



Regular Council Meeting

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| To: | Mayor and Council |
| Date: | May 3, 2021 |
| From: | Wayne Hancock, Director of Public Works John F. Connolly, Executive Director of Planning & Development |
| Report Number: | Public Works 2021-08 |
| Subject: | Municipal Sign By-law No. 2021-28 |

Recommendation:

That Council approve the Municipal Sign By-law No. 2021-28.

Overview:

Staff reported to Council on December 7, 2020 of development of a draft Sign By-law (Public Works Report No. 2020-23, Attachment No. 3). As part of the approved recommendations, Council directed Township staff to complete a public survey regarding the Township proposed new Sign By-law. The survey was conducted during the month of January, 2021 and concluded on January 29th at 4:30 p.m. (Note: survey results are attached as Attachment No. 1).

Although the public response was limited to only seven (7) comments to the survey, it is noted that five (5) were in favour of the new Sign By-law, while two (2) were against it. The two responses opposing the by-law: one commented that it was a waste of tax payer dollars and that the Township should focus on major issues before the Township rather than smaller items of this nature; and the other response noted that the by-law should be simple and noted that if it is approved, it must be enforced.

Of those respondents in favour of the By-law, all suggested most signs in Millbrook are good while some roadside and lighted signs are not. Most of these respondents agreed with the permit process and fee. The detailed comments are attached, as previously noted (see Attachment No. 1).

Staff reviewed the draft Sign By-law from Public Works Report 2020-23, incorporating comments and feedback from staff and residents. Staff are seeking approval of the Municipal Sign By-law and are of the opinion that it is necessary in order to enforce the type of signage, the size of signage, general content and a formal sign permitting process that also includes inspection of structural integrity.

As staff previously noted in Public Works Report No. 2020-23, most Municipalities have adopted sign by-laws including most recently the County of Peterborough.

By-law No. 2021-28 is attached as Attachment No. 2. This By-law provides specific reference to the following:

1. Under Definitions but not limited to, Section 2.16 provides for sign classifications. This section has also included a maximum sign size for each defined category.
2. General Provisions – Under this section, it is noted the by-law requires that a permit will be issued for signs unless they are exempt. This will fall under a proposed permitting process under the Chief Building Official within the Planning & Development Department. Staff have also reviewed the sign permit fee structure as outlined in Schedule 'A' of the by-law. Permit requirements are outlined under Section 3.3 to Section 3.7.
3. Exemptions - proposed exemptions to the sign by-law are included in Section 3.8 (e.g. Election signs).
4. Enforcement – this section outlines the provisions of enforcement which would be implemented through the Chief Building Official or designate.
5. Location - this section outlines the number of signs permitted, status of existing signage, maintenance and illumination are defined under Sections 3.10 to 3.14.
6. Prohibited Signs – the provisions for this are outlined in Section 3.15 (e.g., signage on the side of a trailer with no weekly operation are prohibited).
7. Special Provisions - Section 4 of the by-law establishes control over Mobile Signs, Readograph and Electronic Signs, Fascia Signs, Ground Signs, Sandwich Board Signs, Election Signs, Poster Panel Signs and Hanging Signs.
8. Permitted Signs –Section 5 outlines the signs permitted under certain types of zoning (e.g., Developers Signs, Builders Signs).
9. Duties of Chief Building Officer - Section 6 of the by-law outlines the responsibility for the Chief Building Official or designate for permitting and enforcement.

Financial Impact:

The intent of this by-law is to provide a permitting process and outline a fee and penalties schedule to be collected. It is intended that any fees or penalties would be to cover costs of administration, inspection and enforcement (i.e., breakeven cost). The proposed fee structure is outlined in Schedule 'A' of the by-law.

