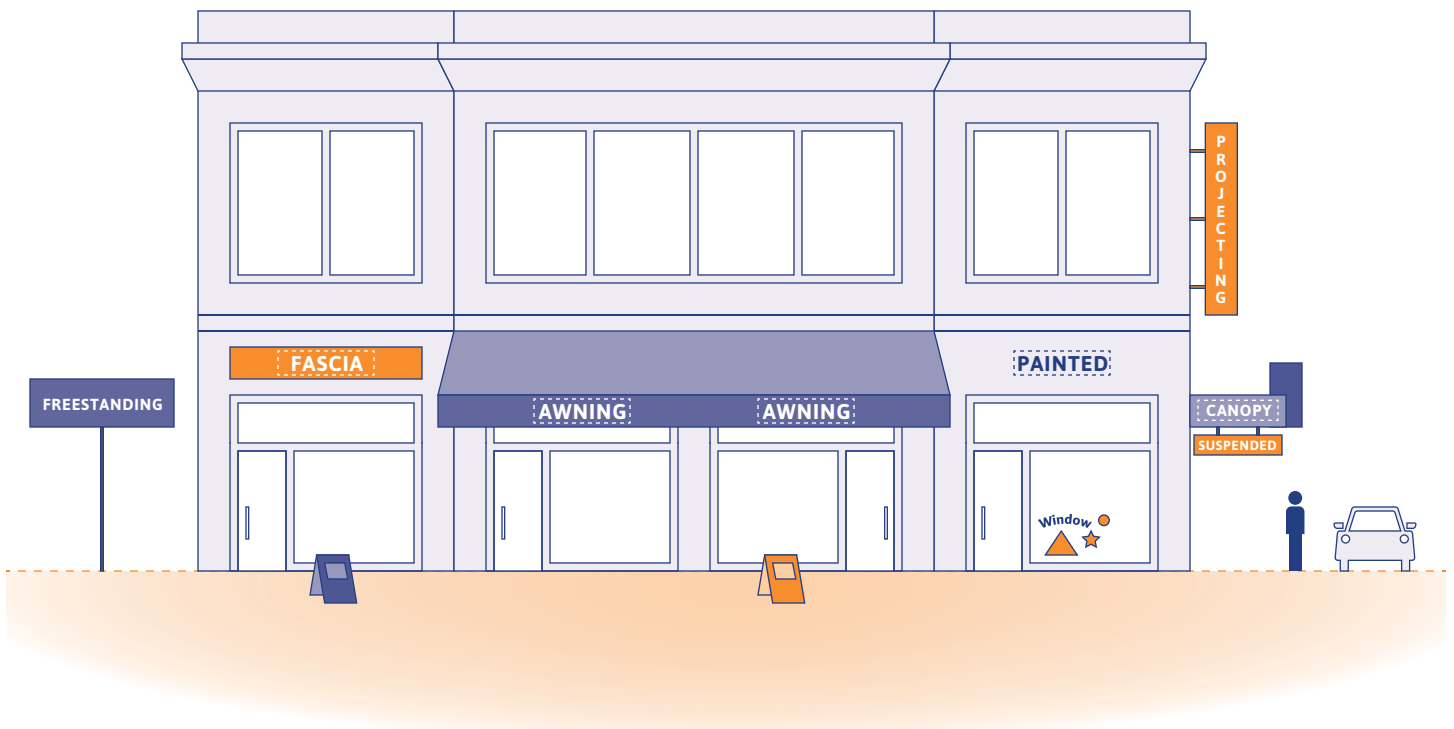


Sign Bylaw 2019

BYLAW NO. 3437



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Statement of Legislative Intent



Signage on private property and within [street](#) rights-of-way within the boundaries of the City of Nelson, which provide a service to residents, visitors and local [businesses](#), are considered desirable in our [City](#) as we are a full service community as well as a tourism destination. Having said that, it is important that the community's aesthetic be maintained and ensure signage complements our natural surroundings and built heritage.

The goals of this Sign Bylaw are to:

- state the [City's sign](#) regulations in a manner that is simple to understand and apply;
- enable a person, [business](#) or organization to communicate information, clearly identify their location and to indicate, where appropriate, the types of commodities, services, or entertainment manufactured, sold or provided at these locations;
- strike a balance between an aesthetic and clutter free community and effective communication of information by means of [signs](#);
- implement the [City's](#) Downtown Urban Design Strategy;
- promote the value of heritage buildings through appropriate [sign](#) design;
- enhance compatibility of [signs](#) with other permitted land uses;
- address public safety through regulation of the design, construction and location of [signs](#);
- provide for effective enforcement of [sign](#) regulations; and
- recover the costs incurred by the [City](#) in regulating [signs](#) through permit fees and an effective enforcement system for bylaw infractions.

The regulations in this Bylaw are intended to complement and reinforce the objectives of the [Official Community Plan](#).

Further, the regulations are intended to prohibit any [signs](#) which could be a hazard to life or property or be a traffic hazard.

Whereas pursuant to Section 8(4) and 65 of the Community Charter, Council may regulate the erection, placing, alteration, maintenance, demolition and removal of [signs](#), sign boards, advertisements, advertising devices and structures.

And whereas pursuant to Section 526 of the Local Government Act, Council may regulate and prohibit the number, size, type, form, appearance and location of [signs](#).

And whereas it is deemed desirable to regulate such [signs](#) and structures in the City of Nelson.

Now therefore, the Municipal Council of the Corporation of the City of Nelson, in Open Meeting Assembled, enacts as follows:

1. General Administration

1.1 Authority

- 1.1.1 This Bylaw is enacted pursuant to Sections 8(4) and 65 of the Community Charter and Section 526 of the Local Government Act.

1.2 Bylaw Application

- 1.2.1 This Bylaw is applicable to the erection, placement, display, alteration or movement of [signs](#) on all private property and on [street](#) within the boundaries of the City of Nelson.

1.3 Non-Conforming Signs

- 1.3.1 If a [sign](#), which is lawfully in existence at the date of adoption of this Bylaw and is [installed](#) contrary to the provisions hereof, it may be repaired or the sign [copy](#) may be replaced if the requirements of this Bylaw or standards that do not conform to this Bylaw are not further compromised.
- 1.3.2 Despite 1.3.1, repairs or replacement of the sign [copy](#) in District A will be required to follow the design standards in [Part 5](#) of this Bylaw.

1.4 General Compliance

- 1.4.1 Subject to Section 1.3, all signs shall be [installed](#), altered or repaired in conformance with the provisions set forth in this Bylaw. .

1.5 Signs on Public Property

- 1.5.1 No [sign](#) shall be [installed](#) wholly or partly on or over public property, except where permitted by this bylaw.
- 1.5.2 With every [sign permit](#) application involving a [sign](#), except a [sandwich board sign](#), to be [installed](#) wholly or partly on or over public property, the applicant shall:
- Provide documentation, in a form satisfactory to the [City](#), and enter into an Encroachment Agreement with the City of Nelson and provide liability insurance in the amount determined by the [City](#), naming the City of Nelson as an additional insured for as long as the [sign](#) remains on or over public property.
 - Maintain such insurance until the [sign](#) has been removed. In the event that the [sign](#) owner allows such insurance to lapse without renewal, the [sign permit](#) will be deemed revoked requiring such [sign](#) to be removed immediately.
 - Ensure the maintenance and use of the [sign](#) is in compliance with the terms of the [sign permit](#).
- 1.5.3 In the case of a [sandwich board sign](#), a release of liability, to the satisfaction of the [City](#), will be required prior to the issuance of a [sign permit](#).

