

## SUMMARY:

The Sign Bylaw sets the rules and regulations for both public and private property within City limits. It governs where signs may be placed, the size, number, type and appearance of the signs permitted and prohibits certain types of signs. The Bylaw also outlines when a permit is required for a sign and the information required on the permit application.

This bylaw is a 'consolidated' version and includes amendments up to the date listed in the bylaw heading. It is placed on the Internet for convenience only, is not the official or legal version, and should not be used in place of certified copies which can be obtained through the Office of the City Clerk at City Hall. Plans, pictures, other graphics or text in the legal version may be missing or altered in this electronic version.

**CITY OF KELOWNA**  
**BYLAW NO. 8235**  
*REVISED: January 9, 2012*

<b>CONSOLIDATED FOR CONVENIENCE TO INCLUDE:</b> BYLAWS NO. 8380, 8374 8396, 8519, 8742, 8763, 8910, 8982, 9142, 9370, 9391, 9112, 9478, 9531, 9726, 10409, 10595, 10468 and 10424
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**City of Kelowna Sign Bylaw**

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A bylaw to regulate the number, size, type, form, appearance and location of signs in the City of Kelowna.

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

**SECTION 1 - INTRODUCTION**

**1.1 Title**

1.1.1 This bylaw may be cited as the 'Sign Bylaw No. 8235.'

**1.2 Interpretation**

1.2.2 Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein is a reference to an enactment of the Council of the City of Kelowna, as amended, revised, consolidated or replaced from time to time.

1.2.3 The headings given to the sections and paragraphs in this bylaw are for convenience of reference only. They do not form part of this bylaw and will not be used in the interpretation of this bylaw.

1.2.4 If any section, paragraph or phrase of this bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

**1.3 Definitions**

1.3.1 In this bylaw, unless the context otherwise requires:

**'Advertisement'** means any word, letter, model, picture, symbol, device, or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purpose of advertisement, announcement or direction.

**'Animated Sign'** means a sign which exhibits changing or moving effects at a constant intensity of illumination or a sign with moving letters, symbols or changing message; including rotating and revolving signs.

**'Awning'** means a retractable or non-retractable covering of non-rigid materials such as canvas or similar fabric projecting from the exterior wall of the building.

'**Awning Sign**' means a **sign** painted, stencilled or attached on the fabric surface of a shelter supported entirely from an exterior building wall.

'**Balloon Sign**' means 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 Sign**' means any **sign** composed of material either enclosed or not enclosed in a rigid frame, which may be secured or mounted so as to allow movement of the **sign** caused by air movement.

BL10595 added new definition:

'**Banner Sign - Project**' means a **sign** composed of material either enclosed or not enclosed in a rigid frame, which may be secured or mounted so as to allow movement of the **sign** caused by air movement, and is used to promote a development project or subdivision, and provides direction to the project sales centre.

'**Billboard**' means a free-standing or **fascia sign** with a **sign area** exceeding 10 m<sup>2</sup> and which contains advertising for products or services not provided at the location of the **sign** or for products or services which are not the principal products or services at the location of the **sign**. The message may be painted, pasted, or otherwise fixed to the face of the **sign**.

'**Building Bylaw**' means Building Bylaw, 1993, No. 7245.

'**Building Inspector**' means the persons appointed by **City Council** to administer and enforce the provisions of the City of Kelowna Building Bylaw, 1993, No. 7245 and the City of Kelowna Plumbing Regulation Bylaw No. 5968-87.

'**Bylaw Enforcement Officer**' means the officers or employees appointed by **Council** as such.

'**Canopy**' means a non-retractable hood, cover, or marquee which projects from the wall of a building. It does not include an **awning**, projecting roof, roof eaves, or enclosed structure.

'**Canopy Sign**' means a **sign** attached to, constructed as part of, suspended from, or installed upon the face of a building **canopy**.

'**Changeable Copy Sign**' (automatic or manual) means any **sign** on which message **copy** can be changed electronically or through use of attached letters and numerals and includes public service information displays and any **sign** which features automatic switching.

BL10595 added new definition:

'**Changeable Copy Sign - Electronic**' means a sign on which the message copy is displayed by means of electronically controlled illumination of lamps, tubes, or Light Emitting Diodes (LED), or other electronic technology which can be changed through computer programming. A **changeable copy sign - electronic** must include public service information. A **changeable copy sign- electronic** may be a freestanding sign or a fascia sign, and must comply with appropriate sections of the sign bylaw.

'City' means the City of Kelowna.

'City Engineer' means the person appointed by Council as such and includes a lawful designate.

'Community Notice Board' means a permanent sign used to display educational material and 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 wording of a sign in permanent or removable letter form, including, symbols, logos and other things comprising the visual message.

'Copy 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. Only half of the total area of a double sided sign will be counted in sign area calculation. The copy area shall be calculated on the basis of the smallest squares or rectangles that will enclose the individual letters or figures of the sign.

'Council' means the Municipal Council of the City of Kelowna.

'Director of Planning & Development Services' means the person appointed as such by the Municipal Council of the City of Kelowna and includes his or her lawful designate.

'Fascia Sign' means a flat wall sign that does not project more than 40 cm from the surface of a building. This includes a painted wall sign or a window sign that is not exempt from a permit.

'Free-Standing Sign' means a self-supporting sign permanently fixed to the ground and standing independent of any building or other structure.

'Height' means, with respect to signs, the maximum vertical distance between the normal grade around the sign (exclusive of any berm or embankment) and the highest point of the sign.

'Home Based Business Sign' means a sign containing only the name and occupation of a home based business.

'Identification Sign' means a sign which is limited to the name, address or number of a building, institution, or person, or a description of an activity in the building or institution or the occupation of the person.

'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.

'Lot' means a parcel of land, including crown land, which is legally defined either by registered plan or description.

