

THE CORPORATION OF THE TOWNSHIP OF GEORGIAN BLUFFS

BY-LAW NO. 81-2012

BEING A BY-LAW TO PROHIBIT AND/OR REGULATE THE LOCATION AND ERECTION OF SIGNS, TO REQUIRE THE OWNERS TO OBTAIN PERMISSION TO ERECT AND MAINTAIN SIGNS AND TO PROVIDE FOR THE CHARGING OF FEES FOR THE ERECTION AND INSPECTION OF SIGNS WITHIN THE LIMITS OF THE TOWNSHIP OF GEORGIAN BLUFFS.

WHEREAS subsection 8(3) of the Municipal Act, 2001 provides that a by-law may regulate or prohibit respecting a matter, require persons to do things respecting the matter, and provide for a system of licences respecting the matter;

AND WHEREAS section 99 refers to specific municipal powers under Part III of the Municipal Act, 2001 for structures including fences and signs;

AND WHEREAS section 63 of the Municipal Act, 2001 provides that a by-law may prohibit or regulate the placing or standing of an object on or near a highway and may provide for the removal and impounding or restraining and immobilizing of any object placed or standing on or near a highway;

AND WHEREAS section 445 provides that a municipality may make an order requesting a person who has contravened a by-law or who caused or permitted the contravention or the owner or occupier of land on which the contravention occurred to do work to correct the contravention;

AND WHEREAS the Council of the Township of Georgian Bluffs deems it necessary and expedient to pass a by-law to address these issues;

THEREFORE the Council of the Corporation of the Township of Georgian Bluffs enacts as follows:

SECTION 1 - ADMINISTRATION

1. This by-law and any amendments thereto shall be known as the **SIGN BY-LAW**.
2. All lands within the corporate limits of the Township of Georgian Bluffs are subject to the provisions of this by-law.
3. For those signs on private property, the Chief Building Official or their designate shall administer this by-law. For signs on public road allowances, the Operations Manager or their designate shall administer this by-law.

SECTION 2 - DEFINITIONS

For the purposes of this by-law, the following meanings shall apply:

ADDRESS SIGN means a fascia or ground sign on which the copy is limited to the name and address of a place, building, business, organization, person or occupancy of the premises it identifies but does not include a sign that only contains the numerical municipal address.

AGRICULTURAL SIGN means a sign denoting agriculture or agricultural products.

AREA OF SIGN means the number of square metres (or feet) of the surface of the sign including the border and frame.

**BANNER** means a sign or advertising device made from cloth, plastic or a similar lightweight non-rigid material.

**BILLBOARD SIGN** means an outdoor sign that advertises events or goods, products or services that are not sold or offered on the property where the sign is located and is either single faced or double faced.

**BUILDING FAÇADE** means an exterior building wall facing a road allowance and any other building wall which does not face a road allowance but through which the main entrance for the public passes or which faces a parking lot.

**CANOPY STRUCTURE** means an open air structure over the top of gas pumps, the pump island and the adjacent service stall.

**CONSTRUCTION SITE/CONTRACTOR SIGN** means a temporary sign identifying the name and nature of a contractor or subcontractor working on any particular site.

**COPY** means the graphic content of a sign surface in either permanent or removable letter, pictorial, symbolic or numeric form.

**CORNER SIGN** means a sign located at the intersection of more than one (1) road allowance.

**ELECTION SIGN** means a sign advertising, promoting or relating to the election of a political party candidate for public office in a federal, provincial or municipal election or an authorized question on the ballot.

**ERECT** means to build, construct, place, reconstruct, alter or relocate and shall include any preliminary physical operation such as grading, piling, filling, structurally altering, making an addition, deletion, enlargement or extension, but a change in the message of a sign shall not constitute an alteration so as to require a sign permit unless the sign frame or part thereof is changed, moved or removed.

**FASCIA SIGN** means a sign attached to, marked or inscribed on, erected or placed horizontally parallel to a building fascia or supported by or through a building fascia.