1.6 Enforcement and Penalties

- 1.6.1 A [Bylaw Enforcement Officer](#) or [Building Official](#) is authorized to enter, at reasonable times, upon any property in order to ascertain whether the regulations of this Bylaw are being met..
- 1.6.2 No person shall prevent or obstruct or seek to prevent or obstruct a Bylaw Enforcement Officer or Building Official from carrying out any official duty under this Bylaw.
- 1.6.3 No person shall:
- a. contravene, cause, suffer or permit a contravention of this Bylaw;
 - b. neglect or omit bylaw requirements; or
 - c. place or alter a [sign](#) which is not permitted by this Bylaw.
- 1.6.4 Any person violating any provision of this Bylaw is liable on summary conviction to a fine as prescribed in the Corporation of the City of Nelson Bylaw Notice Enforcement Bylaw No. 3195, 2011 and any subsequent revisions. A separate offence shall be deemed to be committed on each day during, or on which, a violation occurs or continues.
- 1.6.5 The [City](#) may remove and impound any [sign](#) on [public property](#) located within the municipal boundaries that is in contravention with this Bylaw. Such [signs](#) may be claimed within 30 days of removal by the owner upon payment of a fee specified in the Corporation of the City of Nelson Bylaw Notice Enforcement Bylaw No. 3195, 2011 and any subsequent revisions. Where a [sign](#) is not claimed within 30 days the [sign](#) may be disposed of by the [City](#).

1.7 Severability

- 1.7.1 If one or more provisions of this Bylaw are, for any reason, declared to be invalid by a court of competent jurisdiction, the invalid provision shall be severed and all remaining provisions shall remain in full force and effect.

1.8 Interpretation

- 1.8.1 Illustrations have been included within this Bylaw to help communicate the various regulations. In the event of conflicts between the illustrations and the Bylaw text, the Bylaw text shall prevail.
- 1.8.2 District A and District B are depicted in [Schedule A](#) of this Bylaw.

1.9 Repeal

- 1.9.1 The Corporation of the City of Nelson Sign Regulations Bylaw No. 2027, 1983 together with all amendments thereto, is hereby repealed.

2. Definitions

2.1 Definitions and Terminology

All words, or phrases or terms in this Bylaw shall have their normal or common meaning unless specifically defined by the Local Government Act, any other Bylaw adopted by the [City](#) or by the definitions set forth in this section as follows.

A

area of a sign

means the surficial extent within the outer edge of the frame or border, or, where there are no borders, the area within the shortest line circumscribing the letters, symbols, objects and things comprising the [sign](#). In the case of a two sided [sign](#), only one side will be used to determine the total area.

awning

means a roof-like covering of canvas or similar fabric material or other rigid materials, projecting from and being entirely supported 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](#).

B

back-lit box sign

means a [sign](#) constructed of rigid translucent and not transparent materials which is internally lit so as to illuminate the sign [copy](#).

banner sign

means a [sign](#) composed of lightweight, non-rigid material such as cloth, canvas or similar fabric, but excludes government flags.

billboard

means a freestanding structure or [fascia sign](#) which is a [third-party sign](#).

building face

means the total area of the exterior wall of a building facing a [street](#).

Building Official

means the person appointed by the [City](#) as the Building Official under the Building Bylaw, and includes his or her lawful designate.

business

means the carrying on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services for the purpose of gain or profit and for the purpose of this Bylaw includes not-for-profit or other type of benevolent organization.

business frontage

means the distance from centre to centre of party walls or outside walls housing a [business](#).

Bylaw Enforcement Officer

means a person responsible for enforcing bylaws in the City of Nelson as described in the Corporation of the City of Nelson Bylaw Notice Enforcement Bylaw No. 3195, 2011 and any subsequent revisions.

C

canopy

means a permanent roof-like structure, which is predominately flat, that extends outwards from a wall or a building.

canopy sign

means a [sign](#) attached to or constructed in or on a face of a [canopy](#) but does not include a suspended sign.

City

means the Corporation of the City of Nelson.

clearance

means the vertical distance between the underside of a [sign](#) and the finished grade immediately below.

community event

means an event that is open to the public and generally accessible to the community as a whole.

construction sign

means a [sign](#) placed temporarily on a site where construction is taking place indicating the names of individual firms, financial institutions or sponsors having a direct role or interest with the development or project.

copy

means the text, illustrations and symbols that make up the message on a [sign](#).

D

Director

means the person appointed by the [City](#) as the Director of Development Services and includes his or her lawful designate.

directory sign

means a [sign](#) which indicate a [business](#) or businesses located on one property.

E

electronic moving copy

means a [sign](#) displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other similar electronic technology where the sign [copy](#) displays moving images.

electronic static copy

means a [sign](#) displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other similar electronic technology where the sign [copy](#) is fixed for a set period of time, but does not include gas price indicators.

F

fascia sign

means a [sign](#) attached to and supported by the wall of a building with its face parallel to the building wall which does not project more than 0.4m from the wall to which it is attached and includes a painted [sign](#) but does not include a [mural](#).

freestanding sign

means a [sign](#) independently supported by one or more upright poles, columns or braces, visibly separated from a building or other structure, and permanently fixed to the ground. This does not include [billboard signs](#), [portable signs](#), or [sandwich board signs](#).

frontage

means the common boundary shared by a [property line](#) and a [street](#).

I

inflatable sign

means a [sign](#) composed of non-rigid material supported by gas or air pressure, but does not include party balloons.

installed

means the construction, erection, displaying, installation, relocation or other similar work in relation to a sign.

L

lot

means any parcel, block or other area in which land is held or into which it is subdivided, but does not include a street.

M

menu board

means a sign depicting a restaurant menu.

mural

means an artistic rendering or drawing painted or otherwise applied to the outside surface of a building face which is intended as a public display, but does not include the name of the business or commercial offerings.

N

neon sign

means a sign using exposed neon tubing.

O

Official Community Plan

means the City of Nelson's Official Community Plan Bylaw No. 3247, 2013 and any subsequent revisions.

P

parapet

means a wall or sloped overhang located at the edge of a roof which projects above the roof membrane.

portable sign

means a sign not permanently affixed to the ground or to a building or other permanent structure, or a sign designed to be moved from place to place without involving any structural or support changes. Portable signs may be mounted on a frame or a wheeled structure and included in this category are vehicles whose primary function is advertising. Portable signs are not sandwich board signs or balloon signs.

public property

means any property that is owned by the City, including but not limited to parks, streets and civic facilities.

projecting sign

means a sign attached to a wall of a building which projects more than 0.4m (1.3ft) from the face or wall of any building to which it is attached. This does not include canopy or awning signs.

property line

means a legal boundary of a lot.

R

real estate sign

means a sign, which is temporary in nature, identifying real estate that is "for sale", "for lease", "for rent" or "sold".

roof sign

means any sign erected upon or above a roof or parapet of any building. This includes any sign fixed vertically to the top of any canopy or similar feature.

S

sandwich board sign

means a temporary, movable double sided [sign](#) sited on the ground which provides the name and logo of the [business](#) as well as daily specials or events but does not include corporate logos of products sold in the [business](#).

sign

means any device, illustration, illumination, inscription, material, medium, notice, object, structure or visual projections, including its supports, framework, lighting or electrical system, which is visible from a [public property](#) or from the air, and which is used or capable of being used to convey information or direct or attract attention for the purpose of announcement, advertisement, [business](#) promotion, promotion of a product, activity, service or idea, or of providing direction, identification or information.

sign height

means the vertical distance measured from finished grade at the base of the [sign](#) to the highest point of such [sign](#).

sign permit

means the permission or authorization required by this Bylaw and issued by the [Director](#) to perform work regulated by this Bylaw.

site triangle

means the triangular space formed by the front and exterior side [property lines](#) of a corner [lot](#) and a line drawn from a point on one [property line](#) to a point on the other [property line](#), each such point being 6.0m from the point of intersection of the [property lines](#).

storey

means that part of a building other than a basement or loft which is situated between the top of any floor and the top of the next floor above it and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

street

means a public street, road, or other public way which provides principal access to a [lot](#).

suspended sign

means a [sign](#) that is suspended directly under an [awning](#), [canopy](#) or other similar feature.