'Menu Box' means a wall mounted display box containing only the menu of an eating and drinking establishment.

'Off-Site Sign' means a sign which directs attention to a business, commodity, service or entertainment, which is conducted, sold, or offered elsewhere than on the site on which the sign is located.

'Official Community Plan' means Kelowna Official Community Plan (1994-2013) Bylaw No. 7600.

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

'Owner' means the registered owner of an estate in fee simple, or his agent authorized in writing, and includes:

- (a) the tenant for life under a registered life estate;
- (b) the registered holder of the last registered agreement for sale; and
- (c) the holder or occupier of land held in the manner mentioned in Sections 356 and 357 of the *Local Government Act*.

'Portable Sign' means any readily transportable sign that can easily be re-located to another location or temporarily set-up and removed from a site, including a sandwich board, not permanently attached to the ground, building or vehicle and any inflatable object which is used to attract attention, or to which advertising is attached.

BL10595 added new definition:

'Project Sign' means a temporary sign erected on a development, subdivision or construction site, or on the road leading to a sales centre for a development, subdivision or construction site, that names and describes the project and provides marketing information relating to the project, which may include project name and/or logo, contact information and/or office hours. This sign may also list the names of the consultants involved on the development team. The sign may be a free-standing or fascia sign.

'Projecting Sign' means any self-supporting sign other than a wall sign which is attached to or projects more than 400 mm from the face of structure or building wall.

'Real Estate Sign' means a temporary, free-standing, or fascia sign indicating that the property on which it is located is for sale or rent along with the name of the agent, contact, or owner offering the property.

'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.

'Sign' means any visual medium, including its structure and other component parts, or banner, illuminated or non-illuminated, which is visible from any public street or adjacent property or any lettering, words, pictures or symbols which identify, describe, illustrate, advertise or draw attention to a product, place, activity, business, service, or institution. Without limiting the generality of the foregoing, signs include banners, letters, illustrations, figures, neon tubing, placards, painted messages, but not flags, interior window displays of merchandise or signs painted on or attached to a motor vehicle unless the vehicle is parked on a regular basis to act as a sign.

'**Sign Area**' means the total area within the outer edge of the frame or border of a sign. Where a sign has no frame, border, or background, the area of the sign shall be the area contained within the shortest line surrounding the whole group of letters, figures, or other things comprising the sign. In the case of a multi-faced sign, only that face or faces which can be seen from any one direction at one time shall be deemed a sign area. The sign area shall not include sign structure. 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.

'**Sign Copy**' means the wording of a sign in permanent or removable letter form, including figures, symbols, logos and other things comprising the sign.

'**Sign Face**' means the entire area of a sign on which copy could be placed.

'**Site**' means an area of land consisting of a lot or two or more abutting lots.

'**Temporary Sign**' means a sign erected for a specified period of time announcing or advertising an event of limited duration.

'**Under Canopy/Awning Sign**' means a sign attached to the underside of a canopy or an awning.

'**Wall Sign**' means a sign painted upon the external wall of a building.

'**Window Sign**' means any sign either painted on, attached to, or installed inside a window intended to be viewed by persons passing by outside the premises and does not include merchandise located in the window for display purposes.

'**Zone**' means the zones identified and defined in City of Kelowna Zoning Bylaw No. 8000.

'**Zoning Bylaw**' means City of Kelowna Zoning Bylaw No. 8000.

1.3.2 Any term or phrase which is not defined in this bylaw but which is defined in City of Kelowna Zoning Bylaw No. 8000 shall have the same meaning as defined in Bylaw 8000.

#### 1.4 Administration of Bylaw

1.4.1 The Building Inspector and Bylaw Enforcement Officer are hereby empowered to:

- (a) administer this bylaw which includes the issuance of sign permits where the proposed sign conforms to this bylaw and all other applicable bylaws of the City;
- (b) keep records of any application received, permits and orders issued, inspections made;
- (c) order the correction of any work which is being or has been improperly done under a permit, or is done in contravention of the terms and conditions of a permit or of this bylaw or any other bylaw of the City;
- (d) order the cessation of work that is proceeding in contravention of this bylaw or any permit issued pursuant to this bylaw;
- (e) revoke a permit where there is a violation of any term or condition of the permit or a contravention of this bylaw or any other bylaw of the City;

- (f) order the removal of a **sign** for which there is no valid and subsisting permit or which **sign** does not conform to this bylaw or any other bylaw of the **City**;
- (g) order the painting, repair, alteration or removal of any **sign** which has become dilapidated or is abandoned, or which constitutes, in the opinion of the **Building Inspector** a hazard to the public safety or property.

## SECTION 2 - SIGNS

### 2.1 Permit Required

- 2.1.1 No person shall construct, place, erect, display, alter, repair, or re-locate a **sign** unless exempted by Section 2.3 without a valid **sign** permit issued pursuant to this bylaw.
- 2.1.2 An application for a **sign** permit shall be made in conformance with Section 2.2 of this bylaw.
- 2.1.3 A permit expires if the authorized **sign** development is not completed within 90 days of the date of issuance.
- 2.1.4 Notwithstanding a permit being issued to a third party, the **owner** and occupier of the **lot** where a **sign** is located are jointly and severally responsible to complete all work in accordance with the permit and public safety and to maintain the **sign** in a safe condition free from defects.

