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PART 9 - PLANNING  
Division 3 - Signs

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Subdivision 1 - Applications and Compliance

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2017, 2022

- 9.3.1.
1. No sign shall be erected, placed, altered, maintained, demolished, or removed unless in conformity with this bylaw or any other relevant District bylaw.
  2. Where referenced, zones are described by Part 9, Division 2 of the Kitimat Municipal Code.
  3. This bylaw shall not apply to signs erected by the District of Kitimat, including:
    - a. signs on or over city streets installed or authorized by the city engineer for the control of traffic and parking;
    - b. signs indicating street names and direction;
    - c. signs indicating hazards, prohibitions and penalties;
    - d. public notice signs.

Subdivision 2 - Non-Conforming Signs

- 9.3.2.
1. Any sign lawfully in existence at the time of the adoption of this bylaw, although such sign does not conform with the provisions of this bylaw, may continue to be used, provided it is maintained in a safe condition.
  2. Any sign lawfully in existence at the time of the adoption of this bylaw, shall not be rebuilt, reconstructed, altered or moved unless in conformity with the provisions of this bylaw.

Subdivision 3 - Prohibitions

- 9.3.3.
1. The following signs shall not be permitted within the District of Kitimat:
    - a. billboard signs;
    - b. roof signs;
    - c. signs not specifically permitted by this bylaw;

Subdivision 3 - Prohibitions (Continued)

- 9.3.3. 1. d. signs on vacant lots, except:
- (1) contractor signs naming project, architect, engineer or contractor;
  - (2) sign for community cause or festivities, charitable fund raising or Election Signs;
  - (3) real estate or subdivision sign.

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Subdivision 4 - General Regulations

- 9.3.4. 1. Every sign shall be maintained in a clean, neat and safe condition.
2. No sign shall be flashing unless specifically permitted herein.
3. No sign shall obstruct any part of a doorway, exit or fire escape or be placed in such a manner as to interfere with any electric light, power, telephone or telegraph wires, or the support thereof.

Siting and Location Standards

4. Except as otherwise provided in this bylaw:
- a. no sign shall project or extend above any eaves line, parapet wall or roof line of a building;
  - b. (1) no person shall place, erect, or suspend or cause to be placed, erected or suspended any structure or sign over any sidewalk, street or other public place, except for a canopy, without first entering into an encroachment agreement with the District of Kitimat;
  - (2) no part of any canopy or sign shall be less than 2.5 metres above any municipal sidewalk, or other public place, and no part of any canopy or sign shall extend closer than one and one-half (1.5) metre to the travelled portion of any street or lane;

Subdivision 4 - General Regulations (Continued)

- 9.3.4. 4. c. (1) no sign shall, by reason of its location, colour, action or intensity, create a hazard to the movement of vehicular or pedestrian traffic;
- (2) at intersections, there shall be no obstruction to the line of vision from the ground to 3 metres above the established grade of streets within an area bounded by the centre lines of intersecting or intercepting streets and a line joining a point on each of the centre lines TWENTY-FIVE (25) metres from their intersection, provided that signs erected by the District of Kitimat and utility poles shall not be considered obstructions for this purpose;
- d. (1) no signs for community causes and festivities, or charitable fund raising campaigns purposes shall be erected on public space without obtaining a temporary permit subject to the following conditions:
- (a) a written request to erect or display any such signs together with a total deposit of \$50.00 shall be submitted to the Chief Administrative Officer or delegate before any sign is proposed to be erected, giving the dates for which such sign or signs are required, and the type, size and proposed location of each sign;
- (b) no such temporary sign shall be erected or displayed until a permit has been issued by the Chief Administrative Officer or delegate. Such a permit shall not be for a period exceeding THIRTY (30) days;
- (c) the deposit shall automatically be forfeited if each and every sign covered thereby is not removed by the end of the permitted period.

