

**Town of Creston
Bylaw No. 1797**

A bylaw to prohibit and regulate the installation, alteration, maintenance and use of signs.

WHEREAS the *Local Government Act* authorizes municipalities by bylaw to prohibit or regulate the number, size, type, form, appearance and location of any signs;

AND WHEREAS the Council of the Town of Creston deems it necessary and desirable to exercise the authority provided by the *Local Government Act* to regulate such signs and structures in Creston;

NOW THEREFORE, the Council of the Town of Creston, in open meeting assembled, enacts as follows:

Part 1 Citation

1.1 This bylaw may be cited as “Town of Creston Sign Bylaw No. 1797, 2014”.

Part 2 Severability

2.1 If any Section, sub-Section, clause or phrase of this Bylaw is, for any reason, held to be invalid by a court, it will be deemed to be severed, and the remainder of the Bylaw will remain valid and enforceable in accordance with its terms.

Part 3 Previous Bylaw Repeal

3.1 Town of Creston Bylaw No. 1581, cited as “Sign Development and Regulations Bylaw No.1581, 2011” and all amendments thereto, are hereby repealed

Part 4 Definitions

4.1 In this Bylaw words and phrases used in this Bylaw shall have the meanings set forth in this Section. Words and phrases not defined in this Section but defined in the Town’s current Zoning Bylaw shall have the meanings set forth in that Bylaw.

“Abandoned Sign” means a sign or sign support structure that directs attention to an activity, business, product, or service no longer conducted or available on the lot on which the sign is located or at the location stated on the sign.

“Animated Sign” means illuminated sign which exhibits changing or moving colour effects maintained at a constant intensity of illumination.

“Awning” means a hood or shelter constructed of fabric on a frame which projects from the exterior wall of a building.

“Awning Sign” means a sign painted or affixed flat to the surface of an awning which does not extend vertically or horizontally beyond the limits of such awning.

“Balloon Sign” an air inflated structure in the general form of a hot air balloon or other similar style that is attached to the ground or other structure.

“Banner” means a sign composed of lightweight material including cloth, canvas or similar fabric.

“Billboard” means a free-standing or fascia sign of a permanent or semi-permanent nature with an area exceeding 10 m² used or intended to be used for the display of material advertising a business, occupation, products or services. The message may be painted, pasted, or otherwise fixed to the face of the sign.

“Business Frontage” means the horizontal length of the portion of a building wall occupied by a business or institutional establishment facing a highway. Each highway frontage is a separate business frontage.

“Building Inspector” means that person so appointed by the Council of the Town of Creston.

“Canopy” means a non-retractable, solid horizontal projection which extends from the wall of a building, but does not include normal architectural features such as eaves, lintels, sills, and mouldings.

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

“Changeable Copy” means signs that allow for changes to be made to the sign copy, either electronically by means of electronic switching of lamps or illuminated tubes or manually through the use of attachable letters, numbers and/or graphics. Switching or display of electronic copy shall not be distractive to vehicular traffic.

“Clearance” means the vertical distance from the lowest point of the sign to the average elevation of the finished grade immediately below the sign.

“Community Information Sign” means a means a permanent sign used to display educational material, community events or notices.

“Contractor Sign” means a temporary sign erected for the duration of construction by the contractor listing the project name and firms involved in the construction. It may be a free standing, or fascia sign.

“Copy” means the graphic content of a sign surface, including letters, pictures, logos, symbols, and other things comprising the visual message.

“Copy Area” means the entire area of the sign which copy can be placed within a single square or rectangle or a combination of squares or rectangles which enclose the copy.

“Council” means the municipal Council of the Town of Creston.

“Designate” means the employee assigned temporary duties by the Town Manager due to the absence of another employee.

“Development Sign” means a temporary sign advertising a new commercial, industrial, institutional, or multiple family residential development or a group of lots for sale within a new subdivision. It may include, but will not be limited to, the name, nature, and particulars of a new development project, the names of the owners, the contractors, the sub-contractors, and professional advisors and logos or symbols identifying the project. It may be a free standing, or fascia sign.

“Director of Municipal Services” means that person so appointed by the Council of the Town of Creston.

“Directory Sign” means a sign listing four (4) or more businesses located on the same parcel or at four (4) or more adjoining parcels.

“Display Box” means a sign that is affixed to a building and is enclosed within a case allowing the viewing of menus, recreational or entertainment events.

“Downtown Core” means the area defined in the Official Community Plan Bylaw No.1532, 2011, as amended.

“Election Sign” means a temporary sign posted for a specific period of time promoting a political candidate, political party, or political cause prior to an election.

“Electronic Message Center Sign” means a sign where graphic and/ or text display can be changed electronically or digitally by manual or automatic means.

“Erected” means attached, altered, built, constructed, or reconstructed and shall include the painting of signs, but does not include copy changes on any changeable copy sign.

“Externally-lit” means a sign illuminated from an external source.

“Façade” means the entire outer side of a building that is exposed to public view.

“Fascia Sign” means a sign mounted or displayed parallel to the face of the building on which it is located and does not extend 40 cm from the surface of the building.

“Flashing Sign” means a artificially illuminated sign:

- a) any part of which contains an intermittent or flashing light source;
- b) any illuminated part of which moves or is intended to move, and/ or
- c) any illuminated part of which is operated by varying either the intensity or colour of light.

“Free-Standing Sign” means a sign permanently anchored to the ground by a base, pole, or other supports which is not attached to or dependent on support from any building.

“Grade” means the average elevation of the nearest surface of sidewalk, roadway or landscaping immediately below the sign.

“Highway” includes a street, road, lane, bridge, viaduct and any other way open to public use, other than a private right of way on private property, as defined in the *Community Charter*.

“Home Occupation Sign” means a sign only indicating the name or address of a home occupation.

“Inflatable Sign” means a non-rigid sign supported by gas or air pressure.

“Internally-lit” means a sign illuminated from an internal source.

