

Request for Decision



To: Committee of the Whole
From: **Bylaw Services**
Date: October 10, 2023
Subject: Draft Sign Bylaw 2077
Recommendation: **THAT Committee of the Whole ask Staff to undertake public consultation on the Draft Sign Bylaw 2077 prior to returning to Council for potential first three readings of the bylaw.**

Purpose

Attached is the Draft Sign Bylaw for review and input, as per Council direction to prepare a sign bylaw. Staff is proposing to consult with the public for feedback, prior to presenting the draft bylaw for Council consideration and adoption.

Background

The City does not currently have a sign bylaw to regulate signs throughout the community. The signs in place around the city have been loosely regulated over the years through application of other bylaw requirements like signs requiring building permits, or placed in public space, etc.

Seeing a need to develop a consistent approach to regulating signs, Staff were directed to prepare a draft sign bylaw. In doing so, Staff have reviewed bylaws from various communities in British Columbia for insight on sign types that are most often regulated and different approaches to doing so.

In proposing the City's first sign bylaw, Staff have tried to:

- ensure existing signs are allowed, as much as possible;
- set reasonable limits for type, size, number, and placement, considering current uses;
- anticipate regulations needed for newer sign technology like animated signs;
- require sign permits mainly where size or type makes a permit necessary for safety; and
- avoid duplication of permit processes such as development permits that include signs.

Principles that generally guide the creation of sign bylaws can vary from community to community but generally include and are not limited to:

- regulating placement of signs for safety of pedestrians, motorists and other factors; and
- promoting aesthetics and attractiveness through appropriate signage; and
- ensuring local businesses, institutions, and community organizations can clearly identify themselves and the products and services they have available; and
- ensuring regulatory and other types of signs utilized by government are included or exempted as necessary.

Draft Sign Bylaw 2077

The following highlights can be found in, and form part of, the proposed bylaw:

Section 1 – General Provisions

Table of Contents – For ease of finding relevant information.

- 1.3 **Definitions** – To clarify sign types referred to, as well as commonly used terms.
- 1.4 **General Regulations** – To establish common requirements, where applicable.
- 1.4.4 **Prohibited Signs** – To identify signs not allowed in the city.
- 1.5 **Exemptions** – To identify signs exempt from the bylaw requirements.

Section 2 - General Sign Conditions

To address number of signs, signs forming part of a development permit, sign construction and maintenance requirements, illumination of signs, and how signs that are non-conforming will be managed. A few sections are discussed further:

- 2.4 **Limit on Number of Signs per Business** – This limits the number of signs that require permits to 4 per business, unless otherwise identified in the bylaw. The additional use of other types of signs is outlined in other sections of the bylaw depending on the sign type.
- 2.6 **Non-Conforming Signs** - Are an anticipated concern for local businesses. Permanent installed types of non-conforming signs will be allowed usual maintenance but not structural updates, size changes, or electrical system upgrades. Portable non-conforming signs would be expected to comply with the new bylaw, i.e., sandwich board signs, etc. It is noted in the bylaw that signs are anticipated to over time, arrive at a state of deterioration that will necessitate replacement that complies with the bylaw.

Section 3 - Signs Not Requiring Permits

To address signs that are low-risk and/or non-permanent but that necessitate some regulation such as *Public Flags, Real Estate Signs, Construction Signs, Home Occupation Signs, Parking Control Signs (on private property), Development Notification, Community Signs, Garage Sale Signs, Window Signs, Sandwich Board Signs, Election Signs, etc.* A few of the more common are discussed further:

- 3.4 **Home Occupation Signs** – are limited to one non-illuminated sign for a home-based business. To minimize impact in residential areas, home occupations would not be allowed informational signs off-site to direct traffic to the home occupation, in the same manner a business in a commercial area may.

- 3.10 **Sandwich Board Signs** - are currently used on public property and the proposed bylaw would continue to allow this in a limited manner. Limits proposed on number and placement.
- 3.11 **Election Signs** – acknowledges the signs must comply with the *Election Act* and provides guidelines and restrictions for placement of election signs, including on boulevards and within city property, as well as time limits for eventual removal.

Section 4 - Signs That Require Permits

To address larger permanent type signs that due to size, placement, adding of electrical components, or other related reasons require a permit. Signs that require permits include *Awning and Canopy Signs, Changeable Copy Signs, Free-standing Signs, Projecting or Suspended Signs (often over public sidewalks), Monument Signs, Wall Signs, Animated Signs, and Area Information Signs*. A few of the more common are discussed further:

- 4.1 **Awnings and Canopies and Signs** – Height above grade is a big consideration as these signs often project over public sidewalks. The City's snow clearing equipment must be able to navigate safely under. Additionally, given size and risk to pedestrians, permits and liability insurance are deemed necessary.
- 4.2 **Changeable Copy Signs** – These are mainly along the highway and on the theatre downtown. In other communities, portable changeable copy signs tend to be a problematic type of sign due to proliferation along highways thus the limit on number and location.
- 4.3 **Free-standing Signs** – These tend to be larger signs used by businesses along the highway corridor. The challenge is many are situated within the sight triangle of intersections. The draft bylaw will not allow this type of sign in a sight triangle in the future meaning a number of these signs will become non-conforming. This requirement is consistent with the Zoning Bylaw that prohibits placement of structures within a sight triangle. Where existing signs are within a sight triangle, sign height limits are proposed to facilitate visibility for traffic.
- 4.7 **Animated Signs** – Modern technology is advancing the use of animated signs for advertising. Potential concerns with brightness along roads, has the bylaw propose limits for brightness, number, and size to afford some regulation that is consistent with traffic engineering guidelines of various jurisdictions.
- 4.9 **Sign Permit Requirements** – Sets out criteria for obtaining permits and to enable Staff to effectively manage the inspection requirements for installation.

