylaw, and the *sign owner* shall comply with the order within fifteen (15) days of receiving the order.
 - (7) Order the alteration, painting, repair or removal of any sign which in the opinion of the *Building Inspector* has become dilapidated or unsightly, or is an *abandoned sign*, and the *sign owner* shall comply with the order within forty-five (45) days of receiving the order.
 - (8) Order the alteration or removal of any sign which in the opinion of the *Building Inspector* may constitute a hazard to public safety or property, and the *sign owner* shall comply with the order within fifteen (15) days of receiving the order.
 - (9) Order the removal of any sign which is prohibited under this bylaw, and the *sign owner* shall comply with the order within thirty (30) days of receiving the order.
 - (10) Make any other orders for compliance by the *sign owner* as specifically provided for in this bylaw.

Inspections

12. *The Building Inspector* may enter onto any property with appropriate identification to inspect any sign, building, structure, or lands to ascertain compliance with this bylaw, and no person shall interfere with, or obstruct his entry.

Sign Permit Requirements

13. (1) Application for a sign permit must be made to the *Building Inspector* in a format approved by the Town, and including:
 - (a) street address and legal description of the *site* for the proposed signage;
 - (b) signature of the applicant together with signed authorization of the property owner if they are not the applicant; and
 - (c) name and address of the sign contractor and installer, if different than (b).
- (2) An application may include one or more signs of the same type or different types of signs on the same *site*, but a separate permit application is required for each *site*.
- (3) A sign permit application is only completed when accompanied by the following information as may be required by the *Building Inspector* at his discretion according to the individual circumstances of each application:
 - (a) a recent title search or State of Title Certificate, or BC on Line Search at cost to the applicant;
 - (b) two sets of scaled drawings showing the type, location and dimensions of proposed sign(s), and of any other signs proposed to be retained in their current state on the *site*;
 - (c) two sets of scaled drawings showing the proposed colour, finishes, graphics, materials, method of illumination, and methods of mounting all signs;
 - (d) two sets of site plans showing the relative locations of buildings, driveways, service roads, pedestrian pathways and landscaped areas on the *site*;
 - (e) engineering certification of the structural and material specifications for any *awning sign*, *canopy sign*, *projecting sign* with over 0.5 m² of *sign area*, or *free-standing sign* including its foundation base design details, all by a registered structural engineer licensed to practice in the Province of British Columbia;
 - (f) any other information as may be required by the *Building Inspector*; and
 - (g) payable fees as set out in Schedule 'B' of this bylaw.
- (4) A sign permit will expire if the allowed signage is not completed within one (1) year of its issuance.

Liability

14. (1) The owner of a sign which the Town allows on its own property shall obtain and maintain a liability insurance policy covering bodily injury and/or property damage for claims arising out of the ownership of such sign in the amount of \$1,000,000.00, for so long as the sign remains on public property. In the event that the owner does not obtain or maintain such insurance, the *Building Inspector* shall order removal of the sign and the *sign owner* shall comply with the order within forty-eight (48) hours of receiving the order.
- (2) In addition to the maintenance of insurance required under Section 14(1), the owner of any sign on public property shall enter into an agreement with the Town to indemnify it against any liability resulting from personal or property damage resulting from the presence, collapse or failure of the sign.

Sign Removal

15. (1) Should a *sign owner* fail to comply with a sign removal order under this bylaw, the *Building Inspector* may cause to remove and impound the sign, and the sign shall not be released until the Town has been reimbursed for all expenses incurred in its removal.
- (2) The Town is not responsible for any damage incurred to any sign, building or property as a result of removing a sign under Section 15(1).
- (3) Any and all expenses incurred by the Town in removing a sign under Section 15(1) shall be payable forthwith by the *sign owner* and failure to pay shall render the owner liable for payment, and such expenses shall be added to and become part of their unpaid taxes at the end of the calendar year in which they remain unpaid.
- (4) A *sign owner* seeking to reclaim a sign removed under Section 15(1) must submit a request in writing to the *Building Inspector* within thirty (30) days from the date such sign is removed. Before the owner reclaims such sign they shall have paid all costs set out in Section 15(3). If the sign is not reclaimed within forty-five (45) days of removal the *Building Inspector* may, upon ten (10) days notice in writing to the *sign owner*, order such sign destroyed or disposed of.