### 2.2 Sign Application Information

- 2.2.1 Every person shall, before erecting, placing, displaying, re-building, re-constructing, altering or moving any **sign**, make application for and obtain all necessary permits and approvals. No application shall be considered unless it is presented on the form available from the **City**, together with the application fee.
- 2.2.2 Every application for a permit must be made on an approved form and shall be accompanied by the appropriate application fee as outlined in Development Application Fees Bylaw No. 8034. The applicant shall provide sufficient information to identify the site and any applicable improvements thereon including:
  - (a) the completed application form signed by the **site/building owner** and, if different, the person responsible for erecting the **sign** and;
  - (b) drawings which describe the dimensions, area, material, finishes, colours, size of lettering, wording and graphics, method of illumination, and mounting or erection details;
  - (c) drawings or photos which show the dimensions and location of all existing and proposed **signs** on the building façade or on a **site** relative to grade, vehicle areas, and property lines; and
  - (d) any other information required by the **Building Inspector** in order to determine compliance with this bylaw.

2.2.3 The **Building Inspector** may require, as a condition of the issuance of any **sign** 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 British Columbia; and he may refuse to issue a permit until he is provided with a letter signed by the professional engineer registered in British Columbia undertaking to supervise the work authorized by such permit, or any part thereof, as specified by the **Building Inspector**, until it is completed.

2.2.4 Where a comprehensive **sign** plan is submitted according to the provisions of Section 4.3, it shall include the location, size, **height**, lighting, orientation of all **signs**, and be submitted to the **Building Inspector**.

## 2.3 Exemptions from Permits

2.3.1 The following **signs** are exempt from obtaining a permit provided they comply with all the regulations of this Bylaw:

- (a) **signs** required to be maintained or posted by law or governmental order, rule or regulation, and traffic control **signs** pursuant to the *Motor Vehicle Act*;
- (b) **signs** not visible from a public roadway or adjacent property;
- (c) **signs** located no closer than 0.9 m to the inside face of a window;
- (d) decal or painted **window signs** with a combined area the lesser of 0.3 m<sup>2</sup> per metre of frontage of the premises occupied by the business or 25% of the combined window area in which they are located, except "closing out" **signs** are not limited in area provided they are limited to a period of 60 consecutive days;
- (e) a neon **sign**, advertising a particular brand of beverage, in one window of a major eating and drinking establishment;
- (f) **real estate signs** and **contractor signs** provided that:
  - (i) such **signs** are located on the same site as the development;
  - (ii) the combined area of all **real estate signs** is less than 1.5 m<sup>2</sup> and less than 1.8 m in **height** in rural residential and residential **zones** and less than 3.0 m<sup>2</sup> and 2.5 m in **height** in all other **zones**;
  - (iii) the combined area of all **contractor signs** is less than 2.3 m<sup>2</sup> and less than 2.5 m in **height** in agricultural, rural residential and residential **zones** and less than 3.4 m<sup>2</sup> and 3.7 m in **height** in all other **zones**;
  - (iv) there is no more than one **sign** per frontage or flanking street; and
  - (v) the display of such **signs** shall be limited to a period not to exceed the duration of the construction, sales, or demolition project or one year following the issuance of a building permit for the project.

BL10595 added new sub-section (f1):

(f1) **project signs** provided that;

- (i) such **project signs** are located on the same **site** as the development;
  - (ii) the maximum cumulative total area of **project signs** is less than 9.0 m<sup>2</sup> and 4.5 m in **height** measured from natural grade in all **zones**;
  - (iii) there is no more than three **project signs** per lot frontage or flanking street for lots with less than 100m frontage, or a maximum of six signs for lots greater than 100m frontage; and
  - (iv) the display of such **project signs** shall not commence before the associated rezoning bylaw has obtained third reading, the Development Permit application is submitted, or the subdivision has received preliminary layout review. The display of project signs will be limited to a period of three years after the Development Permit is issued or three years after the subdivision is approved. Should the project not continue to actively proceed for a period of one year or more, the project signs shall be removed.
- (g) fascia **identification signs** indicating the address, **owner**, and/or building name with a **sign area** not greater than 0.15 m<sup>2</sup> in a residential **zone** and 0.5 m<sup>2</sup> in a non-residential **zone**;

Bylaw 9391 amended subsection (h) and BL10409 deleted subsection (h):

(h) [deleted]

- (i) **on-site signs**, not exceeding 1.0 m<sup>2</sup> and with a vertical dimension of the **sign** (exclusive of any supporting structure) of less than 1.0 m, for the direction of control of traffic, pedestrians or parking;
- (j) temporary seasonal decorations provided that they are erected no longer than 45 consecutive days in a year;
- (k) **banner signs** for special events, such as sales, openings, or closings, only up to 5.0 m<sup>2</sup> and no more than 20% of the banner area shall be used for the name and **logo** of a commercial sponsor. **Banner signs** may be displayed only immediately prior to and during the special event and in no areas shall the banner be displayed longer than 14 consecutive days and no more than 28 days in a calendar year;

BL10595 added new sub-section (k1):

- (k1) **Banner Signs - Project** for the promotion of development projects, such as sales centres for subdivisions or multiple unit residential projects, shall be permitted to be mounted on ornamental street lighting standards leading to the sales centre, or to temporary flag poles installed in the road right of way with permission from the appropriate City agency. There shall be a maximum of 2 banners to each lamp standard at a maximum combined area of 2.8 m<sup>2</sup> to each lamp standard, provided the lamp standards or flag poles are located within 500m of the sales centre. Permission to mount the banner must be obtained from the owner of the lamp standard. These banners may contain the corporate logo of both the developer and the project name. The '**banner signs - project**' may remain in place for the duration of the project, but must be removed within 14 days of the project

no long being marketed.

