



City of Duncan

Sign Bylaw No. 1451, 1985

(With Amendments to January 17, 2011)

Consolidated for Convenience Only

This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws of this subject.

**THE CORPORATION OF THE CITY OF DUNCAN
BYLAW NO. 1451**

A BYLAW TO REGULATE SIGNS IN THE CITY OF DUNCAN

The Municipal Council of The Corporation of the City of Duncan, in open meeting assembled, enacts as follows:

SECTION 1

SHORT TITLE

This Bylaw may be cited as the "Sign Bylaw, 1985".

RECISSION

That "Sign Bylaw, 1966, No. 838" and all amendments thereto be rescinded.

SECTION 2

DEFINITION

In this Bylaw, unless the context otherwise requires:

"Animated Sign" means any sign which includes action or motion or color changes of all or any part of the sign.

"Approval" or **"Approved"** when used with reference to electrical equipment means that a like model of such equipment has been submitted to the Canadian Standards Association Approvals Laboratories for examination and that the same has been recorded as approved by the Canadian Standards Association; or that such equipment has been approved pursuant to the provisions and regulations of the Electrical Energy Inspection Act. When such words are used with reference to any form of electrical construction or installation they shall mean such construction or method of installation as shall be acceptable to the authority having jurisdiction.

"Approved Combustible Plastics" means only those combustible plastic materials:

- (a) which, when tested in accordance with the American Society for Testing Materials Standard Method of Test for Flammability of Plastics over 0.050 inches in thickness, burns no faster than 2.5 inches per minute in sheets of 0.060 inch thickness; or
- (b) which conforms to the Canadian Standard Association Specification for Electric Signs, C22.2 No. 2, 1956.

“Awning Sign” see **“Canopy Sign”**

“Authority Having Jurisdiction” with respect to the administration of this Bylaw, the person (designated official) appointed by Council and any person authorized by him to administer this Bylaw.

#3007, 2010 “Backlighted Letter” means an illuminated reverse channel letter (open or translucent back) so light from the letter is directed against the surface behind the letter producing a halo lighting effect around the letter (also referred to as Silhouette lighted or halo lighted).

“Banner Sign” means a temporary sign composed of light weight, non-rigid material, such as cloth, canvas or similar fabric.

“Billboard” means a third party off-premises sign that advertises goods, products, services or facilities, or directs persons to a different location from where the sign was installed.

“Canopy Sign” means a sign painted on, or attached to (but not being an under canopy sign) or constructed in or on the face of a canopy.

“Changeable Copy Sign” means a sign on which copy can be changed manually through the use of attachable letter, numerals and pictorial panels, or automatically by electronic switching of lamps or illuminated tubes.

#3007, 2010 “Channel Letter” means a fabricated or formed three-dimensional letter that may accommodate a light source.

“Clearance” means the vertical distance between the lowest limit of a sign and finished grade immediately below.

“Copy Area” means the entire area within a single square or rectangle or a combination of squares or rectangles which enclose the extreme limits of the advertising message or announcement. Decorations related to the specific nature of the advertising message or announcement shall be included.

“Corner Site” means and includes a site at the intersection or junction of two or more streets.

“Curb Line” means the line at the face of the curb nearest the roadway. In the absence of a curb the curb line shall be established by the authority having jurisdiction.

#3007, 2010 “Dimensional Letter” means a specification description of a letter, logo or symbol, either cut out, cast, molded or fabricated in material such as metal or plastic to create a raised condition.

“Electric Sign” means a sign containing electrical wiring which is attached or intended to be attached to an electrical energy source.

“Facia Sign” means a wall sign and as well every sign, except billboards, attached to, placed or inscribed on, or erected or placed against a wall or other surface, whether forming part of a building or not, and having the exposed face

thereof on a plane approximately parallel to the plane of such wall and projecting not more than 38 centimeters (15 inches) from the face of such wall.

“Flashing Sign” means a sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted light source, but does not include an automatic changing sign such as public service time, or temperature and date sign, or electronically controlled message centre.

“Free Standing Sign” means any sign, except billboards, supported independently of and visibly separated from a building or other structure and permanently fixed to the ground.

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

“Grade” means the elevation established by the authority having jurisdiction for the surface of the sidewalk or boulevard for all signs over City streets. For other signs completely within private properties, grade shall mean the finished ground surface directly underneath the sign.

“Height of Sign” means the vertical distance measured from the highest point of the sign to the grade at the nearest street.

“Identification Sign” means a sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or institution, or the occupation of the person.

“Illuminated Sign (Indirectly or externally illuminated)” means any sign which reflects light from a source intentionally directed upon it.

#3007, 2010 “Monument Sign” means a ground level free standing sign with low overall height the base of which is at least as wide as the sign.

“Owner” means any person, corporation or agent controlling the property on which a sign is located.

“Painted Wall Sign” means any sign painted upon any outside wall or other integral part of the building, without in each case the use of independent supports or frames thereof.

#3007, 2010 “Pole or Pylon Cover” means an enclosure for concealing and/or for decorating poles or other structural supports of a ground sign.

#3007, 2010 “Pole Sign” means a freestanding sign with visible support structure.

“Portable Sign” means any sign not permanently attaché to the ground or to a building.

#3007, 2010 “Post and Panel Sign” means a sign constructed out of wood or wrought iron with two upright posts and a cabinet (panel) that is generally not internally lit but can be illuminated from the ground or other sources of light.

“Premises” means an area of land with its appurtenances and buildings which, because of its unity of use may be regarded as the smallest conveyable unit.

“Projecting Sign” means any sign other than a canopy or fascia sign which is attached to and projects from a structure or a building face or wall.

#3007, 2010 “Pylon Sign” means a freestanding sign with visible support structure or with the support structure enclosed with a pole cover.

#3007, 2010 “Reverse Channel Letter” means a fabricated dimensional letter with opaque face and side walls.

“Roof” means the top enclosure of any building.

