

THE CITY OF TRAIL

BYLAW NO. 2580

A BYLAW TO REGULATE THE INSTALLATION, ALTERATION, MAINTENANCE AND USE OF SIGNS IN THE CITY OF TRAIL

The Council of the City of Trail, in open meeting assembled, **ENACTS AS FOLLOWS:**

PART 1 – PREAMBLE

1.0 This Bylaw may be cited for all purposes as the “**Sign Bylaw No. 2580**”, 2004ö.

PART 2 – DEFINITIONS

2.0 In this Bylaw:

“**Awning**” means a shelter which projects from the wall of a building and is composed of non-rigid materials except for the support framework.

“**Building Official**” means Building Officials designated by the City of Trail or the Regional District of Kootenay Boundary.

“**Canopy**” means a permanent roofed structure, which may or may not be attached to and supported by the building, and which may or may not project over public property.

“**City**” means the City of Trail.

“**Clearance**” means the vertical distance between the underside of a sign or structure and the finished grade immediately below.

“**Copy**” means text, figures and symbols on a line.

“**Copy Area**” means the area within a circle, square or rectangle, or a combination of these figures, which encloses the advertising message or other information.

“**Curb Line**” means the line at the face of the curb nearest the street or roadway.

“**Mural**” means a non-commercial image painted on an exterior wall or other integral part of a building.

“**Person**” means, in addition to its ordinary meaning, a partnership, association, company, society and body corporate.

“**Roof line**” means the line made by the intersection of the wall of a building with the roof of the building on whichever face fronts the street.

“**Sign**” means any symbol, identification, description, illustration or device, illuminated or non-illuminated, which is visible from any public place or is located on private property and exposed to the public, and which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise, with the exception of window displays.

“**Sign Animated**” means any sign which includes action, motion, flashing, or colour changes of all or any part of the sign, but shall not include time and temperature, revolving or temporary portable signs.

“**Sign Area**” means the total area within the outer edge of the borders of a sign, and, in the case of a sign without borders, the total area within the shortest line circumscribing the letters, numbers, figures, or other symbols, devices or representations comprising the message of the sign (for a sign with two or more faces, the area shall be calculated for one face only).

“**Sign, Awning**” means a non-illuminated sign painted or affixed flat to the surface of an awning and which does not extend vertically or horizontally beyond the limits of the awning.

“**Sign, Billboard**” means an off-premises sign that advertises goods, products, services or facilities or directs persons to a different location than where the sign is located.

“Sign, Canopy” means a sign attached to or constructed in or on the face of a canopy or marquee.

“Sign, Directional” means an on-site sign indicating the direction only, of a business, parking area, product, service or event for the purpose of directing pedestrian or vehicular traffic.

“Sign, Fascia” means a sign which is in any manner affixed flat to the wall or fascia of a building, whether forming part of the building or not, and having the exposed face thereof on a plane approximately parallel to the plane of such wall.

“Sign, Freestanding” means a sign, except a billboard, independently supported and visibly separated from a building or other structure and permanently fixed to the ground.

“Sign, Home Occupation” means a sign identifying a home occupation as defined in the City Zoning Bylaw.

“Sign, Illuminated” means a sign in which a source of artificial light is used in order to make readable the message, and shall include internally and externally lighted signs and reflectored, flowing or radiating signs.

“Sign, Off-Premises” means a sign that directs a person to a different location from where the sign is installed.

“Sign, Projecting” means a sign which projects from the face or wall of a building, but does not include an awning sign, canopy sign or fascia sign.

“Sign, Roof” means any sign installed upon, against, or directly above a roof or on top of or above a parapet of a building, and wholly supported by the building.

“Sign, Sandwich Board” means a non-illuminated sign consisting of two flat faces/surfaces joined at one end and resting on the ground.

“Sign, Temporary Portable” means a sign not permanently attached to the ground or to a building and which is intended to be displayed for a limited period of time.

“Sign, Under Canopy” means a sign which is suspended from a canopy and under such canopy.

“Sign, Window” means a sign which is printed or affixed to the inside of a window in view of the general public.

“Street” means a highway as defined in the Local Government Act and includes a sidewalk and boulevard.

“Street Frontage” means the length of the property line of any lot parallel to and along each legally accessible public street, excluding a lane, that it borders.

PART 3 – GENERAL PROVISIONS

3.1 Metric Units

Metric units are used for all measurements in this Bylaw. The approximate equivalent of those units in commonly used units of Canada measure (feet, inches, etc.) are shown in brackets following each measurement, and such bracketed figures are included for convenience only and do not form part of this Bylaw.