T

temporary sign

means a [sign](#) which is not in a permanently [installed](#) or affixed position, advertising a product or an activity on a limited basis as specified in applicable sections of this Bylaw.

third-party sign

means a [sign](#) which directs attention to a [business](#), commodity, service, or entertainment conducted, sold or offered at a location other than the premise on which the [sign](#) is located. Excluded from this category shall be [sandwich board signs](#) on which advertising may be permitted under specific conditions in this Bylaw.

W

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.

Z

zone

means the zoning designation established pursuant to the City Zoning Bylaw No. 3199, 2013 and any subsequent revisions.



3. Permitted Signs



3.1 Sign Permit Requirements

- 3.1.1 Unless otherwise exempted by this Bylaw, all [signs](#) under this part are only allowable with a valid [sign permit](#) and no person shall construct, erect, modify, convert, expand, reconstruct, relocate or replace any such [sign](#) without first having obtained a valid [sign permit](#).
- 3.1.2 No [sign permit](#) for a [sign](#) to be [installed](#) shall be issued until:
- A full and complete application, as determined by the [City](#), has been submitted;
 - The proposed work set out in the application conforms to this Bylaw and all other applicable bylaws of the [City](#); and
 - The applicant for the permit has paid the prescribed fee as specified in The Corporation of the City of Nelson Fees and Charges Bylaw No. 3092, 2008, or any subsequent revisions.
- 3.1.3 Where [signs](#) are proposed on a property that is in a Development Permit area, a [sign permit](#) will be required in accordance with this Bylaw, except in cases where a Development Permit application includes signage, in accordance with requirements of this Bylaw and the City of Nelson [Official Community Plan](#), only a Development Permit will be required.

3.2 Signs Not Requiring a Permit

- 3.2.1 The following signs, are permitted in any zone without the requirement of a permit, if:
- a. in the case of a real estate sign, it does not exceed 1m² in a residential zone or 3m² in any other zone;
 - b. it is installed by, or under the direction of, a government body;
 - c. it is street decorations and banners authorized by the City;
 - d. it announces a candidate for public office;
 - e. in the case of a static neon sign located inside a building, it does not exceed 0.15m² and limited to one per business;
 - f. it is a construction sign provided it does not exceed 1m² in a residential zone or 3m² in any other zones and is removed upon completion of the construction;
 - g. it is noting restrictions relative to private property such as no trespassing, no dumping, no burning, and no parking provided the maximum area of a sign does not exceed 0.5m²
 - h. in the case of a directory sign, it does not exceed 0.75m² and is located by the principal entrance of the business;
 - i. in the case of a menu board, it does not exceed 0.35m² and is located by the principal entrance;
 - j. in the case of a sandwich board, in any zone except for a residential zone, if it is located on private property;
 - k. it is located inside a building and not visible or intended to be visible from any street.

3.3 Repair and Maintenance

- 3.3.1 Every owner of a sign shall maintain that sign in good working order and in good condition.
- 3.3.2 An owner of a sign may alter, reconfigure and repaint a sign without need for a permit if:
- a. the original display of that sign did not require a permit under this Bylaw; or
 - b. the original display of that sign did require a permit under this Bylaw or any previous bylaw regulating signs in the City, but:
 - i. the alteration, reconfiguration or repainting is in compliance with all permits previously issued for the sign;
 - ii. the size, shape and area of that sign remains the same;
 - iii. the siting and location of that sign remains the same; and
 - iv. the letters, numbers, symbols and other images on that sign remain the same.

PERMIT REQUIRED



KEY DEFINITIONS

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.

canopy sign

means a sign attached to or constructed in or on a face of a canopy but does not include a blade sign.

suspended sign

means a sign that is suspended directly under an awning, canopy or other similar feature.

3.4 Awning, Canopy and Suspended Signs**General / Location**

3.4.1 An awning or canopy sign shall be permitted in any zone, except for a residential zone, provided it is located on the first storey.

3.4.2 Awning and canopy standards are specified in Schedule H of the Official Community Plan.

Area of a Sign

3.4.3 The area of a sign for a canopy sign shall not

- a. exceed 0.3m² per linear meter of canopy length;
- b. project above the canopy by more than 0.6m; and
- c. project beyond the roof or sides of the building.

3.4.4 The area of a sign for an awning sign shall:

- a. be confined to the limits of the awning;
- b. not exceed 0.3m² per linear meter of the awning length; and
- c. not be located on any sloped portions of the awning.

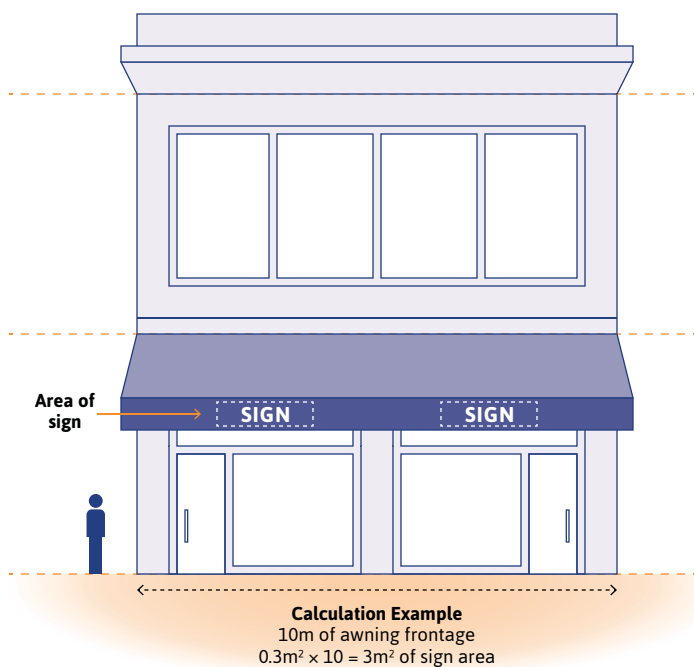
Suspended Signs

3.4.5 A suspended sign is permitted to be installed underneath an awning or canopy and shall:

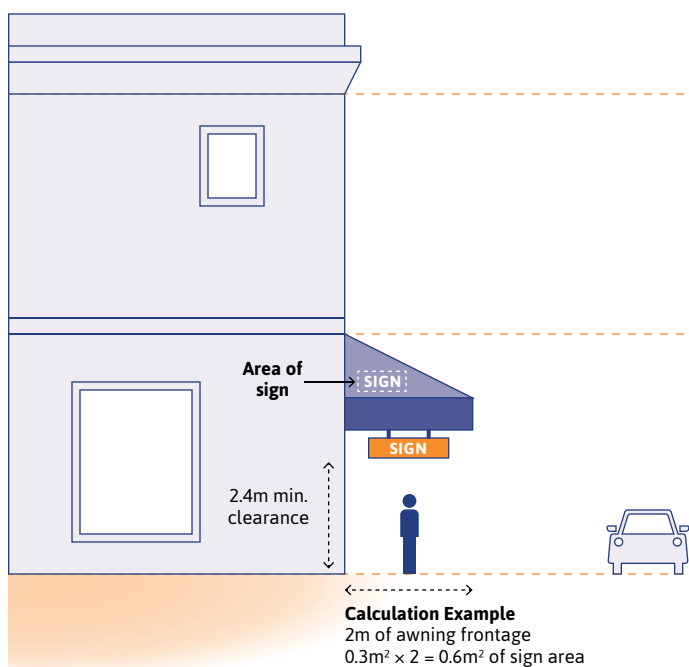
- a. not exceed 0.3m² in area;
- b. have a minimum clearance of 2.4m; and
- c. not project beyond the edge of the awning or canopy.



