

The Corporation of the Town of Tecumseh

By-Law Number 2018 - 33

Being a by-law to regulate and govern signs within the municipality.

Whereas Sections 8, 9, 11 and 99 of the Municipal Act 2001, S.O. 2001, c. 25, as amended, provides that a municipality may prohibit or regulate signs and as part of the power to regulate or prohibit, may require persons to do things respecting signs, provide for a system of permits, approvals, registrations and impose conditions as a requirement of obtaining, continuing to hold or renew a permit, approval or registration; and may be general or specific in its application and may differentiate in any way and on any basis a municipality considers appropriate;

And Whereas Section 446 of the Municipal Act 2001, S.O. 2001, c. 25, as amended, provides that if a municipality has the authority under a by-law under this or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of its being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

And Whereas the Council of The Corporation of the Town of Tecumseh considers it desirable to pass such a by-law;

Now Therefore the Council of The Corporation of The Town of Tecumseh **Enacts as follows:**

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Section 1 Definitions

1.1 Definitions

“Area” shall mean the surface area on one side of a sign including the border and frame.

“Average Finished Grade” shall mean the average elevation of the whole of a lot. The determination of the average finished grade shall be solely at the discretion of the Town.

“By-law Enforcement Officer” shall mean any individual charged with the responsibility of enforcing the By-laws of the Town.

“Council” shall mean the Council of The Corporation of the Town of Tecumseh.

“Defined Area” shall have the same meaning as found in the applicable Zoning By-law of the Town.

“Exposed Building Face” shall mean a building face that is visible from an adjacent street or highway or from a primary parking area or internal roadway on a property. The determination as to which faces of a building are exposed building faces shall be at the Town’s sole discretion.

“Erect” shall mean to attach, build, construct or reconstruct, enlarge, locate or relocate any sign or paint a wall sign or to maintain any sign but does not include copy changes on a sign.

“Legal Non-Conforming Use” shall mean a use that legally existed on a property prior to the passing of a Zoning By-law governing the property, and that continues to operate out of conformity with the governing Zoning By-law regulations.

“Owner” when used in reference to a property shall mean that person whose name appears on the last revised assessment roll of the Town.

“Property” shall mean a property as listed on the last revised assessment roll of the Town.

“Sign” shall mean any device, including all its component parts and supporting structure, erected for the purpose of conveying information or attracting the attention of the public by means of letters, numerals, symbols, characters, logos, lights, colours, designs, textures or objects. Without limiting, the generality of the foregoing, signs may be classified by their design, means of support, ownership, or purpose as follows:

“Accessory Event Sign” shall mean a sign erected for the purpose of advertising an approved special event taking place on property being leased from the Town.

“Banner Sign” shall mean any sign made of wood, plastic, fabric or other material similar in nature, with its main body supported by a fence, ropes, posts, wires or cords.

“Billboard Sign” shall mean any sign that is rented or leased but does not include a portable sign.

“Construction Sign” shall mean a sign erected for the for the purpose of identifying or advertising a major construction project, the determination of which shall be at the Town’s sole discretion.

“Election Sign” shall means any sign advertising or promoting a candidate in a federal, provincial or municipal election, including an election of a local board or commission; or any sign intended to influence persons to vote for or against any candidate or any question or by-law submitted to the electors under section 8 of the Municipal Elections Act, 1996.

“Exempt Sign” shall mean any sign exempted pursuant to subsection 2.5 of this By-law.

“Existing Sign” shall mean a sign that legally existed prior to the date of the adoption of this By-law.

“Fascia Sign” shall mean a sign painted on or attached to and parallel to an exposed building face.

“Flashing Sign” shall mean an illuminated sign, upon which the source of artificial light is not stationary or the intensity or colour is not constant or where the illumination is projected in an intermittent sequence.

"Gateway Sign" shall mean a sign erected by the Municipality at an entrance to the Municipality for the purpose of identifying the entrance and may include an area provided by the Municipality for the attachment of an Accessory Event Sign.

"Ground Sign" shall mean any sign with its main body supported by posts, a foundation or the ground.

"Ground Flag Sign" shall mean any sign, supporting a flag at ground level or otherwise.

"Illuminated Sign" shall mean a lighted sign, which emits light from the sign face, or a sign which reflects light from a source intentionally directed upon it.

"Inflatable Sign" means a sign filled with air or gas and designed to be airborne and tethered to the ground, a vehicle or any other structure and shall include balloons and any other inflatable advertising device.

"Institutional Accessory Sign" shall mean a sign indicating the location of or directions to be followed to an institutional use as defined in the Zoning By-law.

"Light Standard Banner Sign" shall mean a Banner Sign designed to be attached to that area of a municipal light standard provided for the accommodation of a Banner Sign.

"Off Site Sign" shall mean a sign identifying a property or displaying advertising related to a property other than the property on which the sign is located.

"Placard Sign" shall mean a sign constructed of a poster supported in the ground by means of a wire frame or other similar material or attached to any other structure including a fence.

"Portable Sign" shall mean any sign, which is designed to facilitate its movement from place to place, including but not limited to inflatable signs.