Part 4. GENERAL SIGN CONDITIONS

Sign Placement

16. (1) Every sign except where specifically exempted under this Bylaw must be placed on the same property as the *advertized business* to which it refers and, in addition, *awning, canopy, fascia, mansard roof, and projecting signs* must be located on the *building face* of the *advertised business*.
- (2) No sign shall be placed on any property without the express permission of the property owner, including from the Town if it is the property owner.
- (3) No sign shall extend or overhang into a neighbouring property, and no sign shall overhang a sidewalk in a public street right-of-way except for an approved *awning, projecting, or suspended sign*.
- (4) No sign shall obstruct any door opening, fire escape, passageway, stairway, walkway, window (other than an approved *window sign*), window ventilator or similar feature.
- (5) No sign shall obstruct the vision of any driver turning into a street or around a street corner, or obstruct the visibility of any traffic control signage.
- (6) Notwithstanding the generality of the preceding section, no *fence, free-standing, ground, or sandwich board sign* shall be placed within a 6 m vision clearance triangle measured from the corner of any street or lane intersection.
- (7) No sign shall obstruct access to a public utility pole, wire, support or attached appurtenance.

Sign Construction and Maintenance

17. (1) All signs must comply with the *Town Building Bylaw*, as applicable.
- (2) All support structures shall be structurally sound and form an integral part of the sign design.
- (3) Every electrical sign shall be approved and labeled as conforming to the Canadian Standards Association or shall conform to the Provincial Electrical Code of British Columbia.
- (4) Every sign attached to a building requiring power shall be connected directly to a building electrical source, or if not attached to building shall be connected directly to an underground electrical source.
- (5) All electrical work associated with installation of a sign must be done under a valid permit issued by the BC Safety Authority.
- (6) *Sign owners* are responsible for the proper maintenance of all their signs.

Sign Illumination

18. (1) Any sign that is *illuminated externally* must be shielded to direct light downwards.
- (2) Any sign that is *illuminated internally* must have a dark colour background with white or light coloured lettering to reduce light emissions, with the exception that different colouring may be used for a *brand presentation*.
- (3) No *illuminated sign* requiring a permit shall in any way create a direct glare upon an adjoining property, street or lane.
- (4) *Illuminated signs* requiring a permit that are located within 30 m of any residential zone must be turned off between 10.00 pm to 7.00 am.
- (5) All signs other than *neon signs* must be LED illuminated for energy conservation.

Sign Appearance

19. (1) The appearance of all signs shall promote the Town's aesthetic attractiveness as a resort community and shall be of professional quality in construction and appearance.
- (2) Sign permit applicants are encouraged to request advice through the *Building Inspector* on sign appearance, including reference to the Town's *Facade Guidelines* and, as appropriate, referral to *Town Advisory Design Panel (ADP)*.

Part 5. PROHIBITED AND NON-CONFORMING SIGNS

Prohibited Signs

20. The following signs are prohibited throughout the Town and any such existing sign must be removed within thirty (30) days of receiving notice for removal from the Building Inspector under Section 11(9):
- (a) any *third party sign*, except open house signs and Town-sponsored wayfinding or directional signs for businesses, and;
 - (b) any *movable sign*, but which does not include an approved *sandwich board sign* or *sidewalk sandwich board sign*;
 - (c) any *progressive signage*;
 - (d) any sign on a vehicle or trailer used primarily as a static advertising display;
 - (e) any sign affixed to a utility pole or tree;
 - (f) any sign on a street right-of-way, other than an approved *sidewalk sandwich board sign*, or Town or Provincial signage;
 - (g) any *animated sign* except as specifically allowed under this bylaw; and
 - (h) any *roof sign*.

Amortized Prohibited Signs

21. A *sign owner* may elect to amortize an *animated sign* or *roof sign* prohibited under Section 20 existing at the effective date of this bylaw for a period of up to three (3) years, subject to them:
- (a) replying within thirty (30) days after receiving initial notification from the *Building Inspector* that they wish their sign to continue for all or part of the 'amortization period';
 - (b) not altering the prohibited sign in any way during the 'amortization period' except to improve its structural safety (permit required) or to replace its face with another *commercial message* (no permit required), and not replacing it with another prohibited sign;
 - (c) at least six (6) months prior to the expiry of the 'amortization period', submitting plans to the *Building Inspector* showing how they will bring their signage into complete conformity with the bylaw;
 - (d) completely removing the prohibited sign and any supporting structure by the expiry date of the amortization period; and
 - (d) complying with all other provisions of this bylaw.