**GARAGE SALE SIGN** means a sign advertising the sale of personal merchandise in a private sale held on a property zoned residential.

**HEIGHT, CLEAR** means the distance between the highest elevation of the ground beneath a sign and the lowest point of the sign.

**HEIGHT OF SIGN** means the actual distance from the finished grade to the highest point of the sign.

**LOT** means a parcel or tract of land which is held under separate ownership from adjacent lands according to the registration thereof in the Land Titles Office or is a whole lot on a registered plan.

**LOT, CORNER** means a lot situated at the intersection of two or more streets, of which two adjacent street lines meet at an angle of not more than one hundred and thirty-five degrees. Where such adjacent street lines are curved, the angle of intersection of the adjacent street lines shall be deemed to be the angle formed by the intersection of tangents to the street lines drawn from the extremities of the adjacent lots, provided that the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents.

**LOT, THROUGH** means any interior lot having at least two (2) street lines.

**OPEN HOUSE SIGN** means a temporary portable sign intended to direct traffic to a residence for sale or lease.

PERSON means any human being, association, chartered organization, firm, partnership, corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

PORTABLE SIGN means a single or double faced accessory or non-accessory sign which is positioned without a permanent means of anchorage to the ground which shall be permitted only as a temporary sign.

REAL ESTATE SIGN means a sign that advertises property or premises for sale, lease or rent.

REPAIR OR MAINTENANCE means anything done to preserve the condition of a sign or to prevent the deterioration of the sign and includes the restoration of a sign.

SIGN means a display board, screen, cloth or structure having characters, letters or illustrations applied thereto or displayed thereon, in any manner and includes a sign within a building that is visible from a street and the posting or painting of an advertisement or notice on any building or structure.

SIGHT TRIANGLE means a triangular-shaped area formed by measuring from the point of intersection of lot lines abutting a road allowance on a corner lot a distance of nine (9) metres along each such lot line abutting and joining such points with a straight line. Where the point of intersection of the said streets constitutes an arc, the point of intersection shall be determined in accordance with the definition of "lot corner" in this By-law.

STREET means a highway as defined in the Municipal Act, 2001 and includes the travelled and non-travelled portions of a road allowance.

TEMPORARY SIGN means a portable sign that can be placed on a property for up to six (6) months.

TRAFFIC SIGN means a sign, marking or device placed for the purpose of regulating or prohibiting traffic.

UNSAFE when used with respect to a sign or sign structure means a condition that is or could be hazardous.

VISUAL OBSTRUCTION means a sign which when so erected impairs the views of the public as may be determined by the Township.

WALL SIGN means a sign which is attached directly to or is part of a building façade.

### SECTION 3 - GENERAL PROVISIONS

- a) No person shall erect, display alter or allow the erection, display or alteration of any sign within the Township on publicly or privately owned property without obtaining a permit under this By-law save and except the provisions of Section 4.
- b) Except for an official sign or a sign otherwise permitted in this By-law or authorized by the Township, no person shall erect any sign on, over, partly on or over a road allowance.
- c) No person shall erect any sign that forms a visual obstruction to and from any vehicular traffic ingress or egress point onto a street.
- d) No person shall erect any sign, which hides from view any traffic control signal or sign or which directs a glare of light towards a street which would have the effect of impeding a motorist's visibility.
- e) No person shall erect a sign in a location which may interfere with or damage any above or below ground municipal or utility services which have been lawfully placed at the location or on a tree or Township property.
- f) No person shall erect or maintain any sign which is not in good condition or in a good state of repair and where any sign is not maintained in a safe condition or in

a good state of repair in the sole opinion of the Township of Georgian Bluffs, the owner of such sign shall forthwith upgrade the said sign to a safe condition or a good state of repair or otherwise remove the said sign.

- g) No person shall attach, affix or display any sign or advertising device on a vehicle or trailer which is parked or located for the primary purpose of displaying said sign or advertising device.
- h) No person shall attach, affix or display any sign or advertising device on a tree on publicly owned property.
- i) Illumination shall be subdued in a manner not to interfere with the visual enjoyment of any neighbouring properties.
- j) On any corner lot, within the sight triangle, no person shall erect a corner sign that exceeds 0.75 metres in height.