- (l) signs located on the property of a public institutional building such as a church, school, or museum, provided they are used only to display the name of the institution and educational material and non-profit community events or notices; are restricted to maximum height of 2.0 m and a maximum area of 3.0 m<sup>2</sup>;
- (m) one international, national, municipal or provincial flag which does not exceed the permitted height in the zone provided there is only one flag for each 500 m<sup>2</sup> of site area;
- (n) works of art that do not include a commercial message provided they are not erected above the roof line;
- (o) memorial plaques, cornerstones, historical tablets, signs of date of commemoration, and the like provided they do not exceed 0.5 m<sup>2</sup>;
- (p) danger, hazard, no trespassing, no dumping, no shooting, and other similar warning or regulatory or advisory signs not exceeding 0.2 m<sup>2</sup> in area;
- (q) signs advertising major home based businesses and rural home based businesses, provided that they comply with Section 5;
- (r) signs that are an integral part of a bus shelter or bench or transit terminal and have been approved by the City;
- (s) temporary signs advertising special events including sporting events, community causes, charitable fund raising campaigns, and non-profit arts and cultural events provided that they are not displayed longer than 7 days at a time or a total of 45 days in a calendar year, subject to their removal within 4 days following the end of the event or campaign;
- (t) signs advertising agricultural produce for sale in conformance with Section 5.6.1;
- (u) signs painted, stencilled, or attached on awnings in conformance with Section 5.2.1; and

BL8519 added sub-section (v), BL10409 deleted sub-section (v):

BL9531 added sub-section (w):

- (w) Signs that convey a public informational message, are located on public property and have been approved by the City Engineer.

2.3.2 Provided a sign is in conformity with this Bylaw, the changing of copy on an existing approved changeable copy sign, the normal maintenance including painting and repair excluding structural alteration, and the replacement of plastic sign faces with the same advertiser required because of breakage or deterioration do not require a permit.

### SECTION 3 - SIGN PROHIBITIONS

- 3.1.1 Signs that are not expressly permitted in this Bylaw are prohibited.
- 3.1.2 No person, **owner** or tenant shall permit pennants, beacons, or strings of lights that are not continuously fastened to a building or landscaped feature.
- BL10595 amended section 3.1.3
- 3.1.3 No person, **owner** or tenant shall permit **off-site signs** including **billboards**, except for a temporary directional **sign** for the purpose of selling agricultural products in accordance with the provisions of Section 5.7.1 of this Bylaw.
- 3.1.3a No person, **owner** or tenant shall permit **off-site signs** including **billboards**, except for temporary directional **signs** for the purpose of directing traffic to a development project or subdivision sales centre in accordance with the provisions of Section 5.7.1a of this bylaw.
- 3.1.4 No person, **owner** or tenant shall permit **portable signs** except in accordance with Sections 5.7.1, 5.7.2 and 6.1 of this Bylaw.
- 3.1.5 No person, **owner** or tenant shall erect a **sign** on the roof or parapet of a building.
- 3.1.6 No person, **owner** or tenant shall permit **balloon signs** or other inflatable **signs** except when they advertise a special event or to identify a new business or a change in ownership, provided that they shall not be placed or maintained for a period more than 7 consecutive days and no more than 21 days in a calendar year.
- 3.1.7 No person, **owner** or tenant shall permit a **sign** which is attached to or located on any parked vehicle or trailer not normally used in the daily activity of the business which is visible from a street so as to act as a **sign** for the **advertisement** of products or to direct people to a business or to an activity.
- 3.1.8 No person, **owner** or tenant shall permit a **sign** or any portion thereof which moves or assumes any motion constituting a non-stationary or non-fixed condition, except for the rotation of barber poles, **animated signs**, and **changeable copy signs**. Signs that revolve (excluding barber poles) and pennants, ribbons, streamers, spinners, or other similar moving or fluttering devices affixed to a **sign** are prohibited.
- 3.1.9 No person, **owner** or tenant shall permit a **sign** which due to its position, shape, colour, format or illumination obstructs the view of, or may be confused with an official traffic **sign**, signal, or device. No **sign** shall be permitted which displays lights resembling the flashing, intermittent, animated or scintillating lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles; or uses chasing borders, letters, symbols or movement of any kind (which includes television, video, motion picture, or the use of holography), except on a time and/or temperature display.
- 3.1.10 No person, **owner** or tenant shall permit a **sign** to remain in place which is unsafe for persons or property, identifies a use incorrectly, or is in an overall state of dilapidation, disrepair, or abandonment.
- 3.1.11 No person, **owner** or tenant shall permit a **sign** which by reason of its location, colour, or intensity, creates a hazard to the safe and efficient movement of vehicular or pedestrian traffic, or interferes with any opening required for ventilation or natural light.

3.1.12 No person, **owner** or tenant shall permit a **sign** which contains statements, words or pictures of an obscene, pornographic, or immoral character or which contains advertising matter which is untruthful.

### 3.2 Identification Stickers

3.2.1 Each **sign**, including an **awning sign** and a sandwich board, approved pursuant to this Bylaw for which a permit is issued and each **sign** in use on or after the passing of this Bylaw, is required to display an identification sticker provided by the **City** of Kelowna for the purpose of identifying **signs** lawfully in use. For a **sign** on which, because of its design or construction, it is impractical to display a sticker, a **Building Inspector** may approve an alternative location that is practical.

3.2.2 Any electrical **sign** or any **sign** greater than 45 kg shall have its weight and the manufacturer's name on the exterior of the **sign** in a manner that is readily seen.

3.2.3 No person shall reverse, alter, deface, cover, remove, or in any way tamper with any required notice, label, or certificate posted on or fixed to any **sign**.

### 3.3 Signs on Public Property

3.3.1 Except for **temporary signs** as authorized in this section, no person, **owner** or tenant shall place a **sign** on or over any curb, sidewalk, post, pole, hydrant, boulevard median, bridge, tree or other surface located on public property or across any street or public thoroughfare. **Temporary signs** advertising special events for community causes and charitable fund raising campaigns may be placed on the public right of way only if specifically permitted, in writing, by the **City Engineer**. Such **signs** shall be placed so as not to obstruct, hinder or in any way interfere with the use by drivers of motor vehicles and pedestrians on abutting streets or walkways.