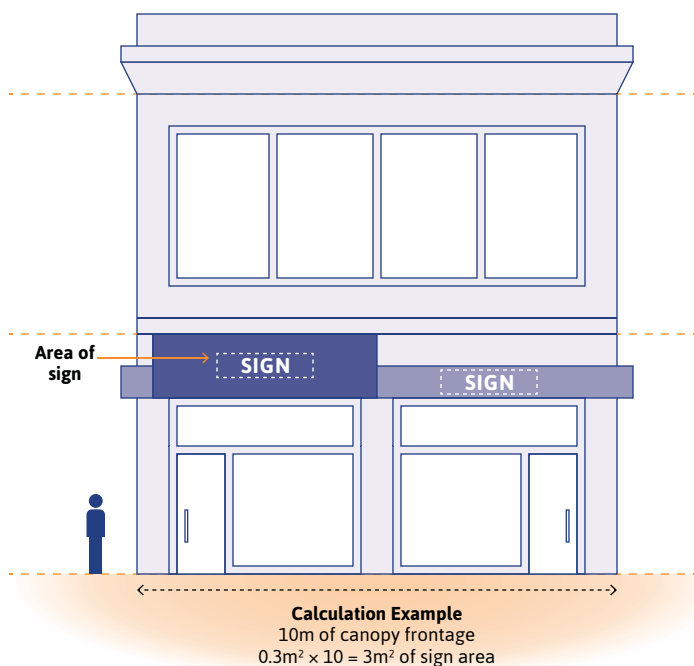
Awning Sign
Front perspective



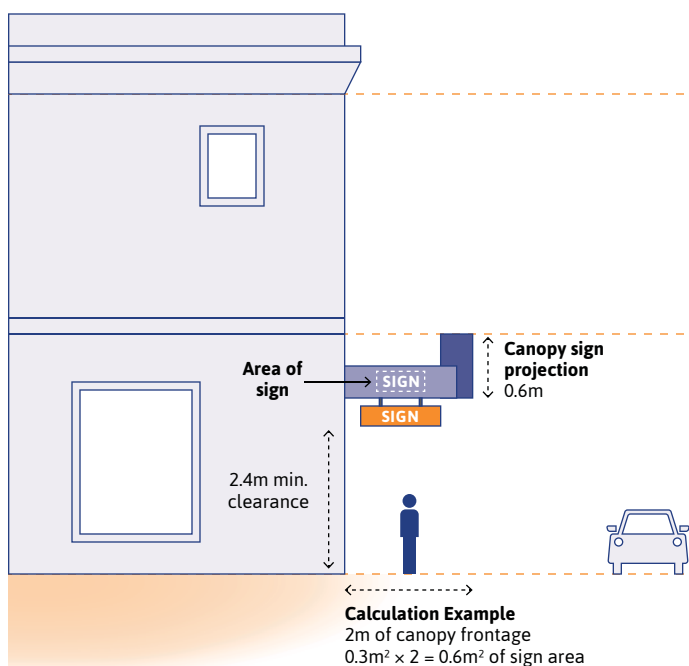
Awning + Suspended Sign
Side perspective



Canopy Sign
Front perspective



Canopy + Suspended Sign
Side perspective



PERMIT REQUIRED



KEY DEFINITION

fascia sign

means a [sign](#) attached to and supported by the wall of a building with its face parallel to the building wall which does not project more than 0.4m from the wall to which it is attached and includes a painted [sign](#) but does not include a [mural](#).

3.5 Fascia Signs**General / Location**

3.5.1 [Fascia signs](#) shall be permitted in all [zones](#).

3.5.2 [Fascia signs](#) in residential [zones](#) shall only be illuminated by indirect lighting and limited to the first [storey](#).

Number

3.5.3 When permitted, a maximum of one [fascia sign](#) in a residential [zone](#).

3.5.4 In other [zones](#), the maximum number of [fascia signs](#) shall be limited to the total allowable area as per [3.5.5](#) (c).

Area of a Sign

3.5.5 The maximum [area of a sign](#) for a [fascia sign](#) is:

- a. One 0.3m² identifying a home occupation, short-term rental, child care facility, or care services in a residential [zone](#);
- b. One 1.0m² for identification purposes of a multi-unit residential in a residential [zone](#); and
- c. 0.3m² per linear meter of wall on which the [sign](#) is affixed in other [zones](#).

Projection

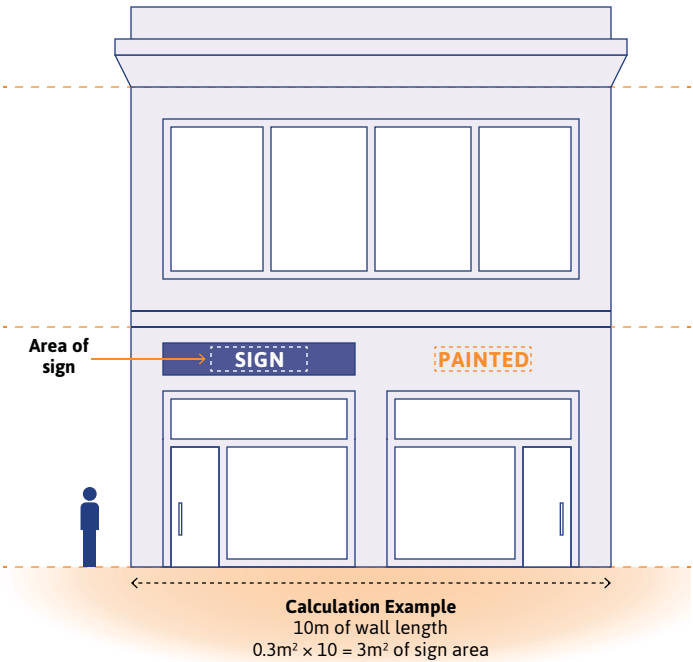
3.5.6 [Fascia signs](#) shall not project beyond a corner of a wall to which they are attached except in the case where a [sign](#) (or two [signs](#)) extends horizontally along each [frontage](#) to meet at the corner of the building and the corner makes up an integral part of the [sign](#).

3.5.6 [Fascia signs](#) shall not extend above the roof line or [parapet](#) to which it is affixed.



Commercial Fascia Sign

Front perspective

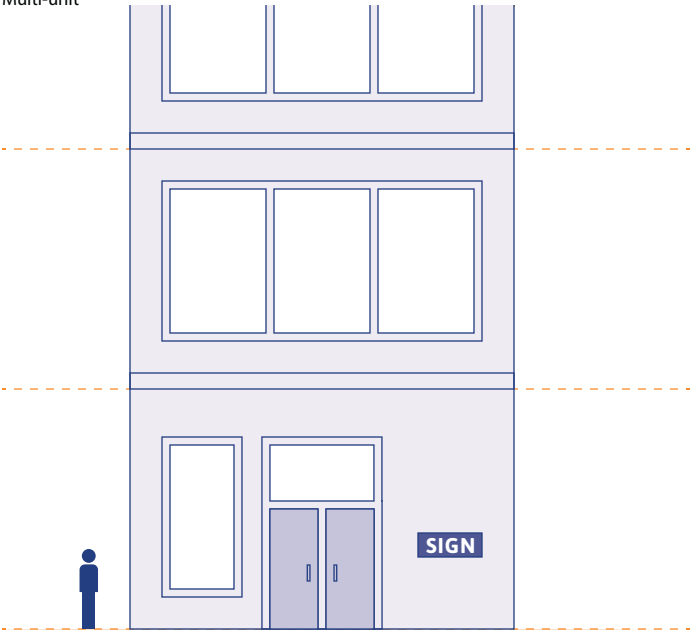


Residential Fascia Sign

Home Occupation



Multi-unit



PERMIT REQUIRED



3.6 Freestanding Signs

General / Location

- 3.6.1 Freestanding signs shall be permitted in all zones.
- 3.6.2 Freestanding signs shall be located in a landscaped area which is equal to the area of the sign.
- 3.6.3 Freestanding signs in District A shall only be permitted if the principal building is setback 3m from either the curb or sidewalk.
- 3.6.4 A freestanding sign located in a sight triangle cannot impede the visibility of traffic or traffic control devices as determined by the Director.
- 3.6.5 Freestanding signs shall not project over a sidewalk or curb line of a street.