Attachments:

Attachment No. 1 – Survey Results

Attachment No. 2 – Municipal Sign By-law 2021-28, Schedule “A” – Fee Schedule and Schedule “B” – Set Fine Schedule

Attachment No. 3 – PW 2020-23 Draft Municipal By-law

Respectfully Submitted by,

Wayne Hancock
Director of Public Works

John F. Connolly
Executive Director, Planning &
Development

Reviewed by,

Yvette Hurley
Chief Administrative Officer

| Completed Date | How important is it to have a sign by-law? | Do you feel that this draft by-law covers all signage? | If you answered "no" to the above questions please provide additional comments on changes you would like to see. | Are there instances where you think that an exemption can be made for temporary (time-limited) signs? If yes please describe in the space below. | Do you have examples of signs that you like? |
|-----------------|--|--|--|---|--|
| 1/10/2021 11:11 | Unnecessary | Yes | | This is a waste of our hard earned tax paying dollars! This expenditure should be utilized towards fixing our roads, not nit picking signs and signage. This town needs to grow and expand, thus meaning changes and new things to be implemented for this to take place. We as a community cannot stay stagnant. Please focus on more important factors of this community rather than petty advertisement extension. | |
| 1/11/2021 8:49 | Somewhat important | Yes | | | |
| 1/11/2021 12:01 | Very important | No | <p>Section 5.2 Signs Permitted in all Zones "Real estate signs, contractor's signs, developer's signs, directional signs, warning signs, traffic control signs and PUBLIC INFORMATION signs shall be permitted in any zone, at the discretion of the Chief Building Official." Following that is a description of the limits for each sign type, but there is nothing about Public Information Signs. That is a very broad category and limits need to be stated.</p> <p>The rules about lighted signs are far too subjective. "No illumination of a sign shall spill beyond the face of the sign such that light interferes with the enjoyment of neighbouring lands or interferes with the visibility on nearby streets".</p> <p>The acid test is: Would this wording have prevented the sign on the north side of corner building facing Moodie's have prevented it from being installed?</p> | | |

| Completed Date | How important is it to have a sign by-law? | Do you feel that this draft by-law covers all signage? | If you answered "no" to the above questions please provide additional comments on changes you would like to see. | Are there instances where you think that an exemption can be made for temporary (time-limited) signs? If yes please describe in the space below. | Do you have examples of signs that you like? |
|-----------------|--|--|--|---|---|
| 1/11/2021 13:08 | Very important | Yes | | | Millbrook Mercantile.jpg - https://formbuilder.ic12.esolg.ca/_Document/Download/81001039-242c-4563-b931-acad01282ddd/Millbrook+Mercantile.jpg , Brocks sign .jpg - https://formbuilder.ic12.esolg.ca/_Document/Download/05761412-ab9b-44e3-b4f0-acad012689d1/Brocks+sign+.jpg |
| 1/12/2021 14:44 | Very important | No | Signs posted by commercial enterprises on the hydro poles should be outlawed. Signs placed by real estate companies at intersections and on hydro poles should be forbidden - only outside property that is being sold. | No exemptions - keep the bylaw simple. Who is going to enforce this? Aren't bylaw people already overworked? | |
| 1/14/2021 11:55 | Unnecessary | Yes | | as long as sign does not cause blind spots for drivers(corners, driveways etc), and pedestrians leave it alone. doesn't this township waste enough money paying the electricity bill on a community centre thats been lit up like a xmas tree all through lockdown? | |
| 1/20/2021 7:14 | Very important | Yes | | | |

