



Sign Regulation Bylaw No. 1397, 2008

CONSOLIDATED FOR CONVENIENCE ONLY

EFFECTIVE DATE: August 15, 2011

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only.

This consolidation is not a legal document.

Certified copies of the original bylaws should be consulted for interpretation and application of the bylaws on this subject.

AMENDMENT BYLAW

EFFECTIVE DATE

No. 1397.01

June 14, 2010

No. 1397.02

August 15, 2011

THE CORPORATION OF THE DISTRICT OF KENT

BYLAW NO. 1397

“A bylaw to regulate signs within the District of Kent”

WHEREAS the Council of the District of Kent may, under the authority of Section 8 of the *Community Charter* and Section 908 of the *Local Government Act*, regulate, prohibit and impose requirements in relation to signs and other advertising, including the erection, placing, alteration, maintenance, demolition and removal of signs, sign boards, advertisements, advertising devices and structures, and the number, size, type, form, appearance and location of signs within the District of Kent;

AND WHEREAS the Council of the District of Kent wishes to guide and regulate the use of signs and other advertising devices upon the highways and other lands within the District of Kent, while allowing preservation and maintenance of the historic character and ambiance of the District; and to enable the fair and consistent enforcement of these regulations;

NOW THEREFORE the Council of the Corporation of the District of Kent, in open meeting assembled, enacts as follows:

1. TITLE

This bylaw for all purpose may be cited as the **“District of Kent Sign Regulation Bylaw No. 1397, 2008”**

2. DEFINITIONS

“Accessory or Business Sign” means a sign, symbol, trademark, structure or similar device used to identify the use pursued by the person, firm located therein;

“Aggregate Area” means the total area of exposed building face that shall be used in the calculation of square metres or square feet for total signage allowed;

“Area” when used to describe a sign, means the number of square metres (square feet) of the surface of the sign including the border and frame, and where there is no border, shall include all area of the surface lying within the extremities of the sign and, in the case of a sign having more than one face, the area of the sign shall be the total area of one face provided the faces are back to back, otherwise it shall be the total of all faces;

“Awning” means a covered frame of any material, which may or may not be retractable to the building wall;

“Banner” means a band or strip of material that bears advertising copy or slogan of a temporary nature normally hung in front of a building or across a highway;

“Building Official” means a person appointed from time to time by the Council as the Building Official of the District, or designate;

“Bylaw Enforcement Officer” means a person appointed from time to time by the Council for the purpose of enforcing and carrying out the provisions of this Bylaw, and shall include any Assistant Bylaw Enforcement Officer so appointed;

“Council” means the Municipal Council of the District of Kent;

“Depth” in reference to a sign means the distance from the outer face to the supporting face of any sign or advertising;

“Directory Sign” means a sign listing the services within a place of business and shall include signs advertising business locations within buildings or services rendered within the building and shall have a display on one (1) face only and, in buildings with more than one entrance, each entrance may have a sign;

“Directional Sign” means a sign indicating a direction to be followed to attain a certain destination with only the destination and/or distance identified;

“District” means the District of Kent;

“Double Faced Sign” means a sign having two sign faces, each face being of equal area and identical proportions to the other, and with each face located on the sign structure so as to be exactly opposite the other;

“Downtown Revitalization Area” means the area designated as such in Schedule “C” of the District’s Official Community Plan;

“Electronic message centre sign” means a sign which exhibits changing or moving effects at a constant intensity of illumination, or a sign with moving letters, symbols or changing messages;

“Exposed Building Face” means that part of the exterior wall of a building which faces one direction and is the front wall as determined by the assessment description, the zoning bylaw and the civic address and is located between the ground level and the ceiling of its top storey except mansards;

“Fascia Sign” means a single-faced sign located in such a manner that the sign face is parallel to the main wall or painted on the wall of the building to which it is attached and does not project either vertically or horizontally beyond the building wall to which it is attached;

“Flag” shall mean an advertising device made of material and hung from a pole or standard;

“Flashing Sign” means any kind of sign blinking on and off at regular or irregular intervals;

“Ground Sign” means any sign directly supported by the ground without the aid of any building or structure, other than the sign structure;

“Height of Sign” means the vertical distance from the ground to the highest extremity of the sign including the border or frame or the vertical distance from the ground to the top of the letter, symbol or other part of the sign that is the highest;

“Highway” means:

- i. every highway within the meaning of the *Transportation Act*;
- ii. every road, street, lane or right of way designated or intended for or used by the general public for the passage of vehicles; and
- iii. every private place or passageway to which the public, for the purpose of the parking or servicing vehicles, has access or is invited;

“Illuminated Sign” means a sign that is lighted by an external source;

“Length of Sign” means the distance between the border of the frame of the sign measured horizontally and in the case of a sign without border or face, it means the horizontal distance between the first and last extremities of the lettering, symbols or other parts of the sign;

“Lot Line” means the division line between a street allowance and a lot, or the division line between two lots;

“Luminous Sign” means a sign that is lighted by an internal source;

“Marquee” means an awning raised as a shelter from the door of a dwelling or public building toward the curb;