3.2 Application

No sign shall be installed, placed, altered, or moved within the boundaries of the City of Trail unless in conformity with the provisions of this Bylaw.

3.3 Severability

If any Part, Section, Sub-section, clause, phrase or sentence of this Bylaw is for any reason held to be invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Bylaw.

3.4 **Non-Conforming Signs**

A sign lawfully in existence at the time of the adoption of this Bylaw, although the sign does not conform to the provisions of this Bylaw, may continue to be used but shall not be rebuilt, reconstructed, altered or moved unless in conformity with the provision of this Bylaw.

3.5 **Safety**

All signs shall be structurally sound, comply with all applicable provisions of the BC Building Code, the Fire Code and the City of Trail Building Bylaw and be free from all hazards caused by or resulting from decay or the failure of structural members, fixtures, lighting or appurtenances. Every electrical sign shall be approved and labeled in conformity with the Canadian Standards Association and shall conform to the Electrical Code of British Columbia.

3.6 **Obstruction**

No sign shall be installed, attached, constructed, or maintained so as to obstruct any fire escape, exit, door opening, window, passageway, ventilator, walkway or similar feature.

3.7 **Hazard**

No sign shall by reason of its location, colour, action or intensity, create a hazard to the movement of vehicular or pedestrian traffic.

3.8 **Maintenance**

- (1) All signs shall be maintained in readable and clean condition and the site of the sign shall be maintained free of weeds, debris and rubbish. Normal sign maintenance does not require a sign permit, but shall conform to all other requirements of this Bylaw.
- (2) It shall be the responsibility of the owner and person or persons installing, erecting, enlarging, converting, altering or relocating any sign to ensure that such signage has been left in a safe condition and in compliance with the requirements of this Bylaw.

3.9 **Location of Signs**

Except as specifically provided by this Bylaw, no sign shall be displayed except on the premises to which the sign refers and which the sign is intended to advertise, identify, provide information on, or attract attention to.

3.10 The installation, posting, displaying and maintenance of posters, handbills, advertising cards or other signage on utility poles, street light standards, public refuse containers on or above any street, highway or public right-of-way is prohibited.

PART 4 – SIGN REGULATIONS

The following types of signs require a sign permit:

4.1 **AWNING SIGNS**

Location

- (1) Are permitted in the Commercial and Industrial Zones.

Sign Area

- (2) Awning signs shall be confined to the limits of the awning and the copy area shall not exceed forty percent (40%) of the awning surface.

Projection

- (3) Awnings shall not project closer than 0.6 m (2.0 ft.) to the curb line measured horizontally. Awnings shall not project over a lane.

Clearance

- (4) The minimum vertical clearance of an awning from the nearest finished grade shall be 2.5 m (8.2 ft.).

4.2 CANOPY SIGNS**Location**

- (1) Are permitted in the Commercial and Industrial Zones.

Sign Area

- (2) The maximum sign area shall be 1.0 m² (10.8 sq. ft.) per lineal metre (3.3 ft.) of the canopy frontage limited in length to the portion of the canopy fronting the business premises related to the sign.

Projection

- (3) Canopy signs shall be directly attached to the apron of the canopy, but shall not:
 - (a) project below the lower edge of the canopy;
 - (b) project above the top of the roof line or wall to which the canopy is affixed, provided however, that in no case shall the top of the sign be higher than 6.0 m (19.6 ft.) above the nearest finished grade;
 - (c) project beyond the apron of the canopy more than 0.40 m (1.3 ft.) or closer than 0.6 m (2.0 ft.) to the curb line measured horizontally;
 - (d) project more than 2.13 m (7 ft.) or less than 1.5 m (5 ft.) over public property.

Clearance

- (4) The minimum vertical clearance of a canopy sign from the nearest finished grade shall be 2.5 m (8.2 ft.) in pedestrian areas and 4.5 m (14.8 ft.) in vehicular areas.

4.3 UNDER CANOPY SIGNS**Location**

- (1) Are permitted in the Commercial and Industrial Zones.

Size

- (2) The maximum vertical dimension of an under canopy sign shall be 0.5 m (1.64 ft.).

Clearance

- (3) The minimum vertical clearance of an under canopy sign from the nearest finished grade shall be 2.5 m (8.2 ft.).

Projection

- (4) Under canopy signs shall be located entirely under the canopy apron, but shall not project closer than 0.6 m (2.0 ft.) to the curb line measured horizontally.
- (5) Under canopy signs shall not project more than 1.5 m (4.9 ft.) over public property.