#### SECTION 4 - SIGNS NOT REQUIRING A SIGN PERMIT

Notwithstanding Section 3, a sign permit is not required for the following signs and all such signs shall comply with all other requirements of this By-law. No person shall erect signs under this section except that meet the following criteria:

- a) official signs or signs pertaining exclusively to public safety;
- b) election signs erected in accordance with Section 2 and to be placed within two months prior to an election (or as permitted by election rules) and every person shall remove election signs two weeks after an election;
- c) a non-illuminated trespassing, safety or other warning sign that does not exceed 0.5 square metres in sign area;
- d) an address sign bearing the occupants name and/or address not exceeding 1.0 square metres in sign area;
- e) municipal address mounted on buildings or as a free standing sign on any lot;
- f) signs advertising commercial or industrial establishments which are affixed to or form part of a building façade, wall or fascia that do not project more than 0.45 metres;
- g) No person shall erect an agricultural sign exceeding 1.0 square metres unless located on an agricultural structure in which case there will be no size limitation;
- h) a sign of governmental authority;
- i) traffic control devices and signs on travelled and non-travelled portions of streets by or for the Corporation of the Township of Georgian Bluffs, the County of Grey or the Province of Ontario;
- j) a construction site sign on an active construction site in all zones in accordance with Section 2.
- k) a real estate sign in accordance with Section 2.
- l) a garage sale sign in accordance with Section 2.
- m) an open house directional sign in accordance with Section 2.
- n) a banner installed by the Township
- o) a construction site sign for a contractor undertaking landscaping, home repairs or renovations, provided such a sign is erected no more than 2 days prior to the commencement of the project and every person shall remove the sign from the property immediately after the project is completed;
- p) a fundraising sign for a charitable or non-profit organization provided only one sign is erected per lot frontage and the sign is erected only for the duration of the event and is located on the property used by the organization. Every person shall remove the sign from the property immediately after the event is completed;
- q) a canopy sign placed on a canopy structure.

#### SECTION 5 - SIGN PERMITS

- a) All signs shall comply with all other applicable Township By-laws and all other applicable law. All signs shall be erected and designed in accordance with the requirements of the Ontario Building Code Act as amended.

- b) Applicant for a sign permit shall complete a sign permit application provided by the Building Department of the Township of Georgian Bluffs, submit all necessary plans and drawings and pay all applicable fees as set out in the current Township of Georgian Bluffs Fees & Charges By-law.
- c) Any application for sign placement on property abutting a provincial highway must be accompanied by an approved MTO sign permit.
- d) Where the sign permit application meets all of the requirements of this By-law and any other applicable laws, a sign permit shall be promptly issued by the Chief Building Official or his/her designate. If the matters mentioned in any application or if the drawings, specifications of plan of survey submitted with the application indicate that the work will not comply in all respects with the provisions of this By-law and other applicable law, the Chief Building Official shall refuse to issue a permit.

#### SECTION 6 - REGULATIONS PERTAINING TO THE LOCATION OF SIGNS

No person shall erect or permit the erection of a sign except in compliance with the following conditions:

- a) No sign shall extend over any lot line including over any street line.
- b) Portable signs shall not be located within 2.0 metres of any lot line or street line.
- c) Temporary signs are permitted for up to six (6) months and thereafter shall be immediately removed.
- d) MTO permits are required to accompany the application on property located on a provincial highway.
- e) County setbacks must be maintained on property located on a county road.

