

**City of Castlegar**

**BYLAW NO. 1254**

A bylaw to regulate signs and other advertising within the boundaries of the City of Castlegar.

WHEREAS the Council is authorized, pursuant to section 8(4) of the *Community Charter*, and section 526 of the *Local Government Act*, to regulate and impose requirements in relation to signs and other advertising within the Municipality;

NOW THEREFORE the Council of the City of Castlegar, in open meeting assembled, enacts as follows:

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**Part 1 Administration and Interpretation**

1. Title

- (a) This Bylaw may be cited for all purposes as the "City of Castlegar Sign Bylaw No. 1254".

2. Definitions

- (a) In this Bylaw,

<i>Building Bylaw</i>	Means the Building Bylaw 950, as amended from time to time;
<i>Building Official</i>	means the <i>Building Official</i> , as defined in the <i>Building Bylaw</i> as amended from time to time.
<i>Commercial Zone</i>	means <i>commercial zone</i> , as defined in the <i>Zoning Bylaw</i> ;
<i>Industrial Zone</i>	means <i>industrial zone</i> , as defined in the <i>Zoning Bylaw</i> ;
<i>Lot Line</i>	means <i>lot line</i> , as defined in the <i>Zoning Bylaw</i> ;
<i>Owner</i>	Means the registered owner or the occupier of the property on which a sign is located, or the owner or lessee of a sign or their authorized representative.
<i>Public Zone</i>	means <i>public zone</i> , as defined in the <i>Zoning Bylaw</i> ;
<i>Residential Zone</i>	means <i>residential zone</i> , as defined in the <i>Zoning Bylaw</i> ;

<i>Sign</i>	means a visual device or structure intended to advertise, announce or draw the attention of the public;
<i>Sign Area</i>	means the area of a rectangle within which the extreme limits of the face of a <i>sign</i> can be completely contained, excluding its supporting structure except that: <ul style="list-style-type: none"> <li>a. where a <i>sign</i> has more than one face, or the face of the sign is not flat, the area shall be the combined area of the faces visible from any one point; and</li> <li>b. where a <i>sign</i> is made up of individual letters, the area of such sign shall be the combined area of the smallest rectangles, that will enclose the individual letters or figures;</li> </ul>
<i>Sign Height</i>	means the vertical distance measured from the highest point of the <i>sign</i> to the natural ground level directly below the highest point of the <i>sign</i> ;
<i>Zoning Bylaw</i>	<u>means the Zoning Bylaw No. 800, 1999</u> , as amended from time to time.

## Part 2 General Provisions

3. *Zoning Bylaw*
  - (a) Where the regulations contained in this Bylaw concerning *signs* conflict with regulations in the *Zoning Bylaw*, the regulations in the *Zoning Bylaw* govern.
4. *Building Bylaw*
  - (a) Where the regulations contained in this Bylaw concerning *signs* conflict with regulations in the Building Bylaw, the regulations in the *Building Bylaw* govern.
5. Severability
  - (a) The provisions of this Bylaw are severable and invalidity of any part of this Bylaw shall not affect the validity of the remainder of this Bylaw.
6. Requirement for a Permit
  - (a) A *sign* may be erected altered, rebuilt, relocated or attached to any building, structure *or* land only in conformance with the provisions of this Bylaw, the *Zoning Bylaw*, and the *Building Bylaw*.
  - (b) Every person shall apply for and obtain a building permit before constructing, repairing, erecting, allowing, installing, placing, moving, rebuilding, reconstructing, or altering a *sign*.
  - (c) Despite sentences (a) and b), a permit is not required for change or repair of lettering or the internal equipment of *signs*.
  - (d) Despite any other provisions of this Bylaw and the *Building Bylaw*, no permit is required for the type of *signs* that are “allowed without permit” under Part 3 of this Bylaw.
7. Application for a Permit
  - (a) An application for a permit for a *sign* must be submitted in conformance with the *Building Bylaw*. A *sign* is considered as a *structure* under the *Building Bylaw*.
  - (b) A permit for a *sign* shall only be issued if both the Type and Form of the *sign*, as specified in Part 3 and Part 4 of this Bylaw, are allowed in the zone where the *sign* is to be located.
8. Enforcement

- (a) This Bylaw may be enforced by the Building Official, who may exercise in respect of a permit for a *sign* any powers provided under the *Building Bylaw* in respect of building permits.