| Completed Date | What are these signs and where are they located? | Do you have examples of signs that you dislike? | What are these signs and where are they located? | How do you feel about different types of advertising signs? Please upload or describe examples where possible. | Upload Examples | Do you think that there is anything missing from the list of signs? | If you answered yes to the above question please provide detail on what you feel is missing. | Are there instances where you think that an exemption can be made for temporary (time-limited) signs? |
|-----------------|--|--|---|---|-----------------|---|---|---|
| 1/10/2021 11:11 | | | | Please see my above explanation | | No | | No |
| 1/11/2021 8:49 | | | | | | No | | No |
| 1/11/2021 12:01 | The street signs within Millbrook are quite tasteful. The signs on King Street protruding from the stores so that you can see most of the signs from the corner of Tupperand King for example. | KATVA sign.jpg - https://formbuilder.ic12.esolg.ca/_Document/Download/029f51d9-cd34-4531-8d2c-acad01181c6c/KATVA+sign.jpg | The large lighted sign on the north side of the corner building facing Moodies. How it was ever allowed is beyond comprehension. It is totally not in keeping with the appearance of Millbrook. KAWARTHA ATV Association signs should not be allowed in CAVAN MONAGHAN. | In general, I do not like lighted signs. If they are allowed, there has to be an objective and measurable limit on not only the size of the sign, but also how much light comes out the front and sides, plus what hours it's allowed to be on. This is not enough and would not prevent a high intensity lighted sign: "The intensity of illumination of an electronic message display during a cycle shall be maintained at a constant level. In addition, such signs shall come equipped with automatic dimming technology that automatically adjusts the signs brightness in direct correlation with ambient light conditions". | | Yes | There is no restriction on sign size, lighting, etc. under Off-premise Signs. 3.11 Number of Signs a. Off-premise Signs A maximum of one (1) off-premise sign may be erected or displayed on one lot subject to the provisions of this By-law. | No |

| Completed Date | If you answered yes to the above question please provide detail on | Do you agree with the permit process and proposed fees as outlined in Section 3.5 of the proposed by-law? | If you answered "no" to the above questions please provide additional comments on changes you would like to see. | Do you agree with the exemptions as noted in Section 3.8 of the proposed by-law | If you answered "no" to the above questions please provide additional comments on changes you would like to see. | If you have additional comments please provide the in the space below. |
|-----------------|--|---|--|---|--|--|
| 1/10/2021 11:11 | | No | Sign design is an expression of the person and the business itself. It should be free reign of this | No | Please see above explanation | Please see me initial explanation |
| 1/11/2021 8:49 | | No | A \$50.00 and \$100.00 fee seems a little unreasonable. | Yes | | |
| 1/11/2021 12:01 | | Yes | | No | There is no requirement to have Election signs removed within a set time after the election. | |

| Completed Date | If you answered yes to the above question please provide detail on | Do you agree with the permit process and proposed fees as outlined in Section 3.5 of the proposed by-law? | If you answered "no" to the above questions please provide additional comments on changes you would like to see. | Do you agree with the exemptions as noted in Section 3.8 of the proposed by-law | If you answered "no" to the above questions please provide additional comments on changes you would like to see. | If you have additional comments please provide the in the space below. |
|-----------------|--|---|--|---|--|--|
| 1/11/2021 13:08 | | Yes | | Yes | | Thank you for addressing this issue in our growing community and making this transition. |
| 1/12/2021 14:44 | | No | The cost of sign permits should be five times the existing. | No | | Why is this bylaw being created? If it isn't simple - then it becomes an administration nightmare - is there that many staff at the township that need to do more? Only put into place what you are prepared to enforce!! |
| 1/14/2021 11:55 | | No | | No | | |
| 1/20/2021 7:14 | | Yes | | Yes | | I wish there had been a bylaw in place prior to the erection of the sign at the school. As the bylaw would stand now, if approved, this signs illumination would interfere with my property, however, because it is already erected, it will be exempt. I can not even describe the battle I fought to have this sign illuminated at a reasonable hour. I fought for the fence to be built, and the only reason that fence is as tall as it is, is because of a very lengthy argument. It still does not hide the brightness of the sign in the winter months. If I had any legal recourse, I would fight for it's relocation to the old signs location, at the front of the school. This bylaw is too little, too late. |

The Township of Cavan Monaghan

By-law No. 2021-28

Being a by-law to Regulate the Use and Erection of Signs in the Township of Cavan Monaghan

Whereas The Municipal Act, 2001, Section 99 authorizes municipal councils to pass By-laws respecting advertising devices including signs;

And Whereas The Municipal Act, 2001, Section 391 authorizes fees and charges to be imposed on persons for the use of its property including property under its control;

And Whereas The Municipal Act, 2001, Section 446 authorizes entry onto property to enforce Township By-laws;

And Whereas The Municipal Act, 2001, Section 63(1) authorizes the removal and impounding of objects that contravene the By-law;

And Whereas Council considers it desirable to regulate certain types of advertising devices including signs within the Township of Cavan Monaghan;

Now Therefore the Council of the Township of Cavan Monaghan hereby enacts as follows:

1. Short Title

This By-law may be cited as “The Municipal Sign By-law” for the Corporation of the Township of Cavan Monaghan.