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

“Roof Sign” means any sign erected upon, against, or directly above a roof or on top of or above a parapet of a building.

“Rotating Sign” means any sign or portion of a sign which moves in revolving or similar manner.

“Sign” means any identification, description, illustration or device, illuminated or non-illuminated, which is visible from any public street and which directs attention to a product, place, activity, person, institution, business or solicitation, including any permanent installation, with the exception of displays and placards placed inside a window.

“Sign Area” means the entire area of a sign on which copy could be placed, including any frame or embellishment which forms an integral part of the display. In the case of a double-face or a multi-face sign only half of the total area of all sign faces will be counted in sign area calculation. The area of individual letter signs shall be calculated on the basis of the smallest squares or rectangles that will enclose the individual letters or figures of the sign.

“Street” means and includes public road, highway, bridge, viaduct, lane and sidewalk, and any other way normally open to the use of the public, but does not include a private right-of-way on private property.

“Supergraphic” means a graphical design, painted or attached to a structure, which does not convey a defined advertising message.

“Temporary Sign” means any sign which is not permanently installed or affixed to any sign structure or building.

“Third Party Advertising” means content on a sign which directs attention to products sold or services provided which cannot be considered as the principal product sold or principal services provided on the premises at which the sign is located.

“Third Party Sign” means a sign which directs attention to a business, commodity, service or entertainment which is conducted, sold or offered elsewhere than on the premises at which the sign is located.

“Under Canopy Sign” means and includes every sign suspended from a canopy and entirely under such canopy.

“Vertical Sign” means a sign the vertical dimension of which is greater than its maximum horizontal dimension.

“Window Sign” means any sign either painted on or attached to or installed inside a window for purposes of viewing from outside the premises. This term does not include merchandise located in a window.

In the enforcement of this bylaw, its definitions shall prevail, notwithstanding any variance or conflict of meaning with those contained in any other bylaw of the Corporation of the City of Duncan.

SECTION 3

APPLICATION

- (1) No person shall erect or place any sign which does not conform in all respects with the provisions of this Bylaw or any other Bylaw of the City applicable thereto.
- (2) Signs that are not specified in this Bylaw are prohibited in the City.
- (3) This Bylaw shall not apply to:
 - (a) signs on or over City streets installed or authorized by the Ministry of Highways and Public Works for the control of traffic and parking, or for street names and direction;
 - (b) street decorations installed or authorized by the City Council;
 - (c) temporary signs or Public Notice authorized under Bylaws and Provincial and Federal Legislation.
- (4) Metric units are used for all measurements in the Bylaw. The approximate equivalent of those units in currently used units of Canada measure (feet, gallons, etc.) are shown in brackets following each metric measurement, and such bracketed figures are included for convenience only and do not form part of this Bylaw.

SECTION 4

ESTABLISHMENT OF SCHEDULES

Signs shall be permitted as set forth in Sign Schedules ‘A’ to ‘C’ inclusive, which are hereby made and declared to be an integral part of this Bylaw. These schedules shall apply to the City zoning districts (as identified in the City of Duncan Zoning Bylaw in force for the time being) according to the classifications below:

SCHEDULE ‘A’

Residential areas including R1, R2, R3, R4, R4SC, R5, and Public Administration P1, P2, P3, P4.

SCHEDULE 'B'

General Commercial C1, C2, C3 including T1.

SCHEDULE 'C'

Light Industry T1 including T2.

SECTION 5

COMPREHENSIVE SIGN PLAN

A development site that is 1 hectare (2.5 acres) and over and/or of sufficient complexity to form a comprehensive development unit (e.g. shopping centre, major office complex) located in any of the above districts may apply for exception to this sign schedule for a Comprehensive Sign Plan. Such plan submitted for approval shall include the location, size, height, color, lighting and orientation of all signs. Exceptions to this sign schedule may only be granted if the sign areas, number and concentration of the plan as a whole conform to the intent of this schedule, and such exception results in an improved relationship between various parts of the plan. A comprehensive sign plan shall only be approved when so recommended by the Administrator.

SECTION 6

SIGN SPECIFICATION

(1) **FACIA SIGN**

Signable Area

- (a) The signable area of the facia sign shall be the space between the lower and upper limits on the face of a building as defined below;
 - (i) the lower limit shall be the lintel or window head of the first storey but in no case shall it be lower than 2.5 meters (8.2 feet) from the finished grade immediately below:
 - (ii) the upper limit shall be the window sill of the floor immediately above the lower limit and in the absence of a window 0.75 metres (2.5 feet) above such floor:
 - (iii) in the case of a one-storey building the upper limit shall be the roof line or the top of a parapet up to a maximum of 1.0 meter (3.3 feet) above the roof line if there is a parapet.

Sign Area

- (b) The specific copy area for facia signs shall not exceed 20% of the sign area. However, this percentage may be increased to 30% if there is no projecting sign, and up to 50% if there are no projecting signs, free standing signs and canopy signs. Notwithstanding the above, a sign containing a logo, symbol, emblem or trademark only may have a copy area in excess of 45% of the sign area. In no case shall the copy area exceed 0.2 square meters (2.15 feet) per lineal 0.3 meters (1 foot) of the frontage of the premises. The "sign area" shall be the area enclosed by a frame, and in the absence of a frame, to total permitted signable area.
- (c) Identification wall signs with non-illuminated letters not higher than 8 centimeters (3 inches), up to a total of 0.4 square meters (4.3 square feet) in area for each premises, shall be exempted from area calculations. Such sign shall not project more than 5 centimeters (2 inches) from the face of the wall.
- (d) Only the frontage on which the sign is located shall be used for sign area calculations.

Projection

- (e) A facia sign shall not project beyond 38 centimeters (15 inches) from the building face, and shall not extend above the sill of any window or above guard rails or balustrades immediately above such sign.
- (f) Lamps and fixtures used to illuminate a facia sign shall not project more than 0.6 meters (24 inches) beyond building faces and shall have a minimum clearance of 2.5 meters (8.2 feet).