"Projecting Sign" shall mean a sign attached and perpendicular to the main wall of a building.

"Real Estate Sign" shall mean a sign erected for the purpose of identifying the sale or lease of a property or advertising a major development on a property.

"Sandwich Board Sign" shall mean a portable, folding, or single panel sign, which is supported by the ground and able to be transported by a single individual.

"Temporary Sign" shall mean a sign, or advertising device, which is intended to be displayed for a limited time period.

"Street" shall mean a highway as defined in the Municipal Act.

"Structure" shall mean the foundation, supports, uprights, bracing and framework of a sign.

"Town" shall mean The Corporation of the Town of Tecumseh.

"Zone" shall have the same meaning as it has in the applicable Town Zoning By-law.

Section 2 General

2.1 Short Title

This By-law may be referred to variously as the "Sign By-law" or the "By-law".

2.2 Application

The provisions of this By-law shall apply to all lands within the boundaries of the *Town* as are now or hereafter legally constituted.

2.3 Use of Zoning By-law Terms

References in this By-law to *zones*, zoning terms, classification or uses permitted on a *property* shall have the same meaning and attributes as determined by reference to the applicable *Town* Zoning By-law.

2.4 Conformance to By-law

No *signs* shall be erected, displayed, structurally altered or used except in conformity with the provisions of this By-law.

2.5 Exempt Sign

Notwithstanding subsection 2.4, the following *signs* shall be exempt from the provisions of this By-law; flags, emblems or insignias of any nation or political subdivision, *election signs* (see subsection 6.8.1), crop identification plates, garage and yard sale *signs*, holiday decorations, municipal numbers, plaques or nameplates, building corner stones, grave markers, trademarks or brand names incidental to the *structure* or equipment on which they are located, *signs* erected by the *Town*; *signs* erected by The Corporation of the County of Essex, *signs* erected by the Government of the Province of Ontario, *signs* erected by the Government of Canada. All *signs* erected pursuant to the provisions of this subsection shall not be erected or displayed on a highway, *property* owned by the *Town* or *property* managed or controlled by a public utility or local board.

2.6 Conformance to Other Law

Nothing in this By-law shall serve to relieve any person from the obligation to comply with all other applicable law.

2.7 Existing Signs (Grandfathering)

It is hereby acknowledged and confirmed that the grandfathering provision previously contained in Section 99 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, have been deleted. Accordingly, all *signs* within the *Town's* boundaries shall now be required to conform to all provision of this By-law, regardless of any previous status afforded the *sign* under any previous legislation or By-law. Accordingly, the *Town* will undertake to remove all previously grandfathered signs within six months of the passing of this By-law.

2.8 Validity

If any court of competent jurisdiction finds any provision of this By-law invalid or ultra vires of the jurisdiction of the *Town*, such provision shall be deemed severable and shall not invalidate any of the other provisions of this By-law.

2.9 Minor Variances

Council may upon an application from the *owner* of a *property*, authorize minor variances from this By-law if in the opinion of Council the general intent and purpose of the By-law is maintained and the impact on abutting properties is minor in nature.

2.10 Exemption by Agreement

The *Town* may by agreement permit any *sign* within the *Town* that does not otherwise comply with the provisions of the By-law.

2.11 Repeal of Existing By-Laws

By-law No. 2004-66 and any portions of any By-law of the *Town* that is inconsistent with this By-law is hereby repealed.

2.12 Imperial Measurements

Imperial measurements, provided in brackets, are shown for convenience only and do not form part of this By-law.

2.13 Effective Date

This By-law comes into full force and effect on the day it is finally passed.

2.14 Schedules

All schedules affixed to this By-law are included in this By-law and form part of this By-law by reference.

2.15 Classification of Signs

Only *signs* that can be categorized within the provisions of this By-law may be a permitted *sign*, and any *sign* that cannot be categorized in accordance with the provisions of this By-law shall be a prohibited *sign*, at the sole determination of the *Town*.

2.16 Determination by the Town

Any determination required in the application of this By-law shall be at the sole determination of the *Town* and such determination shall be final and binding.

Section 3 Administration and Enforcement

3.1 Administrator

This By-law shall be administered and enforced by the Chief Building Official, a By-law Enforcement Officer or such other person as the Council of the *Town* designates.

3.2 Determination of Any Matter or Thing

Where any matter or thing is to be determined in the application of or enforcement of this By-law, the determination of such matter or thing shall be at the sole discretion of the *Town*.

3.3 Entry Upon Lands

A By-law Enforcement Officer may enter upon any lands and into buildings at any reasonable time to inspect any *sign* for the purposes of determining or effecting compliance with this By-law.

3.4 Orders to Comply

If, after inspection, the By-law Enforcement Officer is satisfied that there is a contravention of this By-law, or the conditions of a permit issued pursuant to this By-law, the By-law Enforcement Officer may issue an order to the *owner* and may, at the same time, provide the *sign owner* and occupants of the land with a copy of such order.