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Subdivision 5 - Temporary Signs

- 9.3.5. 1. Unless otherwise specified, a temporary sign may be a fascia or a freestanding sign.
2. Unless otherwise stated, temporary signs may be displayed in all land use zones.
3. Temporary Signs shall be permitted subject to the provisions contained in this subdivision.

<b>a. Community Activity Signs</b>	<b>Maximum Area (m<sup>2</sup>)</b>	<b>Maximum Height (m)</b>	<b>Duration (days)</b>	<b>Conditions</b>
All Zones	3	2.5	30	May be erected on public property subject to provisions of 9.3.4.4.d
<b>b. Contractor Signs</b>	<b>Maximum Area (m<sup>2</sup>)</b>	<b>Maximum Height (m)</b>	<b>Duration (days)</b>	<b>Conditions</b>
Residential R1-A, R1-B, R1-C, R2-A, R2-B, R6-A	1.5	2.5		a. Limit One Sign per Lot
All Multi-Family Residential, Commercial, Industrial, and Greenbelt Zones (except G2)	3	2.5		b. May only be displayed during construction
<b>c. Election Signs</b>	<b>Maximum Area (m<sup>2</sup>)</b>	<b>Maximum Height (m)</b>	<b>Duration (days)</b>	<b>Conditions</b>
All Zones	3	2.5	As per Subdivision 12	May be erected on public property subject to provisions of Subdivision 12
<b>d. Real Estate Signs</b>	<b>Maximum Area (m<sup>2</sup>)</b>	<b>Maximum Height (m)</b>	<b>Duration (days)</b>	<b>Conditions</b>
Residential R1-A, R1-B, R1-C, R2-A, R2-B, R6-A, R6-B	0.6 per face	2.5		One single or double-faced sign per street frontage; Maximum two signs
Multi-Family Residential (except sale of manufactured homes), Commercial, Industrial, and Greenbelt Zones (except G2)	3 per face	2.5		One single or double-faced sign per street frontage
Real estate signs may be replaced or amended by a sold sign which shall be removed when purchase registered with Land Title Office.				

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Subdivision 5 - Temporary Signs (Continued)

e. Subdivision Signs	Maximum Area (m <sup>2</sup> )	Maximum Height (m)	Duration (days)	Conditions
All Zones	3 per face			One single or double-faced sign per street access to the approved subdivision
Shall be removed within 30 days of completion of a binding contract for the sale of last lot within approved subdivision.				
<b>f. Shipping Container Signs</b>				
Shall be affixed to side of shipping container				
Shall be for sole purpose of promoting the business, company, or supplier using the shipping container.				
Shall comply with regulations on sign dimensions				

Subdivision 6 - Permanent Signs

9.3.6. 1. Permanent Signs shall be permitted subject to the provisions contained in this subdivision.

<b>a. Canopy Signs</b> (includes signs suspended from a canopy)	<b>Maximum Area</b>	<b>Maximum Projection</b>	<b>Minimum Clearance</b>	<b>Conditions</b>
Greenbelt G1, G4, G5-A, G6-A All Commercial and Industrial Zones	1.0m <sup>2</sup> for each 3m of canopy length	0.3m from canopy face	2.5m above finished grade	Signs must not extend or project beyond horizontal limit of canopy.
Sign Suspended from Canopy			2.5m above finished grade	Parallel or perpendicular to building face.
<b>b. Directional Signs</b>	<b>Maximum Area (m<sup>2</sup>)</b>	<b>Maximum Height (m)</b>	<b>Conditions</b>	
Multi-Family Residential: R3-A, R3-B, R3-C, R4-A, R5-A, R6-B Greenbelt: G1, G2, G4, G5, G5-A, G6-A Commercial Zones Industrial Zones	1.5	2.5 when freestanding	May be fascia or freestanding	
<b>c. Fascia Signs</b>				
Greenbelt: G1, G2, G5, G5-A, G6-A Commercial Zones Industrial Zones	Function: advertising, directional, and identification signs. Maximum 20% of building face to which sign is attached. May not extend beyond building face.			
<b>d. Freestanding Signs</b>	<b>Maximum Area (m<sup>2</sup>)</b>	<b>Maximum Height (m)</b>	<b>Conditions</b>	
Greenbelt: G1, G2	3	2.5	One single or double-faced sign	
Commercial: C4, C5	3	9		
Greenbelt: G4, G5, G5-A, G6-A Commercial: C1, C2, C6, C7, C8, C9, C10, C11, C12, C13 Industrial Zones	6	9	One single or double-faced sign; plus, in C9, one freestanding sign not exceeding 2.8 m <sup>2</sup> and 2m high is permitted.	
Commercial: C1, C5, C11, C12, C13	12	9	For a hotel or motel	
Commercial: C3	4.5	9		
Signs may be used for advertising, directional, and identification signs.				
Signs may have two faces, each may be maximum area specified.				