3.3.2 Notwithstanding Section 3.3.1, **signs** over public sidewalks may be permitted in conformance with the provisions of Section 5.8.1 and Section 6.1, and development permit area guidelines in urban town centres as identified in the **Official Community Plan**.

3.3.3 Whenever any **sign**, except an **awning** or **fascia sign**, is installed or erected either wholly or partly over public property, the **owner** shall obtain and at all times maintain in full force and effect a policy of liability insurance covering bodily injury and/or property damage for claims arising out of the ownership of such **sign** in the amount of \$2,000,000.00 for so long as the **sign** or any portion thereof remains over public property. The **City** shall be named as co-insured on any such insurance policy. An endorsement in the form satisfactory to the **Building Inspector** shall form part of such insurance policy. The **owner** shall provide the **City** with a certified copy of such an insurance policy and any renewal thereof. In the event that the **owner** does not obtain or maintain such insurance or allows such insurance to lapse without renewal thereof the permit issued for such **sign** permit shall be deemed to be revoked and the **owner** shall forthwith remove, take down, or demolish the **sign**.

3.3.4 In addition to the maintenance of the insurance required by Section 3.3.3, every **owner** of a **sign** which is installed or erected over public property shall enter into an agreement with the **City** in the form satisfactory to the **Building Inspector** to indemnify against and to save the **City** harmless from any and all liability resulting from injury to person or damage to the property which results from the presence, collapse or failure of the **sign**.

## SECTION 4 - GENERAL REGULATIONS

### 4.1 General Regulations for Signs

- 4.1.1 Signs shall be constructed of materials suitable to the purpose and life of the sign.
- 4.1.2 All signs except for directory signs and menu boxes shall be installed on the same floor and the same frontage of the building occupied by the business to which they relate.
- 4.1.3 All free-standing signs requiring power shall be connected to an underground electrical source. All light fixtures, switches and wiring shall be weather proofed unless a permanent rigid sealed structure is provided which ensures that the electrical installation is kept dry at all times. All wiring and conduits shall be placed within building walls, located underground or somehow concealed from view.
- 4.1.4 No person, owner or tenant shall permit an electrical cord for a temporary sign to pass over a sidewalk, pedestrian walkway, roadway, driveway, aisle, or parking space.
- 4.1.5 Except for banners, flags, permitted temporary and portable signs, and window signs conforming in all respects with the requirements of this Bylaw, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
- 4.1.6 All support structures shall be structurally sound and form an integral part of the sign design.
- 4.1.7 No person, owner or tenant shall permit a part of any sign to interfere with any electric or telephone utility installation. A sign shall maintain horizontal and vertical clearance of all electrical conductors in accordance with provincial legislation.
- 4.1.8 Where a shopping centre or comprehensive development is on a site of more than one lot, signs may be erected or installed on the land as if the shopping centre or comprehensive development was located on a single lot.

### 4.2 Sign Lighting

- 4.2.1 The illumination for any permanent sign shall not create a direct glare upon the surrounding site, street or lane.
- 4.2.2 A sign located on or at the rear or side of any building shall not be illuminated if such sign is adjacent to any residential zone.
- 4.2.3 Backlighting or animation of signs is not permitted in agricultural, rural residential, or residential zones.

### 4.3 Comprehensive Sign Plan

- 4.3.1 A comprehensive sign plan may be submitted as part of an application for permits for all signs. A comprehensive sign plan means plans and drawings that specify the location, size, materials, colour, lighting and designs of all existing and proposed

development on a site or development in relation to buildings, access, and landscaping. The plan may pertain to one lot where there are multiple tenancies, a planned shopping centre, or where there is joint application for adjoining lots on one side of a street.

- 4.3.2 The **Director of Planning & Development Services** may recommend Council approval of a development variance permit for a sign which is part of a comprehensive sign plan, provided that:
- (a) the proposed signs are designed to be fully compatible with the existing or proposed buildings to which they are accessory;
  - (b) the overall area of the signs does not exceed the total area allowed for individual signs on the site;
  - (c) the proposed signs are suitable for the building, the site, and the zone in which they are located; and
  - (d) there would be a greater degree of visual harmony than through the application of the specific sign and specific zone sign regulations.

## **SECTION 5 - SPECIFIC REGULATIONS**

### **5.1 Specific Sign Regulations**

5.1.1 The specific sign regulations of this Section apply to all signs of the specific type unless they are superseded by the specific zone sign regulations of Section 6.1.

5.1.2 Where a sign is composed of more than one type of sign, the regulation for each type of sign shall be applicable to the appropriate portion of the sign.

### **5.2 Awning Signs**

5.2.1 An awning sign is permitted only if it:

- (a) is no higher than the first storey;
- (b) is limited to the logo, name, or principal product lines of the business occupying the building to which it is attached;
- (c) is painted or affixed flat to the exterior of the awning;
- (d) does not extend vertically or horizontally beyond the limits of the awning;
- (e) has no more copy area than 40% of the area of the face of the awning it is on; and
- (f) is in conformance with the **Building Bylaw**.

### **5.3 Canopy Signs**

5.3.1 A canopy sign is permitted only if it:

- (a) attaches to the edge of the canopy;
- (b) does not extend horizontally or vertically beyond the limits of the canopy

unless permitted by 5.3.1 (c);

- (c) does not extend or project above the upper edge of a **canopy** by more than 300 mm except **canopy signs** for theatres and cinemas may extend 1.5 m above the upper edge of a **canopy**;
- (d) is in conformance with the **Building Bylaw**; and
- (e) does not exceed 0.6 m<sup>2</sup> per lineal metre of the **canopy** frontage to which it is affixed.