“Menu Board” means a single sided sign secured to the side of a building or structure advertising the menu or specials of an eating establishment;

“Mural” means any painting, drawing or other graphic or visual external display applied to the exterior wall of any building or structure whether done by hand, photo reproduction, decal or transfer;

“Off Premises Sign” means any sign or advertising device upon which there is displayed advertising copy describing any product or service not made, produced, assembled, stored or sold from the lot or premises upon which the sign or advertising device is located;

“Overhanging Sign” means any sign or advertising device protruding beyond the lot line of a property;

“Place of Business” shall mean the location where the main activity of the business or occupation is conducted from and in a multi-use building all businesses shall be deemed to be a single business;

“Political sign” means any sign advertising or promoting the election of a person or political party or position in a local, provincial or federal election process and does not include a portable sign as defined herein;

“Portable Sign” means a temporary sign not securely anchored to the ground or to a building or structure and which by its nature or design can readily be relocated to serve the same purpose at another location, but does not include a Sandwich Board Sign;

“Poster Panel” or “Billboard” means a standardized advertising sign, symbol or structure normally on pylons or other heavy support used to advertise or display;

“Real Estate Sign” or “Construction Sign” means a free-standing or fascia sign indicating that the property on which it is located, or a premises on the property is for sale, rent or lease, or that a building project or development on the property is about to be undertaken or is currently in progress;

“Roof Sign” means a poster panel or billboard sign located on any roof;

“Sandwich Board Sign” means a sign constructed of two pieces of material and hinged together at one end, not exceeding 0.6m² in area;

“Sign” includes any structure, balloon, gas-filled figure, device, advertising, advertising device, visual representation or notice or any component part of any such medium, which is intended, used or capable of being used to advertise, identify or communicate information or attract the attention of the public to a specific subject matter for any purpose and, without limiting the generality of the foregoing, includes any symbols, letters, figures, illustrations or forms painted or otherwise affixed to a building or any structure or device, the prime purpose of which is to support, border, illuminate, animate or project a visual representation, but does not include the supporting frame;

“Sight Triangle” means an area free of buildings or structures, which area is to be determined by measuring, from the point of intersection of street lines on a corner lot, a distance of 5 metres (16 feet) along each such street line and joining such points with a straight line. The triangular shaped land, between the intersecting street line and the straight line joining the points the required distance along the street lines, is the “Sight Triangle”;

“Standard Sign” means a sign supported by a pole, pylon, standard or other similar structure where the total area of the sign does not exceed three (3) square metres (32 sq. ft);

“Temporary Sign” means a sign conveying a message applicable for definable and specific limited time or related to an event of specific and limited duration;

“Town Centre Area” means those lands as designated in Schedule “B-1” of the District’s Official Community Plan;

“Zone or Zones” means those areas designated by the Zoning Bylaw of the District and allowing specific uses therein.

3. APPLICATION FOR PERMIT

3.1 Except as provided in Section 4, no person shall erect, cause to be erected or structurally alter any *sign* within the District without first applying for and obtaining a *sign* permit for such purpose from the District.

3.2 Every application for a *sign* permit shall be on the prescribed form attached as Schedule “B” to this Bylaw and shall be submitted to the *Building Official*.

3.3 Every application for a *sign* permit shall be accompanied by the following information, which may be hand-drawn and filed with the application:

- i. completed drawings and specifications of what is to be erected or structurally altered, including, where applicable, details of supporting framework;
- ii. site plans to scale, indicating location of the *sign* on the building relative to vehicle accesses, doors, windows and other existing *signs*, *awnings* or canopies on the site;
- iii. site plans, to scale, indicating the location of the *sign* on the site relative to street lines and other boundaries of the property and the location of the building thereon and in the case where an *overhanging sign* is proposed, the location of trees, utility poles, street lights and like objects; and
- iv. unless otherwise required by the *Building Official*, site plans may be referenced to a current survey plan of the site certified by a registered British Columbia Land Surveyor, and a copy of such survey plan may be submitted with the application.

3.4 Every person making application for a *sign* permit shall pay the applicable fees set out in Schedule “A” of this Bylaw.

- 3.5 Where an application for a *sign* permit complies with the provisions of this Bylaw, the British Columbia Building Code and all other applicable bylaws, laws and regulations and the prescribed *sign* permit fee has been paid, the *Building Official* shall issue a *sign* permit to the applicant substantially in the form of a permit attached to this Bylaw as Schedule “D”.

4. PERMIT EXEMPTIONS

- 4.1 No *sign* permit shall be required for the following *signs*, however all other regulations of this Bylaw shall be adhered to:
- i. any *poster, banner, or sign* of a candidate in a Municipal, Provincial or Federal election;
 - ii. *signs* of a public authority, including agents of the *District*;
 - iii. *signs* prescribed by law;
 - iv. *signs* for public convenience (such as caution, construction or detour *signs*);
 - v. *temporary signs* of non-profit and/or charitable organizations;
 - vi. municipal exhibition or event *signs*;
 - vii. no trespassing *signs* 0.20 square metres (2 square feet) or less in *area*;
 - viii. interior window *signs* of 0.20 square metres (2 square feet) or less in *area*;
 - ix. *signs* of 0.20 square metres (2 square feet) or less in *area* identifying parking areas;
 - x. identification *signs* 0.20 square metres (2 square feet) or less in *area* identifying the owners/occupants of a building;
 - xi. *awnings* carrying no advertising and which do not overhang a public *highway*;
 - xii. *signs* displayed within a shop or office; and
 - xiii. *real estate signs* and *construction signs*.

