



**DISTRICT OF PORT HARDY
BYLAW NO. 08-2009**

**A Bylaw to Regulate Signs within the District of Port Hardy
Amending Bylaws: 1036-2014 October 28, 2014
1097-2019 June 23, 2019
Consolidated for Convenience only**

GIVEN that Council considers it expedient and desirable to regulate signage in the District of Port Hardy;

The Council of the District of Port Hardy enacts as follows:

1. Citation

This bylaw may be cited as “District of Port Hardy Sign Regulation Bylaw 08-2009”

2. Definitions

In this bylaw:

- (a) “Animated Sign” means a sign which includes action or motion or colour changes of all or any part of the sign.
- (b) “Billboard Sign” means a non-accessory sign which directs attention to a business, commodity, service, entertainment or thing conducted, sold or offered at a location other than the property on which the sign is located.
- (c) “Canopy Sign” means a sign, with or without raised individual letters, which is constructed as an integral part of the curved, oblique or slanting surface of a canopy projecting from the façade of a building or structure.
- (d) “Directional Sign” means a permanent sign that only communicates information regarding vehicular or pedestrian movement on the parcel on which it is located.
- (e) “Directory Sign” means a sign consisting of only the names, locations and home occupations of the occupants of a building or other premises, or the activities of a religious, community or service organization.
- (f) “Façade” means the front or principal face of a building or structure.
- (g) “Fascia Sign” means a single-sided sign, with or without raised individual letters, displayed on and attached to the façade of a building, with its display surface parallel to and not protruding more than 30 cm from the façade and extending neither beyond the width of the building nor above the roof of the building.
- (h) “Flashing Sign” means any directly or indirectly illuminated sign on or in which artificial light is not maintained stationary and constant in intensity and colour at all times.
- (i) “Free Standing Sign” means a sign that is self-supported or supported by a structure that is independent of any building or other structure which may have advertising on any face.

- (j) "Illuminated Sign" means a sign designed to give forth any artificial light, either directly from a source of light incorporated in or connected with such signs or indirectly from an artificial source, so shielded that no direct illumination from it is visible elsewhere than on the sign and in the immediate proximity thereof.
- (k) "Institution" means a hospital, police detachment, government facility, school or post-secondary facility.
- (l) "Non-accessory Sign" means a sign which directs attention to a business, commodity, service, entertainment or thing not related to or located on the property on which the sign is located.
- (m) "Off-site Institution Sign" means a third party sign which indicates the distance and direction to an institution located within the District of Port Hardy.
- (n) "Political Sign" means a sign erected to promote the voting at an election in favour of a particular candidate or in support of a particular cause.
- (o) "Projecting Sign" means a sign, other than a Canopy or Fascia Sign, which is attached to and projects more than 30 cm perpendicular from a structure or building façade.
- (p) "Real Estate Sign" means a sign indicating that the property on which it is located is for sale, rent or has been sold or rented.
- (q) "Roof Sign" means a sign located wholly above the roof line.
- (r) "Sandwich Board Sign" means a free standing portable sign consisting of two panels that are hinged on their upper edges.
- (s) "Sign" means any structure, device or visual display which communicates information or attracts the attention of persons for any purpose and which is visible from a street, but does not include stained glass windows or windows with painted artwork provided they do not include advertising messages.
- (t) "Sign Area" means the total area within which the face of a sign could be completely contained. The area of a free standing sign shall be exclusive of any supporting structure but shall include the sum of all faces visible to the public.
- (u) "Temporary Sign" means a sign displayed for a limited period of time in accordance with this bylaw.
- (v) "Warning Sign" means a sign warning of a danger to persons or property.
- (w) "Window Sign" means a sign affixed in any manner or form to the interior or exterior of a window including a window in a door and visible from a street.
- (x) "*Zones*" means the corresponding zones into which the District of Port Hardy is divided in accordance with District of Port Hardy Zoning Bylaw No. 1010-2013.

3. Permits and Approvals

- (a) Except as provided in s. 4, every person shall, before erecting, placing, rebuilding, reconstructing, altering or moving any sign, make application for and obtain all necessary permits and approvals as required by the District of Port Hardy.
- (b) Every application shall be accompanied by:
 - (i) Plan or plans of the sign drawn to scale.
 - (ii) The dimensions, maker's name and weight of the sign and, where applicable, the dimensions of the wall surface of the building to which it is to be attached.
 - (iii) The maximum and minimum height of the sign.
 - (iv) The proposed location of the sign in relation to the façade of the building, in front of which it is to be erected.
 - (v) The proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated.
 - (vi) If the sign is to be illuminated, the colours to be used and the technical means by which this is to be accomplished.
 - (vii) A sketch showing where the sign is to be attached to the existing building.
- (b) Signs that are not specifically permitted in this bylaw are prohibited.