#### 5.4 Under Canopy/Awning Signs

5.4.1 An under canopy/awning sign is permitted only if it:

- (a) does not extend horizontally beyond the limits of the **canopy**;
- (b) has a minimum clearance of 2.5 m;
- (c) is in conformance with the **Building Bylaw**;
- (d) is generally perpendicular to the building face;
- (e) has a maximum vertical dimension that does not exceed 0.3 m; and
- (f) has a maximum area of 0.4 m<sup>2</sup>.

#### 5.5 Fascia Signs

5.5.1 A fascia sign is permitted only if it:

- (a) does not project above the roofline or parapet to which it is attached;
- (b) does not project 400 mm from the wall face to which it is attached, except for a **changeable copy sign** for which the maximum projection is 450 mm from the wall face to which it is attached;
- (c) does not extend over any window sill immediately above the **sign** or above guard rails or balustrades immediately above the **sign**; and

BL8380 replaced sub-section 5.5.1(d):

- (d) has a minimum clearance of 2.5 m. This minimum **height** does not apply to **fascia signs** created by printing, painting, or inscribing directly upon a wall of a building or structure, **fascia signs** situated entirely over private property, and immediately above a landscaped area which discourages pedestrians from the **sign**, **menu boxes** that do not project beyond 100 mm from the wall, **fascia signs** that do not project more than 25 mm from the wall to which they are affixed and, within Town Centres, **fascia signs** projecting no more than 300 mm over at grade doorways leading to upper storey premises, where no other external signage is possible.

5.5.2 No **fascia signs** shall be allowed on a wall which is not a business frontage.

- 5.5.3 A fascia sign may only be located more than 1.0 m above the second story provided that:
- (a) the sign consists only of a logo, the name of a building, the street address, or a particular tenant;
  - (b) the sign, in the form of individual letters, symbols or logos is directly attached to or inscribed on the building face; and
  - (c) there are no more than one sign per building face and no more than 4 per building provided all signs are identical and identify the same business.

## 5.6 Free-Standing Signs

5.6.1 A free-standing sign is permitted only if it:

- (a) has a minimum clearance of 2.5 m when projecting over an open area, unless it is an integral part of a permanent landscaped area which discourages pedestrians;
- (b) does not obscure a pedestrian or drivers' line of vision from a street, access road or sidewalk to oncoming traffic. The line of vision shall be measured a distance of 8.0 m back along both abutting and intersecting streets along the abutting property lines of the lot from the point of intersection of the streets. In the case of an access road, the 8.0 m shall be measured back along the edge of the access road from the point of intersection with the street;
- (c) maintains a minimum clearance of 4.4 m when it projects over a vehicular traffic area such as a parking lot aisle or driveway; and
- (d) is not located closer than 1.5 m to a lot line, within 1.0 m of any building, or within 30.0 m of another free standing sign.

## 5.7 Temporary Signs

5.7.1 One off-site free standing or portable sign is permitted only if:

- (a) the sign is erected for the purposes of selling agricultural products that are produced on the site to which the sign is directed;
- (b) the sign does not exceed 1.0 m<sup>2</sup> in area, except it may be increased to 3.0 m<sup>2</sup> for sites greater than 5.0 ha.; and
- (c) the sign remains only for the period that the agricultural product is available.

BL10595 added a new sub-section:

5.7.1a Off-site free standing Project Signs are permitted only if;

- (a) the off-site project sign is erected for the purpose of directing traffic to the sales centre associated with a development project or subdivision which creates greater than 20 lots or units;
- (b) the off-site project direction signs are located on lots abutting road intersections leading to the sales centre;

- (c) the off-site project direction sign is limited to a maximum size of 3m<sup>2</sup>;
- (d) The maximum number of off-site signs is limited to 4 signs;
- (e) all project signs must be removed within 14 days of the project no long being marketed;
- (f) the developer obtains written permission from the appropriate land owner upon which the signs are to be located.

5.7.2 A portable sign other than a sandwich board is permitted only if it:

- (a) does not exceed an area of 3.0 m<sup>2</sup> or a maximum height of 2.5 m;
- (b) is placed on a lot so that it does not obscure the line of vision from a street, access road or sidewalk to incoming traffic. The line of vision shall be measured a distance of 8.0 m back along both abutting and intersecting streets along the abutting property lines of the lot from the point of intersection of the streets. In the case of the access road the 8.0 m shall be measured back along the edge of the access road from the point of intersection of street; and
- (c) is not placed or maintained on a lot more than a total of 90 days in a calendar year.

## 5.8 Projecting Signs

5.8.1 A projecting sign is only permitted if it:

- (a) has a minimum height of a 2.5 m and a maximum height of 7.5 m above grade;
- (b) does not project above the top of the vertical face of the roofline or parapet to which it is attached, except that a cantilever support may extend a maximum of 0.3 m above the roofline;
- (c) does not have visible angle iron support structures above the roof line;
- (d) has no more than 0.6 m in space between the sign and the supporting wall; and
- (e) is the only projecting sign for each business frontage, except that if a business frontage exceeds 15.0 m, a further projecting sign be permitted for each additional 15.0 m or portion thereof.

BL9142 replaced subsection 5.9:

## 5.9 Signs for Home Based Businesses, Bed and Breakfast Homes, and Minor or Intermediate Care Facilities

5.9.1 No sign advertising a minor home based business is permitted in any zone.

5.9.2 Notwithstanding the specific zone regulations set out in subsection 6.1, in the case of a major home based business or a minor or intermediate care facility, one non-illuminated sign to a maximum size of 0.15m<sup>2</sup>, with no dimension greater than 610mm, may be attached to the principal residence.

