

# VILLAGE OF RADIUM HOT SPRINGS

## BYLAW NO. 284, 2004.

Being a bylaw to regulate signage within the Village of Radium Hot Springs.

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**WHEREAS**, pursuant to the Community Charter, the municipality has authority to regulate and impose requirements in relation to the erection, placing, alteration, maintenance, demolition and removal of signs, sign boards, advertisements, advertising devices and structures, and;

**WHEREAS**, pursuant to the Local Government Act, the municipality, may regulate number, size, type, form, appearance and location of any signs, and, may have different provisions for different zones, uses or classes of highway, and;

**WHEREAS**, Council deems it desirable to regulate signs, within the Village, for the objectives stated in section 1 of this Bylaw.

**NOW THEREFORE** the Council of the Village of Radium Hot Springs in open meeting assembled enacts as follows:

### **SECTION 1. PURPOSE:**

1.0 The purposes of this Bylaw are:

- (a) To facilitate functionality and the effectiveness of advertising devices for the benefit of the commercial sector.
- (b) To enhance the attractiveness and economic well being of the Village as a place to live, visit, vacation and conduct business.
- (c) To reduce the dangers of unsafe signs, and encourage signs to be constructed, installed and maintained in a safe and satisfactory manner.
- (d) To regulate signs in a manner so as to reduce interference with, obstruction of vision, or distraction of motorists, bicyclists or pedestrians.
- (e) To protect signs and lights erected for the direction of traffic from the effects of conflicting commercial and other signs.
- (f) To protect the appearance of the various zoning districts which may be adversely affected by signs of inappropriate size, design or location.
- (g) To prevent the confusion which may arise from the undue conflict and proliferation of commercial and other signs, one with another.
- (h) To establish signage guidelines that will compliment facade design guidelines and the precepts of the Official Community Plan.

### **SECTION 2. INTERPRETATION:**

2.0 In this Bylaw the definition of certain words shall be as detailed in Schedule 'A' attached to and forming part of this Bylaw.

2.1 Unless otherwise required by the context, words used in the present tense include the future tense; words used in the singular include the plural; and the word person includes a corporation as well as an individual.

### **SECTION 3. APPLICATION:**

#### **General:**

3.0 This Bylaw applies to all of the lands, buildings and structures located within the Village of Radium Hot Springs and to all signs of whatever nature and wherever located within the Village.

3.1 No person shall erect, construct, place, move, alter or maintain a sign within the Village contrary to the provisions of this Bylaw.

- 3.2 No person shall rebuild, reconstruct, alter or relocate a non-conforming sign except in compliance with the provisions of this bylaw. Non-conforming signs may be maintained.
- 3.3 No property owner, building owner, tenant, or contractor shall erect a sign within the Village without first obtaining or ensuring that a valid development permit or sign permit for the sign is in place.
- 3.4 Except as otherwise provided in this or other Bylaw, no person shall erect, construct or place a sign or sign support structure which is wholly or partially located on or over municipal property, a municipal right-of-way or a provincial highway right-of-way except those erected by the Municipality, Provincial Government Agencies, Utility Companies or their contractors.
- 3.5 The Village reserves the right to require the removal, at any time, of existing signs or structures that are wholly or partially located on or over municipal property.

**Violation and Enforcement:**

- 3.6 Any person who:
  - (a) violates or who causes or allows any of the provisions of this Bylaw to be violated; or
  - (b) fails to comply with any of the provisions of this or any other Bylaw or applicable statute; or
  - (c) neglects or refrains from doing anything required under the provisions of this Bylaw; or
  - (d) obstructs, or seeks or attempts to prevent or obstruct a person who is involved in the execution of duties under this Bylaw,

is deemed to have committed an infraction of, or an offence against, this Bylaw and is liable on summary conviction under the Offence Act to the penalties provided for in Schedule “B” of this Bylaw, and each day that such a violation is caused, or allowed to continue, constitutes a separate offence.

- 3.7 In addition to the remedies available in Section 3.6 of this Bylaw, the Village shall have the right to deal with infractions of, or offences against this Bylaw, in any lawful manner available to the Village, including, but not limited to, the Municipal Ticket Information Process.
- 3.8 If at any time any sign does not conform in every respect with the provisions of this Bylaw or any other bylaw applicable thereto, or if any sign is, in the opinion of the signage officer, in an unsafe or defective condition or in disrepair, or, if the information on the sign has become obsolete due to changed use or occupancy of the parcel, the signage officer may give notice to the owner of such sign, or owner or occupier of the parcel or premise upon which it is displayed, to repair or remove the same within the period specified in the notice. It shall be the duty of such owner to repair or remove such sign in accordance with said notice, failing which the Council may authorize the removal of said sign in accordance with the applicable Provincial Statutes.
- 3.9 The signage officer and the bylaw enforcement officer are hereby empowered to remove, detain or impound a sign occupying, or encroaching upon, a portion of any Village property or right of way.