Location

- (g) Facia signs permitted under Sections 6 (1) (h) and 7 (1) (f), and facia signs identifying parking and entrances, shall have a minimum clearance of 4.5 meters (14 feet) when projected over a lane, provided that only parking and entrance signs may be installed in lanes where overhead utility plant exists and only when the authority having jurisdiction considers that the sign will not create a hazard.
- (h) A facia sign locate above the permitted signable area shall only be permitted under the following conditions:
 - i. when the content of a sign consists of prestigious advertising, such as logos and names of buildings or principal tenants and date of erection; and

- ii. when a sign, in the form of individual letters, symbols and logos is directly attached to, or inscribed on, the building face;
- iii. no more than one sign per building face and a maximum of four per building provided all such signs are either identical or the sign messages consist of words, logos, symbols, emblems or trademarks identifying the same company, business or establishment.
- iv. the copy area of the sign shall not exceed 1/40 of the area formed by the distance measured from the grade to the bottom of the sign multiplied by the width of the face of the building measured at the bottom of the sign. If there is no distinct width of the building faces such as a circular building, the authority having jurisdiction shall determine the width of the building faces.

Clearance

- (i) Notwithstanding Section 6 (1) (a) (i), a fascia sign entirely over private property may be permitted below the signable area when the authority having jurisdiction can be assured that the public is satisfactorily protected from the sign and provided the permissible sign area is not exceeded.
- (j) When the flanking wall of a building faces onto an open space including car park, which is part of the same premises belonging to the same operation, and such open space has a frontage of not less than 8 meters (26 feet), a fascia sign shall be permitted on such flanking wall, provided such sign does not face onto a residence in the adjoining property. The sign area for such fascia sign shall be calculated as if such flanking wall has a frontage equivalent to that of the open space.

(2) **PROJECTING SIGN**

Sign Area

- (a) For permitted sign area, see sign schedules for particular district where sign is located. For sign area calculation, embellishments which are purely decorative or ornamental and do not contain any logo, symbol, representation, insignia, illustration, or other form of advertising message, separately attached to the sign or the supporting structure, may be excluded. However, the area of all embellishments shall not exceed 20% of the sign area.
- (b) Only the frontage of the first storey premises on which the sign is located shall be used for sign area calculation. When a projecting sign is located at the corner of a building on a corner site, it shall be placed

at equal angles to the building faces that form the building corner. The sign area for such sign shall be calculated on the basis of the larger of the two frontages.

- (c) The area of all letterings on the sign face enclosed within a single continuous perimeter composed of squared or rectangles shall not exceed 45% of the sign area. Notwithstanding the above, a sign containing a logo, symbol, emblem or trademark only may have a copy area in excess of 45% of the sign area.

Projection

- (d) A projecting sign may project over a City street measured from the street property line 8 centimeters (3 inches) for every 30 centimeters (1 foot) distance between the sign and the nearest intersecting property line of the premises. Notwithstanding the above, a projecting sign shall not be located so as to disfigure the architecture of the building to which the sign is attached.
- (e) Notwithstanding Section 6 (2) (d), no sign shall project to less than 0.6 meters (2 feet) horizontally from the curb, or more than 3 meters (9.8 feet) horizontally from the property line, whichever is less. When a projecting sign is placed at equal angles to the two frontages at the corner of a building at a corner site, the maximum projection permitted shall be 120% of the maximum projection permitted for the sign if located at the center of the shorter of the two frontages.
- (f) A projecting sign projecting over a lane approved under Section 7 (I) (f) shall project no more than 1 meter (3.2 feet) over the lane, and such sign shall have a clearance of 4.5 meters (14.8 feet); provided that only parking and entrance signs may be installed in lanes where overhead utility plant exists and only when the authority having jurisdiction considers that the sign will not create a hazard.

Clearance

- (g) A minimum clearance of 2.5 meters (8.2 feet) shall be maintained whether on private property or over a City street (other than a lane), however, the clearance shall be 3 meters (9.8 feet) if the projection is over 1.2 meters (4 feet) when over a City street (other than a lane)

Location

- (h) A projecting sign shall be placed at right angles to the building face to which it is attached except when located at the corner of a building on a corner site.

- (i) For a building of two or more storey's the top of a projecting sign shall not exceed 20 meters (65 feet) from the nearest street grade or the roof line of the building, whichever is less. For a one-storey building the top of a projecting sign shall not exceed 6 meters (20 feet) from the street grade or 1.5 meters (5 feet) above the roof line, whichever is less. The support structure of a projecting sign shall not extend vertically more than 30 centimeters (1 foot) from above the roof line or the top of the parapet. A sign located on the first storey of a multi-storey building, which from the second storey upwards is set back more than 4.5 meters (15 feet) from the first storey at the place where the sign is located shall be regarded as if it is located on a one-storey building.
- (j) No projecting sign shall be so placed unless the distance between such sign and the building wall to which it is attached is less than 30 centimeters (1 foot). The authority having jurisdiction may increase the distance to clear architectural features which are in between the sign and building wall.

Sign Combination

- (k) Businesses may combine their projecting signs to form one single sign, which sign area and projection shall be based on their combined frontages as though they were one.

#3007, 2010 (3) **FREE STANDING SIGN** (includes monument signs and post and panel signs)

Sign Area

- (a) For free standing signs which are completely within the property, a sign area of 0.1 square meters (1.07 square feet) per lineal 0.3 meters (1 foot) of total street frontage shall be permitted as a total sign area for all free standing signs on the same premises. For maximum sign area, see sign schedules for particular district where sign is located. For sign area calculation, embellishments which are purely decorative or ornamental and do not contain any logo, symbol, representation, insignia, illustration, or other form of advertising message, separately attached to the sign or the supporting structure, may be excluded. However, the area of all embellishments shall not exceed 20% of the sign area.
- (b) If a free standing sign projects in whole or in part over a public right-of-way the permitted sign area, projection and the clearance shall be calculated as if the sign were a projecting sign. The street frontage of

the premises on which the sign is located shall be used for such calculation.