- 5.9.3 Notwithstanding the specific zone regulations set out in subsection 6.1, in the case of a rural home based business or a minor or intermediate care facility located in an Agricultural or Rural Residential zone, one sign which may be externally illuminated, to a maximum size of 0.5m<sup>2</sup>, may be attached to the principal residence or located at the entrance to the driveway.
- 5.9.4 Notwithstanding the specific zone regulations set out in subsection 6.1, in the case of a bed and breakfast home, one sign to a maximum size of 2.0m<sup>2</sup> and a maximum height of 1.0m may be attached to the residence or may be free standing located in the front yard or a flanking side yard. Any such free standing sign may be located on the property line but must not encroach or overhang beyond the property line. It must not be located within the triangle to be kept clear of obstructions as specified in City of Kelowna Traffic Bylaw No. 8120. Any such free standing sign may be indirectly lit by one single fixture of incandescent light per side of the sign.

BL10595 added a new section:

#### **5.10 Electronic Changeable Copy Signs**

- 5.10.1 An Electronic Changeable Copy Sign is permitted if it;
- (a) is part of a freestanding or fascia sign;
  - (b) incorporates public service information (time, date, or temperature) for a portion of the message;
  - (c) limits the change to the complete message to one change per minute;
  - (d) does not incorporate any form of scrolling, fading, movement of any kind as part of the change of message;
  - (e) does not incorporate any form of animation, moving letters, symbols, or image, or any change in intensity of illumination to the message;
  - (f) does not incorporate any form of chasing borders or animation of any kind to the sign or message."

**SECTION 6 - SPECIFIC ZONE REGULATIONS**

BL8374, 8763, 8910, 9112, 9370, 9726, 10424 and 10468 amended Section 6.1:

6.1 The specific **zone** regulations of this Section for **signs** shall apply in addition to, and take precedence over, the general **sign** regulations of Sections 4.1 and 5.1. The **zone** regulations are as follows:

Type of Sign	Number of Signs	Regulation
<b>Agricultural Zone (A1)*</b>		
Fascia or Free-standing	1 per building frontage	(a) 2.5 m maximum height  (b) 3 m <sup>2</sup> maximum area for a principal commercial use and 1.5 m <sup>2</sup> maximum area for a secondary commercial use
Identification	1 per dwelling	(a) 0.5 m <sup>2</sup> maximum area
Portable	1 per lot	(a) on a temporary basis according to Section 5.7
<b>Residential Zones (RR1, RR2, RR3, RU1, RU2, RU3, RU4, RU5, and RU6)*</b>		
Identification	1 per lot	(a) 0.15 m <sup>2</sup> maximum area
Portable	1 per lot	(a) on a temporary basis according to Section 5.7 in a Rural Residential zone located in the ALR
<b>Higher Density Residential Zones (RM1, RM2, RM3, RM4, RM5, RM6, RM7, HD2, CD22 Sub Areas C, D, E, F, G, H)*</b>		
Awning	1 per window or entrance	(a) only for apartment hotels, indoor participant recreation services, personal service establishments, convenience retail sales, and minor eating and drinking establishments in RM6 zone
Fascia	1 per site	(a) 2.5 m maximum height  (b) 2.0 m <sup>2</sup> maximum area for secondary commercial uses except minor home based businesses
Free-standing	1 per site	(a) 1.8 m maximum height  (b) 3.0 m <sup>2</sup> maximum area  (c) only for multiple housing, retail convenience stores indoor participant recreation services, minor eating and drinking establishments, and personal service establishments in RM6 zone
Identification	1 per dwelling	(a) 0.15 m <sup>2</sup> maximum area

<b>Local Commercial Zones (C1, C2, and C5)*</b>		
Fascia, Awning and Canopy Signs	1 per building frontage	(a) 0.3 m <sup>2</sup> for each lineal metre of building frontage to which it is attached, up to 4.0 m <sup>2</sup> maximum area
Free-standing	1 per site	(a) 3.0 m maximum height (b) 3.0 m <sup>2</sup> maximum area (c) no animated signs
Identification	1 per dwelling or business	(a) 0.5 m <sup>2</sup> maximum area
Portable	One portable sign fronting each street abutting a lot, except where a lot has in excess of 122 m of frontage on each street, one additional sign may be placed for each additional 61 m or portion thereof of lot frontage on each street	(a) on a temporary basis according to Section 5.7
<b>Major Commercial (C3, C4, C6, C7, C8 and CD22 Sub Areas A&amp;B)*</b>		
Awning, Fascia, Canopy, Under canopy/awning, and Projecting	2 per business frontage	(a) maximum total area is 0.8 m <sup>2</sup> per lineal metre of building frontage to a maximum of 20% of the wall it is attached to  (b) a <b>projecting sign</b> shall not exceed 3.5 m <sup>2</sup>  (c) in a C4 or C7 zone, a <b>projecting sign</b> shall not exceed 2.5 m <sup>2</sup> except that this may be reduced to 1.0 m <sup>2</sup> where required by the guidelines of a development permit area in an urban town centre. Such signs shall only be lit by wall mounted directional lighting, and signs are limited to 1 sign per 30 m of building frontage
Free-standing	1 per building frontage, except for a flanking lot over 45 m long which may have 1 on each frontage, except a lot may have 1 additional for every additional 150 m frontage over 150 m to a maximum of 4 signs. Not Permitted in CD22.	(a) 8.0 m maximum height except that it is 3.0 m for a site less than 30 m in width or a site in an urban town centre not fronting on Highway 33 or 97  (b) the maximum area is 3.0 m <sup>2</sup> per lineal metre of street frontage the sign is located on, up to a maximum 12 m <sup>2</sup> for lots smaller than 1000 m <sup>2</sup> or on any site in an urban town centre not fronting Highway 33 or

