

REGIONAL DISTRICT OF KITIMAT-STIKINE
Bylaw No. 631

A bylaw to regulate signs within portions of Electoral Areas “B” and “C” of the Regional District of Kitimat-Stikine.

WHEREAS the Board of the Regional District of Kitimat-Stikine wishes to regulate signs in order to protect the appearance of the Regional District from aesthetic blight that arises from a proliferation of signs, on the highways and roadways within the Regional District of Kitimat-Stikine.

AND WHEREAS section 551 of the *Local Government Act* authorizes the Regional District, by bylaw, and subject to the *Transportation Act*, to regulate the erection, placing, alteration, maintenance, demolition and removal of a sign, sign board, advertisement, advertising device or structure, or any class of them;

AND WHEREAS section 796.2(3) of the *Local Government Act* authorizes the Regional District to provide a system of licenses, permits or approvals in relation to the Regional District service;

AND WHEREAS section 908 of the *Local Government Act* authorizes the Regional District subject to the *Transportation Act* and section 135 of the *Motor Vehicle Act*, by bylaw to regulate the number, size, type, form appearance and location of any sign;

THEREFORE BE IT RESOLVED that the Board of the Regional District of Kitimat-Stikine, in open meeting assembled, enacts as follows:

1. Application:

1.1. This bylaw shall be applicable to all lands within the following.

A. Those lands within the following zoning bylaw areas:

- i. Greater Terrace Zoning Bylaw No. 37
- ii. Lakelse Lake Zoning Bylaw No. 57
- iii. Skeena Valley Zoning Bylaw No. 73

B. Those lands within the areas described below:

- i. All property adjacent to Highway 113 from the north boundary of Zoning Bylaw No. 37 to the north boundary of Electoral Area C approximately 1200 meters north of Hadenschild Creek
- ii. All property adjacent to Highway 37 from the south boundary of Zoning Bylaw No. 57 to the north boundary of the District of Kitimat
- iii. All property adjacent to Highway 37 within the Kitwanga Official Settlement Plan area

2. Definitions:

Animated sign: a sign with moving parts, searchlights, strobe lights, flashing lights or other similar effects used to highlight the sign.

Changeable Copy Electronic sign: a sign on which the message or graphics is controlled or can be changed electronically and can include pictorial panels displayed on a screen or a scrolling marquee

Community: a specific, principally residential, geographic locality with the Regional District of Kitimat-Stikine.

Community Event sign: a temporary sign or banner displaying a scheduled community event, cause or festival.

Community Identification sign: a freestanding sign that refers to and identifies a distinct community within the Regional District of Kitimat-Stikine.

Converted Vehicle sign: a sign that is located on, is attached to or forms part of an unlicensed vehicle, utility trailer or shipping container, or which otherwise uses the unlicensed vehicle, utility trailer or shipping container as its supporting structure.

Freestanding sign: a sign that is wholly and independently supported from the ground and visibly separate from any building or structure and permanently fixed to the ground.

Home Occupation sign: a sign that displays or advertises a home occupation that is conducted by the home owner or occupier in the owner or occupier's principal dwelling or an ancillary building on the same property.

Manager: means a person who holds the position of Manager of Development Services for the Regional District of Kitimat-Stikine or such persons designated by the Board to act on his behalf in the execution of this Bylaw.

On-site Business sign: a sign located on a commercial or industrial zoned parcel of land that identifies the business or activity that is lawfully conducted on that parcel of land.

Point of Interest sign: a sign that informs the public of a scientific, scenic or historic fact that is erected by a Local, Provincial, Federal or First Nations Government or a historical society registered under the Societies Act.

Political sign: a temporary sign promoting a political candidate, party or issue related to a scheduled election or referendum.

Portable sign: a sign that is not permanently attached to the ground, building or other structure and that can be relocated to another location temporarily.

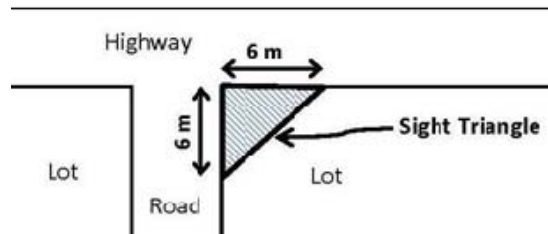
Real Estate sign: signs that advertise a property, building or structure for sale, lease or rent.

Rooftop sign: any sign that is located on or supported by a building's roof.