Number

- 3.6.6 The maximum number of freestanding sign is limited to one per lot and one in the case of a building with more than one business located on more than one lot.

Area of a Sign

- 3.6.7 The maximum area of a sign for a freestanding sign is:
 - a. 0.3m² identifying a home occupation, short-term rental, child care facility, or care services in a residential zone;
 - b. 1.0m² for identification purposes of a multi-unit residential in a residential zone;
 - c. 2.0m² in District A; or
 - d. 6.0m² in District B.

Clearance and Height

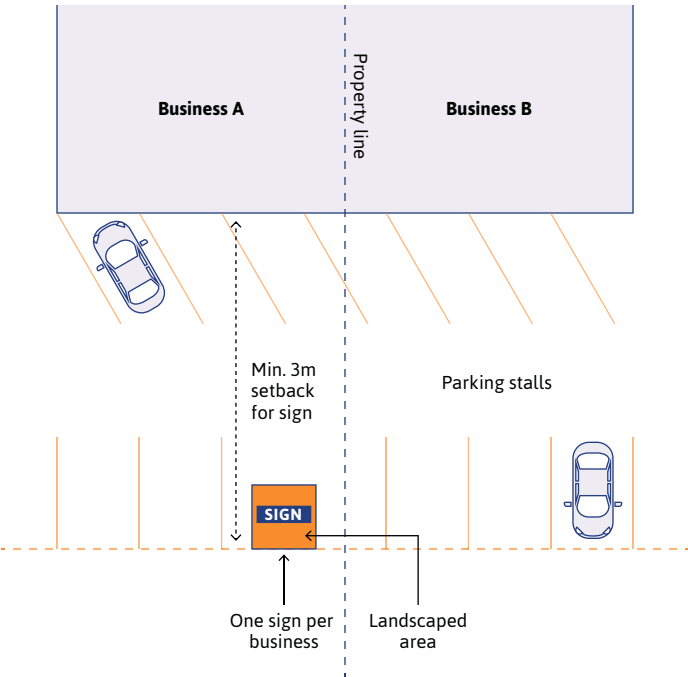
- 3.6.8 A freestanding sign shall not be higher than:
 - a. 1.5m in a residential zone
 - b. 3m in District A; and
 - c. the lesser of 6m or the highest point of the principle building in District B.

Lighting

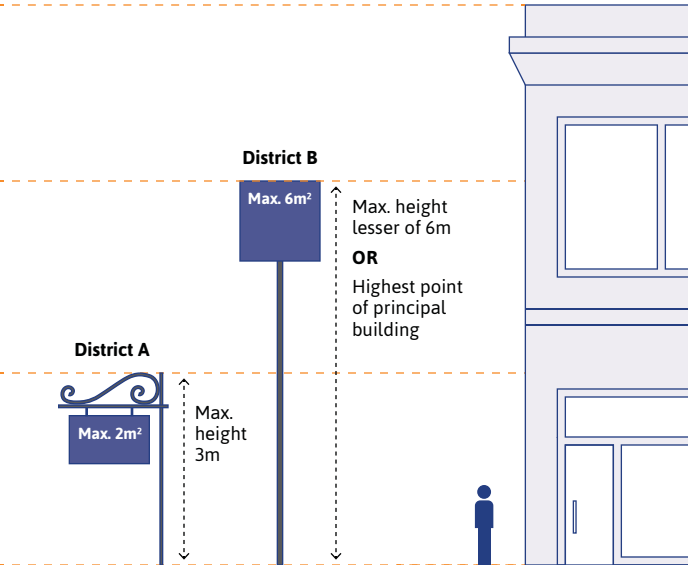
- 3.6.9 In the case of a back-lit box sign, only the letters, symbols or graphic work may be illuminated and the remainder of the sign is a solid opaque sign face.

Commercial Freestanding Sign

Aerial perspective



Front perspective

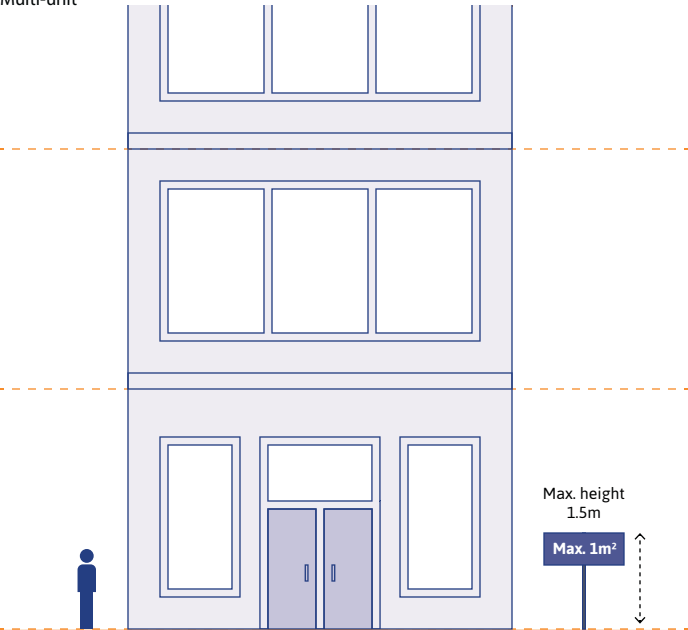


Residential Freestanding Sign

Home Occupation



Multi-unit



PERMIT REQUIRED



3.7 Projecting Signs

General / Location

3.7.1 Projecting signs shall be permitted in all zones.

3.7.2 Projecting signs in residential zones shall not be illuminated.

Number

3.7.3 The maximum number of projecting sign is:

- a. one per business; and
- b. one additional sign if a business is located above the first storey provided the sign is located on the same storey of the business it advertises.

Area of a Sign

3.7.4 The maximum area of a sign for projecting signs:

- a. 0.3m² identifying a multi-unit residential, home occupation, short-term rental, child care facility, or care services in a residential zone;
- b. 1.1m² in District A; or
- c. 1.5m² in District B.

Clearance and Height

3.7.5 A projecting sign located on the first floor shall have a minimum clearance of 2.5m and be no higher than 4.5m from the established grade.