“Logo” means a symbolic representation not including any words, names or numbers unless part of a registered trademark, which is used exclusively to simplify advertising of a product, business, service, or activity, and which contains no additional identification, information or message.

“Maximum Height” means the vertical distance measured from the highest point of the sign or sign structure to the average elevation of the finished grade immediately below to the sign.

“Mural” means a picture that is painted or otherwise applied to the wall of a building and that does not include any commercial text or logo. Murals seeking to include commercial text or logo require a Sign Permit in the Town of Creston.

“Official Community Plan” means Town of Creston Official Community Plan (2011) Bylaw No.1532.

“Official Sign” means a sign required by, or erected pursuant to the provisions of federal, provincial, or local government legislation, regulation, or bylaw.

“Owner” has the meaning as in the Community Charter, and refers to the owner of the property on or from which a sign is placed or attached.

“Permanent Sign” means signs that are entirely constructed out of durable materials and are intended to exist for the duration of time that the use or occupant is located in the premises.

“Projecting Sign” means a sign which is erected on and projects from the building face, and is normally at right angles to the building face.

“Public Information Sign” means any sign erected for or at the direction of any government authority, agency, board or committee for the purpose of providing information to the public concerning such authority, agency, board or committee, or any proceedings thereof, and shall include signs that advertise applications for official community plan or zoning by-law amendments.

“Real Estate Sign” means a temporary free-standing or fascia sign which contains information indicating that a property or premises on which it is located is for sale, lease or rent. Along with the name of the agent, contact, or owner offering the property.

“Revolving Sign” means a sign that has the ability to turn up to 360 degrees.

“Roof Line” means the top edge of the roof or the top of the building face, whichever forms the top line of the building silhouette. In the case of buildings with pitched roofs, the roof line shall be at the eaves level.

“Rooftop Sign” means a sign erected or kept “wholly” or partially above the roof line, in the air space above a roof or mounted on a parapet of a building.

“Safety Compliance Officer” means that person so appointed by the Council of the Town of Creston.

“Sandwich Board Sign” means a sign that is not permanently affixed to a building or base and stands on the ground without any additional support.

“Satellite Dish” means a telecommunication device, located outside a building, which is intended to receive or transmit signals to or from one of more communications satellites.

“Seasonal Decoration” means temporary ornaments and displays erected in conjunction with seasonal or holiday activities such as Christmas or Canada Day, where such ornaments and displays contain no local or general advertising of specific commercial services, merchandise, or entertainment.

“Shielded Light Source” shall have the meaning associated with the nature of the light source, as follows:

- i. For an artificial light source directing light upon a sign, shielded light source means a light source diffused or directed so as to eliminate glare and housed to prevent damage or danger.
- ii. For light source located within a sign, shielded light source means a light source shielded with a translucent material of sufficient opacity to prevent the visibility of the light source.

“Sign” means a structure, device or visual display visible from the street which contains information and where the intent is to attract the attention of persons for the express purpose of the communication of that information. It does not include:

- i. Displays of goods placed inside a window;
- ii. Gravestones or other markers placed for historical or memorial purposes;
- iii. Private celebratory or seasonal decorations;
- iv. Murals containing no commercial text or logo;
- v. Satellite dish; and
- vi. Traffic control devices.

“Sign Area” means the total area within which the face, or faces, of a sign could be completely contained. The area of a free-standing sign shall be exclusive of any supporting structure but shall include the sum of all faces visible to the public. The total area of any single sided freestanding sign shall not exceed 50% of the total permitted area for the sign.

“Sign Shingle” means a metal plate supplied and installed by the Town, on a Third Party Directional Sign Post.

“Sign Structure” means any wall, pole, framework, or other structure method used to provide support for a sign.

“Special Event Sign” means a temporary banner or sandwich board advertising or notifying the public of a community event.

“Subdivision or Entrance Sign” means a permanent sign that contains no advertising message and is limited to the name and logo of a residential neighborhood development.

“Suspended Sign” means a sign suspended entirely underneath an awning, canopy or other similar structure.

“Temporary Sign” means a sign designed in such a manner that it can be readily relocated to provide advertising at another location, or taken on or off a site for a specific period of time. Refer to Section 8.1 for related provisions, including limits to duration of display.

“Third Party Sign” means a sign that advertises goods, products, services, or facilities on a parcel or premises other than the parcel or premises on which the sign is located.

“Town” means the Town of Creston.

“Traffic Control Device” means a sign, stop sign, signal line, parking space, barrier, traffic control signal, traffic control flashing signal, or device placed or erected for the purpose of regulating and controlling vehicular and pedestrian traffic.

“Window Sign” means a sign that is painted on and/ or a decal attached to a window and is intended to be viewed from the exterior of the building.

Part 5 GENERAL PROVISIONS

Signs are regulated under this Bylaw as follows:

- 5.1 Unless permitted or exempted under this Bylaw, or any Provincial or Federal statute, no person shall erect, alter or relocate a sign within the Town until a valid sign permit to do so has been issued under the Bylaw.
- 5.2 Any sign that is in existence at the time of adoption of this Bylaw, and which was approved by permit at the time of previous Bylaws, is deemed to be legal non-conforming (grandfathered) subject to the provisions of Section 911 of the *Local Government Act* so long as the principal business so advertised continues, and no major façade improvement occurs.
- 5.3 Any person may make an application for a Development Variance Permit to be considered by the Council of the Town of Creston to vary or relax applicable provisions of the Bylaw. Before a Variance Permit will be considered by Council, the applicant shall apply for a sign permit, and the Director of Municipal Services or his/her designate will present both applications to Council for its decision.
- 5.4 No sign shall be constructed, placed or illuminated in a way which is likely to block, obstruct or interfere with a motorist’s view of other traffic, pedestrians, or traffic control devices.
- 5.5 In every case where a sign is so constructed or located that it extends over or onto a public right-of-way, the owner of the property on which the sign is in part to be located shall be required to enter into an **Encroachment Agreement** with the municipality.
- 5.6 A sign requiring electrical power shall be installed and maintained in conformance with all applicable statutes and required approvals shall be obtained. Overhead wiring is prohibited – all electrical wiring must be installed underground.