- (c) One free standing sign shall be permitted for each premises having frontage on a public right of way. Where a parcel has in excess of 50 meters (196 feet) of frontage, one additional free standing sign may be erected providing always that the distance between the two signs shall be not less than 30 meters (98.4 feet).
- (d) Notwithstanding the above, a corner premises with two street frontages, both of which are not less than 30 meters (98.4 feet) may have two free standing signs, one on each frontage provided the distance between the two signs shall not be less than 30 meters (98.4 feet) measured along the street frontage.
- (e) Where a premise fronts on more than one public right of way, or street excluding alleys and service ways, the provisions of paragraph (c) of this section shall apply.
- (f) For a free standing sign where the sign message is located less than 2.5 meters (8.2 feet) above a grade, the lower 2.5 meters (8.2 feet) of such sign may be considered as an element within the landscaping (subject to the approval of the authority having jurisdiction) and may be excluded from the sign area calculation.
- (g) The area of all letterings on the sign face enclosed within a single continuous perimeter composed of squares or rectangles shall not exceed 45% of the sign area. Notwithstanding the above, a sign containing a logo, symbol, emblem or trademark only may have a copy area in excess of 45% of the sign area.

Clearance

- (h) When a free standing sign is entirely over private property and the clearance is less than 2.5 meters (8.2 feet), the ground underneath shall be guarded against the passage of vehicles and pedestrians to maintain public safety.
- (i) When a free standing sign projects over a vehicular traffic area such as parking lot aisles or driveways, a minimum clearance of 4.5 meters (14.7 feet) shall be maintained.

Location

- (j) A free standing sign shall not be located closer than:
 - (i) 1.5 meters (5 feet)

- (a) from the point of intersection of the intersecting street lines on a corner lot;
- (b) from any interior property line;
- (ii) 30 meters (98 feet) from a Residential District on the same street, subject to a relaxation which may be given where the depth of a commercial property line furthest from that Residential District. The authority having jurisdiction before granting such relaxation, shall ensure that any residents on the adjoining residential lands will be free from undue interference from the proposed sign and may require special conditions to ensure that end.

Height Limitation

#3007, 2010

- (k) The maximum height of a free standing sign shall be 5 meters (16.4 feet) in all areas except the Downtown Development Permit Area (DPA2) described in the Official Community Plan C-1 where they shall not exceed 2 metres (6.56 feet) in height.

Landscaping

- (l) For each free standing sign, the following areas of landscaping are required on the premises:
 - (i) 2 square feet of landscaping for every square foot of sign area, and
 - (ii) 2 square feet of landscaping for every foot height above 10 feet.

The amount of landscaping may be decreased when the authority having jurisdiction considers such requirements as being impractical or undesirable and so recommends. The landscaping shall only be approved when the authority having jurisdiction is satisfied with the type and quality of the landscaping and recommended approval.

(4) **CANOPY SIGN (Marquee)**

For the purpose of this subsection, a canopy shall mean any horizontal projection from the wall of the building intended to be used as a protection against weather, other than the normal architectural features such as lintels, sill, moldings, architraves, pediments, whether within private property or over a public street.

Sign Area

- (a) The length of a canopy sign shall not exceed the length of the face of the canopy on which it is attached provided however that where signs on adjacent canopy faces are so constructed as to form one continuous

sign, such restriction need not apply. The copy area of a canopy sign shall not exceed 30% of the sign area.

- (b) The copy area of a sign located on the side or sides of a canopy shall not exceed the copy area of a sign located on the front of the canopy. For a semi-circular canopy the center half of the perimeter shall be counted as the front of the canopy.

Vertical Dimension

- (c) The vertical dimension of a canopy sign shall not exceed 0.61 meters (2 feet). For theaters and cinemas the maximum shall be 1.5 meters (4.9 feet).

Location

- (d) Canopy signs may be directly attached to the apron of the canopy but shall not:
 - (i) have a clearance of less than 2.5 meters (8.2 feet)
 - (ii) project 0.4 meters (1.3 feet) horizontally beyond the apron of the canopy, or closer than 0.45 meters (1.5 feet) measured horizontally from the curb.
- (e) Signs shall only be permitted on a canopy if the projection of the canopy is more than 0.9 meters (2.9 feet).

(5) **UNDER CANOPY SIGN**

Vertical Dimension

- (a)
 - (i) The maximum vertical dimensions of an under canopy sign shall be 0.3 meters (1 foot).
 - (ii) Maximum sign area 0.4 square meters (4.3 square feet).

Clearance

- (b) An under canopy sign shall have a clearance of at least 2.5 meters (8.2 feet) above ground.
- (c) An under canopy sign shall be mounted as nearly as possible at right angles to the building face, and shall not project beyond the perimeter of the canopy.

(6) **MANSARD ROOF SIGN**

A sign, other than a projecting sign, may be attached to the face of, or located on the sloping roof of, a mansard roof in lieu of a fascia sign, but may not be located so that the top of the sign comes within 0.3 meters (0.9 feet) of the top line of the silhouette of the building.

(7) **WINDOW SIGNS**

(a) Number - one per window.

(b) Size

- (i) The copy area of a permanent window sign is limited to 25% of the window area, except in the case of a glazed door sign when its copy area may be 50% of the glass area.
- (ii) Area to be calculated for each window.
- (iii) Lettering may be up to 6 inches in height on pedestrian or second level windows, and up to 9 inches in height on third level and higher windows.
- (iv) Gold leaf and stained glass letters and/or graphic designs, provided they are real, shall be exempted from area calculation.

(c) Location

- (i) Within the area of any pedestrian or second level window.
- (ii) For establishments contained on the third or higher levels, signs may be within any window on any single level in which the establishment is occupied.