4.4 FASCIA SIGNS**Location**

- (1) Are permitted in the Commercial, Industrial and Institutional P1 Zones.

Number of Signs

- (2) Where more than one business occupies a building, each business is permitted to have a fascia sign, subject to section (3). Businesses may use multiple fascia signs to advertise various departments or services they offer, subject to section (3).

Sign Area

- (3) The maximum sign area shall be twenty-five percent (25%) of the wall surface to which the sign is affixed. The total area of all fascia signs on a building shall not exceed this number.

Clearance

- (4) The minimum vertical clearance of a fascia sign from the nearest finished grade shall be 2.5 m (8.2 ft.), except for:
 - (a) fascia signs situated entirely over private property, and immediately above a landscaped area designated to keep pedestrians away from the wall to which the sign is affixed;
 - (b) fascia signs entirely recessed into the wall to which they are affixed.

Projection

- (5) A fascia sign shall not project more than 0.3 m (1 ft.) from the face of the building to which it is affixed.
- (6) No part of a fascia sign shall project above the wall to which it is affixed.

4.5 FREE STANDING SIGNS**Location**

- (1) Are permitted in the C1, C2, C4, C4A, C5, C6, C7 and C8 Zones, the Industrial M1 and M2 Zones and the Institutional P1 Zone.

Sign Area

- (2) The maximum sign area of a free standing sign shall be 25.0 m (269 sq. ft.).

Sign Height

- (3) The maximum sign height shall not exceed 9.0 m (29.5 ft.), except in the C4, C4A and C5 Zones, the maximum height shall be 19.0 m (62.4 ft.).

Clearance

- (4) The minimum vertical clearance of a free standing sign over pedestrian areas shall be 2.5 m (8.2 ft.).
- (5) The minimum vertical clearance of a free standing sign over other land shall be 3 m (9.8 ft.).

Projection

- (6) A free standing sign shall not project over public property.

Visibility

- (7) A free standing sign shall not be located so as to be in conflict with the regulations in the Zoning Bylaw with respect to visibility at intersections.

Services

- (8) Electrical services for free standing signs shall be installed underground.

Number of Signs

- (9) Not more than one free standing sign per street frontage shall be permitted unless the frontage per street exceeds 50 m (164.05 ft.) in length in which case one additional free standing sign shall be permitted.

4.6 PROJECTING SIGNS**Location**

- (1) Are permitted in the Commercial and Industrial Zones and Institutional Zone P1.

Sign Area

- (2) The maximum sign area of a projecting sign shall be 2 m² (6.6 sq. ft.).

Height

- (3) The maximum height of a projecting sign shall not exceed 7.5 m (24.6 ft.) measured from the nearest finished grade or more than 0.6 m (2.0 ft.) above the eave level of the wall to which it is affixed, whichever is less.

Clearance

- (4) The minimum vertical clearance for a projecting sign over pedestrian areas shall be 2.5 m (8.2 ft.) and over driveways, lanes and parking aisles shall be 4.5 m (14.75 ft.).

Projection

- (5) A projecting sign shall not project more than 2.13 m (7 ft.) over public property.
- (6) A projecting sign shall not project closer than 0.6 m (2 ft.) to the curb line measured horizontally.

4.7 TEMPORARY PORTABLE SIGNS**Location**

- (1) A temporary portable sign shall be located on the property to which the sign refers.
- (2) A temporary portable sign shall not be located closer than 3 m (9.84 ft.) from a public road right-of-way adjacent to the property on which the sign is located, unless the sign is not greater than 1 m (3.28 ft.) in height.

Sign Area

- (3) The maximum sign area of a temporary portable sign shall be 3 m² (9.84 ft.) for each side.

Sign Height

- (4) The maximum height of a temporary portable sign shall be 3 m (9.84 ft.), subject to section 4.7(2).

Number of Signs

- (5) Not more than one temporary portable sign shall be permitted for each street frontage, unless the frontage exceeds 90 m (295.3 ft.), in which case one additional temporary portable sign is permitted.

Time Limit

- (6) The maximum period a temporary portable sign may remain on a property is four consecutive months in any twelve month period.

4.8 PAINTED WALL SIGNS

Painted wall signs shall conform to the requirements of a fascia sign.

4.9 BILLBOARDS**Location**

- (1) Billboards shall only be permitted in the Parks and Recreation P2 Zone.
- (2) No two billboards on the same street shall be located closer to one another than 183 m (600 ft.) when facing the same traffic flow.

Sign Area

- (3) The maximum sign area for a billboard shall be 37 m² (398.3 ft.).