PART 6 PROHIBITED SIGNS

- 6.1 Signs that are not specifically permitted in this Bylaw require consultation with the Director of Municipal Services or his/her designate, and may require application for a Sign Permit and/or a Development Variance Permit.
- 6.2 The following types of signs, which are expressly prohibited:
 - a) Animated Signs
 - b) Billboards
 - c) Flashing signs
 - d) Posters, handbills or flyers erected or posted on utility poles or fences
 - e) Revolving Signs

- f) Signs emitting sound
- g) Signs containing text or illustration which, in the opinion of the Director of Municipal Services or the Safety Compliance Officer, is offensive.

PART 7 ALLOWABLE SIGNS

- 7.1 Where signs are permitted in a Comprehensive Development Zone (CD), all signage must be in compliance with the site specific Comprehensive Development Zone requirements prior to a permit being issued. Within CD zones, permits are required for various types of signs as identified in this Section.
- 7.2 The following signs are allowable, subject to the provisions outlined in this Section, and provided the sign complies with all other applicable regulations contained within this Bylaw:

| Type of Permitted Sign | Zones | | | | | Permit Required? |
|-------------------------------------------------------------|-----------------------------------|------------|--------------|---------------|---------------------------------------------|------------------|
| | Commercial | Industrial | Agricultural | Community Use | Residential | |
| TEMPORARY SIGNS | | | | | | |
| Banner | YES | YES | YES | YES | NO | YES |
| Balloon sign | YES | NO | NO | NO | NO | NO |
| Changeable Copy sign | YES <i>(not in Downtown Core)</i> | YES | NO | NO | NO | YES |
| Development & Contractor signs | YES | YES | YES | YES | YES | NO |
| Election sign | YES | YES | YES | YES | YES | NO |
| Real estate sign | YES | YES | YES | YES | YES | NO |
| Sandwich board | YES | YES | YES | YES | NO | YES |
| Special event sign | YES | YES | YES | YES | NO | YES |
| PERMANENT SIGNS | | | | | | |
| Awning sign | YES | YES | NO | YES | NO | YES |
| Balloon sign | YES | NO | NO | NO | NO | YES |
| Canopy sign | YES | YES | NO | YES | NO | YES |
| Changeable copy sign | YES | YES | NO | NO | NO | YES |
| Community information sign | YES | YES | NO | YES | NO | YES |
| Directory sign | YES | YES | NO | NO | NO | YES |
| Display box | YES | YES | NO | YES | NO | YES |
| Electronic message center sign | YES | NO | NO | YES | NO <i>(1 exception, see Section 7.8)</i> | YES |
| Fascia sign | YES | YES | NO | YES | NO | YES |
| Free-standing sign (includes allowance for changeable copy) | YES | YES | YES | YES | NO | YES |
| Home occupation sign | NO | NO | YES | NO | YES | YES |
| Projecting sign | YES | YES | NO | NO | NO | YES |
| Rooftop sign | NO | YES | NO | NO | NO | YES |
| Suspended sign | YES | YES | NO | YES | NO | YES |
| | | | | | | |

| Type of Permitted Sign | Zones | | | | | Permit Required? |
|------------------------------|------------|------------|--------------|---------------|-------------|---------------------------|
| | Commercial | Industrial | Agricultural | Community Use | Residential | |
| Subdivision – Entrance sign | NO | NO | YES | NO | YES | YES |
| Window sign | YES | YES | NO | YES | NO | YES |
| “OTHER” SIGNS | | | | | | |
| Public information sign | YES | YES | NO | YES | YES | NO |
| Third party sign | YES | YES | NO | NO | NO | YES <i>(see Sec. 8.3)</i> |
| Third party directional sign | YES | YES | NO | NO | NO | YES |





7.3 The total number of allowable signs that may be displayed in the **Commercial, Industrial and Community Use Zones**, subject to the provisions outlined throughout this Bylaw, are as follows:







| | Maximum # Temporary Signs Allowed | Maximum # / Type of Permanent Signs Allowed | Additional Allowances |
|-------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 st Storey (Ground level) or single-occupant building | Up to two (2) temporary signs per business frontage from the following options: One (1) banner One (1) sandwich board One (1) special event sign | Up to four (4) signs per business frontage, (3) front and (1) rear from the following options: One (1) awning or canopy sign One (1) fascia sign One (1) free-standing sign, as setback requirements allow One (1) suspended or projecting sign One (1) window sign PLUS One (1) identification sign per building; One (1) identification sign per business to be displayed at the principal entrance; One (1) display box sign per principal entrance, as applicable (see Sec 4 definition for Display Box). | In addition: - Qualifying properties (refer to definition of directory sign in Section 4) may each display one (1) directory sign. See Section 8.2 for details. - Real estate signs as required: see Section 8.1 |
| 2 nd and 3 rd Storey | Up to one (1) temporary sign per business frontage from the following options: One (1) banner One (1) sandwich board One (1) special event sign | Either or both of the following: One (1) fascia sign per business frontage One (1) projecting sign per business frontage One (1) window sign per business frontage | - Public information signs as required: see Section 7.6 - Election signs: see Section 8.1 |
| Basement | Up to one (1) temporary sign per business frontage from the following options: One (1) sandwich board One (1) special event sign | One (1) window sign per business frontage | |




- 7.4 At the discretion of the building owner and with the approval of the Director of Municipal Services or his/her designate, a business or institutional establishment that does not have business frontage may erect one (1) permanent sign selected from the following types: fascia, window, suspended or projecting.
- 7.5 A sign erected pursuant to Section 7.3 shall be included in the maximum number and size of signs allocated per business frontage.
- 7.6 Subject to the provisions set out throughout this Bylaw, the maximum number of Home Occupation signs that may be displayed in Residential Zones is one (1) per property. Residential properties may also display one (1) identification sign and up to two (2) allowable temporary signs per property (development, election and/or real estate signs).
- 7.7 In addition to the foregoing, public information signs may be displayed in any zone as per the requirements of the governing authority requiring display, and such signs are not included in the maximum number and size of signs allocated per business.
- 7.8 One (1) Electronic Message Center sign is permitted on the residential property Lot 2 Block 2 District lot 891 Kootenay District Plan 2208 (Civic address: 1906 Canyon Street) with valid sign permit.