Amended
No. 1881

(8) **PORTABLE SIGNS**

C-5 Portable Sandwich board signs are permitted in the C-1, C-2, C-3, C-4 and zones, subject to the following conditions:

(a) Number:

One sign for each property frontage

(b) Size:

Minimum	Maximum
Height .9m (3')	1.2m (4')
Width .3m (1')	.6m (2')

clear (c) A minimum width of 1.2m (4') of public sidewalk must be left fully and unencumbered.

(d) Hours:

The signs shall only be placed on public property during the hours when the business is open.

(e) Liability:

and The owners of the signs located on public property must formally indemnify and hold harmless the City of Duncan, in the form prescribed by the City of

Duncan, from all potential liabilities and claims which may arise as a result of the signs.

SECTION 7

#3007, 2010

Entire Section 7 deleted

SECTION 8

GENERAL PROVISIONS

#3007, 2010

- (1) Signs that are not specifically permitted in this Bylaw are prohibited, including the following types of signs, which are expressly prohibited:
 - a) Animated Signs
 - b) Billboards
 - c) Flashing signs
 - d) Single Pole / Pylon Signs
 - e) Revolving Signs
 - f) Roof signs
 - g) Third Party Signs
 - h) Obscene or profane signs
 - i) Signs containing more than two faces.
- (2) No free standing sign and projecting sign shall be used at the same time on the same frontage or site except where otherwise specified.
- (3) No third party sign shall be permitted except where otherwise specified.
- (4) No sign painted directly on a wall shall be permitted except as provided in Section 7 (1) (c) or as otherwise specified.
- (5) No sign shall be permitted which is placed on any curb, sidewalk, post, pole, hydrant, bridge, tree, or other surface located on public property, or over, or across any street, or public thoroughfare except as may otherwise expressly be authorized by this bylaw.

#3007, 2010

- (6) A changeable copy sign shall only be permitted in the General Commercial and Light Industry Zones as defined in Section 4 of this Bylaw. The changeable copy area shall form an integral part of the sign. For a manual changeable copy sign the changeable copy area shall not exceed 25% of the sign face on which it is located, and a maximum area of 2.3 square meters (25 square feet). For an automatic changeable copy sign, the changeable copy area shall not exceed 25% of the sign face. The maximum changeable copy area of an automatic changeable copy sign shall not be more than 2 square meters (21.5 square feet). Notwithstanding the above, theatres, coliseums and other entertainment and recreational establishments where frequent changes of events necessitate changes in the message of the sign, the changeable copy area may occupy the whole area of the sign. Time and/or temperature indicators are considered as automatic changeable copy signs for the purpose of this Bylaw and they shall be permitted in all areas except residential areas. They shall conform to the regulations that apply to a changeable copy sign.
- (6A) For the purpose of the Bylaw, a clock that is located on the exterior or outside of a building, either projecting over a street or not, shall be considered as a sign.
- (7) When a three-dimensional sign has no easily measurable faces, the sign area of the said sign shall be half the sum of the area of the vertical faces of the smallest right angled rectangle encompassing the sign.
- (8) When a sign cannot be clearly defined as any of the sign types in Section 6, or being a combination of two or more sign types, the authority having jurisdiction shall decide on the sign type and the control applicable.
- (9) No sign, guy, stay, or attachment thereto, shall be erected, placed or maintained by any person in such a manner as to contact or interfere with any electric light, power, telephone or telegraph wires, or their supports. A clearance of at least 0.7 meters (2.2 feet) shall be maintained between the outer edge of any sign and the nearest wire hereinbefore mentioned, or their supports. No sign or structure shall be placed or installed in such a manner that any portion of the sign or its supports will interfere in any way with the free use of any fire escape, exit or stand pipe.
- (10) For non-conforming commercial or industrial uses in Residential Areas that existed on the date of the passing of this Bylaw or due to a zoning change shall be permitted to have signs as if the premises were located in a general commercial (C1) zone.

SECTION 9

APPLICATION AND ISSUANCE OF PERMITS

(1) **PERMITS REQUIRED**

Before any person shall construct, erect, alter, repair, other than normal maintenance, or relocate any sign, except those exempted under this Bylaw, he shall make application in writing to the authority having jurisdiction for permits.

(2) **INFORMATION REQUIRED FOR SIGN APPLICATION**

The application shall provide the following information:

- (a) The street and street number of the building or structure to which the sign is, or is to be attached.
- (b) The maker's name and address.
- (c) The owner's name and address.
- (d) The surface area of such sign, and drawings to scale, giving the dimensions, and the supporting members.
- (e) The maximum height and clearance of the sign.
- (f) The weight of the sign and where applicable the dimensions of the wall surface of the building to which it is to be attached.
- (g) The proposed location of the sign in relation to the boundaries of the lot and the dimensions of the building and/or the lot upon which it is to be situated. In the case of projecting signs the width of the sidewalk over which it projects.
- (h) Size and location of all existing signs on the premises and/or the building.
- (i) Cost of the sign.
- (j) Description of advertising copy or wording to be displayed.
- (k) Structural, footing details, and material specifications for proposed signs.

(3) **RECORD FORMS**

Every applicant shall provide the above information on the forms provided for such purpose.

(4) **NO ERECTION BEFORE PERMITS**

The applicant for a sign permit shall in no case proceed with the construction, erection, alteration or relocation of such sign until the details, as hereinbefore provided, shall have been approved and the permit granted. In the event that the erection or connection of any sign shall be commenced without a permit having previously been obtained, then the fee for obtaining such permit shall be double the amount which would have been payable had such permit been obtained before commencement of such work.