Signs exceeding 3 m <sup>2</sup> shall have minimum 18m from nearest residential property line.
Freestanding signs may be located within a required yard.
Freestanding signs in Commercial C1 and all Industrial Zones may be flashing.

**Subdivision 6 - Permanent Signs (Continued)**

<b>e. Projecting Signs</b>	<b>Maximum Area</b>	<b>Minimum Clearance</b>	<b>Conditions</b>	
Greenbelt: G4, G5, G5-a, G6-A Commercial: C1, C2, C6, C7, C8, C10, C11, C12, C13 Industrial Zones	2.5m <sup>2</sup> per face	2.5m above finished grade	One projecting sign per building face. One sign only in G4, G5, G5-A, G6-A, C8 and C10. Two signs in C1, C2, C5, C6, and All Industrial Zones.	
<b>f. Identification Signs</b>	<b>Maximum Area (m<sup>2</sup>)</b>	<b>Maximum Height (m)</b>	<b>Number of Signs</b>	<b>Conditions</b>
Residential R1-A, R1-B, R1-C, R2-A, R2-B, R6-A	0.3	2 when freestanding	Limit 1 sign, plus 1 for Home Occupation	
Home Occupation R1-B, R1-C, R2-a, R2-B, R6-A	0.2			
Greenbelt G3, G3-A, G3-B, G3-C, G4, G5, G5-A	0.6	2.5 when freestanding		
Home Occupation G3, G3-A, G3-B, G3-C, G4, G5, G5-A	0.4			
Residential R3-A, R3-B, R3-C, R4-A, R5-A, R6-B	0.6	2 when freestanding		for sites less than 1860m <sup>2</sup>
	3	2.5 when freestanding		for sites more than 1860m <sup>2</sup>
Home Occupation R3-A, R3-B, R3-C, R4-A, R5-A, R6-B	0.2			
Identification signs may be fascia or freestanding. Freestanding signs may be single or double-faced				
<b>g. Shipping Container Signs</b>				
May be used in Industrial and Commercial Zones to promote a business which is the source of, or company using, shipping container.				

Subdivision 7 - Application and Issuance of Sign Permits

9.3.7. Permits Required

1. No person shall erect, place, alter or remove any sign, except those exempted in 9.3.8.1. unless an application has been made in writing to the Building Inspector and a Building/Planning Permit for such purposes has been obtained.

Information Required for Permit Application

2. Where applicable, an application for a Building/Planning Permit shall provide the following information:
  - a. the applicant's name and address;
  - b. the legal description and street address of the property, building or structure upon which the sign is to be located;
  - c. the sign manufacturer's name and address;
  - d. plans drawn to scale giving the dimensions of the sign and the supporting members;
  - e. the maximum height and clearance of the sign;
  - f. the weight of the sign and where applicable, the dimensions of the wall surface of the building to which it is to be attached;
  - g. the proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated;
  - h. the size and location of all existing signs on the property and/or buildings;
  - i. cost of the sign;
  - j. description of advertising copy or wording to be displayed;
  - k. structural, footing details, and materials specifications for proposed signs;
  - l. if the sign is to be illuminated or animated, the colours to be used and the technical means by which this is to be accomplished.