3.5 Order Provisions

An order issued under subsection 3.4 shall contain:

- a) the municipal address and or the legal description of the *property*;
- b) notice that the *sign* must comply with the provisions of this By-law or the *sign* shall be removed within the time period specified; and
- c) notice that if compliance with the order is not achieved, the *sign* may be pulled down, removed, stored and disposed of at the expense of the *owner*, and that the *Town*, in addition to all other remedies it may have, may enter onto the lands with its employees and agents for this purpose.

3.6 Service

An order issued pursuant to subsection 3.4 shall be served personally on the *owner* or by prepaid registered mail to the last known address of the *owner*.

3.7 Deemed Service – Registered Mail

If a notice or order is served by registered mail, the service shall be deemed to have been made on the fifth (5th) day after the day of the mailing unless the person to whom the notice or order is given or that person or their agent for service establishes that, acting in good faith, through absence, accident, illness or other unintentional cause the notice was not received until a later date.

3.8 Costs as Taxes

Any costs incurred by the *Town* in the enforcement of this By-law shall be recovered in like manner and with the same priority as municipal taxes or alternatively as a lien in accordance with the Repair and Storage Liens Act, 2006, c. 32, Schedule A, s. 39, as a debt owed by the *owner* of the *sign*.

3.9 Town May Remove

Any *sign* erected on property owned by the *Town*, County or Province of Ontario or property managed or controlled by a public utility or local board without consent of the *Town*, public utility or local board, may be pulled down, removed, stored or disposed of by the *Town* or its agents without prior notice, at the expense of the *owner* and/or the *sign owner*.

3.10 Obstruction of a By-law Enforcement Officer

No person shall obstruct a By-law Enforcement Officer or any agent of the *Town* while they are carrying out their duties under this By-law.

3.11 Offences

Every person who contravenes a provision of this By-law is guilty of an offence and upon conviction thereof is liable to a fine in the maximum amount provided for by the Provincial Offences Act, R.S.O. 1990, c.P.33 as may be amended from time to time.

3.12 Prosecution

Notwithstanding subsection 3.11 above, every person who contravenes any provision of this By-law is guilty of an offence and may, at the option of the *Town* be prosecuted pursuant to the provisions of Part 1 of the Provincial Offences Act, R.S.O. 1990, c.P.33, as may be amended from time to time and upon conviction thereof is liable to a set fine as determined in accordance with the procedure delineated in the Act and regulations passed thereunder.

Section 4 General Sign Provisions

4.1 Application to all Signs

The provisions of this section shall apply to all *signs* within the limits of the *Town*.

4.2 General Prohibition

No person shall erect, display, alter or repair any *sign*, unless it is in conformity with the provisions of this By-law, the provisions of the applicable Zoning By-law of the *Town*, the provisions of the Ontario Building Code and all other applicable law.

4.3 Permits Required

No person shall erect, display, alter or repair any *sign* without a permit unless the requirement for a permit has been specifically waived by this By-law.

4.4 Permit Application Requirements

To apply for a permit, an applicant shall submit an application to the *Town*, which shall be accompanied by the following unless deemed unnecessary by a By-law Enforcement Officer or Building Official:

- a) drawings and specifications showing:
 - (i) the major (permanent or temporary) and minor type, number of and location of the *sign/signs* to be erected;
 - (ii) the construction details, including the type of materials;
 - (iii) the supporting framework;
 - (iv) the foundation;
 - (v) illumination details;
 - (vi) the height and weight of the *sign*;
 - (vii) the length and width of the *sign* face;
 - (viii) the location of the *sign* on the lot;
 - (ix) the elevation of the *sign*;
 - (x) the location of the *sign* in relationship to adjacent buildings;
 - (xi) the *sign* type; and
 - (xii) the zoning classification of the property;
- b) in the case of *signs* affixed to any wall, plans showing the elevation of the wall of the building on which the proposed *sign* is to be erected showing all doors, windows and other openings and the location of the proposed *sign*;

- c) where a proposed *sign* will front on a Provincial or County Road, a copy of the approval from the appropriate authority; and
- d) the permit fee as prescribed in Schedule “A” to this By-law.

4.5 Issuance of Permits

The *Town* shall issue a permit for any *sign* if the application complies with this By-law and other applicable law.

4.6 Revocation of Permits

A *sign* permit that has been issued may be revoked after a period of one (1) year from the date of the issuance if the *sign* installation has not been completed.

4.7 Notice of Completion

Every person who has been issued a *sign* permit to erect, display, alter or repair a permanent *sign*, shall notify the *Town* within seven (7) days that such erection, display, alteration or repair has been completed.

4.8 Interference with Visibility

No *sign* shall be located or constructed in such a manner that it creates an unsafe condition. Any *sign* deemed unsafe; said determination being at the sole discretion of the *Town*, may be removed and disposed of, without notice by the *Town*.