PART 8 REGULATION OF SIGNS






- 8.1 The following signs are allowable subject to the provisions outlined in this Section, and provided the sign complies with all other applicable regulations contained within this Bylaw:





| Sign Type | Permit Required | Maximum Sign Area | Maximum Height | Minimum Clearance | Related provisions |
|-----------------------------------------------------------------------------------------------|-----------------|----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PROHIBITED | | | | | |
| Animated, flashing, revolving, & billboards signs | |  |  |  | |
| TEMPORARY SIGNS | | | | | |
| Banner  | YES | Shall not exceed 25% of the of the total area of the façade (or business frontage for multi-occupant buildings | - | - | <ul style="list-style-type: none"> - shall be single sided and installed parallel and fastened securely to the building wall; - shall be limited to a maximum period of 30 days display; - shall not be illuminated; - no business shall display more than one banner per business frontage at any given time. |




| Sign Type | Permit Required | Maximum Sign Area | Maximum Height | Minimum Clearance | Related provisions |
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| Inflatable sign  | NO | Shall not exceed 25% of the total area of the facade | - | - | - |
| Changeable copy  | YES | 30% free-standing area; 8sqm for <1000sqm lot | 2 m (8.2ft) | - | <ul style="list-style-type: none"> - limited to one (1) per lot; - shall not be located in an area at an height that interferes with vehicular movement, sight lines or parking. |
| Development & Contractor signs  | NO | 3.0 sq m (32.3 sq ft) | - | - | <ul style="list-style-type: none"> - shall be located entirely on the property upon which the construction is taking place; - shall be removed within 30 days of the completion of construction; - shall either be free-standing or fascia sign; - shall be limited to one (1) sign per development. |
| Electronic Message Center sign  | YES | Max. 30% of free-standing area 16sqm for >1000sqm | Max. 4.5 m (14.8 ft) | 2.5m (8.2 ft) | <ul style="list-style-type: none"> - shall be located on the lot in an acceptable landscape strip of sufficient size to contain the sign; - limited to one (1) per lot; - shall not be located in an area at an height that interferes with vehicular movement, sight lines or parking. |
| Election sign  | NO | - | - | - | <ul style="list-style-type: none"> - shall not be erected more than 30 days prior to the election or referendum to which it pertains, and must be removed no later than 7 days after the election or referendum has taken place; - shall not be installed in a manner that, in the opinion of the Director of Municipal Services and/or designate, obstructs traffic or pedestrian visibility or access; - may be displayed on public property, or on private property with permission of the property owner. |
| Real estate sign  | NO | See Section 8.4 | Shall not exceed the height of the first storey of the building to which it pertains. | - | <ul style="list-style-type: none"> - shall be located on the lot or premises to which it pertains; - shall be limited up to three (3) per property - shall be removed within 30 days after the property is sold or rented; - shall be either free-standing or fascia sign. |

| Sign Type | Permit Required | Maximum Sign Area | Maximum Height | Minimum Clearance | Related provisions |
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| Sandwich board  | YES | 1.5sq m (16.1 sq ft) | 1.2 m (3.9 ft) | - | <ul style="list-style-type: none"> - shall be located on private property or on the Town sidewalk immediately adjacent to the lot or premises to which it pertains; - shall not be installed in a manner that, in the opinion of the Director of Municipal Services or Safety Compliance Officer, obstructs vehicle traffic or pedestrian flow, visibility or access; - shall not be attached by any means to a public appurtenance or sidewalk; - shall be designed and weighted to prevent overturning; - the owner of any sandwich board sign located on public property shall annually, formally indemnify and hold harmless the Town of Creston from all potential liabilities and claims which arise as a result of the sign and shall provide a copy of the certificate of insurance to the Town upon request. |
| Special event sign   Special Event (Sandwich Board) | YES | <u>Banners:</u> Shall not exceed 25% of the of the total area of the façade (or business frontage for multi-occupant buildings must not exceed 2.2 sq m (23.68 sq ft) in area; | See related provisions | See related provisions | <ul style="list-style-type: none"> - may be a banner or sandwich board sign; - permit must be obtained at least (4) four days in advance of advertised event; - shall be removed within (7) seven days after the last day of the advertised event. <p>SPECIAL EVENT BANNERS:</p> <ul style="list-style-type: none"> - may be displayed on private property with the permission of the property owner; - may be located over a street with permission from the Director of Municipal Services or his/her designate; - clearance requirements may apply – this will be at the discretion of the Director of Municipal Services or his/her designate; - must have the approval of the Ministry of Transportation and Infrastructure (MOTI) if located over a Provincial Highway; - must be installed safely and at the expense of the community group wishing to display the banner. <p>SPECIAL EVENT SANDWICH BOARDS</p> <ul style="list-style-type: none"> - shall not be installed in a manner that, in the opinion of the Director of Municipal Services or Safety Compliance Officer, obstructs traffic or pedestrian visibility or access; - shall not be attached by any means to a public appurtenance or sidewalk; |