9. Penalty

- (a) Every person who contravenes any provision of this Bylaw commits an offense punishable on summary conviction and shall be liable to a fine of not more than \$10,000 (Ten Thousand Dollars).

10. Measurements

- (a) All dimensions and other measurements are expressed in this Bylaw in the Standard International Unit (Metric) system while the equivalents in the Imperial System shown in brackets are included for convenience only and do not form part of this Bylaw.
- (b) The symbols used for dimensions and other measurements in this Bylaw are defined in accordance with the *Zoning Bylaw*.

**Part 3 Regulations by Type of *Sign***

11. Type of *Sign* Definitions

- (a) The Type of a *sign* is distinguished by its purpose and is defined in Column A and Column B in the following Table, and all other *signs* not so defined are prohibited.

Table 11.1 – Type of *Sign* Definitions

Type	Definition
Commercial Sign	<p>means a <i>sign</i>:</p> <ol style="list-style-type: none"> <li>1. intended to advertise or promote a business, product, service, place or commercial event;</li> <li>2. showing the list of tenants of a commercial or industrial building or complex; or</li> <li>3. intended to deliver a religious, social or political message; but, not including home occupation signs, real estate signs and temporary signs.</li> </ol>
Directory Sign	<p>means a <i>sign</i>:</p> <ol style="list-style-type: none"> <li>1. usually free-standing or embedded in a fence, which carries only the name of a housing complex, subdivision, commercial park or industrial park;</li> <li>2. usually located on a highway approaching the City, built under the auspices of a government or non-profit organization, and intended to guide tourists to the location of the community or community facilities; or</li> <li>3. a plaque, cenotaph or similar structure permanently installed to commemorate an</li> </ol>

	event or a person.
Home Occupation Sign	means a sign indicating that a home occupation, as defined in the <i>Zoning Bylaw</i> , is carried out.
Identification Sign	means a <i>sign</i> : <ol style="list-style-type: none"> <li>1. indicating the name of the occupation or address or a non-commercial or non-industrial building;</li> <li>2. usually imbedded permanently in a wall or fence, carrying the name or completion date of a building, or non-profit facility;</li> <li>3. showing the list of tenants of a multiple residential building;</li> </ol> or <ol style="list-style-type: none"> <li>4. a flag excluding banners and pennants, containing distinctive colours, patterns or symbols used as a symbol of a government or other non-profit organization.</li> </ol>
Real Estate Sign	means a <i>sign</i> : <ol style="list-style-type: none"> <li>1. excluding kiosks, located on the subject property, to promote sale, lease or rent of a property; or,</li> <li>2. installed during the construction of a building or facility on the subject property, and intended to promote sale, lease or rental of the said building or facility.</li> </ol>
Regulatory Sign	A sign erected by a federal, provincial, or municipal government that regulates or prohibits specified uses or activities .
Temporary Sign	<ol style="list-style-type: none"> <li>1. a sign displayed for a limited time period announcing or advertising a community, charitable, civil, patriotic, or religious event occurring in the municipality on a date or dates specified on the sign; or</li> <li>2. a sign that is displayed for a limited time period to celebrate a season, holiday or other non-commercial event or anniversary.</li> </ol>
Column A	Column B

## 12. Residential Zones

- (a) In *Residential Zones*, only signs of the Type listed in Column "A" of the following Table are permitted, such signs shall be installed and maintained in accordance with the restrictions, maximum number of signs, maximum sign area, maximum sign height, and other requirements as described in Columns "B" through "F", and all other signs not so permitted are prohibited.