4.9 Prohibited Signs

No person shall erect and/or display anywhere within the limits of the *Town*:

- a) a *sign* on any Municipal, County or Provincial highway, street, alley or right of way, or *projecting* over any Municipal, County or Provincial highway, street, alley or right-of-way;
- b) a *sign* on *property* owned by the *Town*;
- c) a *sign* attached to a tree, utility pole or light standard;
- d) a *sign* on a roof;
- e) a *sign* erected or painted on a vehicle where the vehicle is parked or located in such a manner so as to make the vehicle visible from a street and as such causes the vehicle to function as a *sign*;
- f) a *sign* located in a side or rear yard, except a side or rear yard which abuts a street;
- g) a *sign* that is not in conformity with a By-law of the County of Essex, a policy of the Ministry of Transportation or any other applicable law;
- h) a Billboard Sign;
- i) an Offsite Sign;
- j) a *sign* that will encroach upon any spatial clearance required by Ontario Hydro, Essex Power or the *Town*, vertically or horizontally for any electrical wires, poles, or light standards; or
- k) a *sign* on *property* managed or controlled by a public utility or local board.

4.10 Sign Removal after Termination of Use

The *owner* of a *property* on which is erected or displayed a *sign*, which no longer relates to a permitted use operating on the *property*, shall remove the *sign* or cause the *sign* to be removed within thirty (30) days of the mailing of an order to remove the *sign* by the *Town*.

4.11 Illumination

All permitted *Illuminated Signs* shall be constructed so as to direct light away from any adjacent *property*.

4.12 Maintenance of Signs

All *signs* shall be maintained in good repair, be structurally sound and not exhibit signs of weathering. *Signs* not conforming to the requirements of this section shall be repaired to bring them into compliance with this subsection or be removed from the *property*.

Section 5 Permanent Signs

5.1 Residential Zone Signs

5.1.1 Application

In addition to all other requirements of this By-law, the requirements of this section shall apply to all permanent signs erected or displayed on a property in a Residential Zone.

5.1.2 Permanent Signs

Permanent *signs* shall be permitted on a *property* in a Residential Zone for the purpose of:

- a) identifying a permitted home occupation use operating on a *property*; and
- b) identifying or advertising a permitted *Defined Area* use or *Legal Non-Conforming* use operating on a *property*.

5.1.3 Types of Signs Permitted for Home Occupation Uses

The following *signs* shall be permitted on a property for the purpose of subsection 5.1.2(a):

- a) one (1) *Fascia Sign*; or
- b) one (1) *Ground Sign*.

5.1.4 Regulations for Home Occupation Signs

Signs permitted by subsection 5.1.3 shall:

- a) not be illuminated;
- b) not contain flashing components;
- c) identify, but not advertise the permitted home occupation;
- d) not exceed 0.8 square metres (8.62 square feet) in area; and

- e) if a Ground Sign:
 - i. not exceed 1.2 metres (3.94 feet) in height above the *average finished grade*; and
 - ii. not be closer than 3.0 metres (9.84 feet) to any lot line.

5.1.5 Types of Signs Permitted for Defined Area or Legal Non-Conforming Uses

The following *signs* shall be permitted on a *property* for the purposes of subsection 5.1.2(b):

- a) one (1) Fascia Sign;
- b) one (1) Projecting Sign; and
- c) one (1) Ground Sign.

5.1.6 Regulations for Defined Area or Legal Non-Conforming Use Signs

Signs permitted by subsection 5.1.5 shall:

- a) not be illuminated;
- b) not contain flashing components;
- c) if a *Fascia Sign* shall:
 - i. not exceed 2 square metres (21.53 square feet) in area;
 - ii. not extend above the top of the *exposed building face* to which it is attached;
 - iii. not extend beyond the ends of the *exposed building face* to which it is attached;
- d) if a Projecting Sign shall:
 - i. not project more than 1.5 metres (4.92 feet) from the *exposed building face* to which it is attached;
 - ii. not be less than 3.0 metres (9.84 feet) above *average finished grade*; and
 - iii. not exceed 1.0 square metre (10.76 square feet) in area;
- e) if a *Ground Sign* shall:
 - i. not exceed 2.0 square metres (21.53 square feet) in area;
 - ii. not exceed 2.0 metres (6.56 feet) in height from the *average finished grade*; and
 - iii. not be closer than 3.0 metres (9.84 feet) to any lot line.

5.2 Agricultural and Holding Zone Signs

5.2.1 Application

In addition to all other requirements of this By-law, the requirements of this subsection shall apply to all permanent *signs* erected or displayed on property in an Agricultural *Zone* or Holding *Zone*.

5.2.2 Permitted Sign

Permanent *signs* shall be permitted on a *property* in a Holding Zone or Agricultural Zone for the purpose of:

- a) identifying or advertising a permitted home occupation or agricultural home occupation use operating on a *property*;
- b) identifying or advertising a permitted Agricultural Zone use operating on a *property*;
- c) identifying or advertising a permitted *Defined Area* use or *Legal Non-Conforming* use operating on a *property*; and
- d) identifying or advertising a permitted Holding Zone use operating on a *property*.

5.2.3 Types of Signs Permitted for Home and Agricultural Home Occupation Uses

The following *signs* shall be permitted on a *property* for the purposes of subsection 5.2.2(a):

- a) one (1) *Fascia Sign*; or
- b) one (1) *Ground Sign*.