Sign Height

- (4) The maximum sign height for a billboard shall be 6 m (19.7 ft.) above average grade.

General

- (5) Signs shall be maintained in good condition, and the ground around the sign shall be kept clean and free of weeds and other growth on a regular basis.
- (6) The billboard sign may be illuminated, provided that the sources of illumination are concealed, in order to eliminate glare.

PART 5 – SIGNS NOT REQUIRING A PERMIT

The following types of signs are permitted. They do not require a sign permit but are subject to the provisions as noted:

5.1 HOME OCCUPATION SIGNS

- (1) Home occupation signs must conform to the Home Occupation provisions of the City Zoning Bylaw.
- (2) Home occupation signs shall not be illuminated.

5.2 SANDWICH BOARD SIGNS

Location

- (1) A sandwich board sign shall not be located less than 0.31 m (1.0 ft.) from the back of the curb or edge of the road if a curb is not in place.
- (2) In the case of a sandwich board sign on a public sidewalk or walkway, there must be a minimum of 1.8 m (6 ft.) wide, unobstructed pedestrian corridor from the face of the building after the sign is installed so as not to disrupt pedestrians using the sidewalk or walkway, except as otherwise authorized by the City.
- (3) The sandwich board sign shall not be installed in a location that will interfere with access to parking meters, crosswalks, wheelchair ramps, street trees and fire hydrants.
- (4) The sandwich board sign shall be located directly in front of the business to which the sign refers, unless otherwise authorized by the City.

Sign Area

- (5) The area of a sandwich board sign shall not exceed 1 m² (10.8 sq. ft.) per sign face.

Sign Height

- (6) The height of a sandwich board sign shall not exceed 1.2 m (4.0 ft.).

Number of Signs

- (7) Not more than one sandwich board sign shall be permitted for each business with a maximum of two signs permitted per property frontage.

General

- (8) The sandwich board sign shall be kept in good repair and maintained in a safe, neat, clean and attractive condition.
- (9) The owner of a sandwich board sign shall maintain valid public liability insurance while the sign is installed within a public right-of-way.
- (10) The owner of a sandwich board sign shall remove the sign from public property when requested to do so by the City.

5.3 POLITICAL SIGNS

A political sign may be installed in any zone up to 30 days prior to a Municipal, Provincial, Federal or School Board election or referendum but shall not be placed on City parkland, on/or adjacent to City-owned or occupied buildings, or in locations that may cause a traffic or pedestrian hazard. Political signs shall be removed within 7 days of said election.

5.4 CONSTRUCTION SIGNS

Temporary signs related to a specific construction project shall not exceed 6 m (19.6 ft.) in height and not exceed 24 m² (258.3 sq. ft.) in area. The signs shall be removed upon completion of the project.

5.5 **TEMPORARY SPECIAL EVENT SIGN**

A temporary special event sign may be placed or installed upon approval of the City. The sign shall not be posted for more than fourteen days after which time it must be removed.

PART 6 – PROHIBITED SIGNS

6.1 The following sign types are prohibited:

- (1) Searchlights, strobe lights and similar special effects, except as permitted by the City.
- (2) Signs on public right-of-way, except those erected by Government Agencies for traffic control or the direction of the public, or as authorized by the City.
- (3) Animated signs.
- (4) Satellite dishes where they are used for the purpose of a roof sign.
- (5) Balcony signs.
- (6) Off-premises signs.
- (7) Roof signs.

PART 7 – REMOVAL OF ABANDONED SIGNS

- 7.1 (1) When a sign remains in place after the activity, business, product or service the sign advertises is no longer conducted or available on the premises on which the sign is located, such sign is considered to have been abandoned, and the owner of the premises in question shall then remove the sign within thirty (30) days from the date of written notice from the City to do so has been received. This section shall be deemed to include abandoned sign structures and supports.
- (2) If the owner defaults, City employees or others may enter and effect the removal of the sign at the owner's expense and the charges for doing so, if unpaid on December 31st in the year the work was carried out, shall be added to and form part of the taxes payable in respect to the real property in question, as taxes in arrears.

PART 8 – EXEMPT SIGNS

8.1 **GOVERNMENT SIGNS**

Government signs for control of traffic and other regulatory purposes, street signs, hazard warning signs and signs of public service companies indicating a hazard, and aids to public service or safety which are installed by or on the order of a public officer in the performance of his/her duty.

8.2 **MEMORIAL SIGNS, PLAQUES, SYMBOLS, INSIGNIA**

Religious symbols, commemorative plaques of recognized historical agencies, or identification emblems are exempt from other provisions of this Bylaw, excepting those requiring compliance with building, electrical, and safety codes; provided that such symbols, plaques and insignias are placed flat against a building and do not exceed 0.5 m² (1.64 sq. ft.) in area.