Table 12.1 –Type of Signs allowed in Residential Zone

Type	Restriction	Maximum No. of Signs	Maximum Sign Area	Maximum Sign Height	Other Requirements
Directory Sign	Permit required	No restriction			
Home Occupation Sign	Allowed only for one-family dwelling or duplex with a permit	1 per front or exterior side lot line	0.3 m <sup>2</sup> (3.2 ft <sup>2</sup> ) each	3.0 m (9.8 ft)	None
Identification Sign	Allowed without permit	1 per front or exterior side lot line	0.3 m <sup>2</sup> (3.2 ft <sup>2</sup> ) each	Lower than the lowest level of roof	No size or height restriction for flags
Real Estate sign	Allowed without permit	1 per front or exterior side lot line	1.5 m <sup>2</sup> (16.1 ft <sup>2</sup> ) each for single residence, 6.0 m <sup>2</sup> (64.5 ft <sup>2</sup> ) each for others	1.5 m (4.9 ft) for single residence, 30.0 (9.8 ft) for others	None
Regulatory Sign (Private)	Permit required	1 per front or exterior side lot line	0.3 m <sup>2</sup> (3.2 ft <sup>2</sup> ) each	3.0 m (9.8 ft)	Maximum duration of a temporary sign (except construction notice) shall be 60 days
Regulatory Sign (Government)	Allowed without permit	No restriction			
Temporary Sign					
Column A	Column B	Column C	Column D	Column E	Column F

13. *Commercial Zones and Industrial Zones*

- (a) In *Commercial Zones* and *Industrial Zones*, only *signs* of the Type listed in Column "A" of the following Table are permitted, such *signs* shall be installed and maintained in accordance with the restrictions, maximum number of *signs*, maximum *sign* area, maximum *sign* height, and other requirements as described in Columns "B" through "F", and all other *signs* not so permitted are prohibited.

Table 13.1 – Type of *Signs* allowed in a *Commercial Zone* or *Industrial Zone*

Type	Restriction	Maximum No. of <i>Signs</i>	Maximum <i>Sign</i> Area	Maximum <i>Sign</i> Height	Other Requirements
Commercial Sign	Permit required	1 per 30 m of frontage plus 2 per premises	In total, 10.0 m <sup>2</sup> (107 ft <sup>2</sup> ) per lot or per 100 m <sup>2</sup> (1076 ft <sup>2</sup> ) of GFA whichever is greater	15.0 m (49.2 ft) for freestanding sign. Lower than the lowest level of roof or eave for others.	None
Directory Sign	Permit required	No restriction			
Home Occupation Sign	Allowed only for one-family dwelling or duplex with permit	1 per front or exterior side lot line	0.3 m <sup>2</sup> (3.2 ft <sup>2</sup> ) each	3.0 m (9.8 ft)	None
Identification Sign	Allowed without permit	2 per front or exterior side lot line	6.0 m <sup>2</sup> (64.5 ft <sup>2</sup> ) in total	Not higher than the lowest part of roof or eave	No size or height restriction for flags
Real Estate Sign	Allowed without permit	1 per front or exterior side lot line	6.0 m <sup>2</sup> (64.5 ft <sup>2</sup> ) each	3.0 m (9.8 ft)	None
Regulatory Sign (private)	Permit required	No restriction	0.6 m <sup>2</sup> (6.4 ft <sup>2</sup> )	3.0 m (9.8 ft)	Maximum duration of a temporary sign (except construction notice) shall be 60 days
Regulatory Sign (government)	Allowed without permit	No restriction			
Temporary Sign					
Column A	Column B	Column C	Column D	Column E	Column F

14. *Public Zones*

- (a) In *Public Zones*, only *signs* of the Type listed in Column “A” of the following Table are permitted, such *signs* shall be installed and maintained in accordance with the restrictions, maximum number of *signs*, maximum *sign* area, maximum *sign* height, and other requirements as described in Columns “B” through “F”, and all other *signs* not so permitted are prohibited.