5.2.4 Regulations for Home Occupation and Agricultural Home Occupation Use Signs

Signs permitted by subsection 5.2.3 shall:

- a) not be illuminated;
- b) not contain flashing components;
- c) identify, but not advertise, the permitted home occupation or agricultural home occupation;
- d) not exceed 0.8 square metres (8.62 square feet) in area;
- e) if a Ground Sign:
 - i. not exceed 1.2 metres (3.94 feet) in height above the *average finished grade*; and
 - ii. not be closer than 3.0 metres (9.84 feet) to any lot line.

5.2.5 Types of Signs Permitted for an Agricultural Use

The following *signs* shall be permitted on a *property* for the purposes of subsection 5.2.2(b), (c) and (d):

- a) one (1) Fascia Sign;
- b) one (1) Projecting Sign; and
- c) one (1) Ground Sign.

5.2.6 Regulations for Agricultural Use Signs

Signs permitted by subsection 5.2.5 shall:

- a) not be illuminated;

- b) not contain flashing components;
- c) if a Fascia Sign:
 - i. not exceed twenty percent (20%) of the available area of the *exposed building face* which it is on or attached to;
 - ii. not extend above the top of the *exposed building face* to which it is attached; and
 - iii. not extend beyond the ends of the *exposed building face* to which the *sign* is attached;
- d) if a Projecting Sign:
 - i. not project more than 1.5 metres (4.92 feet) from the *exposed building face*, which it is attached to;
 - ii. not be less than 3.0 metres (9.84 feet) above *average finished grade*; and
 - iii. not exceed 1.0 square metre (10.76 square feet) in area; and
- e) if a Ground Sign:
 - i. not exceed 3.0 square metres (32.29 square feet) in area;
 - ii. not exceed 2.0 metres (6.56 feet) in height from *average finished grade*; and
 - iii. not be closer than 3.0 metres (9.84 feet) to any lot line.

5.3 Commercial, Industrial, Business Park and Highway Service Centre Zone Signs

5.3.1 Application

In addition to all other requirements of this By-law, the requirements of this section shall apply to all permanent signs erected or displayed on a property in a Commercial, Industrial, Business Park, or Highway Service Centre Zone.

5.3.2 Permitted Signs

Permanent signs shall be permitted in a Commercial, Industrial, Business Park, or Highway Service Centre Zone for the purpose of:

- a) identifying or advertising a permitted Commercial, Industrial, Business Park, or Highway Service Centre use, operating on a *property*; and
- b) identifying or advertising a *Defined Area* or *Legal Non-Conforming* use operating on a *property*.

5.3.3 Types of Signs Permitted for Commercial, Industrial, Business Park or Highway Service Centre Uses, Defined Area or Legal Non-Conforming Uses

The following *signs* shall be permitted on a *property* for the purposes of subsection 5.3.2(a) and (b):

- a) one (1) Fascia Sign per exposed building face for each building or suite on a property;

- b) one (1) Ground Sign per property; except where there are two (2) or more major entrances to a property and the property is greater than .5 hectares (1.24 acres) in size, a maximum of two (2) Ground Signs shall be permitted; and
- c) one (1) Projecting Sign per building or suite on a property.

5.3.4 Regulations for Commercial, Industrial, Business Park, Highway Service Centre Use, Defined Area Use or Legal Non-conforming Use Sign

The *signs* permitted by subsection 5.3.3 shall:

- a) if a Fascia Sign:
 - i. not exceed 25 percent (25%) of the available area of the *exposed building face* which it is on or attached to;
 - ii. not extend above the top of the *exposed building face* to which it is attached; and
 - iii. not extend beyond the ends of the *exposed building face* to which the *sign* is attached;
- b) if a Projecting Sign:
 - i. not project more than 1.5 metres (4.92 feet) from the *exposed building face* to which it is attached;
 - ii. not be less than 3.0 metres (9.84 feet) in height above *average finished grade*; and
 - iii. not exceed 1.5 square metre (4.92 square feet) in area; and
- c) if a Ground Sign:
 - i. not exceed 20.0 square metres (215.28 square feet) in area;
 - ii. not exceed 12.0 metres (39.37 feet) in height from *average finished grade*; and
 - iii. not be closer than 3.0 metres (9.84 feet) to any lot line.

5.3.5 Additional Regulations for Ground Signs Adjacent to County Road 22 and Provincial Highways

Notwithstanding article 5.3.4(c) where a *Ground Sign* is erected or displayed on a *property* and the *Ground Sign* is adjacent to a County Road or a Provincial Highway, then the *Ground Sign* shall:

- a) not exceed 24.0 square metres (258.34 square feet) in area;
- b) not exceed 15.0 metres (49.21 feet) in height from *average finished grade*; and
- c) not be closer than 3.0 metres (9.84 feet) to any lot line.

5.4 Institutional and Parks and Open Space Zone Signs

5.4.1 Application

In addition to all other requirements of this By-law, the requirements of this subsection shall apply to all permanent *signs* erected or displayed on a *property* in an Institutional or Parks and Open Space *Zone*.