**Abandoned Signs**

- 3.10 Any sign relating to a commercial activity which is no longer conducted on the site where the sign is displayed, shall be removed from the site within fourteen (14) days from the closure of the business, excepting seasonal closures. Similarly, off-site signs shall be removed within fourteen (14) days of the termination of the commercial activity relating to the sign, or, when the principle owner(s) of the commercial activity relating to the sign no longer own the parcel containing the sign.

**Quality and Maintenance of Signs**

- 3.11 The owner shall ensure that every sign is structurally secure at all times and maintained by periodic cleaning, painting and general repair. A dilapidated sign condition may be determined by the signage officer when 25% or more of the sign face has experienced loss of finish through chipping, fading or excessive dirt build up, or, if the sign or it’s support structure is physically damaged.
- 3.12 Signs and sign support structures shall be designed and constructed in accordance with regulations contained in the British Columbia Building Code, the Village of Radium Hot Springs Building Bylaw, Development Permit Guidelines and/or Official Community Plan. The signage officer is authorized to require engineering certification of signs or sign support structures at his/her discretion.

**Approval Process**

- 3.13 Development permits may include approval for signage, in which case a sign permit is not required.
- 3.14 Unless otherwise specified within this Bylaw, all owners in all zones are required to obtain permits for the construction, alteration or erection of signs on their properties. Permits shall be reviewed by the signage officer after a complete application is submitted. The basic sign permit application form is detailed as Schedule ‘C’ attached to and forming part of this Bylaw. The signage officer is authorized to amend the basic sign permit application form, and to require the submission of additional information, at his/her discretion.

**SECTION 4. PROHIBITED SIGNS:**

- 4.0 The following signs, or sign attributes, are specifically prohibited within the Village, with specific exceptions detailed under Section 4.1:
  - .1 Billboard signs;
  - .2 Off-Site signs;
  - .3 Searchlights and strobe lights;
  - .4 Flashing, intermittent, animated, moving or revolving signs, or portions thereof, including video and electronic message signs;
  - .5 Signs attached to, or supported by, fences, trees, or utility or light poles;
  - .6 Sandwich board signs;
  - .7 Vehicle signs;
  - .8 Mobile/portable signs;
  - .9 Back-lit signs;
  - .10 Banners;
  - .11 Changeable copy signs;
  - .12 Corporate logos, insignia, emblems or trademarks, including trademarked words;
  - .13 Signs deemed to obstruct the vision of motor vehicle operators, and;
  - .14 Signs deemed to obstruct egress from buildings.

**4.1 Exceptions to Prohibitions**

- .1 Off-site signs are permitted only on parcels owned by the principal owner(s) of the commercial activity being advertised, and then, only one sign per parcel.
- .2 The only movement permitted within a sign shall relate to the hands of a clock or temperature indicator.

- .3 The only back-lit signs permitted shall contain only the words “vacancy/no vacancy” or “open/closed”. Limited back-lighting is permitted under section 6.16.
- .4 Changeable copy signs may be considered by Council as part of a development permit application.
- .5 Corporate logos, insignia, emblems or trademarks, including trademarked words are permitted only when they are registered or copyrighted in the name of the owner(s). Other corporate logos, insignia, emblems or trademarks, including trademarked words, may be considered by Council as part of a development permit application.
- .6 Other exceptions to prohibitions are detailed in Schedule ‘D’ attached to and forming part of this Bylaw.

**SECTION 5. PERMITTED SIGNS:**

5.0 The following types and number of signs and no others are permitted in the Residential R-1, R-2, R-3 and R-4 Zones:

- .1 Traffic control devices;
- .2 Public service signs;
- .3 Political signs;
- .4 Real estate signs (only one per highway frontage);
- .5 Directional signs (only one per parcel);
- .6 Construction signs (only one per parcel);
- .7 Home occupation signs (only one per parcel);
- .8 Identification signs (only one per parcel);
- .9 Flags, and;
- .10 Holiday signs and decorations.

5.1 The following types of signs and no others are permitted within the Commercial C-1, C-2, C-3, C-4, and C-5, Industrial I-1, and I-2, Public Institutional P-1, and P-2 and Agricultural and Rural Residential AR Zones:

- .1 Signs permitted in section 5.0;
- .2 Off-site signs as per section 4.1.1;
- .3 Freestanding signs;
- .4 Canopy or awning signs;
- .5 Roof signs (C-1 and I-1 zones only);
- .6 Window signs (50% coverage maximum);
- .7 Mural signs (by development permit only);
- .8 Menu signs;
- .9 Fascia signs;
- .10 Back-lit signs as per section 4.1.3 and 6.16;
- .11 Signs permitted by development permit;
- .12 Community event signs;
- .13 Community notice board signs;
- .14 Hanging signs, and;
- .15 Display box signs.