Legal Non-Conforming Signs

22. (1) Any signage existing at the date of adoption of this bylaw which does not conform to the provisions of this bylaw but is not a 'prohibited sign' under Section 19, or is not in contravention of the provisions under Sections 16 or 17, shall be considered a 'legal non-conforming sign' and may remain subject to Section 22(2).

- (2) A 'legal nonconforming sign' may be structurally altered under a sign permit if this would make the sign conform with the provisions of this bylaw and its face may be replaced with a new *commercial message* without a sign permit, but it must not be made more non-conforming by increasing its *height* or *sign area* beyond what is allowable under this bylaw and shall comply with all other provisions of this Bylaw.

Part 6. ALLOWABLE SIGNS WITHOUT A PERMIT

23. The following types of signs are allowed without a sign permit subject to the specific conditions stipulated below and other pertinent requirements of this Bylaw, including but not limited to the general conditions under Part 4, and shall only be *illuminated* as specified:

<u>Type of Sign</u>	<u>Conditions</u>
<u>Bulletin board</u>	For an <i>institutional building</i> to announce events on the same property, not exceeding 1.5 m ² in <i>sign area</i> (any larger sign on an institutional building requires a permit), and which may include a <i>changeable copy sign</i> and be <i>externally illuminated</i> .
<u>Construction sign</u>	Advertising work in progress which shall not remain after 30 days of the work being completed.
<u>Development application sign</u>	In conformity with the <i>Town Land Use Procedures Bylaw</i> .
<u>Farm sales</u>	Farm sales/fruit stand sign for selling agricultural and related products that are completely or largely produced on site, not exceeding 3 m ² in <i>sign area</i> .
<u>Institutional identification sign</u>	For the name of an <i>institutional building</i> not exceeding 3 m ² in <i>sign area</i> , which may be <i>externally illuminated</i> .
<u>Internal site directional signage</u>	For street entrances and exits, parking, pedestrian routes or building functions, not exceeding 1.5 m ² in <i>sign area</i> with no <i>commercial message</i> excepting a <i>brand representation</i> on up to 25% of the <i>sign area</i> , and which may be <i>internally illuminated</i> .
<u>Public flags</u>	Up to 2 flags per private property, with no restriction on public properties.
<u>Residential entry sign</u>	For advertising a residential subdivision or building development without any other <i>commercial message</i> and not exceeding 2 m ² in <i>sign area</i> , and which may be <i>externally illuminated</i> .
<u>Nameplate</u>	For a professional person or business in a commercial premise not exceeding 0.2 m ² in <i>sign area</i> , which may be <i>externally or internally illuminated</i> .
<u>Open house sign</u>	For advertising and pointing to the location of a property for sale during the day or weekend it is open for viewing and which may be located on one street corner for directional purposes as well on the advertised property itself.

Type of Sign

Conditions

Open or vacancy business sign

For showing 'open' or 'closed' businesses, or 'vacancy' or 'no vacancy' tourist accommodations, which may either be mounted outside the building and be *internally or externally illuminated*, or be a *neon sign*, or be an *window sign* (see below).

Resident name and address

Not exceeding 0.2 m² in *sign area*.

Seasonal decorations

For Christmas and other commemorative holidays, including lighted displays which may be animated, provided they are erected no longer than 45 consecutive days in the year.

Small real estate sign

For advertising on the subject property not exceeding 0.5m² in *sign area* and which shall not remain after 30 days of the property being sold, or 5 days after being taken off the market, and may be grouped together with other small real estate signs on the same structure for strata properties (see Schedule 'A' for a *large real estate sign*).

Temporary signs

A *banner sign*, *commercial flag*, or pennant, streamer or inflatable signs for advertising sales, openings, closings and other special events only, for up to 14 consecutive days and no more than a total of 28 days in a calendar year.

Television Display

A *window sign* using a television screen to scroll through advertisements for goods or services, not exceeding a screen size of 40 inches and which does not emit sound.

Town-sponsored signs

Including promotional, seasonal or *off-site signs* with prior Town approval.

Warning sign

Such as for a 'hazard', 'no trespassing' or 'no dumping', not exceeding 1.5 m² in *sign area*.

Window sign

Not exceeding 50% coverage of the area of each window but which may be increased by up to 60% coverage by discounting the glass area of business entrance doors, though these themselves must be left clear for safety reasons. Windows with murals are not counted in calculating coverage. *Neon signs* may be used.

Yard sale sign

For advertising and pointing to the location of a yard sale on the same day as the sale, not exceeding 0.4 m² in *sign area* and provided that the same location is advertised no more than twice in a calendar year.