5.4.2 Permitted Signs

Permanent *signs* shall be permitted in an Institutional or Parks and Open Space *Zone* for the purpose of:

- a) identifying or advertising permitted Institutional or Parks and Open Space *Zone* uses, operating on a *property*, and
- b) identifying or advertising a *Defined Area* or *Legal Non-Conforming* use operating on a *property*.

5.4.3 Types of Signs Permitted for Institutional or Parks and Open Space Uses

The following *signs* shall be permitted on a *property* for the purposes of subsection 5.4.2(a) and (b):

- a) one (1) *Fascia Sign*; and
- b) one (1) Ground Sign.

5.4.4 Regulations for Institutional or Parks and Open Space Use signs

Signs permitted by this subsection shall:

- a) not be illuminated between the hours of 12:00 p.m. and 6:00 a.m.;
- b) not contain flashing components;
- c) if a *Fascia Sign*:
 - i. not exceed 20 percent (20%) of the available area of the *exposed building face* which it is on or attached to;
 - ii. not extend above the top of the *exposed building face* to which it is attached; and
 - iii. not extend beyond the ends of the *exposed building face* to which it is attached; and
- d) if a *Ground Sign*:
 - i. not exceed 10.0 square metres (107.64 square feet) in area;
 - ii. not exceed 9.0 metres (29.53 feet) in height from *average finished grade*; and
 - iii. not be closer than 3.0 metres (9.84 feet) to any lot line.

Section 6 Temporary Signs

6.1 Portable Signs

6.1.1 Application

In addition to all other requirements of this By-law, the requirements of this subsection shall apply to all *Portable signs*.

6.1.2 Zones where Portable Signs may be Displayed

Portable Signs shall be permitted on a temporary basis in a Commercial, Industrial, Business Park, Institutional or Parks and Open Space *Zone* for the purposes of the identification of or advertising related to a permitted use operating on a *property*.

6.1.3 Permitted Display Period

Portable Signs shall be permitted by permit only on the following basis:

- a) one (1) *Portable Sign* per *property* for a maximum of sixty (60) days once in a calendar year; or
- b) one (1) *Portable Sign* per *property* for a maximum of thirty (30) days twice in a calendar year.

6.1.4 Automatic Adjustment to Display Period

Where a permit is issued pursuant to subsection 6.1.3(b) and the *sign* is on display in excess of the thirty (30) day permit period; the permit period shall be automatically extended to sixty (60) days and the permit shall be deemed to have been issued in accordance with the provisions of subsection 6.1.3(a).

6.1.5 Properties with Multiple Tenancies

Notwithstanding subsection 6.1.3 where there are multiple tenancies on a *property* one (1) *Portable Sign* shall be permitted per tenancy subject to the condition that no more than three (3) *signs* may be erected or displayed on a *property* at any one time.

6.1.6 Zones where Inflatable Signs may be Displayed

Notwithstanding the requirements of subsections 6.1.2 and 6.1.3, an *Inflatable Sign* may be erected without a permit on a *property* in any *zone* for a maximum of three (3) days, once in any calendar year, subject to all other provisions of this By-law.

6.1.7 Regulations for Portable Signs

The *signs* permitted by this subsection shall:

- a) require a permit;
- b) if other than an *Inflatable Sign* not exceed the following dimensions:
 - i. 3.0 square metres (32.29 square feet) in area;
 - ii. 2.0 metres (6.56 feet) in height from *average finished grade*; and
 - iii. not be closer than 0.3 metres (.98 feet) to any lot line; and
- c) if an *Inflatable Sign* not exceed the following dimensions:
 - i. not be closer than 3.0 metres (9.84 feet) to any lot line.

6.2 Sandwich Board Signs

6.2.1 Application

In addition to all other requirements of this By-law, the requirements of this subsection shall apply to all *Sandwich Board Signs*.

6.2.2 Zones where Sandwich Board Signs may be Displayed

Sandwich Board Signs shall be permitted on a *temporary* basis in a Commercial, Industrial, or Business Park *Zone* for the purposes of the identification of, or advertising related to a permitted use operating on a *property*.

6.2.3 Number of Signs Permitted on a Property

One (1) *Sandwich Board Sign* shall be permitted per property.

6.2.4 Properties with Multiple Tenancies

Notwithstanding subsection 6.2.3 where there are multiple tenancies on a property, one (1) *Sandwich Board Sign* shall be permitted per tenant.

6.2.5 Regulations for Sandwich Board Signs

The *signs* permitted by this subsection shall:

- a) not require a permit;
- b) not be illuminated;
- c) not contain flashing components;
- d) only be displayed between the hours of 8:00 am and 11:00 p.m.;
- e) not be displayed on any Municipal, County or Provincial highway, street, alley or right of way; and
- f) not exceed the following dimensions:
 - i. .75 square metres (8.07 square feet) in area;
 - ii. 1.2 metres (3.94 feet) in height from *average finished grade*; and
 - iii. not be closer than 0.3 metres (.98 feet) to any lot line.

6.3 Placard Signs

6.3.1 Application

In addition to all other requirements of this By-law, the requirements of this subsection shall apply to all Placard Signs.