5.2 The signage officer may consider, at his/her discretion, an increase in the number of signs allowed for a commercial establishment or parcel in cases where more than one highway frontage exists. Otherwise, the cumulative total number of signs permitted on the exterior of a building or parcel shall be five. This cumulative total shall not include signage for which no permit is required.

**SECTION 6. SIGN SPECIFICS:****Canopy or Awning Signs**

- 6.0 No part of any canopy or awning sign shall be less than 2.75 metres above the nearest finished grade. The maximum area of a canopy or awning sign shall be 5.0 square metres. The maximum number of canopy, or awning signs is two per parcel, or, in the case of multiple businesses located on a parcel, one per business. Canopy or awning signs shall not project beyond the structure to which they are attached.

**Display Box Signs**

- 6.1 Signs located within a display box may only relate to current menus, real estate listings or special or entertainment events. Display boxes shall be affixed to the frontage of the building or erected as a free-standing sign. The maximum area of a display box shall be 0.6 square metres. The maximum number of display boxes is one per parcel, or, in the case of multiple businesses located on a parcel, one per business.

**Freestanding Signs**

- 6.2 The minimum setback from any parcel line for the support structure of a freestanding sign shall be 0.3 metres and no part of the sign itself may encroach onto adjacent or public property. The maximum sign area for a freestanding sign shall be 5.0 square metres, which shall include any “seasonal signage” area, and the maximum height shall not exceed the lessor of 5.5 metres or the highest point of the roof line of the principal building located on the parcel. The maximum number of freestanding signs is two per parcel. Freestanding signs must be located in a landscaped area or planter, or have a rock or masonry base. Freestanding signs may incorporate a “seasonal signage” add-in not exceeding 1.0 square metres in area.

**Fascia Signs**

- 6.3 The maximum area of a fascia sign shall be 9.0 square metres. A fascia sign shall not project beyond the horizontal width of the building nor project more than 0.3 metres from the face of the building. The maximum number of fascia signs is two per building frontage or, in the case of multiple businesses located on a parcel, two per business.

**Hanging Signs**

- 6.4 The maximum area of a hanging sign shall be 1.0 square metre. Hanging signs shall have a clearance above finished grade of 2.4 metres. The maximum number of hanging signs is two per building frontage or, in the case of multiple businesses located on a parcel, two per business.

**Menu Signs**

- 6.5 The maximum area of a menu sign shall be 0.84 square metres. The maximum number of menu signs is one per business.

**Mural Signs**

- 6.6 A maximum of one mural sign per parcel is permitted and must be located on only one face of any building. All mural signs shall be consigned to professionals or artisans. Mural signs are

permitted in C-1 and C-2 zones only and the general size, scale and graphic design shall be included in a development permit issued by Council.

### **Roof Signs**

- 6.7 No roof sign shall be constructed upon any building that has a roof height in excess of 5.0 metres above finished grade. No roof sign shall be constructed so that the highest point of the sign is in excess of 1.25 metres above the height of the roof to which it is attached. Roof signs are permitted in C-1 (highway commercial) and I-1 (light industrial) zones only. The maximum area for a roof sign shall be 5.0 square metres. Roof signs are limited to one sign per building, or, in the case of multiple businesses located within the same building, one sign per business.

### **Window Signs**

- 6.8 The cumulative total area of window signage shall not exceed 50% of the area of the window within which such signage is installed.

### **Projections into Setback Areas**

- 6.9 Except as otherwise provided in this Bylaw, no sign shall project more than 50% into any required setback area in any zone.

### **No Permit Required**

- 6.10 The following types of signs may be erected or altered without obtaining a permit, provided that all other requirements of this Bylaw are met, and subject to the limitations set forth below:
- .1 Signs of the Federal, Provincial or Municipal Government including business directional signs erected by the Village;
  - .2 Traffic control signs as defined in the "Motor Vehicle Act";
  - .3 Signs required by law, government order, rule or regulation;
  - .4 Signs indicating a hazard;
  - .5 Memorial plaques, cornerstones or historical tablets;
  - .6 On-site identification and directional signs;
  - .7 No trespassing signs, not exceeding 0.2 square metres in area, and, limited to one sign for every 100 metres of highway frontage.
  - .8 Community event signs;
  - .9 Political signs, which may be displayed for 30 days prior to an election or referendum and removed within 7 days following said election or referendum, to a maximum of two signs per parcel frontage, each with a maximum sign area of 1.0 square metre and a maximum height of 1.25 metres.
  - .10 Real Estate signs, provided that the total area of each sign shall not exceed 0.5 square metres per 1000 square metres of lot area, up to a maximum of 3.25 square metres.
  - .11 Construction signs, provided that the total area of each sign shall not exceed 6.0 square metres.
  - .12 Temporary holiday signs and decorations provided they are erected no longer than the season or holiday they depict.
  - .13 Flags, provided they are attached to a flag pole not exceeding 9 metres in height.
  - .14 Window signs.
  - .15 Credit card acceptance, accommodation rating, "vacancy/no vacancy" and "open/closed" signs.