5. GENERAL REGULATIONS APPLICABLE TO ALL SIGNS IN ALL ZONES

- 5.1 No *sign*, temporary or permanent, or any other advertising device or *sign* structure shall be erected, installed, enlarged or placed for any purpose within the District, except as permitted by this Bylaw and in conformity with the applicable provisions of the *British Columbia Building Code* and regulations thereto and all other applicable Municipal, Provincial and Federal laws and regulations.
- 5.2 Except as otherwise provided for in this Bylaw, no person shall erect or maintain any *sign* which projects on or over any *highway* in the District unless such *sign* is an *overhanging sign* erected and installed in accordance with the requirements of this Bylaw.

- 5.3 (a) Except as permitted in this Section, no person shall attach any *sign, poster, handbill, notice or advertisement* to a utility pole on a highway in the District without the written consent of the District and of the utility company or other owner of the utility pole.
- (b) No person shall attach any *sign, poster, handbill, notice or advertisement* to any living tree as such attachment may injure or kill living vegetation.
- (c) A non-profit (non-commercial) and charitable organization sponsoring an event may attach notices to a utility pole for a period not exceeding two weeks prior to the event and shall remove them within two days of the event's completion.
- (d) District residents may attach a notice to a utility pole concerning a yard sale on the day of the sale only and shall remove it in the evening when the sale is completed. No other form of *sign* for yard sales shall be placed on public property.
- (e) No person shall paint, print or impress anything on any sidewalk or roadway without permission to do so, by resolution of *Council*.
- 5.4 No person shall erect or maintain any *banner, stringer or other advertising device* across any *highway*, without the consent of the District.
- 5.5 No person shall erect or maintain any *awning* attached to a building, erected so as to be suspended or projected over any sidewalk except in conformity with this Bylaw.
- 5.6 No person shall erect or maintain any *sign* which would obscure vision within the *Sight Triangle* area of a corner lot.
- 5.7 The provisions of this Bylaw apply to any *sign* erected by the District except when required by Provincial or Federal law or regulation.
- 5.8 No *sign* with red, amber or green lighting that could be mistaken for a traffic control device shall be permitted within fifteen metres (50 feet) of any intersection.
- 5.9 *Illuminated signs* shall be located so as to reflect light away from adjacent premises or streets to prevent any glare or spillover effect.
- 5.10 A *sign* permit for a *Luminous sign* shall only be issued if the *sign* is first approved by resolution of *Council*, and is in keeping or character with the historic nature of the *District* as outlined in the Official Community Plan.

5.11 Temporary Construction Project Signs:

- i. *Temporary signs* may be erected at a construction project indicating the nature of the project and the developers, contractors, architects, engineers and related personnel or trades involved in the development of the site. The total *area* of all *signs* shall not exceed 3.0 square metres (32 square feet) and no single *sign* shall exceed 1.11 square metres (12 square feet). Such *signs* shall not be erected until an application for a Development Permit or Building Permit (if required) has been filed with the District.

5.12 Temporary Project Announcement Signs

One (1) temporary, announcement *sign*, having a maximum *sign area* of three (3) square metres (32 square feet) announcing a development project may be erected at a proposed development site. Such announcement *sign* shall be removed within three (3) calendar months of the erection thereof or upon the commencement of construction of the project, to which the announcement *sign* refers, whichever is the lesser period of time, unless an extension is approved by the District.

5.13 Electrical Work

All electrical work for a *sign* shall conform to all applicable Municipal, Provincial and Federal regulations.

5.14 Maintenance and Safety

Every *sign* shall be maintained in a clean and pristine condition and kept in good repair and in a safe and secure condition.

5.15 Housekeeping

It shall be the duty and responsibility of the owner or lessee of any *sign* to maintain the immediate premises occupied by the *sign* in a neat and tidy condition as prescribed by the *District of Kent's Unsightly Premises Bylaw*.

5.16 Real Estate Signs

- i. No *Real Estate Sign* shall be affixed to any utility pole without the written consent of the utility company or to a municipal standard, or erected or placed on any municipal or public property, save and except *signs* erected by or for the *District*. Any *sign* contravening the provisions of this section may be removed by the *District* without notice.

- ii. No *real estate sign* shall be affixed to any tree located on private or public property anywhere in the District.
- iii. Except as otherwise provided herein, there shall be a limit of two (2) double faced *real estate signs* per property provided such *signs* are no closer together than 23 metres (75 feet).
- iv. All *real estate signs* shall comply to the size requirements of this Bylaw in the *aggregate area* total, and no single *sign* shall exceed 1.11 square metres (12 square feet).
- v. Open House *signs* shall be permitted for the day of the Open House and the day prior, only.
- vi. Real estate directional signs shall not be placed on District or Provincial Highway rights-of-way.