6.3.2 Zones where Placard Signs may be Displayed

Placard Signs shall be permitted on a temporary basis in a Commercial, Industrial, or Business Park Zone for the purpose of advertising special events taking place on the property.

6.3.3 Number of Signs Permitted on a Property

Placard Signs shall be permitted on the basis of one (1) Placard Sign for every 6 metres (19.69 feet) of property line abutting a street for the purposes of subsection 6.3.2.

6.3.4 Properties with Multiple Tenancies

Notwithstanding subsection 6.3.3 where there are multiple tenancies on a property and there are multiple tenants displaying Placard Signs during the same time period then each tenant may display the number of signs determined in 6.3.3 above divided by the number of tenants displaying Placard Signs on the property during the same time period.

6.3.5 Regulations for Placard Signs

The signs permitted by this subsection shall:

- a) not require a permit;
- b) not be displayed for more than one (1) week per event;
- c) not be displayed by any one (1) tenant more than three (3) times per year;
- d) not be displayed on any Municipal, County or Provincial highway, street, alley or right of way; and
- e) not exceed the following dimensions:
 - i. .8 square metres (8.61 square feet) in area;
 - ii. 1.2 metres (3.94 feet) in height from average finished grade; and
 - iii. not be closer than 0.3 metres (.98 feet) to any lot line.

6.4 Ground Flag Signs

6.4.1 Application

In addition to all other requirements of this By-law, the requirements of this subsection shall apply to all Ground Flag Signs.

6.4.2 Zones where Ground Flag Signs may be Displayed

Ground Flag Signs shall be permitted on a temporary basis in a Commercial, Industrial, or Business Park Zone for the purpose of advertising special events taking place on a property.

6.4.3 Number of Signs Permitted on a Property

Ground Flag Signs shall be permitted on the basis of one (1) Ground Flag Sign per 15 metres (49.21 feet) of property line abutting a street for the purposes of subsection 6.4.2.

6.4.4 Properties with Multiple Tenancies

Notwithstanding subsection 6.4.3 where there are multiple tenancies on a property and there are multiple tenants displaying Ground Flag Signs during the same time period then each tenant may display the number of signs determined in 6.4.3 above divided by the number of tenants displaying Ground Flag Signs during the same time period.

6.4.5 Regulations for Ground Flag Signs

The signs permitted by this subsection shall:

- a) not require a permit;
- b) not be displayed for more than one (1) week per event;
- c) not be displayed by any one tenant more than three (3) times per year;
- d) not be displayed on any Municipal, County or Provincial highway, street, alley or right of way; and

- e) not exceed the following dimensions:
 - i. 1.8 square meters (19.37 square feet) in area;
 - ii. 3 metres (9.84 feet) in height from average finished grade; and
 - iii. not be closer than 0.3 metres (.98 feet) to any lot line.

6.5 Banner Signs

6.5.1 Application

In addition to all other requirements of this By-law, the requirements of this subsection shall apply to all *Banners Signs*.

6.5.2 Zones where Banner Signs may be Displayed

Banner Signs shall be permitted by permit only in a Commercial, Industrial or Business Park Zone for the purpose of advertising special events taking place on a *property*.

6.5.3 Permitted Display Period

Banner Signs shall be permitted as follows:

- a) one (1) *Banner Sign* per *property* for a maximum of sixty (60) days once in a calendar year; or
- b) one (1) *Banner Sign* per *property* for a maximum of thirty (30) days twice in a calendar year.

6.5.4 Automatic Adjustment to Display Period

Where a permit is issued pursuant to subsection 6.5.3(b) and the *sign* is on display in excess of the thirty (30) day permit period, the permit period shall be automatically extended to sixty (60) days and the permit shall be deemed to have been issued in accordance with the provisions of subsection 6.5.3(a).

6.5.5 Properties with Multiple Tenancies

Notwithstanding subsection 6.5.3 where there are multiple tenancies on a *property* one (1) *Banner Sign* shall be permitted per tenancy subject to the condition that no more than three (3) *Banner Signs* may be displayed on any one (1) *property* at any time.

6.5.6 Regulations for Banner Signs

The *signs* permitted by this subsection shall:

- a) require a permit;
- b) not be illuminated;
- c) not be displayed on any Municipal, County or Provincial highway, street, alley or right of way; and
- d) not exceed the following dimensions:
 - i. 6.0 square metres (64.58 square feet) in area; and
 - ii. 8.0 metres (26.25 feet) in height from *average finished grade*.

6.6 Construction Signs

6.6.1 Application

In addition to all other requirements of this By-law, the requirements of this subsection shall apply to all *Construction Signs*.

6.6.2 Zones where Construction Signs may be Displayed

Construction Signs shall be permitted in any *zone* for the purpose of identifying or advertising a construction project on the *property* on which the *sign* is located.

6.6.3 Types of Signs Permitted

Construction Signs shall be permitted for the purpose of identifying or advertising a construction project:

- a) a maximum of two (2) *Ground Signs* per *property*; or
- b) a maximum of two (2) *Banner Signs* per *property*.