Projection

3.7.6 Projecting signs shall not project:

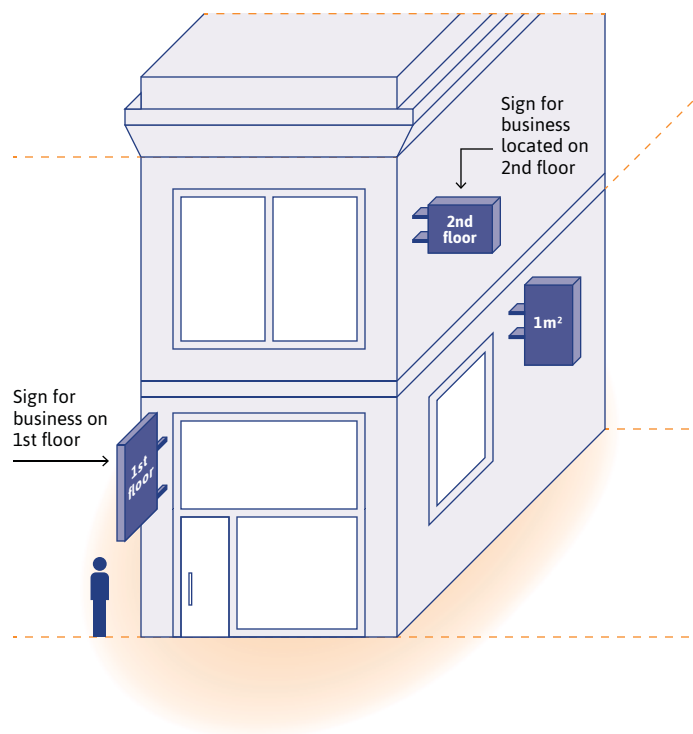
- a. more than 1.2m horizontally from the exterior wall of a building face to which it is attached;
- b. closer than 0.6m to the curb line measured horizontally;
- c. over a lane unless approved by the Director; and
- d. over a wall.

KEY DEFINITION

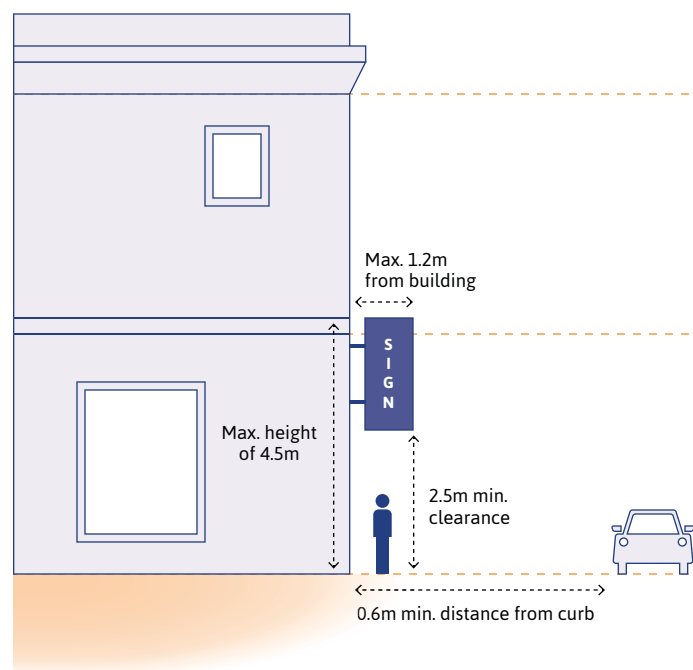
projecting sign

means a sign attached to a wall of a building which projects more than 0.4m (1.3ft) from the face or wall of any building to which it is attached. This does not include canopy or awning signs.

Projecting Sign
Corner perspective



Side perspective



PERMIT REQUIRED



KEY DEFINITION

sandwich board sign

means a temporary, movable double sided [sign](#) sited on the ground which provides the name and logo of the [business](#) as well as daily specials or events but does not include corporate logos of products sold in the [business](#).

3.8 Sandwich Board Signs**General / Location**

3.8.1 [Sandwich board signs](#) shall be permitted within District A, but when located on a [street](#), shall:

- a. be located in front of the [business](#) it serves;
- b. despite a) above, a [business](#) not located on Baker Street may place it at the nearest Baker Street corner at the discretion of the [Director](#);
- c. be located within 1.0m from edge of curb or directly abutting the building;
- d. maintain a minimum 1.8m wide unobstructed pedestrian corridor along the sidewalk or walkway;
- e. not interfere with a designated walking corridor, crosswalk landscape planters, street furniture, bicycle racks, street trees, or fire hydrants; and
- f. be removed for snow clearing operations.

Number

3.8.2 The maximum permitted number of [sandwich board signs](#) is:

- a. one per [business](#); or
- b. in the case of a building with more than one [business](#), one per 4.5m of [lot frontage](#).

Sign Area, Construction and Dimensions

3.8.3 The dimensions of a [sandwich board sign](#) shall have a maximum:

- a. [area](#) of 0.5m²;
- b. [height](#) of 1.1m; and
- c. width of 0.5m.

3.8.4 The construction of [sandwich board](#) shall:

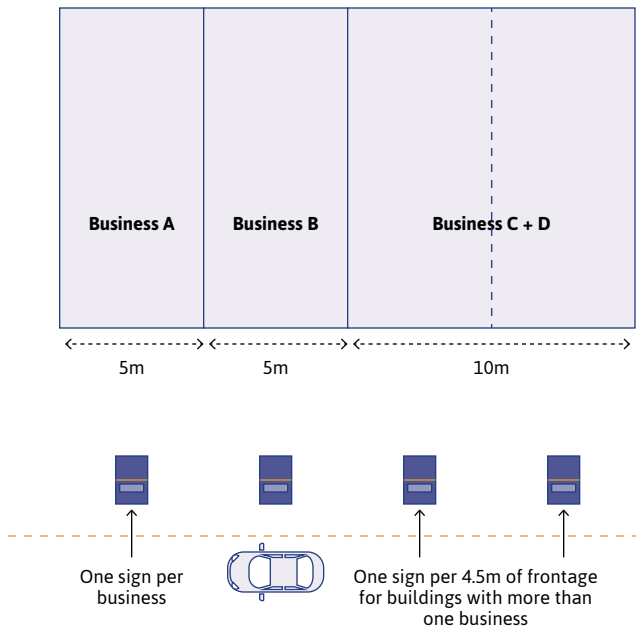
- a. include sturdy hinges at the top or stable footings depending on the design;
- b. be painted to be durable and waterproof; and
- c. except for messaging on chalkboards, shall not include any temporary advertisement.

Sandwich Board Signs for Community Events

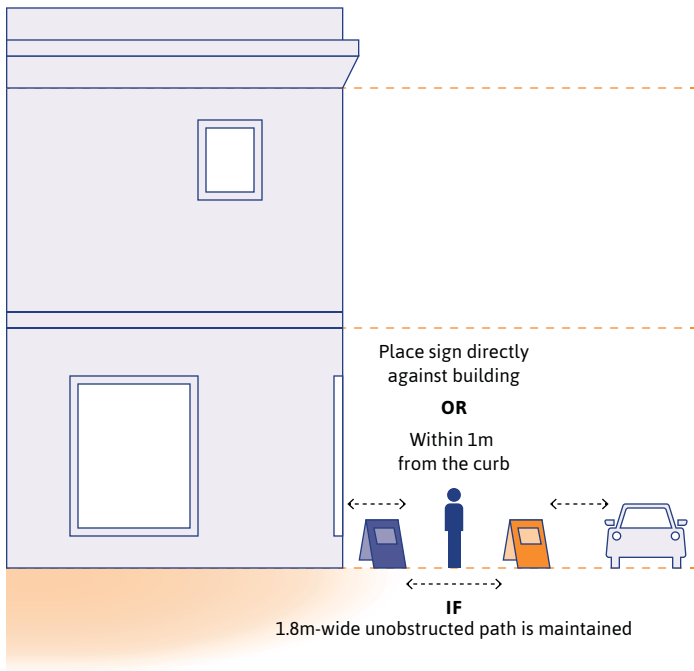
3.8.5 The [Director](#) may discretionally approve one or more [sandwich board signs](#) to advertise a [community event](#).

Sandwich Board Sign

Aerial perspective



Sidewalk perspective



PERMIT REQUIRED



3.9 Window Signs

General / Location

- 3.9.1 Window signs shall be permitted in all zones except for residential zones.
- 3.9.2 Window signs shall be made out of cut-out vinyl letters or graphics which are applied to the inside of the window or directly painted on the window.