#### SECTION 7 - SIGN PERMIT INFORMATION

All plans and drawings accompanying a sign permit application shall contain the following:

- a) a site plan drawn to scale showing all measurements
- b) type of sign (billboard, pylon, portable, temporary etc)
- c) the owner, applicant, municipal address and legal description of the property
- d) the existing and/or proposed use of the property
- e) the area and zoning of the property
- f) the location of all buildings, parking areas and entrances on or within one hundred (100) metres of the property.
- g) the location of the proposed sign including the setback of the proposed sign from the property line(s)
- h) details of the sign drawn to scale, including dimensions, clear height, materials, colours, copy, graphics, area of sign and any other information as may be required to determine compliance with this by-law
- i) other information as determined by the Chief Building Official with respect to the support structure including architectural and structural drawings as may be necessary to determine if the structure is capable under the Ontario Building Code of supporting the sign or advertising device.
- j) authorization of the owner of the property on which the sign is to be erected or displayed.

#### SECTION 8 - EXPIRATION OF A SIGN PERMIT

The permit shall expire six (6) months from the date of issuance if construction has not yet commenced.

## SECTION 9 - RENEWAL OF A SIGN PERMIT

Where a permit has been issued and before it has expired, an application may be made to extend the permit for one further period of six (6) months at no additional charge except in the case of temporary signs, which are not renewable.

## SECTION 10 - PENALTY

Any person who contravenes or fails to comply with any of the provisions of this by-law shall be guilty of an offence and shall be liable to the fines and penalties as set out in Schedule 'A' and s. 61 of the Provincial Offences Act, R.S.O. Each day of contravention shall constitute a separate offence.

## SECTION 11 - VALIDITY

If any provision of this by-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole, or any part thereof other than the provision so declared to be invalid and it is hereby declared to be the intention that all the remaining provisions of this by-law shall continue to be in full force and effect until repealed notwithstanding that one or more provisions shall have been declared to be invalid.

This by-law rescinds all previous or existing by-laws of the former Township of Georgian Bluffs on issues covered by this by-law or contrary to the opinion of this by-law.

This by-law shall come into force and effect upon final passing thereof and shall remain in force until repealed by Council.

Read a first and second time this 19<sup>th</sup> day of December, 2012.

Read a third time and finally passed this 19<sup>th</sup> day of December, 2012.

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Alan Barfoot  
Mayor

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Bruce Hoffman  
Clerk

The Corporation of the Township of Georgian Bluffs

Part 1 Provincial Offences Act

Bylaw No. 81-2012: Sign Permit Bylaw

Item	Column 1 Short Form Wording	Column 2 Provision Crating or Defining Offence	Column 3 Set Fine
1	Installing a sign without a permit	Section 3.(a)	\$125
2	Installing a sign on, over, partly on or over a road allowance	Section 3(b)	\$125
3	Installing a sign that forms a visual obstruction to vehicular traffic	Section 3(c)	\$125
4	Installing a sign that obstructs the view of any traffic control signal or sign	Section 3(d)	\$125
5	Installing a sign that directs glare that would impede a motorist's visibility	Section 3(d)	\$125
6	Installing a sign which may interfere or damage any above or below ground utility services	Section 3(e)	\$125
7	Allowing a sign to deteriorate to an unsafe condition or to not be in a good state of repair	Section 3(f)	\$125
8	Attaching or affixing a sign to a parked vehicle for the purpose of display	Section 3(g)	\$125
9	Attaching a sign to a tree on publicly owned property	Section 3(h)	\$125
10	Installing a sign in a sight triangle exceeding maximum height	Section 3(j)	\$125
11	Failure to remove election signs in a timely manner	Section 4(b)	\$125
12	Failure to remove a temporary sign once expired	Section 6 (c)	\$125
13	Failure to remove a sign once project is completed	Section 4 (o)	\$125
14	Failure to remove a sign once event is completed	Section 4 (p)	\$125
15	Exceeding the size limitations for any sign	Section 4 (c)	\$125
16	Exceeding the size limitations for any sign	Section 4 (d)	\$125
17	Exceeding the size limitations for any sign	Section 4 (f)	\$125
18	Exceeding the size limitations for any sign	Section 4 (g)	\$125

Note: the general penalty provision for the offences listed above is section 10 of bylaw 81-2012, a certified copy of which has been filed.