5.17 Directional Signs

A directional sign may be located on a street right-of-way if approved by the Director of Engineering. Each face of a directional sign shall not exceed 0.6m².

5.18 Portable Signs

- i. No person shall erect or install a Portable Sign anywhere in the District without first making application for and obtaining a *sign* permit in accordance with the procedures set out in Section 3 PROVIDED THAT a permit for a *portable sign* shall only be issued for a specific event where the application is received by the District at least 30 days prior to the event, and where the proposed *portable sign* will comply with all provisions of this Bylaw and all other bylaws of the District and will not create a danger, nuisance or inconvenience to the public.
- ii. *Portable signs* are authorized to be displayed for a total of not more than 56 days in a calendar year, in maximum blocks of twenty-eight days per event and shall be removed within twenty-four hours of the permits expiration.
- iii. Except as otherwise provide herein, a *portable sign* is not to be larger than 3 m² in area per Face.
- iv. No such sign shall be located so as to create a traffic safety hazard by interfering with the vision of drivers entering or leaving the premises;

5.19 *Poster Panels, Billboards* and *Off Premises Signs* are prohibited in the District as they are not in keeping with the historical character of the *District*.

- 5.20 *Roof Signs* are prohibited anywhere in the District.
- 5.21 *Sign* like devices such as newspaper dispensers, vending machines and such like are prohibited on *District* property and on any property in any residential *zone* except for mail and newspaper delivery boxes which shall be limited to one (1) such device per property.
- 5.22 Removal of Signs
- i. *Political Signs* erected within the District shall be removed by the campaign office within seven (7) days following the election.
 - ii. Any *sign* or appurtenance thereto which no longer advertises a *bona fide* business or service on the premises shall be removed within fifteen (15) days of the termination of such business or service by the owner.
 - iii. *Sandwich Board Signs* located on any *highway*, sidewalk or allowance may, if they hinder or in any way impede the free and easy movement of pedestrians or vehicular traffic or the parking of vehicles or the opening of doors of vehicles, be removed by the *Building Official* or *Bylaw Enforcement Officer* or his designate without notice.
- 5.23 Signs in Violation
- i. Whenever the *Building Official*, *Bylaw Enforcement Officer* or his designate after inspecting a *sign* finds such *sign* to be in violation of the provisions of this Bylaw, he shall notify the owner of the property and/or the owner of the *sign*, in writing or by causing a notice to be delivered personally to such owners, requiring them or either of them to repair, alter or change or remove such *sign* within ten (10) days from the receipt of such notice.
 - ii. Where the repair, alteration or change or removal is a matter of public safety, in the sole opinion of the *Building Official*, *Bylaw Enforcement Officer* or his designate, the *Building Official* may give notice verbally and may reduce the period within which the owner or owners has to take action to a time period, which in the *Building Official's* sole discretion, is adequate taking into account the circumstances at the time the notice was given.

- iii. Where an owner of a *sign* or the owner of the property containing such *sign* fails to repair, alter, change or remove a *sign* in violation of this Bylaw within the time period specified by the *Building Official* in his notice, the *Building Official* or *Bylaw Enforcement Officer* or designate may enter on the property and take whatever actions are necessary to bring such *sign* into compliance with this Bylaw, at the expense of the owner of the *sign* or the owner of the property containing the *sign*.
- iv. Where the District provides work or services to lands or improvements in bringing a violating *sign* into compliance with this Bylaw, the costs of such work may be recovered by the District from the owner of the lands or improvements containing the sign in the same manner and with the same remedies as property taxes, and where such costs remain unpaid as of December 31, they shall be deemed to be taxes in arrear.

5.24 Abandonment

- i. Neither the granting of a permit nor the approval of plans or specifications nor inspections made by the *District* shall in any way relieve the owner, or any other person, from full responsibility for carrying out work, or having the work carried out and ensuring public safety, in complete accordance with this Bylaw, the *British Columbia Building Code* and all other applicable laws, regulations, rules and required approvals, permits and consents.
- ii. Every application for a permit under this Bylaw shall be deemed to be abandoned six (6) months after the date of filing, unless such application has been diligently pursued or a permit has been issued.
- iii. In the case of abandonment, all plans and specifications may be returned to the applicant.
- iv. Every permit shall expire and become null and void under the provisions of this Bylaw, if the work authorized by such a permit is not commenced within six (6) months of the date of the permit issuance, or, if the work authorized by such permit is suspended or abandoned at any time after the work is commenced, for a period of six (6) months, or the *sign* has been removed.

- v. If a permit has expired pursuant to this section before such work can be commenced, the original permit must be first renewed upon payment of the prescribed fee set out in Schedule “A” of this Bylaw and upon the *Building Official* being furnished with satisfactory proof that the plans and specifications conform with the requirements of this Bylaw at the time of the application for renewal.