8.3 **WINDOW SIGNS**

Window signs may be placed in any commercial or industrial zone, subject to adherence to applicable Fire regulations.

8.4 **DIRECTIONAL SIGNS**

On-site directional signs not exceeding 1 m² (10.8 sq. ft.) in area, intended to facilitate the movement of pedestrians and vehicles within the site upon which such signs are located.

8.5 REAL ESTATE SIGNS

Real estate signs are exempted from other provisions of this Bylaw, provided that:

- (1) Only one sign is placed on the parcel of land or building to which the sign applies.
- (2) The sign is not illuminated.
- (3) The maximum size of the sign is 1 m² (10.8 sq. ft.) in residential zones and 3 m² (32.3 sq. ft.) in other zones.
- (4) The sign is removed within seven days of the sale, rental or lease of the property.
- (5) Traffic control signs and devices are not obscured.
- (6) No visual obstruction occurs at street intersections.
- (7) Real estate open house signs, up to 0.4 m² (4.3 sq. ft.) in area may be placed on road allowances during the actual time that the property is open for inspection by the public.

PART 9 – ADMINISTRATION AND ENFORCEMENT

9.1 Permits

- (1) No person shall install, place, construct, or alter any sign in the City without first obtaining a permit, unless otherwise specified in this Bylaw, and no person shall maintain or suffer any such sign to remain on, or affixed to, the lands or premises of which he/she is the owner or occupier unless he/she is the holder of a valid and subsisting permit in respect of the said sign issued pursuant to this Bylaw.
- (2) Permits for the construction or erection of signs shall be issued by the City upon satisfactory information being supplied by the applicant that the provisions of this Bylaw are being fulfilled. The City may require that all drawings and specifications, or any part thereof, be prepared, signed and sealed by, and the construction carried out under, the supervision of a professional engineer registered in the Province of British Columbia.
- (3) The applicant for a sign permit shall make written application to the Regional District of Kootenay Boundary Building Department on the form provided. Such application shall include the following:
 - (a) the street address and legal description of the site of the proposed sign;
 - (b) the name and address of the person constructing, installing, enlarging, converting, altering or relocating the sign, and if different, the manufacturer of the sign;
 - (c) the name and address of the person for whose benefit the sign is being constructed, installed, enlarged, converted, altered or relocated, and where other than the owner of the premises in question, the name of the owner;
 - (d) when required by the Building Official, two (2) complete sets of plans and specifications drawn to scale, and may include the following:
 - (i) the dimensions, weight and area of the sign;
 - (ii) the overall height of the sign and clearance beneath it measured from finished grade;
 - (iii) the proposed location of the sign in relation to the face of the building, or in front of which it is to be affixed and in relation to the legal boundaries of the lot;
 - (iv) the size, type and location of all other signs on the subject property, where applicable;
 - (v) sufficient detail of the sign face design to allow for calculation of copy area;
 - (vi) subject to the City of Trail Building Bylaw, material, specifications and design detail;

(vii) the value of the sign and installation.

9.2 Permit Fees

The sign permit fee shall be \$50.00 for a sign valued at \$1,000 or less and an additional \$10.00 per \$1,000 value of any sign over \$1,000.

9.3 Inspection

- (1) A building official, or any other officer, employee or agent of the City, may enter any land, building, structure, or premises at any reasonable time for the purpose of ascertaining that the terms of this Bylaw are being observed.
- (2) Where any building, structure or premises is occupied, the building official or other duly authorized person shall obtain the consent of the occupant or provide written notice to the occupant 24 hours in advance of entry; and
- (3) The building official or other duly authorized person shall carry proper credentials confirming his or her status as a building official or representative of the City.

9.4 Penalties

Every person violating any provision of this Bylaw is liable on summary conviction to a fine not exceeding TWO THOUSAND DOLLARS (\$2,000). A separate offence shall be deemed to be committed on each day during, or on which, a violation occurs or continues, provided however, where more than one registered owner of land is charged with a single offence hereunder, they shall be considered as one person.

9.5 Repeal

The City of Trail Sign Bylaw No. 1961, 1983 and amendments thereto, are hereby repealed.

READ the **FIRST, SECOND** and **THIRD** time the 12th day of October, 2004.

ADOPTED the 25th day of October, 2004.

MAYOR

CORPORATE ADMINISTRATOR

Certified a true copy
of Bylaw No. 2580, 2004.

CORPORATE ADMINISTRATOR