Section 5 - Temporary Signs

These are low-risk, non-permanent, utilized for short duration but necessitate some minor regulation including: *New Business Signs, Seasonal Market Signs, Mobile Vendor Signs, and Special Event Signs*. A few of the more common are detailed further:

- 5.3 **Seasonal Market Signs** – Acknowledges signs used by the Farmers Market and limits number, placement, and duration of use for signs.
- 5.4 **Mobile Vendor Signs** –Addresses mobile vendor activity and limits the number and placement of signs to 3 (1 on site, plus 1 either side of the site) instead of on utility poles throughout the city. It also specifies that mobile vendors cannot place signs in front of a business that sells a similar product.
- 5.5 **Special Event Signs** – Enables placement of signs temporarily for events in the community but will limit/not allow use during non-event periods of time.

Section 6 - Penalty and Enforcement

Details authority for enforcement and penalties that may be imposed due to a violation of the bylaw requirements.

Additional Considerations

- **Insurance** – In most communities, liability insurance requirements are a best practice approach to risk management of signs placed on or over public land. It is not a current requirement within Grand Forks and therefore is not included within the draft bylaw for most non-permanent signs. Making this a requirement will place additional insurance costs upon businesses and groups using these types of signs. Insurance requirements would also necessitate annual verification which will add to Staff workload and cost and necessitate enacting a permit requirement.

The Committee of the Whole (COTW) would have to ask staff to include annual liability insurance requirements for signs on public property should they deem it necessary.

- **Third Party Advertising** – Third party advertising is typically prohibited in other communities. Businesses are limited to using signs to advertise upon their own property only. This helps to reduce sign “clutter” within a community and to limit the amount of signs upon public property including potential liability concerns.

Third party signs are very common upon public property in Grand Forks including sandwich board signs on the highway as well as signs for businesses not located within the City. The draft bylaw is intended to acknowledge current usage and therefore takes a very limited approach to third party signs.

The COTW would need to ask staff to establish additional regulation or prohibition of third-party advertising should they deem it necessary.

- **Removal of Portable Signs (Outside Business Hours)** – Currently, portable signs tend to be left on the side of the road 24-7. Some communities require portable signs removed by the business outside of regular business hours. The draft bylaw requires removal of community signs but is silent on removal of sandwich board and other portable signs.

The COTW would have to ask Staff to include removal requirements for portable signs outside of business hours, should they deem it necessary.

- **Other Changes** - Any additional changes that Council deems necessary will require direction to Staff for the specific revisions desired within the proposed bylaw.

Benefits or Impacts

General

Benefit

- Establishing consistency in application of requirements for signs.
- Enabling the City to require and regulate signs in a manner consistent with OCP and development guidelines.
- Establishing standards and requirements for safety in installation of signs.
- Promoting sign standards for improved aesthetics within the community.

Minor impacts

Businesses affected by having non-conforming signs, may have to re-invest in portable signs (if utilized) and/or plan for eventual replacement of non-conforming permanent signs.

Finances

Adoption of a Sign Bylaw is not anticipated to incur any financial implications.

Strategic Impacts

None.

Risk Assessment

Compliance:

Local Government Act

Community Charter

BC Building Code

BC Electrical Code

Risk Impact:

Low-Medium – There is a low-moderate likelihood that members of the public may not agree with the guidelines set out within the Draft Sign Bylaw.

Internal Control Process:

Staff will follow defined procedures and processes for presenting the bylaw for Council consideration, reading, and potential adoption.

Next Steps / Communication

With direction the COTW to proceed, Staff will arrange a meeting in November 2023 for public / business consultation. The meeting is intended to facilitate discussion with the business community about the proposed bylaw and to solicit feedback for consideration.

Proposed meeting information will be sent to Boundary and District Chamber of Commerce for distribution to its members within the city, as well as advertised locally in the Gazette, and posted on the City's website and social media accounts.

Staff anticipate the draft Sign Bylaw will be brought again before Council at a Regular Meeting in early 2024 for three readings and adoption.

Timeline

Tentative Dates	Process
November 2023	TBD - Public Consultation Meeting
January 2024	Regular Council Meeting – Consideration for 3 Readings
February 2024	Regular Council Meeting – Consideration for Final Adoption

Attachments

- 1) Draft – Sign Bylaw No. 2077
- 2) COTW PPT Presentation – Sign Examples

Recommendation

- 1) **THAT Committee of the Whole ask Staff to undertake public consultation on the Draft Sign Bylaw 2077 prior to returning to Council for potential first three readings of the bylaw.**

Options

1. The COTW may ask Staff to proceed without public consultation or to revise the proposed public consultation plan.
2. The COTW may ask Staff to make revisions to the proposed Sign Bylaw prior to public consultation.
3. The COTW could determine not to implement the Sign Bylaw.