5.25 Signs on Vehicles

Signs on or affixed to vehicles are prohibited in the District except for normal commercial advertising painted or decaled, including magnetic decals, on the side of the vehicle, save for a *sign* advertising the sale of the vehicle.

5.26 No Person shall paint a *mural* on any surface in the District without first making application for and obtaining a permit under Section 3 of this Bylaw PROVIDED THAT, in no case shall a permit be issued for a *mural* unless the proposed *mural*:

- (a) does not form or appear to form the advertising of a business, premises or occupation; and
- (b) has been approved by resolution of *Council* and is otherwise in keeping or character with the historic nature of the *District* as outlined in the District’s Official Community Plan.

5.27 Awnings

A permit for the erection of an *awning* shall be required and such *awning* shall be erected in conformity with the following and all other requirements of this Bylaw:

- i. All *awnings* must be constructed and maintained in a condition satisfactory to the *Building Official* or *Bylaw Enforcement Officer*.
- ii. No part of a non-retractable *awning* shall be closer to the surface of any sidewalk than 2.43 metres (8 feet) nor extend more than 1.2 metres (4 feet) over any sidewalk.
- iii. No part of any retractable *awning* shall extend more than 1.52 metres (5 feet) from the front of the building to which it is attached, and in no case beyond the curb line nor be closer than 2.43 metres (8 feet) to the surface of any sidewalk.
- iv. *Awnings* of any type shall not have advertising printed on or attached in any manner whatsoever save for the fringe.

5.28 No person shall paint a *sign* or any other form of advertising on any building without first making application for and obtaining a permit under Section 3 of this Bylaw PROVIDED THAT, no permit shall be issued for such *sign* or advertising unless the applicant establishes to the Building Official's satisfaction, subject to an appeal to Council, that the proposed *sign* or advertising existed historically on the building in the same or a similar form and is in keeping or character with the historic nature of the *District* as outlined in the District's Official Community Plan.

5.29 The following types of *signs* are prohibited in the District:

- i. *Flashing Signs*;
- ii. *Poster Panel/Billboard*; and
- iii. any *sign* or representation of any kind which is pornographic, vulgar, lewd or offends public decency under the laws of Canada or British Columbia.

5.30 Political Signs

- i. No *political sign* shall be displayed for more than 30 days prior to the date of an election, by-election, referenda, or other voting, or for more than seven days following an election, by-election, or referenda, or other voting.
- ii. No *political sign* shall flash or be illuminated. Political signs may have up to four faces, but no single side shall be more than 3.0² total area, and the height shall not be more than 2.1m above Grade
- iii. Signs on District property shall not obstruct or otherwise interfere with sightlines or movement of motor vehicle, pedestrians, cyclists or any other Highway traffic, or obstruct the visibility or regulatory signs or other traffic control devices.
- iv. Signs shall not be located within 0.5m of a sidewalk or walkway, within 3.0m of a roadway or attached to a utility pole, street light pole or utility appurtenance.
- v. No signs shall be placed on private property without the approval of the property owner
- vi. No sign shall be displayed or distributed within 100m of a building or other place where voting for local, provincial or federal elections, by-elections, referenda, or other voting is being conducted.

- Bylaw 1397.01 5.31 Electronic message centre signs are only authorized on property zoned as commercial, industrial, park and institutional provided the sign meets the following criteria:
- i) Sign shall be permitted for interior window only
 - ii) Sign shall not exceed 0.305 metres (1.0 feet) in height and 1.212 metres (4.0 feet) in length.
 - iii) Each business shall be limited to one sign and no more than one sign may be placed in a single window.
- 5.32 Despite any other provision of this Bylaw, all *signs, banners* or *awnings* protruding or overhanging onto or over public property are prohibited unless the owner first:
- (a) obtains a permit under Section 3;
 - (b) enters into a liability agreement with the District, substantially in the form attached to this Bylaw as Schedule “C”, indemnifying the *District* against all loss, cost, damages or expenses incurred or sustained by or recovered against the *District*; and
 - (c) provides proof of comprehensive liability insurance coverage in an amount of not less than \$2,000,000, per occurrence, naming the District an additional insured, containing a cross liability clause and a requirement that the insurer provide the District with 30 days written notice of cancellation of such insurance.

6. SIGNS IN RESIDENTIAL ZONES

- Bylaw 1397.02 6.1 There shall be no external signs or other display of advertising in any residential Zone except that one (1) permanent sign not more than 0.56 square metres (6 square feet) on the face of the sign shall be permitted per property or dwelling unit advertising a home occupation, bed and breakfast or cottage industry use. Where more than (1) home occupation business operates from the property or dwelling unit, all such businesses shall share the one (1) sign.
- 6.2 Illuminated signs and luminous signs are prohibited with the exception of bed and breakfast use which may have an illuminated sign.
- 6.3 Every sign must be wholly within the property line of the property. For a home occupation use the sign shall be attached to the building unless otherwise authorized by the Director of Development Services.
- 6.4 *Signs* shall be in keeping with the residential character of the neighbourhood and shall not be in fluorescent colours nor shall they display lewd or vulgar representations.