		<p>97, 15 m<sup>2</sup> for lots greater than 1000 m<sup>2</sup> but smaller than 4000 m<sup>2</sup>, and 18 m<sup>2</sup> for lots greater than 4000 m<sup>2</sup></p> <p>(c) the maximum area may be increased by up to 10% if this additional sign area is used for a changeable copy sign</p>
Identification	1 per business	(a) 0.5 m <sup>2</sup> maximum area
Portable	One portable sign fronting each street abutting a lot, except where a lot has in excess of 122 m of frontage on each street, one additional sign may be placed for each additional 61 m or portion thereof of lot frontage on each street	(a) on a temporary basis according to Section 5.7
<b>Industrial and Commercial Zones (C9, C10 ,I1, I2, I3, I4, and I5) and the CD12 - Airport Zone* and the CD15 - Airport Business Park Zone*</b>		
Awning, Fascia, Canopy, Under canopy/awning	2 signs per business	(a) maximum area is 1.0 m <sup>2</sup> per lineal metre of building frontage up to a maximum of 20% of the wall surface to which it is attached
Free-standing	1 per building frontage, except for a flanking lot over 45 m long which may have 1 on each frontage, except a lot may have 1 additional for every additional 150 m frontage over 150 m to a maximum of 4 signs	<p>(a) 8.0 m maximum height except that it is 3.0 m for a site less than 30 m in width</p> <p>(b) the maximum area per lineal metre of street frontage is located up to a maximum of 12 m<sup>2</sup> for lots smaller than 1000 m<sup>2</sup>, 15 m<sup>2</sup> for lots greater than 1000 m<sup>2</sup> but smaller than 4000 m<sup>2</sup>, and 18 m<sup>2</sup> for lots greater than 4000 m<sup>2</sup>.</p>
Identification	1 per business	(a) 0.40 m <sup>2</sup> maximum area
Portable	One portable sign fronting each street abutting a lot, except where a lot has in excess of 122 m of frontage on each street, one additional sign may be placed for each additional 61 m or portion thereof of lot frontage on each street	(a) on a temporary basis according to Section 5.7

<b>Public and Institutional Zones (P1, P2, P3, P4, W1, W2, HD2 and CD22 Sub-Area I)*</b>		
Fascia or Free-standing	1 per building and shore frontage to a maximum of 3, except 2 on a single frontage site greater than 250.0 m  EXCEPT that for Health Services, Minor uses on parcels less than 1,000m <sup>2</sup> in the P2 zone, the number of signs shall be 1 per parcel.	(a) 4.0 m maximum height for a free-standing sign (b) 4.0 m <sup>2</sup> maximum area except the area of a fascia sign is limited to 0.3 m <sup>2</sup> for each lineal metre of building frontage to which it is attached (c) no animated signs  EXCEPT that for Health Services, Minor uses on parcels less than 1,000m <sup>2</sup> in the P2 zone the following regulations shall apply: (a) 1.5m maximum height for a free-standing sign (b) 1.0m <sup>2</sup> maximum area (c) 1.0m minimum setback from a property line for a free-standing sign (d) only low-watt ground lighting or pendant lighting
Identification	1 per building and shore frontage	(a) 0.5 m <sup>2</sup> maximum area
Portable	1 per business	(a) on a temporary basis according to Section 5.7
<b>Public and Institutional Zones (P5)*</b>		
Fascia or Canopy	1 per business	Maximum area if 0.3 m <sup>2</sup> per lineal metre of building frontage up to a maximum of 4.0m <sup>2</sup>
Free Standing Signs	1 per site frontage	(a) 4.5 m maximum height (b) 15 m <sup>2</sup> maximum area
Identification Signs for Building Name	1 on freestanding sign 1 on building	Exempt
<b>Comprehensive Development Zones (CD) - except the CD12 - Airport zone and CD15 - Airport Business Park zone</b>		
as prescribed in specific CD zone	as prescribed in specific CD zone	(a) as prescribed in specific CD zone or by cross-reference to another standard zone in this Bylaw

BL8396, BL8742 and BL 8982 each replaced the following:

\*The zones identified in this table are the zones designated for specific properties in City of Kelowna Zoning Bylaw No. 8000. Properties with an 's', 'b', 'h', 'lp, or 'ris' as part of the Zoning Designation shall comply with the requirements of the parent zone (e.g. RU1s shall comply with the requirements of the RU1 zone, C4lp shall comply with the requirements of the C4 zone).

## SECTION 7 - ENFORCEMENT AND OFFENCES

### 7.1 General

7.1.1 The Director of Planning & Development Services, Building Inspectors and Bylaw Enforcement Officers are authorized to enforce the provisions of this bylaw.

### 7.2 Right of Entry

7.2.1 The Director of Planning & Development Services, Building Inspectors and Bylaw Enforcement Officers shall have the right of entry and may enter onto any land at all reasonable hours in order to ascertain whether the provisions of this bylaw have been carried out.

7.2.2 No person shall interfere with or obstruct the entry of any authorized City representative onto any land to which entry is made or attempted pursuant to the provisions of this bylaw.

### 7.3 Offence

7.3.1 Every person who violates a provision of this bylaw commits an offence and is liable on summary conviction to a penalty not exceeding Ten Thousand Dollars (\$10,000.00) and the costs of prosecution.

7.3.2 Each day a violation of the provisions of this bylaw exists or is permitted to exist shall constitute a separate offence.

## SECTION 8 - REPEAL AND EFFECTIVE DATE

### 8.1 Repeal

8.1.1 City of Kelowna Sign Bylaw No. 5561-84 together with all amendments is hereby repealed.

### 8.2 Effective Date

8.2.1 This bylaw comes into force and takes effect on the date of adoption.

Read a first, second and third time by the Municipal Council this 29<sup>th</sup> day of June, 1998.

Adopted by the Municipal Council of the City of Kelowna this 19<sup>th</sup> day of October, 1998.

\_\_\_\_\_  
"Walter Gray"

Mayor

\_\_\_\_\_  
"D.L. Shipclark"

City Clerk