Table 14.1 – Type of *Signs* allowed in a *Public Zone*

Type	Restriction	Maximum No. of Signs	Maximum Sign Area	Maximum Sign Height	Other Requirements
Directory Sign	Permit required	No restriction			
Identification Sign	Permit required	1 per front or exterior side lot line	0.6 m <sup>2</sup> (6.4 ft <sup>2</sup> ) each	3.0 m (9.8 ft)	No size or height restriction for flags
Real Estate Sign	Allowed without permit	1 per front or exterior side lot line	6.0 m <sup>2</sup> (64.5 ft <sup>2</sup> ) each	3.0 m (16.1 ft)	None
Regulatory Sign (private)	Permit required	1 per front or exterior side lot line	0.3 m <sup>2</sup> (3.2 ft <sup>2</sup> ) each	3.0 m (9.8 ft)	Maximum duration of temporary sign (except construction notice) shall be 60 days
Regulatory Sign (Government)	Allowed without permit	No restriction			
Temporary Sign					
Column A	Column B	Column C	Column D	Column E	Column F



## Part 4 Regulations by Form of Sign

### 15. Form of *Sign* Definitions

- (a) The Form of a *sign* is distinguished by its shape, material, or the object that the *sign* is affixed to, and is defined in Column A and Column B in the following Table, and all other *signs* not so defined are prohibited.

Table 15.1 - Form of *Sign* Definitions

Form	Definition
Banner	A <i>sign</i> of light-weight fabric or similar material mounted to a frame at one or more edges, excluding flags and <i>canopy signs</i>
Bench Sign	A <i>sign</i> attached or painted to a bench or a bus-stop shelter on a roadside or in a park
Canopy Sign	A <i>sign</i> painted, or attached to an awning, canopy or marquee
Fascia Sign	Means a flat sign painted, mounted or displayed parallel to the face of the building to which it is located, and shall not include projecting signs.
Flag	Means any single piece of lightweight fabric or similar material mounted or suspended so as to allow the movement of the Sign caused by all currents, and contains the colours, patterns, or symbols of government, political party or other entity, and contains no commercial message.
Free-standing Sign	A <i>sign</i> attached to a permanent foundation, which is independent of any building or other structure
Kiosk	A free-standing structure showing a number of small <i>signs</i> to promote businesses of same kind or real estates
Portable Sign	A <i>sign</i> which is not attached to the ground or other permanent structure, such as sandwich board signs, signs on a wheel, signs carried by a person or animal, or signs set upon or supported by a motor vehicle
Projecting Sign	A <i>sign</i> affixed to a building in a manner that its leading edge extends more than 30 cm beyond the surface of the such building
Column A	Column B

16. Form of *Sign* Restrictions by Zoning Designation

- (a) In *Residential Zones, Commercial Zones, Industrial Zones, and Public Zones*, only *signs* of the Form listed in Column "A" of the following Table are permitted, in accordance with the restrictions described in Columns "B" through "D", and all other *signs* not so permitted are prohibited.

Table 16.1 - Form of *Sign* Restrictions by Zoning Designation

Form	Residential Zone	Commercial & Industrial Zone	Public Zone
Banner	Prohibited	Allowed	
Bench Sign	Prohibited	Allowed	
Canopy Sign	Prohibited	Allowed	
Free-standing Sign	Allowed. A free-standing sign shall not be closer than 30.0 m (98.4 ft) to other free-standing sign located in the same lot.		
Kiosk	Prohibited	Allowed one for each lot	
Portable Sign	Prohibited	Allowed one for each premises	Prohibited
Projecting Sign	Prohibited	Allowed one for each premises.	
Fascia Sign	Allowed one for each premises.		
Column A	Column B	Column C	Column D

## 17. Prohibited forms of signs

(a) for clarity and without limiting the prohibitions in sections 11 and 15 of this Bylaw, the following forms of signs, defined in Column A and Column B in the following Table, are specifically prohibited in Residential Zones, Commercial Zones, Industrial Zones and Public Zones.