6.6.4 Regulations for Construction Signs

The *signs* permitted by this subsection shall:

- a) not require a permit;
- b) not be illuminated;
- c) not contain flashing components;
- d) only be displayed during the period in which construction is actively occurring on the *property* as determined by the *Town*; and
- e) not exceed the following dimensions:
 - i. 6.0 square metres (64.58 square feet) in area;
 - ii. 4.0 metres (13.12 feet) in height from *average finished grade*; and
 - iii. not be closer than 3.0 metre (9.84 feet) to any lot line.

6.7 Real Estate Signs

6.7.1 Application

In addition to all other requirements of this By-law, the requirements of this subsection shall apply to all *Real Estate Signs*.

6.7.2 Zones where Real Estate Signs may be Displayed

Real Estate Signs shall be permitted on a *property* in any *zone* for the purpose of identifying:

- a) the development of the *property*; or
- b) advertising the sale or lease of the *property*.

6.7.3 Types of Signs Permitted

The following *signs* shall be permitted for the purposes of subsection 6.7.2:

- a) a maximum of two (2) *Ground Signs* per *property*.

6.7.4 Regulations for Real Estate Signs

The *signs* permitted by this subsection shall:

- a) not require a permit;
- b) not be illuminated;
- c) not contain flashing components;
- d) only be displayed during the period for which the property is being actively offered for sale or lease or actively being developed, the determination of which shall be at the *Town's* sole discretion;
- e) if a *Ground Sign*, erected or displayed for the purpose of subsection 6.7.2(a), not exceed the following dimensions:
 - i. 6.0 square metres (64.58 square feet) in area;
 - ii. 4.0 metres (13.12 feet) in height from *average finished grade*; and
 - iii. not be closer than 3.0 metres (9.84 feet) to any lot line;
- f) if a *Ground Sign* erected or displayed for the purpose of subsection 6.7.2 (b), not exceed the following dimensions:
 - i. 1.0 square metre (10.76 square feet) in area in a *Residential Zone*,
 - ii. 1.2 metres (3.94 feet) in height from *average finished grade*, in a *Residential Zone*;
 - iii. 3.0 square metres (32.29 square feet) in area in a *zone* other than a *Residential Zone*;
 - iv. 2.5 metres (8.20 feet) in height from *average finished grade*, in a *zone* other than a *Residential Zone*; and
 - v. not be closer than .3 metres (.94 feet) to any lot line.

6.8 Election Signs

6.8.1 Exemption

In accordance with the provisions of section 2.5 of this By-law, *election signs* are exempt from the provisions of this By-law. *Election signs* are however, subject to the provisions of the *Town Election Sign* By-law.

6.9 Accessory Event Signs

6.9.1 Application

In addition to all other requirements of this By-law, the requirements of this subsection shall apply to all *Accessory Event Signs*.

6.9.2 Zones where Accessory Event Signs may be Displayed

The provisions of this subsection shall be administered by the Director Parks and Recreation (Director) or his/her designate. Nothing in this subsection shall be construed as to create a right by any party or organization to a permit under this subsection and any application for a permit may be arbitrarily refused or any permit issued may be arbitrarily revoked at the *Town's* sole discretion.

6.9.3 Types of Signs Permitted

Accessory Event Signs may be permitted in any *zone* for the purpose of advertising events taking place on *Town* owned facilities at the sole discretion of the *Town*.

6.9.4 Regulations for Accessory Event Signs

The following *signs* may be permitted for the purposes of this subsection, *Banner Signs*, *Light Standard Banner Signs*, *Portable Signs*, *Placard Signs* and *Gateway Signs*.

6.9.5 Accessory Event Signs Application Information

The *signs* permitted by this subsection shall:

- a) require a permit;
- b) only be erected in conformity with the conditions of the permit;
- c) not be required to conform to the requirements of subsection 4.9 at the *Town's* sole discretion;
- d) be subject to immediate removal and disposal if displayed in contravention of the conditions of a permit;
- e) be subject to the *Town's* sole discretion and approval, as to number, location and size;
- f) if a *Banner Sign* be limited to a maximum of four (4) *signs*;
- g) if a *Placard Sign* be limited to a maximum of thirty (30) *signs*;
- h) if a *Light Standard Banner Sign* be permitted to be erected in those areas providing for their display subject to the *Town's* sole discretion and approval;
- i) if a *Portable Sign* be limited to a maximum of two (2) *signs*; and
- j) if a *Gateway Sign* may be permitted to be erected in those areas providing for their display subject to the *Town's* sole discretion and approval;
- k) not be erected or displayed more than three (3) weeks prior to the start of the event; and
- l) be removed within one (1) week of the finish of the event.

6.9.6 Accessory Event Signs – Application

An applicant for an *Accessory Event Sign* permit shall:

- a) submit a Display Plan and Permit Application in the form prescribed by the *Town*; and

- b) pay the required permit fee as set by the *Town*.

6.9.7 Accessory Event Sign – Town’s Right to Deny

An application for an *Accessory Event Sign* permit may be approved, modified or denied by the *Town* and the decision shall be final and binding upon the applicant.

Read a first, second and third time and finally passed this 24th day of April, 2018.

Gary McNamara, Mayor

Laura Moy, Clerk