| Sign Type | Permit Required | Maximum Sign Area | Maximum Height | Minimum Clearance | Related provisions |
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| | | | | | <ul style="list-style-type: none"> - shall be designed and weighted to prevent overturning; - may be displayed on private property with the permission of the property owner; - may be located on public property with permission from the Director of Municipal Services or his/her designate. The owner of any sandwich board sign located on public property shall annually, formally indemnify and hold harmless the Town of Creston from all potential liabilities and claims which arise as a result of the sign and shall provide a copy of the certificate of insurance to the Town upon request. |
| Awning sign  | YES | 1.5 sq m (16.1 sq ft) or 30% of the face of the awning to which it is attached, whichever is less | - | 2.5m (8.2 ft) | <ul style="list-style-type: none"> - the awning itself shall be no higher than the first storey; - sign may not extend vertically or horizontally beyond the limits of the awning to which it is attached; - recommend a dark coloured background with light coloured sign copy with emphasis on clean, easy maintenance colours and styles; - may be illuminated (refer to Section 10.3) - an awning sign containing more than one side shall have its total sign area calculated by summing the sign areas on each side. |
| Balloon sign  | YES | 3.0 sq m (32.2 sq ft) | 7.5 m (24.6 ft) | 2.5m (8.2 ft) above finished grade | <ul style="list-style-type: none"> - shall be constructed of shatter proof material; - shall not extend beyond the façade or roof line of the building on which it is installed; - shall not extend to a point closer than 0.6 meters (2 ft.) to the vertical projection of the edge of the curb; nor shall it project more than 1.2 meters (4 ft.) from the wall of the building; - sign mounting requires the approval of the Director of Municipal Services and/or designate. |
| Canopy sign  | YES | 1.5 sq m (16.1 sq ft) or 30% of the face of the canopy to which it is attached, whichever is less | - | 2.5m (8.2 ft) | <ul style="list-style-type: none"> - the canopy itself shall be no higher than the first storey; - may not extend vertically beyond the limits of the canopy to which it is attached; - may be illuminated (refer to Section 10.3); - a canopy sign containing more than one side shall have its total sign area calculated by summing the sign areas on each side. |

| Sign Type | Permit Required | Maximum Sign Area | Maximum Height | Minimum Clearance | Related provisions |
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| Community information sign  | YES | - | - | - | - Must be approved by the Town for location, content and size. |
| Directory sign  | YES | - | - | - | - not permitted within the Downtown Core area; - must be approved by the Town for location, content and size. |
| Display box  | YES | 1 sq m (10 sq ft) | 2.0m (6.6 ft) | - | - limit of one per principle entrance to a building or business on applicable properties (see definition of Display Box in Section 4) except for Commercial Theatres, which may install up to four (4) per principle entrance; - must be located within 4.0m (13.12 ft) of the principal entrance of the building or business to which it relates; - shall be building mounted; - no more than 100mm in depth. This may be reduced at the discretion of the Director of Municipal Services or his/her designate, in order to ensure pedestrian safety. |
| Fascia sign  | YES | 25 sq m or no more than 15% of the total area of the façade to which it is attached, whichever is greater. | - | 2.5m (8.2 ft) | - shall not extend beyond the façade or roof line of the building on which it is installed; - shall not be erected within 0.6m (1.96 ft) of any window, building exit or fire escape; - may be illuminated (refer to Section 10.3) |
| Free-standing sign  | YES | 8 sq m in area for all visible sides of a sign on a lot with an area less than 1,000 sq m; 16 sq m in area for all | Shall conform to the height provisions (max.4.5) for structures as set out in the Zoning Bylaw. | 2.5m (8.2 ft) over pedestrian areas; 4.5 m (14.76 ft) over vehicular areas | - shall be situated entirely on the property to which it refers and shall not project over any public right-of-way; - shall not be located within 30m (98.4 ft) of a residential zone; - may be illuminated (refer to Section 10.3); - may include electronic or manual changeable copy sections provided that they do not exceed 30% of the sign area; - the back side of a single sided sign must |

| Sign Type | Permit Required | Maximum Sign Area | Maximum Height | Minimum Clearance | Related provisions |
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| | | visible sides of a sign on a lot with an area greater than 1,000 sq m. | | | <ul style="list-style-type: none"> completely enclose the sign structure; placement in a landscaped area or planter is preferred; posts should be discrete or designs as an architectural feature to accent the copy area. |
| Home Occupation sign  | YES | 1.5 sq m (16.1 sq ft) | 2.0 m (6.6 ft) if free-standing | - | <ul style="list-style-type: none"> shall be a fascia or freestanding sign. If free-standing, the area shall include the sum of all faces visible to the public; removable panel signs are encouraged; shall be situated only on the property to which the home occupation is carried on; limited to one (1) per lot shall not be illuminated. |
| Projecting sign  | YES | 3.0 sq m (32.2 sq ft) | 7.5 m (24.6 ft) | 2.5m (8.2 ft) above finished grade | <ul style="list-style-type: none"> shall be constructed of shatter proof material; shall not extend beyond the façade or roof line of the building on which it is installed; shall not extend to a point closer than 0.6 meters (2 ft.) to the vertical projection of the edge of the curb; nor shall it project more than 1.2 meters (4 ft.) from the wall of the building; sign mounting requires the approval of the Director of Municipal Services and/or designate. |
| Rooftop sign  | YES | - | Max. 1.5m | - | <ul style="list-style-type: none"> Must be approved by the Director of Municipal Services or delegate for location/positioning and size; Rooftop sign is not to be permitted in conjunction with a freestanding sign; Engineered approvals of all elements (roof, sign, and attachments) must be provided; The area of the rooftop sign must be counted as signage for all elevations from which it is visible; If single sided, the rear side of the sign must be enclosed. |
| Suspended sign  | YES | 0.4 sq m (4.31 sq ft) for 1-sided; 0.8 sq m (8.61 sq ft) for 2-sided | 4.5 m (14.76 ft) | 2.5m (8.2 ft) above finished grade | <ul style="list-style-type: none"> shall be installed at right angles to the building; shall not exceed the width of the awning or canopy or similar structure from which it is suspended; shall be constructed with shatter proof materials; sign mounting requires the approval of the Director of Municipal Services and/or designate. |

| Sign Type | Permit Required | Maximum Sign Area | Maximum Height | Minimum Clearance | Related provisions |
|--------------------------------------------------------------------------------------------------------------|-----------------|---------------------------|----------------|-------------------|-------------------------------------------------------------------------------------|
| Window sign  | YES | 1.5 sq m (16.14 sq ft) | - | - | - sign area may not exceed 25% of the area of the window where the sign is located. |
| OTHER SIGNS | | | | | |
| Public Information Sign  | NO | - | - | - | - see Section 7.6 |
| Third Party Sign  | YES | - | - | - | - see Section 8.3 |

8.2 **Directory signs** may be free-standing, fascia, projecting or suspended signs and are therefore subject to the corresponding regulations for those sign categories as set out in Section 7.1.