Subdivision 8 - Signs Not Requiring a Permit

9.3.8. 1. The following signs may be permitted without application for a Building/Planning Permit. However, signs shall conform to all other regulations of the Division where applicable:

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- a. community activity signs;
- b. Election Signs;
- c. identification or directional signs providing that signs do not exceed 0.3 m<sup>2</sup>;
- d. real estate signs;
- e. temporary signs.

Subdivision 9 - Permit Fees

9.3.9. 1. Every applicant for a Building/Planning Permit shall pay to the municipality at the time of issuance, fees in accordance to PART 13, Division 3, of the Kitimat Municipal Code, which states as follows:

"Signs" - Home Occupation	\$ 5.25
"All other signs for which a Building/Planning Permit is required"	\$ 7.90

Subdivision 10 - Issuance of Permit

9.3.10. 1. Where the Building Inspector is satisfied that the application for a Building/Planning Permit complies with the provisions of the Division and the required fees paid, a permit shall be issued.

Conditions of Permits

- 2. The Building Inspector may require as a condition of the Building/Planning Permit, that all drawings and specifications, or any part thereof, shall be prepared by and sealed under the supervision of a registered professional engineer in the Province of British Columbia.
- 3. A permit may be refused until a letter has been provided by a registered professional engineer in the Province of British Columbia, undertaking to supervise the work authorized by the permit or any part thereof which the Building Inspector considers necessary.

Subdivision 10 - Issuance of Permit (Continued)

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4. If the work described in a Building/Planning Permit has not begun within 90 days after the date of issuance of the permit, the permit shall be cancelled and a new permit must be obtained before work is commenced. If the work described in a Building/Planning Permit is not completed within two years of issuance, the permit shall expire and no more work shall take place until a renewal permit has been obtained.
5. A renewal permit shall be valid for a period not exceeding one year but there shall be no restriction on the number of renewal permits which may be issued in respect to any application. No permit renewal other than the first renewal shall be valid unless it is approved by resolution of Council.

Subdivision 11 - Enforcement

- 9.3.11. 1. Every person who violates any provision of this bylaw or who causes or allows any contravention of its regulations, shall be deemed to be guilty of an infraction of this bylaw and shall be liable to the penalties hereby imposed.
- 9.3.11. 2. Where a sign contravenes the provisions of this bylaw or is in danger of falling or a menace to the safety of persons or property, the Building Inspector shall give the owner of the property, owner's agent or person responsible for the violation, written notice specifying the violation, ordering that the violation cease and requiring that remedial measures be taken or work be done in the time and manner specified by the notice. In the event of failure to comply, the municipality may take action and remove the sign or cause such remedial works to be done with resulting costs to be borne by the owner.

Subdivision 12 – Election Signs

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- 9.3.12. 1. Definitions

“Election Sign” means a sign identifying any candidate, group of candidates, slate, elector organization, political party or issue for a federal, provincial, local government, school district, or other government entity Voting Opportunity.

“Large Election Sign” means an Election Sign that:

  - supports or opposes a position or candidate in relation to a Voting Opportunity; and
  - has an area of greater than 0.58 square meters.

“Small Election Sign” means an Election Sign that:

- supports or opposes a position or candidate in relation to a Voting Opportunity; and
- has an area of less than 0.58 square meters.

“Voting Opportunity” means an election, by-election, referendum, alternate approval process petition, plebiscite, or any other event directed as a voting opportunity by District of Kitimat Council resolution.

#### Election Sign Must Conform to All other Regulations

2. Unless otherwise stated, an Election Sign must conform to the general regulations set out in section 9.3.4 of the *Kitimat Municipal Code*.
3. An Election Sign must conform to regulations set out by the Federal or Provincial Governments in relation to Election Signs.
3. Where there is a conflict between the Kitimat Municipal Code on Election Signs and that of the Federal or Provincial Government, the conflicting provisions of the Kitimat Municipal Code on Election Signs shall be severed, with all other sections still being in force.