4. Signs Not Requiring a Permit

- (a) Notwithstanding subsection (3)(a), the following sign types are permitted in all zones and do not require a permit:
 - (i) temporary fascia, freestanding or window signs of not more than 0.5 m² pertaining to the sale, lease, hire, rental or viewing of the property on which the sign is located;
 - (ii) temporary fascia, freestanding, window or fence signs of not more than 0.5 m² per contractor providing information on the contractors or consultants engaged in the construction, alteration or demolition of a building or structure;
 - (iii) temporary fascia, freestanding or window signs pertaining to a political campaign or election;
 - (iv) "No trespassing" or other warning signs;
 - (v) directional signs including fascia and freestanding signs providing information with regard to points of entry and exit, traffic circulation, access, parking or floor plan of the property or building on which the sign is located;
 - (vi) any sign erected on land owned by or under the responsibility of the District of Port Hardy including, but not limited to, parks and highways, or any sign authorized by or erected by the District of Port Hardy,

Regional District of Mount Waddington, Province of British Columbia or Government of Canada;

- (vii) any sign displayed pursuant to the *Highways Act*, the *Motor Vehicle Act*, the *Local Government Act* or any other statute,
- (viii) any sign displayed pursuant to the District of Port Hardy Development Application Procedures Bylaw; or
- (ix) directory signs including any fascia, freestanding or window sign providing the name, address or home occupation of the occupant of the dwelling or premises on which the sign is located.

5. Prohibited Signs

- (a) The following types of signs are not permitted in any zone:
 - (i) Animated signs
 - (ii) Billboard signs
 - (iii) Flashing signs
 - (iv) Non-accessory signs
 - (v) Roof signs
 - (vi) Any sign that obstructs any part of a doorway, public road or right-of-way, fire escape or in any location where it might obstruct pedestrian, handicapped or vehicular traffic.
- (b) As an exception to subsection 5(a)(iii), a flashing “Open” sign may be installed in all commercial and industrial zones, provided the sign does not exceed 0.2 m².
- (c) As an exception to subsection 5(a)(iv), off-site institution signs may be installed as highway signs under permit from the District.

6. Illuminated Signs

- (a) All canopy, fascia, freestanding, projecting and window signs may be illuminated.
- (b) The lighting source for illuminated signs must be downcast or shielded so as not to cast light upwards or to shine directly onto neighbouring premises or into the direction of oncoming traffic.

7. Erection of Signs

- (a) No person shall erect, construct, paint or post on a building or structure, or otherwise exhibit a sign within the municipality except:
 - (i) a sign permitted by this Bylaw, or

- (ii) a sign that complies with the regulations of this bylaw and that relates to or identifies a use on the property on which the sign is located,

unless the sign is within a building and not visible from outside of the building.
- (b) No person shall erect a sign that interferes with the ability of drivers of motor vehicles to see:
 - (i) oncoming traffic proceeding on the highway adjoining the sign or on intersecting highways, or
 - (ii) a traffic control device.
- (c) No sign, nor any guy, stay, or attachment thereto shall be erected, placed or maintained by any person on rocks, fences or trees, except in the case of temporary signs complying with this bylaw which are painted upon or affixed to a temporary construction fence or boarding erected on a construction site only, for a time period not exceeding the period of construction. No sign, guy, stay, or attachment thereto shall interfere with any electric light, power, telephone or telegraph wires, or the supports thereof.
- (d) Every sign shall be of such a design that all framework and other rigid devices required for the lateral support of the sign shall be contained within the sign's body or within the structure or building to which it is attached, in such a manner as not to be visible to any person.
- (e) A comprehensive sign plan may be required for the business premises which occupy the entire frontage in one or more block fronts or for the whole of a commercial/retail development. Such a plan shall include the location, size, height, colour, lighting and orientation of all signs.
- (f) No temporary sign may be left in place for more than two months or, in the case of real estate signs, until the premises are sold, leased or rented, whichever is longer. In the case of community event or activity signs and political campaign or election signs, these may not be erected more than 30 days prior to the event or election and must be removed not more than seven days after the event or election.