8.3 Building owners in Commercial or Industrial Zones may permit **Third Party signs** on their premises. Such signs shall be included in the maximum number and size of signs (per sign type as defined in Part 7) allocated per business frontage. Whether permanent or temporary, and regardless of whether a Sign Permit is required, Third Party Signs require:

a) written permission of the property owner using the **Owner's Authorization Form** provided by the municipality, and

b) a copy of the form must be filed with the Town of Creston in advance of the sign being displayed. Such signs must be removed within 10 days of receiving a request from the property owner.

8.4 Real estate signs shall be located on the property to which the sign applies and not more than three (3) real estate signs be permitted per site nor shall they exceed a size of:

a) 1.5sq.m (16.1sq.f) for a sign advertising the sale or rental of single family, duplex, triplex or fourplex units.

b) 3sq.m (32.3sq.f) for a sign advertising:

i) the sale of not more than 5 lots in the case of a property being subdivided;

ii) the sale or rental of property not less than 0.4 hectares (0.99 acres) in area;

- iii) the sale or rental of commercial floor area of not more than 465sq.m (5005sq.f);
- c) 6sq.m (64.5sq.f) for a sign advertising the sale or rental of units in multiple family projects having 10 or more units;
 - i) the sale of more than 5 lots but not more than 10 lots in the case of a property being subdivided;
 - ii) the sale or rental of property not less than 0.8 hectares (1.98 acres) in area;
 - iii) the sale or rental of commercial floor area of more than 465m² (5005sq.f).
- (d) 9sq.m (96.9sq.f) for a sign advertising the sale or rental of units in multiple family projects having 30 or more units or advertising the sale of more than 10 lots in the case of a property being subdivided.
- (e) 12sq.m (129.2sq.f) for a sign advertising the sale or rental of units in multiple family projects having more than 60 units.

8.5 In addition to Section 8.1, the following types of signs are permitted and shall not require a permit subject to the provisions outlined in this Section, and provided the sign complies with all other applicable regulations contained within this Bylaw:

- a) Signs located more than 0.9 metres (2.95 ft) from the inside face of a window intended to be viewed from the interior of the premises.
- b) Community information signs, subject to consultation with and approval by the Director of Municipal Services or his/her designate.
- c) Temporary window signs advertising a sale or promotion, and comprising the lesser of 1.0 m² (10.76 sq ft) or 15% of the area of the window where the sign is located, provided that that no more than one such sign is displayed per window, that it is displayed for no more than 10 days in total, and that the sign be removed within 2 days of the last day of the event.
- d) Signs advertising a yard sale, garage sale, auction and/or open house sign, provided they are only displayed on the parcel or premises at which the event is taking place, that the sign area does not exceed 1.0 m² (10.76 sq ft) and that such signs are not erected more than 2 days prior to the event and removed within 24 hours of the end of the event.
- e) Signs which provide direction or instruction and are located entirely on the property to which they pertain and do not in any way advertise a business. Examples include "entrance", "exit", "public washrooms" and "parking" signs. Such signs shall not exceed 0.6 sq m (6.46 sq ft) in area or 1.5m (4.92 ft) in height.
- f) Drive-thru menu board signs provided the sign shall not exceed 4.5 sq m (48.46 sq ft) in area and be directed only to persons using drive-thru associated with that menu board.
- g) Gasoline stations are permitted to erect 1 sign (may be double-sided) upon each gas pump, relating solely to their business name or logo, not exceeding 1.5 sq m (16.15 sq ft) each in area.
- h) Signs on private land directed toward the prevention of trespassing and hunting.

- 8.6 Third Party Directional Sign Posts:
- a) are the property of the Town;
 - b) will be installed by the Town;
 - c) must not obstruct pedestrian traffic or visibility;
 - d) sign shingles are .2 sq m (2.15 sq ft) or 20" x 8";
 - e) sign shingles, without copy, will be provided to local businesses;
 - f) sign shingles will be attached to the sign posts by the Town;
 - g) the local business is responsible for copy and maintenance of the sign shingle,
 - h) sign shingles are subject to an annual permit fee of \$25, and permits expire on December 31st each year.
- 8.7 The following operations related to any sign shall not require a permit, provided the sign complies with all other applicable regulations contained within this Bylaw:
- a) Changing the copy on a changeable copy sign.
 - b) Painting, repainting, cleaning or other normal maintenance and repair of a sign not requiring structural change, provided that paint colours are selected in accordance with Schedule "A" Design Guidelines.
 - c) The replacement of sign faces as required because of breakage or deterioration but not for the substitution of new or different business.

PART 9 MAINTENANCE

- 9.1 All signs permitted in accordance with this Bylaw shall:
- 9.1.1 be continuously maintained so that at no time is there any danger from their supporting structures, surrounding framework or illumination;
 - 9.1.2 be kept in readable and clean condition, and the site on which the sign is situated shall be kept free of weeds, debris and rubbish;
 - 9.1.3 be structurally sound and free from all hazards, caused or resulting from decay or failure of structural members, fixtures, lighting or appurtenances; and
 - 9.1.4 comply with the applicable provisions of the British Columbia Building Code and the British Columbia Electrical Code, and shall be maintained in compliance with these codes at all times.

PART 10 DESIGN & CONSTRUCTION STANDARDS

10.1 Materials

- 10.1.1 Exposed surfaces of a sign may be constructed of any material except particle board, either painted or unfinished. Unless otherwise noted, temporary signs permitted under this Bylaw are not restricted as to materials of construction.
- 10.1.2 All manufactured signs shall have the maker's name and the weight of the sign permanently attached to or painted to the exterior of the sign, and where

necessary, the projecting cantilever system shall be used to support signs, and in no case shall the “A-frame system” be used.