Other signs

As deemed appropriate by the *Building Inspector* according to the circumstances which do not contain a *commercial message*.

Part 7. ALLOWABLE SIGNS REQUIRING A PERMIT

Sign Permit Requirements

24. All signs under this part are only allowable with a sign permit and no person shall alter, continue, erect, expand, place, relocate, or replace any such sign without first having obtained a valid sign permit as required under this Bylaw, but for clarity only altering a sign by replacing its face with a new *commercial message* does not require a permit.

Allowable Sign Types

25. (1) Different types of signs are only allowed in specified categories of zones as set out in Schedule 'A'.
- (2) All types of signs must comply with all pertinent requirements of this bylaw, including but not limited to the general conditions in Part 4 as well as the specific conditions set out for each type of sign in Schedule 'A'.

Allowable Sign Area and Height

26. (1) The maximum *sign area* and *height* of *free-standing* or *ground signs* in different zones must comply with the requirements set out in Schedule 'A', except that their maximum *sign area* may be increased by up to 25% to accommodate *joint identification signage* in a 'shopping centre,' 'general commercial' or 'industrial' zone.
- (2) In the case of a double-faced or multi-faced *sign* only half of the total area of all sign faces will be counted as the total *sign area*.
- (3) The *Building Inspector* has discretion to allow up to a 10% administrative variance in allowable *sign area* to accommodate differences due to non-metric sizing, recycled signs and franchise standards, except where increases are already allowed under Section 26(1).

Allowable Numbers of Signs

27. (1) When computing numbers of allowable new signs, deductions will be made for any existing signs to be retained on the *site*.
- (2) In all zones where a *free-standing* or *ground sign* is allowed there must not be more than one sign of each type on a *site*; excepting as follows:
- (i) Up to two signs of each type may be placed on a large *site* in a 'shopping centre' zone following the formula of one sign per each 930 m² of total commercial building floor space; and

- (ii) One additional *free-standing sign* or *ground sign* may be placed at each entrance to an industrial park in an 'industrial' zone, in addition to individual business signs within the park.
- (3) Where an *awning, commercial flag, canopy, fascia, mansard, projecting, changeable copy, or suspended sign* is allowed in a specified category of zone as set out in Schedule 'A', they may be placed on each and every *building face* of the *advertised business*.

Sign Illumination

- 28. Signs must only be illuminated in accordance with both the general conditions in Section 18 and the more specific conditions for each type of sign set out in Schedule 'A'.

Sign Type: See Part 4 for general sign conditions		Downtown	Shopping Centre	General Commercial	Local Commercial	Industrial	Residential	Institutional
29. Awning Sign	Allowable	Yes	Yes	Yes	Yes	Yes	No	No
<p><u>Specific Conditions:</u></p> <p>(a) does not extend in any direction beyond the limits of the <i>awning</i> face; (b) <i>copy area</i> does not exceed 40% of each <i>awning</i> face on which it is located; (c) the <i>awning</i> itself must be on the first storey with a minimum <i>clearance</i> of 2.5 m and must not extend higher than the second storey windows, or in the absence of second storey windows may extend 1 m above the second storey floor line, and (d) may be <i>internally or externally illuminated</i>.</p>								
30. Canopy Sign	Allowable	Yes	Yes	Yes	No	Yes	No	No
<p><u>Specific Conditions:</u></p> <p>(a) does not extend in any direction beyond the <i>canopy</i> face except upwards by up to 0.5m; (b) <i>copy area</i> is no more than 0.6 m high; (c) the <i>canopy</i> itself has a minimum <i>clearance</i> of 2.5 m over pedestrian areas and 4.5 m over vehicular areas, and (d) may be <i>internally or externally illuminated</i>.</p>								
31. Changeable Copy Sign	Allowable	No	Yes	Yes	No	Yes	No	Yes
<p><u>Specific Conditions:</u></p> <p>a) is mounted within a <i>fascia sign, free-standing sign or ground sign</i>; (b) is totally contained within the sign on which it is mounted; and (c) is integral to the larger sign design when it only constitutes part of the <i>sign area</i>, and does not appear to be an appendage. (d) if mounted on an <i>institutional building</i> can only be used to announce events at such building and shall not exceed 3m² in sign area; and (e) may be <i>internally or externally illuminated</i>.</p>								
32. Commercial Flag	Allowable	Yes	Yes	Yes	Yes	Yes	No	No
<p><u>Specific Conditions:</u></p> <p>(a) is hung from a pole which protrudes from, or above the <i>building face</i> of the <i>advertised business</i> and is no longer than 3 m in length, or is hung from a ground pole directly in front of the <i>advertised business</i> on the same property and is no higher than 4 m in height; and (b) may be <i>externally illuminated</i>.</p>								