Rural Resort sign: a freestanding sign located on a rural resort zoned parcel of land that identifies a commercial resort or lodge operation that is lawfully conducted on that parcel of land.

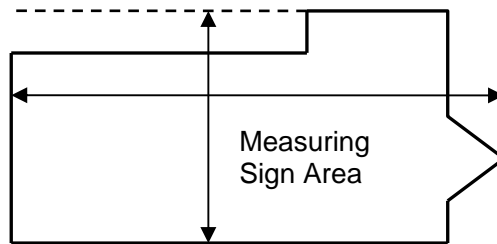
Setback: the distance between any part of a sign or its supporting structure and a property line.

Sight Triangle: a triangle area formed by a line between two 6.0 meter setbacks along the property lines from a corner of a lot where a road intersects a controlled access highway.



Sign: any device, fixture, structure or surface used to identify, describe, illustrate or display a message to the public and may be single or double sided.

Sign area: the area of a sign within the perimeter of the outside shape of the display area measured from direct horizontal and vertical lines at the furthest extent of the sign.



Sign Height: the vertical distance measured from the highest point of the sign to the average ground level at the base of the sign.

Temporary sign: a sign which is displayed for a limited period of time and is not permanently fixed to the ground, building or other structure

Third Party sign: a freestanding sign that advertises goods, products, facilities or services that are located on a different parcel of land from which the sign is located.

Wall sign: a sign attached to or displayed on a wall of a building or structure that is confined to the limits of the wall and does not project outwards more than 0.3 meters.

Zoning Bylaw: means a Regional District of Kitimat-Stikine zoning bylaw and amendments thereto.

3. General Provisions

- 3.1. Where there is a conflict between this bylaw and sign provisions in an applicable zoning bylaw the provisions of this bylaw will prevail.
- 3.2. Nothing in this bylaw relieves a person from complying with the *Transportation Act*, the *Motor Vehicle Act* or the *Agricultural Land Commission Act* or the Regulations under those Acts in relation to the erection, construction or placement of any sign.
- 3.3. Home Occupation signs are permitted only on the property where the home occupation is located and must conform to the other regulations applicable within the zone where the sign is located.
- 3.4. No signs are to be located on Crown land without prior approval of the Provincial Ministry responsible for Crown land.
- 3.5. A community identification sign shall only be located within the commonly accepted boundaries of the community being identified.
- 3.6. The owner of property on which a sign is constructed, erected, or located shall ensure that such sign is structurally sound and is maintained in a safe condition.

4. Exemptions:

- 4.1. The following signs are exempt from the provisions of this bylaw.
 - 4.1.1. Signs displayed by Local, Provincial or Federal governments for advising or directing the public.
 - 4.1.2. Point of Interest signs with a sign area of 3.0 square meters or less.
 - 4.1.3. Real Estate signs with a sign area of 3.0 square meters or less.
 - 4.1.4. Political signs that are part of a scheduled election or referendum.

5. Prohibited signs:

- 5.1. The following signs are prohibited:
 - 5.1.1. Rooftop signs
 - 5.1.2. Animated or flashing signs
 - 5.1.3. Portable signs with a sign area greater than 3.0 square meters
 - 5.1.4. Converted vehicle signs
 - 5.1.5. Changeable copy electronic signs.
 - 5.1.6. Wall signs with a sign area greater than 3.0 square meters

6. Number of signs:

6.1. There shall be no more than one sign per parcel of land that relates to or advertises a business or home occupation located on the same parcel, except;

6.1.1. One third party sign per parcel subject to the following:

6.1.1.1. Third party signs shall only be located along the lot line of a property that fronts Highway 16, 37 or 113 and must be separated by a minimum of 300 meters in any direction from any other third party sign.

7. Size and height limits:

7.1. No on-site business sign shall exceed the following:

7.1.1. sign area greater than 5.0 square meters

7.1.2. sign height greater than 5.5 meters

7.2. No rural resort sign shall exceed the following:

7.2.1. Sign area greater than 3.0 square meters

7.2.2. Sign height greater than 3.0 meters

7.3. No home occupation sign shall exceed of the following:

7.3.1. Sign area greater than 1.0 square meters

7.3.2. Sign height greater than 2.0 meters in height.

7.4. No community identification sign shall exceed the following:

7.4.1. Sign area greater than 5.0 square meters

7.4.2. Sign height greater than 4.0 meters.

7.5. No third party sign shall have a sign exceeding the following:

7.5.1. Sign area greater than 18.6 square meters

7.5.2. Sign height greater than 5.5 meters

8. Setbacks:

8.1. No part of a sign shall extend beyond any property line.

8.2. Subject to section 8.3, no part of any sign with a sign area greater than 3.0 square meters shall be located within 4.5 meters of any property line.