#### Design of Election Signs

4. Election Signs may not reflect any trademarks, logos, taglines, phrases, or other intellectual property held by the District of Kitimat. No sign may be designed to reflect any association, endorsement, referral, or approval of a candidate or a position within a Voting Opportunity by the District of Kitimat.
5. Notwithstanding Section 9.3.12.4 of the *Kitimat Municipal Code*, the District of Kitimat may use its trademarks, logos, taglines, phrases, or other intellectual property to endorse, refer, associate or approve of a position in regards to an alternative approval process petition in which the District of Kitimat has undertaken to gain elector approval as per Section 86 of the *Community Charter*, SBC 2003, c. 26, when Council is seeking community opinion as per Section 83 of the *Community Charter*, SBC 2003, c. 26, or any other event directed as a voting opportunity by District of Kitimat Council resolution.

#### Election Sign Permit

6. No Election Sign shall be erected on public space without obtaining a temporary permit subject to the following conditions:
  - (a) a written request to erect or display any such signs together

with a total deposit of \$50.00 shall be submitted to the Chief Administrative Officer or delegate before any Election Sign is proposed to be erected, giving the dates for which such Election Sign(s) are required, and the type, size and proposed location of each Election Sign;

- (b) no such Election Sign shall be erected or displayed until a permit has been issued by the Chief Administrative Officer or delegate.
- (c) the deposit shall automatically be forfeited if each and every Election Sign covered thereby is not removed by the end of the permitted period.

#### Election Sign Limitations

- 7. For a voting opportunity initiated by a local government or school district:
  - (a) No more than twenty-five (25) Small Election Signs and six (6) Large Election Signs located on public property within the District of Kitimat boundary;
  - (b) Related to elections promoting a candidate, Election Signs are permitted:
    - a. only within the election period, beginning with the start of the nomination period and ending following general voting on election day;
  - (c) Related to a plebiscite, referendum, or an alternate approval process petition, per third party sponsor:
    - a. No earlier than thirty (30) days prior to the date of the vote, or response deadline, and ending following voting day.
- 8. For a voting opportunity initiated by the federal or provincial Government:
  - (a) No more than fifty (50) Small Election Signs and ten (10) Large Election Signs located on public property within the District of Kitimat boundary;
  - (b) Related to elections promoting a candidate or party, Election Signs are permitted:
    - a. only within the respective election period, beginning with the issuing of a writ of election and ending following general voting on election day;
  - (c) Related to a plebiscite, referendum, alternate approval process petition, per third party sponsor:
    - a. No earlier than thirty (30) days prior to the date of the vote, or response deadline, and ending following voting day.

#### Limitation on Distance between Election Signs

9. For a local government or school trustee election, no person shall erect either a Small Election Sign or Large Election Sign on public property that is located within ten (10) meters of an Election Sign of the same candidate.
10. For a federal or provincial election, no person shall erect either a Small Election Sign or Large Election Sign on public property that is located within ten (10) meters of an Election Sign of the same candidate or party
11. For a plebiscite, referendum, or alternate approval process, no person shall erect either a Small Election Sign or Large Election Sign on public property that is located within ten (10) meters of an Election Sign that shares support or opposition of the same position.

#### Enforcement

12. A Bylaw Enforcement Officer may remove, and the Chief Election Officer may order the removal of, an Election Sign that is placed or permitted to be placed in contravention of any provision of the *Kitimat Municipal Code*.
13. An Election Sign removed in accordance with Section 9.3.12.10 will be stored at a District facility and may be claimed by the owner of the sign. The Bylaw Enforcement Officer or designate will make a reasonable attempt to identify and notify the owner of the Election Sign.
14. An Election Sign removed pursuant to Section 9.3.12.10 and not claimed within seven (7) business days, becomes the property of the District and may be destroyed or otherwise disposed of by the District without notice to the applicant of the sign permit.