Sign Type: See Part 4 for general sign conditions		Downtown	Shopping Centre	General Commercial	Local Commercial	Industrial	Residential	Institutional
33. Fascia Sign	Allowable Max. sign area coverage of building face	Yes 15%	Yes 15%	Yes 15%	No	Yes 12.5%	No	Yes 10%
<u>Specific Conditions</u> (a) does not project more than 0.5 m above the roofline or parapet to which it is attached; (b) has a minimum <i>clearance</i> of 2.5 m, except if inserted flush to a wall or situated entirely above a pedestrian-free landscaped area; and (c) may be <i>internally or externally illuminated</i> .								
34. Fence Sign	Allowable	Yes	Yes	Yes	Yes	Yes	No	No
<u>Specific Conditions</u> (a) limited to one sign per <i>advertised business</i> ; (b) does not exceed 2 m ² in sign area; and (c) may be <i>externally illuminated</i> .								
35. Free Standing Sign	Allowable Max. sign area Max. height	Yes 5 m ² 6 m	Yes 10 m ² 8 m	Yes 7.5 m ² 7 m	No	Yes 7.5 m ² 7m	No	No
<u>Specific Conditions:</u> (a) has a minimum <i>clearance</i> of 2.5 m over pedestrian areas and 4.5 m over vehicular areas, except for a <i>free standing sign</i> with cladding which must be in a protected landscaped area; (b) is not located closer than 1.5 m to a lot line, or within 2.0 m of any building; (c) any separate sign faces on a free standing sign structure shall all be mounted perpendicular to one another; and (d) may be <i>internally illuminated</i> .								
36. Ground Sign	Allowable Max. sign area Max. height	Yes 3 m ² 2 m	Yes 4 m ² 2 m	Yes 3 m ² 2 m	Yes 2 m ² 1.5 m	Yes 3 m ² 2 m	No	No
<u>Specific Conditions:</u> (a) is not located within 1.0 m of any building, or within 1.5 m of a lot line except where the lot line direct abuts a sidewalk (b) contains all its signage within one contiguous <i>sign area</i> , and (c) may be <i>internally or externally illuminated</i> .								

Sign Type: See Part 4 for general sign conditions		Downtown	Shopping Centre	General Commercial	Local Commercial	Industrial	Residential	Institutional
37. Large Real Estate Sign	Allowable Max. sign area Max. height	Yes 3 m ² 2 m	Yes 3 m ² 2 m	Yes 3 m ² 2 m	Yes 3 m ² 2 m	Yes 3 m ² 2 m	No	No
<u>Specific Conditions:</u> (a) does not remain after 30 days of the property being sold, or 5 days after being taken off the market; and (b) is not <i>illuminated</i> .								
38. Home Occupation / Bed and Breakfast Signs	Allowable Max. sign area	No	No	Yes 0.5 m ²	No	No	Yes 0.5 m ²	No
<u>Specific Conditions:</u> (a) is limited to one <i>sign</i> either on the building or on the property, and (b) may be <i>externally illuminated</i> .								
39. Mansard Sign	Allowable	Yes	Yes	Yes	No	No	No	No
<u>Specific Conditions:</u> (a) <i>copy area</i> does not exceed 40% of each <i>mansard roof</i> on which it is located; (b) does not project beyond the lower or top edge of the roof; and (c) may be <i>internally illuminated</i> .								
40. Projecting Sign	Allowable Max. sign area	Yes 3 m ²	Yes 6 m ²	Yes 4.5 m ²	No	No	No	No
<u>Specific Conditions:</u> (a) is limited to one sign per <i>building face</i> ; (b) has a minimum clearance of 2.5 m and a maximum height of 7.5 m; (c) does not project above the roof line; and (d) contains all its signage within one contiguous sign area; and (e) may be <i>internally illuminated</i> .								