(5) **ISSUANCE OF PERMITS**

The authority having jurisdiction shall issue a permit if the application complies with the provisions of this Bylaw. Such permit shall expire if active work is not commenced within the period of 90 days from the date of issuance of the permit. The authority having jurisdiction may;

- (i) refuse a permit for any sign if the building to which the same is, or is to be, attached is incapable of supporting the same, or if the information submitted regarding the construction of the said building is not sufficient to enable him adequately to determine the capability of such building to give such support;
- (ii) require as a condition of the issuance of any permit that all drawings and specifications, or any part thereof, be prepared and sealed by, and the construction carried out under the supervision of a professional engineer registered in the Province of British Columbia, and he may refuse to issue a permit until he is provided with a letter signed by a professional engineer registered in the Province of British Columbia, undertaking to supervise the work authorized by such permit or any part thereof as specified by the authority having jurisdiction until it is completed.
- (iii) Refuse to issue any permit on the grounds that the applicant is still indebted to the City for fees due under this or any other Bylaw.
- (iv) Revoke a permit in the following circumstances:
 - (a) where there is violation of any condition under which the permit was issued, or
 - (b) where there is a violation of any provision of this Bylaw, or,
 - (c) if he is satisfied that such permit was issued by reason of incorrect information furnished by the applicant, or,
 - (d) if the permit was issued in error for any reason.

(5A) Any permit granted for the erection of any sign, any part of which projects over any street or public place, shall be construed as a license to occupy that portion of such street or public place over which such sign or any part thereof projects. Where in the opinion of the authority having jurisdiction, the sign interferes with or will interfere with the placement or use of equipment installed by the City or utility company, or the use of the street or public place or with the visibility of traffic signal control devices that are existing or to be installed over any street or public place; such license to occupy may be revoked at any time by the authority having jurisdiction and on such notice as he may deem advisable and thereafter all rights and privileges granted with respect to such sign shall be deemed to be cancelled and of no further effect.

(6) **INTERFERENCE WITH TRAFFIC LIGHTS**

If, in the opinion of the authority having jurisdiction, there is any likelihood of a sign interfering or otherwise obstructing traffic lights, or in any way interfering with visibility from the street, the authority having jurisdiction shall refuse the permit.

(7) **OFFENSIVE SIGNS**

No permit shall be granted for the construction or erection of any sign, if in the opinion of the authority having jurisdiction it will be unsightly, grotesque, or offensive in character. The authority having jurisdiction may refer the matter to City Council.

SECTION 10

MAINTENANCE AND REMOVAL OF SIGNS

(1) **MAINTENANCE AND REMOVAL OF SIGNS**

Every sign in the City shall be maintained in a safe condition and free from any defect at all times. All signs shall be kept clean and neatly painted, including all metal parts and supports. The Authority having jurisdiction shall have the authority to order the painting, repair, alteration or removal of signs which become dilapidated or are abandoned, or which constitute a physical hazard or public safety.

(2) **REMOVAL OF DANGEROUS SIGNS**

If, in the opinion of the authority having jurisdiction any sign is in such a condition as to be in immediate danger of falling or is an immediate menace to the safety of persons, the authority having jurisdiction may give notice in writing to the owner of such sign to remove the same within 24 hours. It shall be the duty of such owner to remove such sign in accordance with the said notice. If the owner of the sign cannot be located, or if he refuses to comply with the order, the authority having jurisdiction may have the offending sign removed.

(3) **REPAIR OR REMOVAL OF DEFECTIVE AND NON-CONFORMING SIGNS**

If any sign, when erected or after modification, does not conform in any respect with the provisions of this Bylaw or any other Bylaw applicable thereto, or if any sign is in any unsafe or defective condition, the authority having jurisdiction may give written notice to the owner of such sign to repair or remove the said sign within a period of 14 days. It shall be the duty of such owner to repair or remove such sign in accordance with the said notice. If this notice is not adhered to or if the owner of the sign cannot be located, the authority having jurisdiction may have the offending sign removed.

(4) **REMOVAL OF ABANDONED SIGN**

When a sign no longer correctly directs or attempts to induce any person, advertises a bona fide business, lesser, owner, product or activity conducted, or product available, on the premises where such a sign is displayed, the owner shall remove the sign within 30 days from the date of the receipt of notice of such removal from the authority having jurisdiction.

(5) **REMOVAL OF CAMPAIGN AND REAL ESTATE SIGNS**

Political signs, real estate signs and similar temporary signs which are installed on any property shall be removed within 14 days of the termination of the event for which the signs are erected, by the owner of such signs, or owner of property in which the sign is erected, failing which the authority having jurisdiction may have such signs removed and destroyed. Notwithstanding the above provisions, the Council may be resolution permit the placing of signs or devices of a type specified in the resolution permit the placing of signs or devices of a type specified in the resolution for the period of time fixed thereby.

(6) **COST OF REMOVAL AND MAINTENANCE**

The cost of such painting, cleaning removal, transportation and storage of such sign under Section 10 when certified by the authority having jurisdiction, shall be a debt due and recoverable from the owner by the City in any court of competent jurisdiction.

(7) An owner wanting to reclaim a sign removed by the authority having jurisdiction under Section 10 of this Bylaw, must do so within 14 days from the date such sign is removed. The owner, before reclaiming such sign, shall pay for the cost of removal, transportation and storage. If the sign is not reclaimed after 14 days the authority having jurisdiction may order such sign destroyed or disposed of in any way he deems appropriate.

SECTION 11

PERMIT FEES

Amended
No. 1583
No. 1759
No. 2097

(1) **PERMITS**

"except as provided in Schedule "A", every person wishing to construct, erect, alter, repair, or relocate any type of sign shall, prior to commencing the work, apply for a permit, and shall not commence such work unless and until such permit has been granted. Application for a permit shall be accompanied by payment of the appropriate permit fee as specified by Council by Bylaw.