10.2 Colours

10.2.1 The design and placement of signs and their supporting structure and surrounding framework shall be carefully coordinated with both the architectural elements of the façade, the other signs on the façade and any landscaped areas surrounding the sign and/or sign structure.

10.2.2 Sign colours must be selected in accordance with Schedule “A” Design Guidelines.

10.2.3 “Dayglo”, fluorescent, luminous or reflective paint or similar products are prohibited except for traffic control signs.

10.3 Illumination

10.3.1 All signs, except temporary signs and signs located in Residential zones, may be illuminated. External illumination is strongly preferred.

10.3.2 Externally illuminated suspended signs and projecting signs shall use a shielded light source.

10.3.3 The use of exposed neon tube lighting is limited to Open/Closed and Vacancy / No Vacancy signs.

10.3.4 Illumination shall be limited to the sign surface only, and the light source shall not be visible from adjacent parcels, passing vehicles or pedestrians.

10.3.5 All wiring and conduits for electric signs shall be either placed below grade or otherwise concealed.

10.4 Anchorage

10.4.1 All cables, turnbuckles, links, bolts and screws and all devices used to support or which form a part of any sign shall be galvanized or of approved non-corrosive material.

10.4.2 The use of decorative sign hardware that is consistent with Schedule “A” Design Guidelines is strongly preferred, including the use of wood and wrought iron.

10.4.3 No sign, guy or 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, or telephone wire or their supports. A clearance of at least 60 cm shall be maintained between the outer edge of any sign and the nearest wire hereinbefore mentioned, or their supports. No sign shall be attached to or obstruct the free use of any fire escape.

PART 11 APPLICATION FOR SIGN PERMIT

11.1 Application for a sign permit shall be made to the Director of Municipal Services or his/her designate on such form as he or she may require.

- 11.2 Every applicant for a sign permit shall complete a sign permit application on the form provided by the municipality, which shall include the following information unless otherwise authorized by the Director of Municipal Services or his/her designate:
- a) the applicant's name and address;
 - b) the sign manufacturer's name and address;
 - c) the legal description and civic address of the parcel where the sign is to be located;
 - d) the name and civic address of the owner of the parcel;
 - e) a drawing, to scale, for each side of the sign, showing copy, sign area and dimensions of the sign, as well as the colour scheme and materials, and details of any supporting structures and surrounding framework;
 - f) a drawing or photograph showing the proposed location of the sign, including detail of all buildings and structures located on the land, as well as the location and size of all existing signs;
 - g) details of the method and type of wiring, illumination and attachment to a building, if applicable;
 - h) for free standing signs, a drawing to scale showing the proposed location of the sign on the parcel, relative to the parcel lines, buildings and adjacent streets, as well as details of proposed landscaping;
 - i) for window signs, the size of the window area where the sign will be located;
 - j) for awning signs and canopy signs, the size of the surface area of the awning or canopy;
 - k) for fascia signs, the business frontage size;
 - l) an Encroachment Agreement with the Town, if required; and
 - m) any other information required by the Director of Municipal Services or his/her designate.
- 11.3 The Director of Municipal Services or his/her designate shall have the authority to require certification by a structural engineer.
- 11.4 The Director of Municipal Services or his/her designate shall consider each application for a sign permit and if the proposed sign conforms with all of the provisions of this Bylaw, and upon payment of the requisite permit fee in accordance with this Bylaw, a permit shall be issued to the applicant.
- 11.5 The issuance of a sign permit does not supersede the approval by the Electrical Inspector in respect to installation of illuminated or electrical changeable copy signs.
- 11.6 A sign permit shall expire if active work is not commenced within a period of six (6) months from the date of issuance of the permit.

PART 12 PERMIT FEES

- 12.1 A permit fee shall be paid by the applicant upon submission of the sign permit application.
- 12.2 The permit fee shall be \$25 dollars per sign or as determined by the Fee and Charges Bylaw No.1763, 2011.

PART 13 ENFORCEMENT, OFFENCES AND PENALTIES

- 13.1 The Building Inspector (or his/her designate) and/or the Safety Compliance Officer (or his/her designate) may enter upon any parcel, at all reasonable hours, in order to inspect any sign to ascertain compliance with this Bylaw.
- 13.2 No person shall interfere with or obstruct any authorized person seeking entry into or onto any parcel for the purpose of an inspection to ascertain compliance with the Bylaw.
- 13.3 The Town, by its employees or agents, may remove and impound any sign that is unlawfully occupying a portion of the highway or public place.
- 13.4 The Building Inspector and/or Safety Compliance Officer are authorized to give written notice by registered mail to the owner or person in charge of the premises to repair or remove any sign not installed and/or maintained in accordance with the provisions of this Bylaw. Should the owner or person in charge of the lands or premises upon which any such sign is situated not comply with the notice to repair or remove such sign within ten (10) days of said notice, the Building Inspector and/or Safety Compliance Officer is empowered to arrange for removal and impoundment of the sign or signs at the expense of the owner as per Section 13.10 and/or apply the appropriate penalties.
- 13.5 When a sign remains in place after the activity, business, product or service the sign advertises is no longer conducted or available on the premises on which the sign is located, such sign is considered to have been abandoned and the owner of the premises in question shall then remove the sign within 10 days from the date of written notice by the Building Inspector and/or Safety Compliance Officer. If the sign is not removed within 10 days, the Building Inspector and/or Safety Compliance Officer is empowered to arrange for removal and impoundment of the sign or signs at the expense of the owner as per Section 13.10 and/or apply the appropriate penalties. This Section shall be deemed to include abandoned sign structures and supports.
- 13.6 Any sign structure that is in immediate danger of falling, or is an immediate menace to the safety of persons, shall be removed by the owner of such sign structure within 24 hours of being notified to do so in writing by the Building Inspector or Safety Compliance Officer. If the sign is not removed within 24 hours, the Building Inspector and/or Safety Compliance Officer is empowered to arrange for removal and impoundment of the sign or signs at the expense of the owner as per Section 13.10 and/or apply the appropriate penalties.
- 13.7 Each day that any sign related offence is continued after receiving written notice from the Town constitutes a separate and distinct offence.
- 13.8 The Town shall not be responsible for any damage incurred to any sign, or to any building or property from which such sign is required to be removed under the terms of this Bylaw as a result of the removal of such sign.
- 13.9 Any sign removed by the Town in accordance with Sections 13.3; 13.4; 13.5; or 13.6 shall be impounded for a period of up to thirty (30) days, at which point, if the sign remains unclaimed, will be disposed of by sale, auction or demolition with all proceeds being retained by the Town. To reclaim a sign within the impoundment period, the owner shall obtain and pay for a permit issued in accordance with this Bylaw, pay a penalty of twice the normal permit fee, and reimburse the Town for all expenses incurred in its removal as per Section 13.10 before the sign will be released.