Table 17.1 – Prohibited Forms of Signs

Form	Definition
Air-inflated sign	A sign whose shape or erection is maintained by compressed air or by light gas
Animated sign	A sign that uses movement or change of lighting to depict action or to create a special effect of scene.
Billboard Sign	A commercial sign, excluding kiosks, where the object promoted by it is located on another parcel.
Pennant	A sign of light-weight fabric or similar material suspended from a string or wire, usually in series.
Roof Sign	<ol style="list-style-type: none"> <li>1. a sign erected upon or above a roof or parapet of a building, or</li> <li>2. a sign affixed to a building and extending vertically above the roof line, but</li> <li>3. excluding projecting signs or canopy signs.</li> </ol>
Column A	Column B

## Part 5 Additional Regulations

### 18. *Free-standing Sign and Kiosk Setbacks*

- (a) Despite any other provision of this Bylaw, a *free-standing sign* or a *kiosk* in any zone shall be sited in accordance with the minimum front, interior side, exterior side, and rear lot line setbacks, as described in Columns “B” through “E” in the following table.

Table 18.1 – *Setback of Free-standing Signs and Kiosks*

Form of Signs	Minimum Front Lot Line Setback	Minimum Interior Side Lot Line Setback	Minimum Exterior Side Lot Line Setback	Minimum Rear Lot Line Setback
<i>Free-standing Sign or Kiosk</i>	3.0 m (9.8 ft)	0.5 m (1.64 ft)	3.0 m (9.8 ft)	6.0 m (19.7 ft)
Column A	Column B	Column C	Column D	Column E

### 19. *Portable Sign Requirements*

- (a) *Portable signs* shall be factory made or be constructed of wood with painted or raised messages on a painted background.
- (b) Despite Part 3 of this Bylaw, the maximum sign area for a *portable sign* shall be 3.0 m<sup>2</sup> (32 sq ft.).

### 20. *Highway Encroachment*

- (a) When a *sign* or any part of a *sign* encroaches onto a highway or a public place, the owner shall obtain written approval from the City Engineer before installation.
- (b) *Signs* projecting over a pedestrian area shall have a clearance to the underside of the projection of at least 2.8 m (9.2 ft) above grade or sidewalk.
- (c) *Signs* projecting over a vehicular traffic area shall have a clearance to the underside of the projection of at least 4.5 (14.8 ft) above grade.

21. Nuisance Signs

- (a) A *sign* may not be erected or lighted in such a manner as to interfere with:
  - (i) the ability of a motorist to see oncoming traffic;
  - (ii) the visibility at an access to or egress from a highway; or
  - (iii) the visibility of a highway traffic control device.
- (b) A *sign* may not be illuminated or equipped with flashing, oscillating or moving lights or beacons in such a manner as to cast a direct beam on any highway or residential premises.
- (c) No *sign* except *regulatory signs* shall be attached or painted to a power pole, telephone pole, street light pole or traffic control device.

**Part 6 Transition and Repeal**

21. Repeal


- (a) The following by-laws, and all amendments thereto, are repealed:
  - (i) In the *Zoning Bylaw*:
    - (A) In section 1.0.3, the definitions for “sign area”, and “sign height”;
    - (B) Sections 8.1.1 to 8.3.4.

READ A FIRST TIME this 12<sup>th</sup> day of June, 2017.

READ A SECOND TIME this 12<sup>th</sup> day of June, 2017.

READ A THIRD TIME this 12<sup>th</sup> day of June, 2017.

ADOPTED this 26<sup>th</sup> day of June, 2017.



Mayor



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Director of Corporate Services