SECTION 12

PENALTY

- (1) **VIOLATION OF THIS BYLAW LIABLE TO PENALTIES**
Every person who violates any of the provisions of this Bylaw or who 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 to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act which violates any of the provisions of this Bylaw is guilty of an offence against this Bylaw and liable to the penalties hereby imposed. Each day that a violation is permitted to exist shall constitute a separate offence.
- (2) **FINES AND PENALTIES**
Every person who commits an offence against this Bylaw is liable to a fine and penalty of not more than \$500.00 and not less than \$50.00 for each offence, and in default of payment thereof or, in the alternative, to imprisonment for any period not exceeding two months.
- (3) **FINES FOR CONTINUING OFFENCE**
Every person who commits an offence of a continuing nature is liable to a fine not exceeding \$50.00 for each day such offence is continued.

SECTION 13

CONSTRUCTION

- (1) **GENERAL**
 - (a) Signs and sign structures shall be designed and constructed as herein provided and in accordance with the National Building Code of Canada, to resist wind, seismic, and dead loads. All bracing systems shall be designed and constructed to transfer lateral forces to the foundations. For signs on buildings, the loads shall be transmitted through the structural frame of the building to the ground in such a manner as not to overstress any of the elements thereof.
 - (b) No sign shall be attached to or hung from any building until all wall and roof attachments for the same have been approved by the authority having jurisdiction.
- (2) All electrical signs shall be approved, constructed and installed in accordance with the Canadian Electrical Code Part I.

- (3) **APPROVED COMBUSTIBLE PLASTIC**
- (a) All approved combustible plastic material and the fastenings thereof shall be of adequate strength and durability to withstand design loads prescribed in the National Building Code. The authority having jurisdiction may require that sufficient and substantial technical data be submitted by the manufacturer of such material or by a testing agency approved by the authority having jurisdiction to establish working stresses, maximum unsupported spans, and such other information as may be required for the various thicknesses and forms used.
 - (b) Allowance shall be made for expansion and contraction of plastic materials in accordance with accepted data on co-efficient of expansion of the material and any material with which it is employed.
- (4) **OTHER COMBUSTIBLE MATERIAL:**
- Wood, leather or other similar combustible material (excepting approved combustible plastic) may be used as part of a projecting sign providing:
- (i) its area on one face is not greater than 0.7 square meters (7.5 square feet).
 - (ii) it is attached to a metal frame capable of sustaining all loads borne by the sign.
- (5) **ANCHORAGE**
- (a) Signs attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts, or approved expansion screws of sufficient size and anchorage to support safely the loads applied.
 - (b) Signs shall not be fastened by nails, staples or screws to wooden blocks, plugs or nailing strips built into masonry or concrete.
 - (c) Bolts or lag screws shall not be fastened to window frames or sills. Lag bolts in solid woodwork shall not be less than 12 millimeters (.5 inches) in diameter, and shall penetrate the woodwork at least 7.6 centimeters (3 inches).
 - (d) All cables 12 millimeters (.5 inches) in diameter and over shall be provided with suitable sleeves; and two cable clips shall be provided for each cable, and securely clamped to the sleeves.
 - (e) Turn-buckles shall be provided for all supporting cables. Side-guys may have a turn-buckle for one side of any sign. Turn-buckles shall have a breaking strength equivalent to that of the cable to which they are attached.
- (6) **CORROSION**
- All cables, turnbuckles, links, bolts and screws, and all devices which are used to support or which form a part of sign shall be non-corrosive

or be protected otherwise in an approved manner such as by galvanizing.

(7) **PARAPET WALLS**

No anchor or support of any sign shall be connected to, or supported by an unbraced parapet wall, unless the structural stability of the parapet wall is adequate.

(8) **FACIA SIGN**

Unilluminated facia signs shall be of metal or other non-combustible plastic as defined in this Bylaw. Wood may be permitted for a facia sign provided it is not less than 19 millimeters (.75 inches) thick if it is of plywood, and one inch nominal thickness if it is of solid wood. The maximum area of a wood facia sign shall not exceed 10 square meters (107 square feet).

(9) **PROJECTING SIGNS**

Unilluminated projecting signs shall be of metal or other noncombustible material or of approved combustible plastic and other combustible material as defined in Section 15(2) and (3) of this Bylaw.

#3007, 2010

(10) **FREE STANDING SIGNS**

(a) All free standing signs shall be constructed of non-combustible material throughout except that:

- (i) signs not exceeding 5 meters (16.4.6 feet) above the surface of the ground and which do not project over the street at any point may have the display area including backing of combustible materials.”

(11) **CANOPY SIGNS**

Unilluminated canopy signs built into or fastened directly to each canopy face or affixed on top thereof shall be constructed of non-combustible material or approved combustible plastic as defined in this Bylaw.

#3007, 2010

(12) **LIGHTING**

a) Internally lit signs are prohibited in all Districts or Zones, except for:

- i. backlit reverse channel letter signs.
- ii. internally lit free standing signs with translucent letters and opaque backgrounds for properties with frontage on the Trans Canada Highway.
- iii. awning signs with letters and symbols lit only;

b) Acceptable types of illumination include: externally/indirectly lit, reverse channel letters and neon.

READ THE FIRST TIME on the 11th day of March, 1985.

READ THE SECOND TIME on the 11th day of March, 1985.

READ THE THIRD TIME on the 11th day of March, 1985.

RECONSIDERED, FINALLY PASSED and ADOPTED on the 25th day
of

March, 1985.

Clerk of the Municipal Council
of The Corporation of the City
of Duncan.