Area of a Sign

- 3.9.3 Window signs shall occupy no more than 25% of a window.



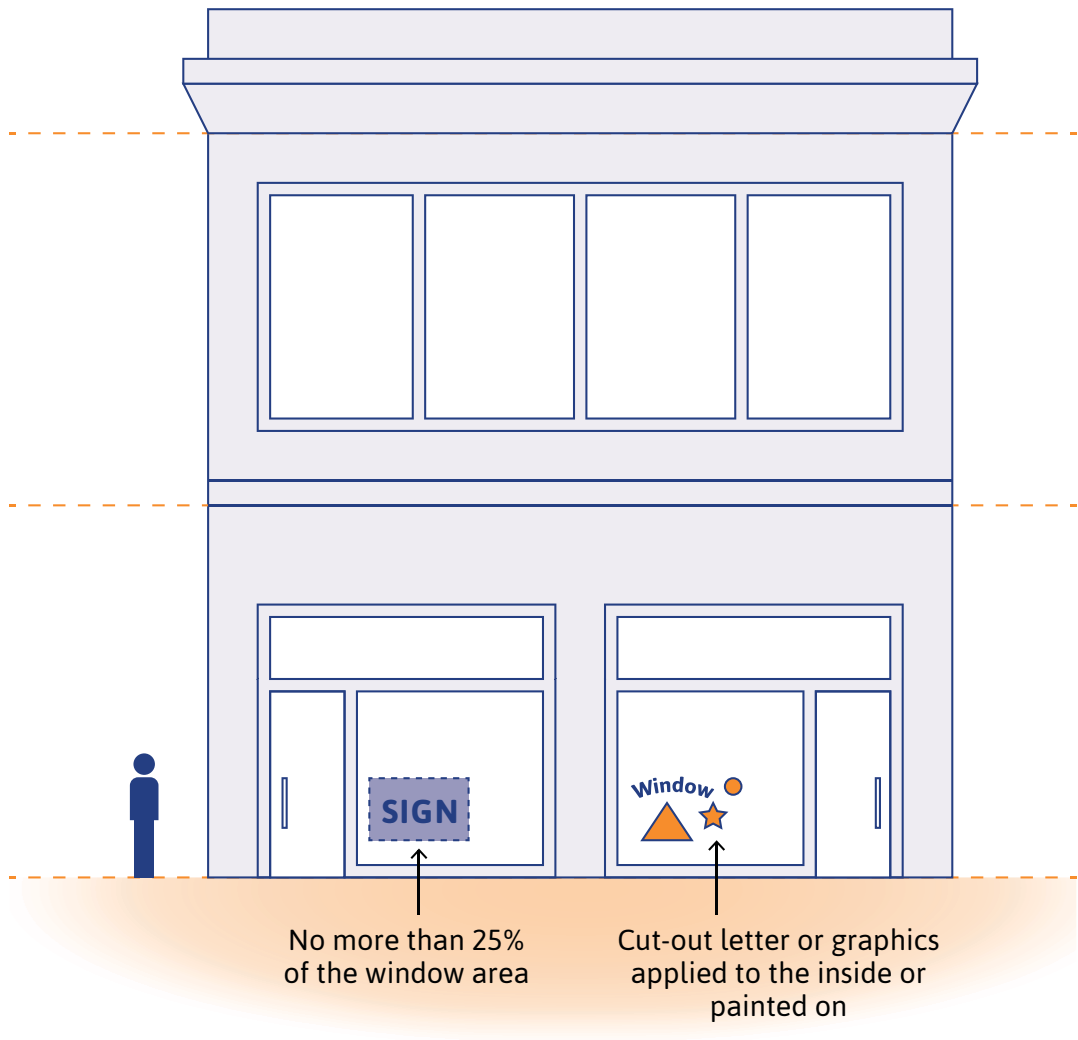
KEY DEFINITION

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.



Window Sign
Front perspective



4. Restrictions

4.1 Signs Prohibited in all Zones

- 4.1.1 Signs that are not expressly permitted in this Bylaw are prohibited and without restricting or limiting the generality of the foregoing, the following signs are specifically prohibited:
- a. Signs with electronic moving copy;
 - b. Signs with electronic static copy;
 - c. Any commercial pennant, ribbon, streamers, or spinner sign or other moving, fluttering devices;
 - d. Any inflatable signs;
 - e. Any sign incorporating a searchlight, strobe lights, flashing lights or emit sounds or be interactive in any way;
 - f. Any signage emitting excessive light over the property line.
 - g. Any sign mounted on / or supported by a balcony, fence or other similar structures;
 - h. Billboard signs;
 - i. Portable signs;
 - j. Roof signs;
 - k. Third-party signs;
 - l. Signs affixed to utility poles or trees;
 - m. Signs on a street, other than those approved through an Encroachment Agreement or sandwich board signs; and
 - n. Any sign on a vehicle or trailer used primarily as a static advertising display but not if said vehicle is used in the normal day to day operations of the business; and
 - o. Any sign that is deemed to be amateurish or not professionally designed.

4.2 Sign Location Prohibitions

- 4.2.1 No sign shall extend or overhang into a neighbouring property, and no sign shall project on a street except where an Encroachment Agreement has been entered into with the City.
- 4.2.2 Every sign except where specifically exempted under this Bylaw must be placed on the same property as the advertised business to which it refers and, in addition, awning, canopy, fascia, and projecting signs must be located on the building face of the advertised business.
- 4.2.3 No sign shall obstruct any door, fire exit, fire escape, passageway, stairway, walkway, window ventilator or similar feature.
- 4.2.4 No sign shall obstruct access to a public utility pole, wire, support or attached equipment.
- 4.2.5 All signs shall be installed on the same storey and same business frontage of the building occupied by the business to which they relate except for business directory signs or menu boards.

PROHIBITED SIGNS



Electronic signs



Spinner signs



Inflatable signs



Balcony signs



Billboard signs / Third-party signs



Portable signs



Roof signs



Signs on utility poles



Vehicles used as signs



5. Design Guidelines

5.1 No signs in District A shall be permitted unless they comply the following design guidelines:

- a. Exposed surfaces of signs shall not be predominately constructed of fiberglass, Plexiglass, plywood that hasn't been stained, painted or weatherproofed, particleboard, coroplast or other similar materials;



Treated natural /
traditional materials ☒



- b. In the case of an awning sign, lettering shall be painted or applied vinyl or incised;



Awning with simple lettering
complimentary to the building ☒



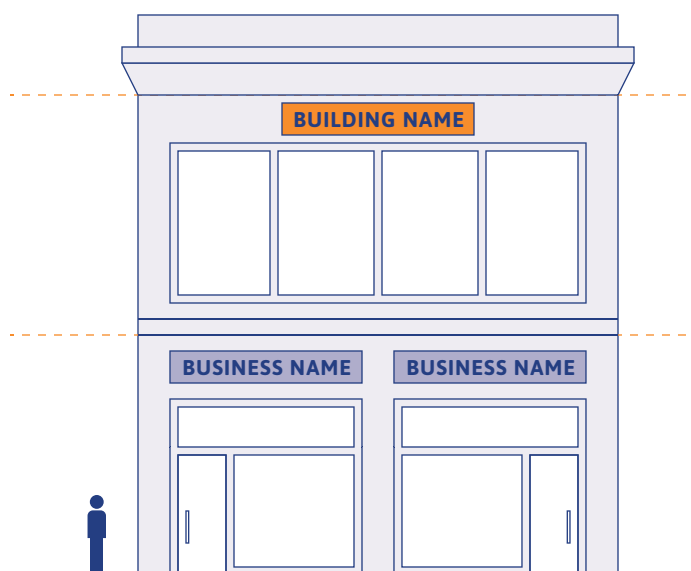
- c. In the case of a [fascia sign](#) is limited to the first [storey](#) and when possible above the first floor windows;
- d. Despite c), a [fascia sign](#) depicting the name of the building may be located above the first [storey](#);