- 6.5 No *sign* shall be higher at the top of the *sign* including the *sign* post than 2.13 metres (7 feet) above the ground. Such measurement shall be taken from the *District* side of the property line.

7. SIGNS IN DOWNTOWN REVITALIZATION AREA

The following regulations shall apply to *signs* within the *Downtown Revitalization Area*:

- 7.1 In commercial *zones*, each business may have a separate *sign* provided that the total *aggregate area* of all *signs* shall not exceed fifteen percent (15%) of the area of the *exposed building face* and each business in a multi-use building shall be part of the maximum 15% *aggregate area*.

- 7.2 Notwithstanding Section 7.1 above, all businesses may share a single *directory sign* and it shall form part of the *aggregate area* total.

- 7.3 Buildings with more than one entrance shall be allowed a *directory sign* at each entrance and these shall form part of the *aggregate area* total.

- 7.4 Fascia Signs:

Fascia signs may be erected for each place of business provided that such *signs* conform to this Bylaw and the following special conditions:

- i. be attached to and parallel to the main wall of the building;
- ii. be a minimum of one (1) metre (3 feet) above the finished sidewalk;
- iii. project no more than 75 mm (3 inches) from the main wall of the building;
- iv. not cover or project across any window opening; and
- v. be part of the total *aggregate area*.

- 7.5 *Awnings* are permitted subject to all applicable regulations of this Bylaw.

- 7.6 Sandwich Boards:

a) *Sandwich Boards* may be permitted on District property including sidewalks or boulevards subject to the following conditions and regulations which are intended to ensure public safety and free and unencumbered movement of persons and vehicles:

- (1) on any sidewalk provided that at least two persons can walk abreast of each other and there is sufficient room for a third person to pass the other two without any of them having to turn sideways or step off the sidewalk onto a gutter, parking lane, boulevard or private property, where such measurements are taken from the private property line to the nearest road edge of standard curb and gutter or the road side edge of a paved sidewalk, provided that poles of any kind or other permanent fixture shall not be included in such measurements;

(2) on any grassed boulevard between the sidewalk and parking allowance on the near side edge of the road provided it does not interfere with the movement of vehicles or the parking of vehicles or the opening of any door of the same;

(3) only immediately in front of and adjacent to the premises occupied by the business displaying the *Sandwich Board* and such *Sandwich Board* shall be counted and considered as part of the maximum 15% *aggregate area* for the building and premises in question;

(4) shall be located so as to create a traffic safety hazard by interfering with the vision of drivers entering or leaving the premises;

(5) shall be displayed during business hours only.

(6) *sign* owner enters into a liability agreement with the District, substantially in the form attached to this Bylaw as Schedule “C”, indemnifying the *District* against all loss, cost, damages or expenses incurred or sustained by or recovered against the *District*; and

b) *Sandwich Boards* shall be allowed on commercial property when they are wholly within the property lines of the business concerned and do not obstruct traffic flows, and they shall form part of the *aggregate area*.

7.7 Overhanging signs:

Signs may be erected so as to overhang a *District* street, sidewalk or other pedestrian walkway, subject to the following provisions:

- i. the maximum *area* of the *sign* shall not exceed 1.5 square metres (16 square feet) and shall be part of the calculation of the total *aggregate area* of the exposed building face;
- ii. the *sign* shall not project more than 1.5 metres (5 feet) from any building face or the width of the sidewalk, whichever is less;
- iii. the *sign* shall be firmly anchored to a building face;
- iv. the *sign* shall not be closer to any sidewalk than 2.4 metres (8 feet) nor located above the second floor level of any building; and
- v. the owner or person in control of a *marquee*, *awning* or *sign* extending into a street more than 0.5 metres (1 foot 7.5 inches) beyond the building line shall execute a hold harmless agreement, substantially in the form

attached to this Bylaw as Schedule “C”, indemnifying the *District* against all loss, cost, damages or expenses incurred or sustained by or recovered against the *District* by reason of the construction, existence or maintenance of the marquee, awning or sign, and the owner of the *marquee, awning or sign* provides proof of comprehensive liability insurance coverage acceptable to the District in the amount of \$5,000,000 per occurrence, naming the District an additional insured, containing a cross liability clause and a requirement that the insurer provide the District with 30 days written notice of cancellation of such insurance.

7.8 Menu Boards:

- i. *Menu Boards* may be placed on the exposed face of a building or structure adjacent to the entrance of an eating establishment to display the menu or specials(s) of the day.
- ii. *Menu Boards* shall be in an enclosed case with a glass type door.
- iii. A *Menu Board* may be *illuminated* from inside the case so that the source of illumination does not show and the illumination lights the menu only.
- iv. The *Menu Board* and case shall not be larger than 0.56 square metres (6 square feet).
- v. The *Menu Board* shall form part of the *aggregate area*.