Mayor

This Bylaw has been consolidated for convenience only and includes
amendments from:

Bylaw No. 1583, 1989 – Adopted November 27, 1989
Bylaw No. 1759, 1995 – Adopted May 23, 1995
Bylaw No. 1881, 1995 – Adopted May 25, 1999
Bylaw No. 1916, 2001 – Adopted May 14, 2001
Bylaw No. 2097, 2010 – Adopted September 20, 2010
Bylaw No. 3007, 2010 – Adopted January 17, 2011

SCHEDULE "A"

ZONES

RESIDENTIAL: R-1, R-2, R-3, R-4 SC, R-5

PUBLIC ADMINISTRATION: P-1, P-2, P-3, P-4

PERMITTED SIGNS:

The following signs shall be allowed without requiring a permit:

- (1) Official Public Notice.
- (2) Signs required by law.
- (3) One non-illuminated, on-premises identification facia sign not exceeding 0.2 square meters (2.1 square feet) except for apartments, religious, civic and institutional buildings the sign area may exceed 0.2 square meters (2.1 square feet) provided the sign is made up of individual letters not exceeding 30 centimeters (12 inches) attached directly to the building.
- (4) One direction sign per entrance such as "Parking Entrance", "Exit", not exceeding 0.2 square meters (2.1 square feet).
- (5) One non-illuminated temporary real estate sign (i.e. for sale or lease sign) not exceeding 0.5 square meters 5.3 square feet) and a height of 2.0 meters (6.5 feet). Such a sign may be attached to a fence or hoarding.
- (6) Temporary construction signs not exceeding 9 square meters (96.8 square feet). They may be attached to a fence or hoarding.
- (7) One "No trespass" or other warning signs not exceeding 0.2 square meters (2.1 square feet).
- (8) One temporary display of a patriotic, religious, charitable or civic character, located within private property. Such display shall be attached flat to the wall or canopy or may be free standing. When the display time exceeds 30 days or exceeds 1 square meter (10.7 square feet), the size, type and time period and removal will be subject to prior approval from the authority having jurisdiction. Every such display shall be subject to the provisions of Section 13 (1) 13 (5) (a), (b) and (c) and 13 (7) of this Bylaw.

Amended No. 1916 - THAT Schedule "A"(9) reference to political campaign signs be removed;

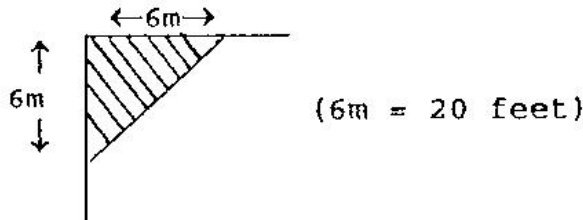
- (10) Commemorative plaques and cornerstones (of non advertising nature)

- (11) Flags or emblems of patriotic, civic, educational or religious organizations.
- (12) One identification sign or bulletin board not exceeding 1 square meter (10.7 square feet) and a height of 2 meters (6.5 feet) for religious and institutional and civic organizations (i.e. churches, schools, hospitals, community centers, parks and on properties used for that purpose, stadiums, libraries, museums, etc.), subject to compliance with yard and building line requirements of any applicable City of Duncan Zoning Bylaw with the exception that it may be located in the front yard.

**Amended
No. 1916**

- (13) Political campaign signs, provided they meet the following:
 - (i) They are not installed until the election or referendum has been called, and must be removed within 14 days after the election or referendum date.
 - (ii) They are not placed within areas described in 5.13 of Zoning Bylaw No. 1540 as amended, to ensure public safety at intersections.

Note 5.13 Area:



SIGN REQUIREMENTS

- (1) All signs permitted by this schedule shall be erected within the boundaries of the parcel of land the sign is to be erected upon.

SCHEDULE "B"

ZONES

COMMERCIAL C-1, C-2, C-3

TRANSIENT ACCOMODATION T-1

(a) **PERMITTED SIGNS:**

- (1) Signs as permitted in Schedule "A" except the maximum area of a directional sign shall be 0.3 square meters (3.2 square feet).
- (2) Signs as provided for in Section 6 (Sign Specifications).
- (3) One non-illuminated temporary real estate sign not exceeding 3.5 square meters (37.6 square feet) per street frontage up to a maximum of two per site, provided that no two sign faces are visible simultaneously from the same direction. A permit will not be required. Such sign may be attached to a fence or hoarding.

(b) **SIGN REQUIREMENTS**

- (4) Signs shall conform to all specifications as set forth in Sections 6 and 8.
- (5) Notwithstanding the above:
 - (a) for projecting signs, a sign area of 0.1 square meters (1 square foot) per lineal 30 centimeters (1 foot) frontage to a maximum of 3 square meters (32 square feet) shall be permitted in C-1, C-2, C-3 and T-1.
 - (b) for free standing signs the maximum sign area for each sign shall be 5.6 square meters (60 square feet) in C-1, C-2, C-3 and T-1 districts except that a business with frontage on the Trans Canada Highway. (Island Highway) may have a maximum sign area of 6 square meters (64.5 square feet) on that frontage.
- (6) No sign other than a fascia sign shall be located in or projected over the landscaped setback areas as required by Section 3.22 of the Zoning Bylaw No. 1207, 1979.

SCHEDULE "C"

ZONES

(a) **INDUSTRIAL INCLUDING IN-1, IN-2**

- (1) Signs as permitted in Schedule "A": except the maximum area of a directional sign shall be 0.5 square meters (5.3 square feet).
- (2) Signs as provided for in Section 6 (Sign Specifications).
- (3) One non-illuminated temporary real estate sign not exceeding 3.5 square meters (37.6 square feet) per street frontage up to a maximum of two per site, provided that no two sign faces are visible simultaneously from the same direction. A permit will not be required. Such sign may be attached to a fence or hoarding.

(b) **SIGN REQUIREMENTS:**

- (4) Signs shall conform to all specifications in Section 6 and 8.
- (5) Notwithstanding the above:
 - (a) for projecting signs, a sign area of 0.1 square meter (1.07 square foot) per lineal foot frontage to a maximum of 4 square meters (43 square feet) shall be permitted.
 - (b) for free standing signs, the maximum sign area for each sign shall be 8 square meters (86 square feet).
- (6) No sign other than a fascia sign shall be located in or projected over the landscaped setback area as required by Section 3.22 and 3.24 of the Zoning Bylaw No. 1207, 1979.