- 13.10 The cost of all labour and materials required for removal, repair, transportation and storage of any signs under Sections 13. 3; 13.4; 13.5; or 13.6 shall be a debt due and recoverable from the owner of the premises. Failure to pay forthwith shall render the said property to be liable for the payment and such expenses shall be added to and become a part of the unpaid taxes at the end of any calendar year in which the said expenses remain unpaid.
- 13.11 The Director of Municipal Services or his/her designate or Building Inspector may revoke a sign permit:
- a) where there is a violation of any provision of this Bylaw or any other applicable law or enactment, development permit or development variance permit issued by the Town;
 - b) if it is deemed that the sign permit was issued by reason of incorrect, false or misleading information furnished by the applicant, sign manufacturer or sign installation contractor; or
 - c) if, in the case of a sign over any highway or public property where the sign interferes with or may interfere with the placement or use of equipment installed by the Town or a utility company; or the use of the highway by vehicles or pedestrians or public property.
- 13.12 A person who violates any provision of this *Bylaw*, or who consents, allows or permits an act or thing to be done in violation of a provision of this Bylaw, or who neglects or refrains from doing anything required by a provision of this Bylaw, commits an offence and is liable, upon summary conviction, to a fine not exceeding \$2,000 and is liable for the fine for each day that the offence continues.

PART 14 SEVERABILITY

If any Part, Section, sub-Section, clause or phrase of this Bylaw is, for any reason, held to be invalid by a court, it will be deemed to be severed, and the remainder of the Bylaw will remain valid and enforceable in accordance with its terms.

Part 15 AMENDMENTS

The "Town of Creston Sign and Regulations Bylaw No. 1797, 2014" is hereby amended with the following:

READ A FIRST TIME by title and SECOND TIME by content this 12th day of November, 2014.

READ A THIRD TIME AS AMENDED by title this 16th day of December, 2014.

ADOPTED this 17th day of December, 2014.

"Ron Toyota"
Mayor Ron Toyota

"Bev Caldwell"
Bev Caldwell, Executive Assistant

SCHEDULE "A" TO BYLAW NO. 1797
DESIGN GUIDELINES

1.0 General Criteria

All signage must respect the architectural character of a) the building to which they relate, and b) adjacent buildings and their signs and awnings.

2.0 Downtown Core

Signage in the area identified as the "Downtown Core" in the Official Community Plan (OCP) shall be consistent with the OCP policies for the Downtown Core.

3.0 All Zones (where permitted)

2.1 (a) Awnings

- (1) All standard shapes are acceptable
- (2) Recommend dark color background with light colored (or White) copy
- (3) Emphasis on clean, maintenance friendly colors and styles

(b) Under Awning

- (1) Style to be consistent with awning above
- (2) Colors to match or blend with awning
- (3) Font to match that of awning copy

(c) Fascia – Internally Lit (Sign Canisters)

- (1) Shall be installed over the shop windows
- (2) At a minimum height of 2.5 meters from finished grade
- (3) Shall not obstruct shop windows
- (4) If installed on a 2 storey unit, shall be installed in area between 1st and 2nd floors (centered on façade)
- (5) May be full width of a façade for a building less than 9.1 meters wide
- (6) All electrical connections shall be internal (not visible from street)
- (7) Recommended colors are dark backgrounds with light colored (or white) copy
- (8) Neon tubes must be low wattage and no florescent colors are permitted

Fascia – Externally Lit

- (9) Same design criteria as for internally lit signs
- (10) Individual letters (foam or wood) are acceptable
- (11) Indirect lighting is encouraged
- (12) "Gooseneck style" lighting is encouraged
- (13) Florescent colors are not acceptable
- (14) Carved wood signs that promote our local industry are encouraged

(d) Freestanding

- (1) Colors and lighting as per fascia sign guidelines
- (2) The back side of single sided sign must completely enclose the signs structure
- (3) Posts should be discrete or designed as an architectural feature to accent the copy area
- (4) Changeable copy sections are permitted provided that they do not exceed 30% of the free-standing sign area

- (e) Home Occupation
 - (1) Signs cannot be illuminated
 - (2) Colors as per fascia sign requirements
 - (3) Structure should complement the sign style
 - (4) Removable panel signs are encouraged

- (f) Sandwich Board
 - (1) Florescent colors are not acceptable
 - (2) Irregular shapes are acceptable but base must be sufficiently weighted for safety reasons
 - (3) Copy must be relevant to the business that it advertises
 - (4) Encourage professionally manufactured signs of superior quality

- (g) Projecting
 - (1) Cannot be internally lit
 - (2) Colors as per fascia signs
 - (3) Carved or painted wood are acceptable
 - (4) Brackets should be ornamental to accent sign

- (h) Rooftop
 - (1) Should be externally lit
 - (2) Colors as per fascia sign guidelines
 - (3) Neon is not acceptable
 - (4) Sign framework color to match building

- (i) National/International Franchises
 - National and/or International Franchise sign permit applications will be considered on an individual basis.

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