8. Types of Signs

- (a) The following signs are permitted in residential zones:
 - (i) Home Occupation;
 - (ii) Bed and Breakfast identification signs;
 - (iii) real estate signs;
 - (iv) political signs: and
 - (v) Sandwich Board signs.

- (b) The types of signs permitted in all zones are prescribed in Sign Schedule B.
- (c) Sandwich board signs are permitted in commercial zones subject to the following regulations:
- (i) A sandwich board sign will be permitted on municipal sidewalks provided there is a clear path of 152 cm (60") to accommodate residents requiring mobility assistance and/or assistance animals;
- (ii) A sandwich board sign will only be permitted provided that an application for placement is applied for and obtained and subject to all other conditions as may be required by the District of Port Hardy;
- (iii) The sandwich board sign shall be restricted to one sign per business and placed on or immediately adjacent to the same property as the premises to which the subject matter of the sign is located;
- (iv) No sandwich board sign shall be illuminated or electrified; and
- (v) The sign shall not exceed a maximum of 0.74 m² per side except when placed on a sidewalk abutting the place of business in which case the sign shall not exceed a maximum size of 0.557 m² and shall permit unobstructed pedestrian and handicap passage.
- (d) Sandwich board signs are permitted in R-1, R-2, R-3 and RR-1 zones subject to the following regulations:
- (i) A sandwich board sign may be permitted for home based businesses as an alternative to a free standing or fascia sign;
- (ii) A sandwich board sign will only be permitted provided that an application for placement is applied for and obtained and subject to all other conditions as may be required by the District of Port Hardy;
- (iii) The sandwich board sign shall be restricted to one sign per property and placed on the same property as the premises to which the subject matter of the sign is located;
- (iv) No sandwich board sign shall be illuminated or electrified;
- (v) The sign shall not exceed a maximum of 0.74 m² per side.
- (e) Freestanding Bed & Breakfast signs must not be located within two metres of the front lot line. In the case of a corner lot, the sign must not come closer to the intersection than the area bounded by the intersection lot lines at a street corner and a line joining points along said lot line 6 metres from their points of intersection.
- (f) A fascia sign shall not protrude more than 30 cm from the façade and shall not extend beyond the width of the building nor above the roof of the building.

Amended
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9. Enforcement

- (a) No person shall erect, place, rebuild, reconstruct, alter or move any sign or do any act contrary to or in a manner contrary to any direction, instruction, specification or provision contained in or adopted by this bylaw or any notice lawfully given or posted pursuant to the provisions of this Bylaw.
- (b) Where any sign or part thereof contravenes this bylaw or where any sign is in such a condition as to be in danger of falling or is a menace to the safety of persons or property, the Building Inspector shall give to the owner, or occupier of the lot on which the sign is located, or to the person in charge of the sign, written notice specifying the danger or the violation, ordering the cessation thereof and requiring either the removal of the sign or the carrying out of remedial work in the time and in the manner that the notice shall specify.

10. Offence and Fine

Every person who contravenes a provision of this bylaw is guilty of an offence is liable on summary conviction to a fine of not more than ONE THOUSAND DOLLARS (\$1,000.00).

11. Severability

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

12. Schedules

Schedule A – Regulations for Signs Permitted in All Zones
Schedule B – Regulations for Signs Permitted in Specific Zones

Read a first time this 8th day of September, 2009.

Read a second time this 8th day of September, 2009.

Read a third time this 8th day of September, 2009.

Adopted this 13th day of October, 2009.

Original signed by:

Director
of Corporate Services

Mayor

Certified to be a true copy of District of Port Hardy
Sign Regulation Bylaw 08-2009.

Director of Corporate Services

Sign Schedule A

REGULATIONS FOR SIGNS PERMITTED IN ALL ZONES

TYPE OF SIGN	MAXIMUM SIZE	FORM	APPEARANCE	LOCATION	NUMBER
Community Activity	1 m ²	any	unilluminated	below eaves	1 facing each highway
Directional	1 m ²	surface or free standing	unilluminated fixed	below eaves or ground	as many as required
Directory	2 m ²	surface or free standing	unilluminated fixed	front yard or entrance	1 for each entrance
Home Identification	1 m ²	surface or free standing	unilluminated fixed	front yard or front wall of residence	1
Political	1 m ²	surface or free standing	unilluminated fixed	below eaves	1 facing each highway
Public Building	1 m ²	surface or free standing	unilluminated fixed	below eaves	1 facing each highway
Prohibition	1 m ²	surface or free standing	unilluminated fixed	below eaves	1 facing each highway
Real Estate	1 m ²	free standing	unilluminated fixed	ground	1 facing each highway
Warning	1 m ²	surface or free standing	unilluminated	below eaves	any number

