

Part 3

Authorities and Permits

3.1 Administration

The Director of Planning, the City Building Inspector, the Chief Licence Inspector and the City Electrician are authorized to administer the applicable provisions of this by-law.

3.2 Power of Entry

The Director of Planning, the City Building Inspector, the Chief Licence Inspector or the City Electrician may enter any building or premises at any reasonable time for the purpose of administering or enforcing this by-law.

3.3 Permit Application Process

A person who wishes to obtain a permit to construct, erect, install or alter a sign must apply to the Director of Planning for a permit to do so and must submit a complete application for the proposed sign in the form prescribed by the Director of Planning, including, but not limited to:

- (a) proof that the owner or occupant of the premises identified in the application, and any contractor identified in the application, holds a City business licence;
- (b) drawings to the satisfaction of the Director of Planning and the City Building Inspector that identify the site and the proposed sign and indicate:
 - (i) construction materials and methods,
 - (ii) sign dimensions,
 - (iii) the location of any existing and proposed signs, and
 - (iv) the location of any encumbrances that may impact or restrict the placement of the sign on the site;
- (c) any further technical information required by the Director of Planning or the City Building Inspector pursuant to this by-law or any other applicable by-law; and
- (d) the requisite application fee for the proposed sign as set out in the Sign Fee By-law.

3.4 Permit Refusal

The Director of Planning may refuse to process an application or issue a permit if:

- (a) plans or supporting documents:
 - (i) are incomplete,
 - (ii) do not comply with the provisions of this by-law, or
 - (iii) contain false or incorrect information;
- (b) the proposed sign is not permitted by this by-law or by another enactment;
- (c) the applicant does not hold a current City business licence;
- (d) in the opinion of the City Building Inspector, the building on which the sign is to be located is not structurally capable of supporting the proposed sign or the information submitted regarding the building is not sufficient to enable the City Building Inspector to determine the structural capacity of the building; or
- (e) the proposed sign would, in the opinion of the City Engineer, obstruct or interfere with the visibility of a traffic control device.

3.5 Limits on Appeals

No appeal lies from the refusal of the Director of Planning to process an application or issue a permit under this by-law, except for an appeal pursuant to Part 15 of this by-law.

3.6 Lapsed Application

If an owner has failed to comply with the necessary requirements to complete an application within six months after the date of receipt of the application by the Director of Planning, the Director of Planning must:

- (a) advise the owner that the permit application is lapsed; and
- (b) refuse to process the application for the permit.

3.7 Expiry of Application

An application for a permit that has lapsed in accordance with section 3.6 of this by-law is expired and the owner who wishes to obtain a permit must re-apply and pay the necessary fees for a new application in accordance with the Sign Fee By-law.

3.8 Conditions on Permits

The Director of Planning may impose conditions on permits regarding:

- (a) safety matters;
- (b) hours and levels of illumination;
- (c) construction requirements;
- (d) timing of construction;
- (e) timing of and requirements for reviews and inspections;
- (f) limitations regarding the effective period of the permit;
- (g) responsibilities of the owner; and
- (h) compliance with this by-law or other enactments.

3.9 Lapsed Permit

If an owner has failed to complete the work authorized by a permit and to call for a final inspection within twelve months after the date of issuance of the permit, the Director of Planning must advise the owner that the permit is lapsed.

3.10 Expiry of Permit

A permit that has lapsed in accordance with section 3.9 of this by-law is expired and the owner who wishes to obtain a new permit must re-apply and pay the necessary fees for a new application in accordance with the Sign Fee By-law.

3.11 Permit Revocation

The Director of Planning may revoke a permit or order that a sign be removed if, in the opinion of the Director of Planning:

- (a) there is a contravention of a condition of the permit;
- (b) the permit was issued in error;
- (c) the permit was issued on the basis of false or incorrect information; or
- (d) the sign does not comply with the provisions of this by-law.

3.12 Notices and Orders

The Director of Planning, the City Building Inspector, the Chief Licence Inspector or the City Electrician, as the case may be, may issue in writing such notices or orders as may be necessary to notify an owner of a contravention of this by-law, in the manner set out in this by-law.

3.13 Scope of Orders

The Director of Planning the City Building Inspector, the Chief Licence inspector or the City Electrician, as the case may be, may order a person who contravenes any provision of this by-law:

- (a) to comply with the by-law within a specified time;
- (b) to discontinue or refrain from proceeding with any work in contravention of this by-law;
- (c) to allow the Director of Planning, the City Building Inspector, the Chief Licence Inspector or the City Electrician, as the case may be, to enter any building or premises at any reasonable time for the purpose of administering or enforcing this by-law;
- (d) to remove an unauthorized sign; or
- (e) to paint, repair, alter or remove any sign or portion thereof which becomes dilapidated or is abandoned, or which constitutes a hazard.

3.14 Service of Orders

A notice or order issued under this by-law is sufficiently served if:

- (a) the order or notice is delivered by hand, by ordinary prepaid mail or by registered mail, to the owner's address as shown in the records of the Assessment Authority of British Columbia; or
- (b) in the case of an owner that is a corporation, the order or notice is delivered by hand, by ordinary prepaid mail, or by registered mail, to the registered and records office of the corporation; or
- (c) in any case, the order or notice is delivered by electronic mail to the electronic mail address of the owner as shown in the permit application.

3.15 Deemed Receipt of Order

Notices and orders issued in accordance with this by-law are deemed to have been received:

- (a) seven days after mailing, if sent by ordinary prepaid mail, to the mailing address of the owner;
- (b) on the date of delivery as noted in the Canada Post tracking system, if sent by registered mail;
- (c) 24 hours after sending, if sent by electronic mail to the electronic mail address of the owner as shown in the permit application; and
- (d) immediately upon receipt, if handed to the owner or a representative of the owner, or delivered to the registered and records office for the owner.

3.16 Removal of Unsafe Sign

When any sign or part thereof is, in the opinion of the City Building Inspector, structurally unsafe, the City Building Inspector may issue a written order to the owner, certifying that the sign is structurally unsafe and requiring its correction within a specified time.

3.17 Corrective Measures

If an owner fails to comply with a written order issued by the City Building Inspector, the City Building Inspector may authorize demolition, removal or enclosure of the sign that is certified to be structurally unsafe, at the expense of the owner and may take such other measures as may be necessary to protect the public.

3.18 Immediate Measures

When immediate measures must be taken to avoid imminent danger or risk of accident as a result of a sign being structurally unsafe, the City Building Inspector may take such action as is appropriate, without prior notice and at the expense of the owner.

3.19 Reclaiming Sign

Any owner who wishes to reclaim a sign that has been removed by the City Building Inspector because it is structurally unsafe must:

- (a) submit a request in writing, within 14 days of the date of removal of the sign; and
- (b) pay for the cost of removal, transportation and storage of the sign in accordance with the Sign Fee By-law.

3.20 Recovery of City Costs

The cost of the removal, repair, transportation and storage of a sign that is structurally unsafe is a debt due and recoverable by the City from the owner:

- (a) in any Court of competent jurisdiction; or
- (b) by entry of such cost in the real property tax roll with respect to the parcel on which the sign is located and by collection in the same manner as taxes shown on the real property roll.