Fascia sign
on second storey ☒



Fascia sign on
first storey window ☒



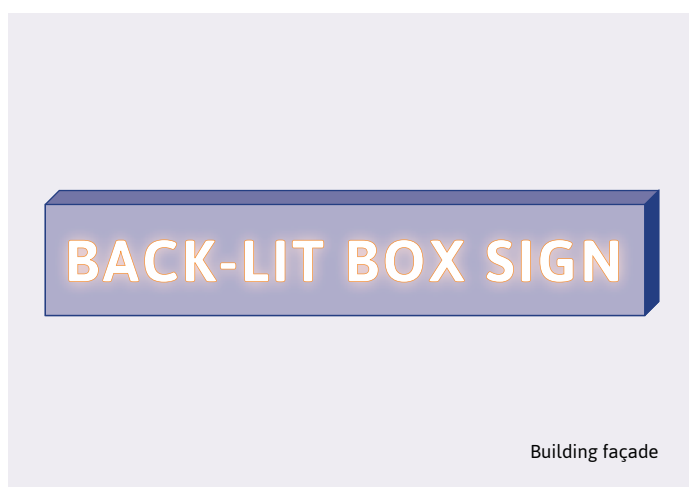
- e. Limited use of rear-lighting is permitted, provided it is restricted to the name of the building or principal [business](#) only and further restricted to:
- in the case of a [back-lit box sign](#), only the letters, symbols or graphic work are illuminated and the remainder of the [sign](#) is a solid opaque [sign](#) face;
 - individual halo-lit lettering or symbols mounted on a solid opaque background;
 - [awning](#) or [canopy signs](#) where only the letters or symbols are rear-lit, the remainder of the [awning](#) or [canopy](#) being a solid opaque fabric.



Sign with 3D lettering and opaque background ☒



Fascia sign with indirect lighting ☒



Opaque backing ☒



Illuminated letters ☒

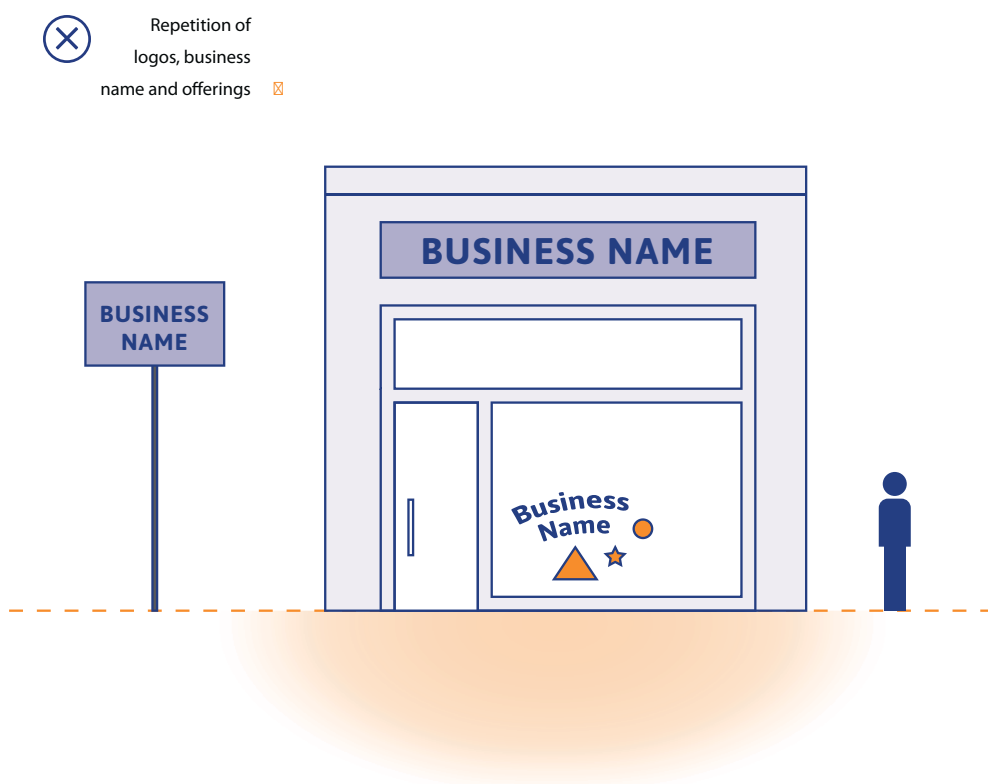
- f. [Freestanding sign](#) mast and mounts shall include ornamental features that are complimentary to the [sign](#) as well as the building;
- g. [Sign](#) colours shall be complimentary to the building façade and avoid stark contrast between the [sign](#) lettering, [sign](#) backing and façade colours; and



Ornamental features ✕



- h. The design and placement of [signs](#) shall be carefully coordinated with both the architectural elements of the façade and other [signs](#) on the façade as well as avoid repetition in logos, [business](#) name and offerings.



6. Relaxations

6.1 Relaxation for signs located in District A

Subject to the provisions of section 6.2 of this Bylaw, if a proposed [sign](#) is located in District A, the [Director](#) may relax:

- a. the permitted [height, sign area](#), vertical dimension or width of a [sign](#); and
- b. the permitted location or number of [signs](#) on a site.

6.2 Considerations regarding Heritage Property and Historic Areas

In determining whether or not to relax the provisions of this Bylaw in accordance with section 6.1 of this Bylaw, the [Director](#) may only consider any one or more of the following:

- a. the heritage value of a [sign](#) or building;
- b. the design and construction of a building;
- c. the context of the adjacent buildings;
- d. potential impacts on adjacent land uses and the [street](#);
- e. the topography or configuration of the site;
- f. the submission of any advisory group, property owner or tenant; and
- g. all applicable Council policies and guidelines.

6.3 Relaxation for Special Event

The [Director](#) may also relax the provisions of this Bylaw if:

- a. the proposed [sign](#) is in relation to a special event; and
- b. the [Director](#) first considers all applicable Council policies and guidelines.

6.4 Relaxation for New Technology

The [Director](#) may also relax the provisions of this Bylaw if:

- a. in the opinion of the [Director](#) the [sign](#) uses or incorporates new technology not contemplated by this Bylaw;
- b. the [sign](#) improves the heritage aspects of the building on which it is affixed; and

- c. the [Director](#) first considers all applicable Council policies and guidelines.

6.5 Conditions on Relaxation

Any relaxation approved by the [Director](#) pursuant to this Part may be limited in time and may be subject to conditions including, but not limited to:

- a. the removal of existing [signs](#) on a lot;
- b. restrictions on the location, number and type of new and existing [signs](#) on a lot;
- c. controls on light levels or hours of operation of illuminated [signs](#);
- d. new or additional landscaping;
- e. other upgrades or changes to existing [signs](#) on a lot; and
- f. safety and construction matters.

6.6 Refusal of Relaxation

Despite the provisions of this Part, the [Director](#) must not relax the provisions of this Bylaw if, in the opinion of the [Director](#):

- a. a relaxation of the regulations would alter the essential character of the neighbourhood;
- b. the proposed [sign](#) is not consistent with the overall intent and purpose of City Bylaws;
- c. the proposed [sign](#) might impact public safety; or
- d. the proposed [sign](#) will negatively affect neighbouring properties.

6.7 Reconsideration by Council

An owner may request that Council reconsider a decision of the [Director](#) under this Part, by making an application for a Variance.

7. Citation

This Bylaw may be cited for all purposes as the “Corporation of the City of Nelson Sign Bylaw No. 3437, 2019” and shall come into force and effect upon its adoption.

Schedule A