**SIGN SCHEDULE B
REGULATIONS FOR SIGNS PERMITTED IN SPECIFIC ZONES**

Types of Signs Permitted in Specific Zones and Provisions						
Zone	Canopy	Fascia	Free-standing	Projecting	Sandwich Board	Window
R-1: Single Detached Residential	X	One per parcel, max 0.56 m ²	One per parcel, max 0.56 m ² , max height 1.2 m	X	One per parcel, max height 1.0 m, max width 0.6 m <small>Amended BL 1097-2019</small>	One per parcel, max 0.56 m ²
R-1s: Strata Residential	X	One per parcel, max 0.56 m ²	One per parcel, max 0.56 m ² , max height 1.2 m	X	X	One per parcel, max 0.56 m ²
R-2: Duplex Residential	X	One per parcel, max 0.56 m ²	One per parcel, max 0.56 m ² , max height 1.2 m	X	One per parcel, max height 1.0 m, max width 0.6 m <small>Amended BL 1097-2019</small>	One per dwelling unit, max 0.56 m ²
R-3: Manufactured Home Residential	X	One per parcel, max 1.0 m ²	One per parcel, max height 2.7 m, max 1.0 m ²	X	One per parcel, max height 1.0 m, max width 0.6 m <small>Amended BL 1097-2019</small>	One per dwelling unit, max 0.56 m ²
RM-1: Multiple Unit Residential	X	One per parcel, max 1.0 m ²	One per parcel, max height 2.7 m, max 1.0 m ²	X	X	One per dwelling unit, max 0.56 m ²
RR-1: Rural Residential	X	One per parcel, max 0.56 m ²	One per parcel, max 0.56 m ²	X	One per parcel, max height 1.0 m, max width 0.6 m <small>Amended BL 1097-2019</small>	One per dwelling unit, max 0.56 m ²
C-1: General Commercial	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
C-2: Service Commercial	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
C-3: Town Centre Commercial	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater

Zone	Canopy	Fascia	Free-standing	Projecting	Sandwich Board	Window
C-4: Commercial Animal Services	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
C-5: Tourist Commercial	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
M-1: Marine Commercial	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
M-2: Marine Industrial	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
M-3: Marine Forest Industrial	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
M-4: Seaplane Base	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
W-1: Waterfront	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
I-1: Light Industrial	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
I-2: Heavy Industrial	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
A-1: Airport	Any number, copy on max 25% of canopy area	Any number and size	Any number and size	Any number and size	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater

Zone	Canopy	Fascia	Free-standing	Projecting	Sandwich Board	Window
P-1: Parks and Open Space	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
P-2: Institutional	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
GH-1: General Holdings	Any number, copy on max 25% of canopy area	One per bldg face, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
CD-1: Comprehensive Development 1	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
CD-2: Comprehensive Development 2	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
CD-3: Comprehensive Development 3	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
CD-4 Comprehensive Development 4	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
CD-5: Comprehensive Development 5	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
CD-6: Comprehensive Development 6	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater

Zone	Canopy	Fascia	Free-standing	Projecting	Sandwich Board	Window
CD-7: Comprehensive Development 7	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
CD-8: Comprehensive Development 8	Any number, copy on max 25% of canopy area	One per business, max height 2.7 m	One per property, max height 5 m	One per business, max 0.4 m ²	One per business, max height 1.0 m, max width 0.6 m	One per business, max 1.0 m ² or 25% of the window area, whichever is greater
CD-9: Comprehensive Development 9	X	One per parcel, max 1.0 m ²	One per parcel, max height 2.7 m, max 1.0 m ²	X	X	One per dwelling unit, max 0.56 m ²
CD-10: Comprehensive Development 10	X	One per parcel, max 1.0 m ²	One per parcel, max height 2.7 m, max 1.0 m ²	X	X	One per dwelling unit, max 0.56 m ²

X= Not permitted

Notes: Maximum size for fascia and free-standing signs:

on business frontage up to 8 m 1.5 m²

on business frontage over 8 m and up to 16 m 2.0 m²

on business frontage over 16 m 2.5 m²

“max” as noted in Sign Schedule B is short form for the word "maximum".