7.9 Banners:

Banners may be erected and maintained in the *Town Centre Area* subject to the following restrictions and requirements:

- i. the *banner* shall be firmly affixed to a building or standard both at the top and bottom;
- ii. the *banner* may project over a *District* sidewalk or other portion of a *highway* from one side of the road allowance to the other;
- iii. the bottom of the *banner* projecting over a sidewalk or *highway* shall be at least 4.5 metres (15 feet) from the roadway or sidewalk to the bottom of the *banner*;
- iv. no *banner* shall be put in place for more than twenty one (21) days preceding the event it advertises and shall be removed within five (5) calendar days following the event;
- v. a permit must first be obtained for the banner in accordance with the requirements of this Bylaw;

- vi. notwithstanding Section 7.9 (i) – (vi), above, *banners* located on commercial premises must be attached to the building in the same manner as for a *fascia sign* and the size of the *banner* shall be included in the *aggregate area* calculations PROVIDED THAT on special occasions, a *banner* on a commercial building may exceed the *aggregate area* for a period not exceeding twenty one (21) days provided there is a minimum of ninety (90) days between any two *banners* being displayed which exceed the *aggregate total*.

7.10 Flags:

Flags displaying the words “open” or “sale” .or other advertising copy shall be governed by the regulations of Sections 7.7 and 7.9, above.

8. SIGNS IN INDUSTRIAL, INSTITUTIONAL, RURAL, AGRICULTURAL, RESOURCE MANAGEMENT AND MARINE ZONES

- 8.1 *Signs* in Agricultural, Rural and Mobile Home Park zones shall be governed by the regulations respecting Residential *zones* contained in Section 6 of this Bylaw.
- 8.2 *Signs* in the Light and Heavy Industrial *zones* shall be governed by the regulations respecting the Downtown Revitalization Area contained in Section 7.
- 8.4 *Signs* in all Commercial *zones* shall be governed by the regulations respecting the Downtown Revitalization Area contained in Section 7.
- 8.5 *Signs* in the Resource Management *zone* shall be governed by the regulations respecting Residential *zones* contained in Section 6.
- 8.6 *Signs* in the Institutional and Park, Recreation and Open Space *zones* shall be governed by the regulations respecting the Downtown Revitalization Area contained in Section 7.
- 8.7 *Signs* in the Comprehensive Development One *zone* shall be governed by the regulations respecting the Downtown Revitalization Area contained in Section 7.
- 8.8 *Signs* in the Comprehensive Development Mount Woodside *zone* shall be governed by the regulations respecting Residential *zones* contained in Section 6, except that, those sub-zones designated as Commercial shall be governed by the regulations respecting the Downtown Revitalization Area contained in Section 7.

9. STANDARD SIGNS

9.1 *Standard signs* shall conform to the following:

- (a) the number of *standard signs* located on a site shall not exceed the greater of one (1) for each street frontage of the site or one (1) for each two (2) premises located on the site, provided that the total number of *standard signs* on the site shall not exceed three (3);
- (b) *standard signs* situated on the same site shall not be located closer to each other than thirty (30) metres (100 ft);
- (c) the *area* of a *standard sign* shall not exceed three (3) square metres (32 sq. ft) plus an additional 0.09 square metres (1 sq. ft) for each 0.3 metres (1 ft) of street frontage in excess of 15 metres (50 sq. ft) and provided that the combined *area* of all *standard signs* on each street frontage of a site shall not exceed 4.65 square metres (50 sq. ft);
- (d) The maximum height of a *standard sign* shall not exceed nine decimal one five (9.15) metres (30 ft); and
- (e) Despite the foregoing restrictions, where a *standard sign* already exists on a lot, a premises located on an adjacent lot shall be permitted to place a *sign* on the existing *standard sign* structure.

10. OUTSIDE BUSINESSES

10.1 No *sign* shall be permitted on any *highway* or property owned or under the control of the *District* which advertises or identifies any business located outside the limits of the District, except a business located in:

- (i) The Village of Harrison Hot Springs
- (ii) The Fraser Valley Regional District, Electoral Area “C” (Hemlock Valley, Morris Valley, Harrison Mills, and Lake Errock).

11. OTHER SIGNS AND MISCELLANEOUS

11.1 Any other type of *sign* or advertising device not specifically authorized in this Bylaw is prohibited.

12. ADMINISTRATION

12.1 This Bylaw shall be administered by the *Bylaw Enforcement Officer* or the *Building Official* or by such other person as may be authorized by the Chief Administrative Officer for the District.

12.2 Penalties

Every person who contravenes any provision of this Bylaw or who suffers or permits any act or things to be done in contravention or in violation of any provision of this Bylaw, or who neglect to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence and, upon conviction, shall be liable to a fine or penalty being one or more of the following:

- (a) a maximum fine of up to \$5,000;
- (b) in the case of a continuing offence, for each day that the offence continues, a maximum fine of up to \$5,000;

13. LEGAL NON-CONFORMING

13.1 All *signs* in use and conforming to *The District of Kent's Sign Bylaw 934, 1990* on the date this Bylaw is adopted, save and except *Sandwich Boards* and *Portable Signs* shall be deemed to be legal and non conforming *signs*.