8.3. No part of any sign shall be located within a sight triangle.

9. Permits:

- 9.1. A person shall apply for and obtain a sign permit in the form provided by the Regional District of Kitimat-Stikine prior to installing, erecting or locating a sign.
- 9.2. No permit is required for a sign with a sign area of 3.0 square meters or less.
- 9.3. The applicant shall complete a sign permit application provided by the Regional District of Kitimat-Stikine and include with the application the fee required under Section 9.6 and a set of plans showing the following:
 - 9.3.1. The outline of the property on which the sign is to be located.
 - 9.3.2. The location on the property where the sign is to be located, including distances from property lines as measured from the furthest extension of the sign or its supporting structure.
 - 9.3.3. Location of any buildings or structures on the property where the sign is to be displayed.
 - 9.3.4. The dimensions of the sign, including overall height of the sign and supporting structure and the height, width and area of the displaying or advertising proportion of the sign.
 - 9.3.5. Sufficient detail regarding the purpose of the sign and the proposed content of the information to be displayed on the sign.
 - 9.3.6. Sufficient information regarding how the sign will be constructed and supported.
- 9.4. The Manager is authorized to receive and review applications for a permit under this bylaw, and where the proposed sign conforms to the regulations under this bylaw, may issue a permit subject to the following conditions:
 - 9.4.1. The work for which the permit was issued must commence within 120 days of the date of issuance the permit and if the work is not commenced within that time period the permit shall automatically expire and no refund of fees will be given.
 - 9.4.2. If a sign frame or structure is not used to identify, describe or illustrate or display a message for a period 180 consecutive days, the permit for that sign shall automatically expire.
 - 9.4.3. Where a sign permit expires the permit holder must remove the sign including the sign frame or structure.
- 9.5. If the business or product being advertised on a previously permitted sign is changed a new application shall be required prior to erecting the new sign.
- 9.6. The fees charged for a sign permit shall be as per fee Schedule I of Development Procedures Bylaw No.613, 2012.

10. Inspection:

- 10.1. The Bylaw Enforcement Officer or Building Inspector is hereby authorized to enter, at all reasonable times upon any property or premises subject to this bylaw to ascertain whether the regulations of this Bylaw are being or have been complied with.

11. Offenses:

- 11.1. No person shall erect, construct, place, display, rebuild, reconstruct, alter, maintain or move or cause, suffer or permit the erecting, placing, construction, displaying, rebuilding, reconstructing, altering, maintaining or moving of any sign contrary of the provisions of this bylaw.

12. Penalties:

- 12.1. Every person who violates any provision of this bylaw, or who causes, suffers, or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects or refrains from doing anything required to be done by any of the provisions of this bylaw, or who carries out or suffers, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this bylaw shall be liable on summary conviction to a fine not exceeding the maximum described in the *Offence Act*.

13. Continuing Offence:

- 13.1. Each day that a violation under this bylaw continues shall constitute a separate offence.

14. Severability:

- 14.1. If any section, subsection or other part of this bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

15. Removal of Signs:

- 15.1. Political signs displayed or erected in conjunction with elections or referendums are permitted and shall be removed in accordance with appropriate election legislation and Elections BC guidelines.
- 15.2. Signs advertising any business or home occupation that has been closed or has ceased to operate shall be removed within one year of the business or home occupation closing or ceasing operation.
- 15.3. No community event signs shall be erected more than 60 days prior to the scheduled event, cause or festival and shall be removed within 30 days of the conclusion of the event, cause or festival.
- 15.4. Temporary signs advertising garage sales, flea markets or similar temporary events shall be removed within 14 days of the completion of the event.

16. Title

This Bylaw may be cited as the “Kitimat-Stikine Sign Regulation Bylaw No. 631, 2014”.

READ A FIRST TIME this 24th day of January, 2014.

READ A SECOND TIME this 24th day of January, 2014.

READ A THIRD TIME this 24th day of January, 2014.

ADOPTED this 21st day of February, 2014.

ORIGINAL SIGNED

Chair

ORIGINAL SIGNED

Administrator

Certified a true copy of Bylaw
No. 631, 2014, as adopted

Administrator