Sign Type: See Part 4 for general sign conditions		Downtown	Shopping Centre	General Commercial	Local Commercial	Industrial	Residential	Institutional
41. Sandwich Board Sign	Allowable	No	Yes	Yes	No	No	No	No
<p><u>Specific Conditions:</u></p> <ul style="list-style-type: none"> (a) is limited to one sign per <i>advertised business</i>; (b) is limited to a maximum <i>sign face</i> of 0.9 m vertical and 0.6 m width; and (c) is of 'A' frame construction with a securable cross brace; and (d) is not <i>illuminated</i>. 								
42. Sidewalk Sandwich Board Sign	Allowable	Yes	No	No	No	No	No	No
<p><u>Specific Conditions:</u></p> <ul style="list-style-type: none"> (a) is located on the sidewalk directly in front of the business it advertizes; (b) meets the same applicable requirements as a sandwich board sign, but is sited not to impede pedestrian traffic along the sidewalk, or to and from any pedestrian crosswalk; (c) notwithstanding the generality of the preceding section, is sited to leave a minimum 1.5 m wide unobstructed corridor on the sidewalk at all times for passage of pedestrians and wheel chairs; (d) contains a high contrasting border colour to increase visibility for pedestrians and wheel chair operators; (e) is not displayed outside of business operating hours; and (f) is not <i>illuminated</i>. 								
43. Suspended Sign	Allowable	Yes	Yes	No	No	No	No	No
<p><u>Specific Conditions:</u></p> <ul style="list-style-type: none"> (a) is limited to two signs per <i>advertised business</i>; (b) is located in front of the <i>building face</i> of the <i>advertised business</i>; (c) does not exceed 0.3 m² in <i>sign area</i>; (d) has a minimum <i>clearance</i> of 2.25 m; and (e) is not <i>illuminated</i>. 								

Sign Type: See Part 4 for general sign conditions	Downtown	Shopping Centre	General Commercial	Local Commercial	Industrial	Residential	Institutional
<p><u>LEGEND</u> <i>Zone Categories</i> include the following zones:</p> <p><u>Downtown</u>: Downtown Commercial (C1). <u>Shopping Centre</u>: Shopping Centre Commercial (C2). <u>General Commercial</u>: Highway Commercial (C3); Tourist Commercial (C4); Recreation Vehicle Park/ Campground (C5); Service Commercial (C8); Commercial Marina (CM). <u>Local Commercial</u>: Neighbourhood Commercial (C6); Special Commercial (C7); commercial uses in Agricultural (AG) and in Parks and Recreation (PR). <u>Industrial</u>: Commercial Airport (CA); General Industrial (M1); Heavy Industrial (M2); Special Industrial (M3). <u>Residential</u>: All residential zones <u>Institutional</u>: Public and Private Institutional (P1) <u>Comprehensive Development (CD) Zones</u>: <i>Zone Categories</i> will be designated in CD zones at the <i>Building Inspector's</i> discretion according to the circumstances.</p>							

SCHEDULE 'B.' PERMIT FEES

(Note: the following fees apply for each application for a sign permit regardless of the number of signs included in the application and whether or not they are all approved.

<i>Category</i>		<i>Fee per application</i>
1.	Any sign requiring a sign permit and payment of fees.	\$ 75
2.	Any sign that has been commenced without an approved permit in good standing.	\$ 150

**TOWN OF OSOYOOS
OSOYOOS SIGN BYLAW
BYLAW NO. 1282, 2012**

WHEREAS Council deems it desirable to adopt Osoyoos Sign Bylaw 1282, 2012.

NOW THEREFORE the Council of the Town of Osoyoos in open meeting assembled enacts as follows:

This Bylaw may be cited as **“Osoyoos Sign Bylaw. No 1282, 2012”**.

Read a first time this 4th day of April 2011.

Read a second time as amended this 22nd day of September, 2011.

Notice given in accordance with the Local Government Act and Community Charter by way of posting on the Notice Board on the 28 day of September, 2011 and by publication in the Osoyoos Times on the 28 day of September 2011, and the 5 day of October 2011.

First Public Hearing this 11th day of October, 2011.

Read a second time as amended this 19th day of December, 2011.

Read a second time as further amended this 22nd day of May, 2012.

Notice given in accordance with the Local Government Act and Community Charter by way of posting on the Notice Board on the 30th day of May, 2012 and by publication in the Osoyoos Times on the 30th day of May , 2012, and the 6th day of June, 2012.

Second Public Hearing this day of June 11th, 2012.

Read a third time as further amended this 16th day of July, 2012.

Adopted this 17th day of December, 2012.

Original signed by Mayor Stu Wells

MAYOR

Original signed by Janette Van Vianen

CORPORATE OFFICER