13.2 *Sandwich Boards* and *Portable Signs* must immediately comply with the provisions of this Bylaw.

14. PREAMBLE

14.1 The preambles to this bylaw while not technically being part of the operative clauses of the bylaw shall be the overriding guide and resource when reading or interpreting any or all of this Bylaw.

15. REPEALS

15.1 *Sign Bylaw No. 934, 1990* of the District of Kent is hereby repealed.

16. SEVERABILITY

16.1 If any section, subsection, sentence, clause or phrase in this bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the bylaw

READ A FIRST TIME this 28th day of July 2008.

READ A SECOND TIME this 28th day of July 2008.

READ A THIRD TIME this 28th day of July 2008.

FINALLY PASSED AND ADOPTED this 25th day of August 2008.

Lorne Fisher, Mayor

Wallace Mah, Chief Administrative Officer

CERTIFIED A TRUE AND CORRECT COPY
of "District of Kent Sign Bylaw No. 1397, 2008"
adopted this 25th day of August, 2008

Clair Lee, Director of Corporate Services.

CORPORATION OF THE DISTRICT OF KENT**SCHEDULE "A" TO BYLAW 1397, 2008**

The following fees shall be paid to the District of Kent upon application to erect any *sign* in the District:

1. SIGNS
 - (i) \$50.00 for each sign

2. AWNINGS
 - (i) \$50.00 for each awning

3. BANNERS
 - (i) \$25.00 for each banner

4. ALL SIGNS, AWNINGS, BANNERS REQUIRING LIABILITY INSURANCE
 - (i) \$75.00 for each sign, awning, or banner

EXEMPTIONS

1. These fees shall not apply to any signs as outlined in Section 4

**CORPORATION OF THE DISTRICT OF KENT
SCHEDULE "B" TO BYLAW 1397, 2008**

Application for a sign permit to – The District of Kent, Box 70, Agassiz, BC, V0M 1A0 T. (604) 796-2235 F. (604) 796-9854

Applicant: _____ Tel: _____

Address: _____

Owner (prop/bus.) _____ Tel: _____

Address: _____

Nature of Business: _____

Sign Designer: _____ Tel: _____

**NO VARIATION SHALL BE PERMITTED FROM THE DESCRIPTION ON THE
APPLICATION AND PERMIT TO THE SIGN AS BUILT**

Type of Sign: (check all applicable)

wood plastic steel other

fascia awning sandwich board projecting/overhanging

illuminated fabric other

Location of Sign: _____ Zone: _____

Size of Sign: _____ Size of Support: _____

Height of Sign above ground: _____ Size of Lot: _____

Existing signs? _____

A copy of plans for the proposed signage complete with size and location indicated must be submitted with this application. All relevant information should be provided, including wording and artwork in order to assist the Building Official in his decision. Failure to provide required information will result in a delay of the application review

DECLARATION: I, _____ the undersigned am the owner/authorized agent for the owner named in the above application and I certify the truth of all statements made herein.

I understand that the issuance of a permit shall not be deemed a waiver of the provisions of any bylaws or other regulation, notwithstanding anything included in or omitted from the plans or other material filed in support of this application.

I acknowledge that in the event that a permit is issued, any departure from the plans, specification or locations proposed in the application is prohibited and such may result in the permit being revoked. I further acknowledge that in the event the permit is revoked for any cause of irregularity or nonconformity with the bylaws or regulation, there shall be no right of claim whatsoever against the District Corporation or any official thereof and any such claim is hereby expressly waived.

And further, I hereby certify that insurance coverage is in full force and effect for the sign(s) at the subject address to a limit of liability of not less than \$5,000,000.00. Cancellation or non-renewal of this policy for any reasons shall automatically cause the sign permit to be of no effect.

Agassiz, BC _____, 20__ Signed: _____ Witness: _____

Date Application reviewed _____ Approved: _____

Conditions: _____

**CORPORATION OF THE DISTRICT OF KENT
SCHEDULE "C" TO BYLAW 1397, 2008**

HOLD AND SAVE HARMLESS AGREEMENT

I/We THE UNDERSIGNED hereby covenant and agree to hold and save harmless the Corporation of the District of Kent and it's Officers, Servants and Employees from all claims or cause of action against the Corporation of the District of Kent, because of or arising out of any injury or damage to property or any person or others arising from the placement of a sign or other property of the undersigned and placed on, into or above property or premises of the Corporation of the District of Kent

WITNESS:

OWNER OR AUTHORIZED PERSON

Signature

Signature

print name

print name

print address

print address

**CORPORATION OF THE DISTRICT OF KENT
SCHEDULE "D" TO BYLAW 1397, 2008**

Date of issue _____, 20__

Permit # _____

ISSUED PURSUANT TO SIGN BYLAW 1397, 2008

Issued to: _____

Contractor (if applicable) _____

Size of Sign – Width _____ Length _____ Type of Sign _____

Wording on Sign _____

Location of Sign(s) _____

Description of Work _____

Remarks _____

NOTES: This permit is issued for the sign as described herein and any deviation may cause automatic revocation of this permit

Issued by: _____

Building Official