### **Materials**

6.11 Three dimensional signs, incorporating relief in the form of raised or recessed letters or symbols may be constructed from solid wood, solid plastic or composite materials. The Village strongly encourages that signs be dimensional.

6.12 Materials easily subject to environmental degradation, examples including plywood, coroplast and particleboard, are not permitted in sign construction. The signage officer is authorized to use his/her discretion in judging the suitability of sign construction materials. The recommended sign blank material for non-dimensional signage is coated steel or aluminium.

**Colours**

6.13 Colours should be predominantly darker tones with lettering and logos using contrasting colours and should be coordinated with the building façade with which they are associated. No sign shall contain “Day-Glo”, florescent, luminous, or reflective paint or decals. The extensive use of garish or bright shades of colour like yellow, red, orange or lime green is prohibited. The signage officer is authorized to use his/her discretion in judging the suitability of proposed colour schemes.

**Lighting**

6.14 Permanent signs conforming to this bylaw may incorporate front lighting, limited halo lighting, and/or limited back lighting as outlined in this Bylaw.

6.15 With the exception of “open/closed” or “vacancy/no vacancy”, window signs are not to be back lit but may be illuminated by storefront display lighting.

6.16 Halo-lit and back-lit signs are permitted provided they are restricted to the name of the building or principal business only, and further restricted to:

- .1 Individually incised plastic or glass letters or symbols mounted in a solid opaque sign face.
- .2 Individual halo-lit lettering or symbols mounted on a solid background.

6.17 Lighting fixtures shall be simple in form and integrated with the building façade where possible. The illumination of any sign shall not create a direct glare upon any adjacent parcel, highway or the sky. All wiring, conduits and lighting sources shall be installed within the building walls, or located underground or otherwise concealed from view as much as possible. The standard lighting design shall incorporate lighting installed above the sign with light projecting downwards. The signage officer is authorized to use his/her discretion in judging the suitability of a proposed lighting design.

**Letter Size**

6.18 The maximum permitted lettering sizes, based on viewing distance, for parcels fronting on Main Streets East and West are:

- .1 For freestanding, roof, and fascia signs 450 mm.
- .2 For canopy or awning signs 300 mm.
- .3 For hanging signs 200 mm.

6.19 The maximum permitted lettering sizes, based on viewing distance, for all other parcels within the Village are:

- .1 For freestanding, roof, and fascia signs 300 mm.

.2 For canopy or awning and hanging signs 200 mm.

6.20 The maximum permitted lettering size on any sign not detailed in sections 6.18 or 6.19 shall be 300 mm.

**SECTION 7. ADMINISTRATIVE AND LEGAL DETAILS:**

7.0 ‘Sign Regulation Bylaw No. 31, 1994’, and its corresponding amendments, are hereby repealed and replaced by this Bylaw.

7.1 Any signage deemed legal non-conforming under the precepts of ‘Sign Regulation Bylaw No. 31, 1994’, and its corresponding amendments, shall continue to be deemed legal non-conforming unless relieved of that status under this Bylaw.

7.2 Any signage deemed to be in contravention of ‘Sign Regulation Bylaw No. 31, 1994’, and its corresponding amendments, shall continue to be in contravention unless relieved of that status under this Bylaw.

7.3 Notwithstanding any provision in this or any other Bylaw, neither the acceptance of an application for, nor the granting of a sign permit, obligates or imposes a duty on the Municipality or signage officer to inspect, approve or provide any other or further service, of any kind, nor shall the Municipality, its officers, employees, agents or contractors be liable for any direct or indirect loss, cost or damage, however occasioned, incurred by an owner or agent thereof, which arises from the municipality’s or signage officer’s failure to inspect, approve or provide any other or further service, in relation to a signage issue.

7.4 This Bylaw may be cited as "Sign Regulation Bylaw No. 284, 2004."

7.5 This Bylaw shall come into full force and effect upon the date of adoption.

Read a first time this 25th day of February, 2004.

Read a second and third time this 14th day of April, 2004.

Reconsidered and adopted this 28th day of April, 2004.

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Mayor

\_\_\_\_\_  
Clerk

Hereby certified as a true copy of Bylaw No. 284, 2004.

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Clerk

\_\_\_\_\_  
Date