2. Definitions

For the purposes of this By-law, the following definitions shall apply:

2.1 “Alter, Altered, or Alteration” shall mean any change to a sign with the exception of:

- a. a change in the message displayed by a sign;
- b. the rearrangement of numbers, letters or copy applied directly to the face of a sign and specifically designed and intended to be periodically rearranged; or

- c. repair and maintenance, including replacement by identical components; unless such works change the size, height or location of the sign or otherwise affect the structure of the sign.
- 2.2 “Applicant”** shall mean a person who is applying for a sign permit under the terms of this By-law.
- 2.3 “Awning”** shall mean a retractable or non-retractable roof-like structure constructed of canvas or canvas-like material (which may have displayed thereon a message) supported by a frame that projects from, is attached to and is supported by a building.
- 2.4 “Building Code”** shall mean the Ontario Building Code Act, as amended and includes any regulations thereunder.
- 2.5 “Clear Height”** shall mean the distance between the highest elevation of the ground beneath a sign or awning and the lowest point of the sign (excluding support poles) or awning, as the case may be.
- 2.6 “Council”** shall mean the Council of the Corporation of the Township of Cavan Monaghan.
- 2.7 “Corporation”** shall mean the Corporation of the Township of Cavan Monaghan.
- 2.8 “Erect”** shall mean to attach, display, alter, build, construct, reconstruct, enlarge, or move, but does not include any change in the message displayed on a sign or any act performed to maintain a sign.
- 2.9 “Highway”** shall have the same meaning as that word is defined in the Highway Traffic Act.
- 2.10 “Lot”** shall mean a parcel of land that is registered as a legally conveyable parcel of land in the Land Titles Registry Office.
- 2.11 “Marquee”** shall mean a permanent roof structure constructed of metal, wood, plastic, plaster or similar materials projecting from, attached to and supported by a building, upon which there may be one or more sign faces.

- 2.12 “Mural”** shall mean any type of display or artistic endeavor applied to any external wall or other part of a building or structure which does not include any words, images, logos, or trademarks that advertise or convey any promotional message.
- 2.13 “Municipal Property”** shall mean property owned by or under control of the Corporation of the Township of Cavan Monaghan.
- 2.14 “Sign”** shall mean a name identification, description device, display or illustration which is presented upon a surface, structure and/or other component part that are used as a visual medium or display which directs attention to an object, product, place, activity, person, institution, organization or business.
- 2.15 “Sign Area”** shall mean the area of the surface, structure and/or component part that is used as a visual medium or display. For the purpose of this By-law, any double-sided sign shall be deemed to have only one face, provided that the faces are identical, contiguous, and/or diverging at an angle of not more than fifteen (15) degrees.
- 2.16 “Sign Classifications”**
- a. **“Abandoned Sign”** shall mean a sign located on property which becomes vacant and unoccupied for a period of ninety (90) days or more, or any sign which pertains to a time, event or purpose 48 hours after which it no longer applies.
 - b. **“Animated Sign”** shall mean a sign whose sign face moves in whole or in part and includes flashing, chase lighting, or electronic message which is stagnant for less than sixty (60) seconds or rotating sign but does not include a clock, a time, date or temperature display.
 - c. **“Banner Sign”** shall mean a temporary sign made of vinyl, cloth, canvas or other like material.
 - d. **“Billboard Sign”** shall mean a sign structure to which advertising copy is fastened in such a manner as to permit its periodic replacement and which displays goods, products, services or facilities that are not available at the location of the sign and/or

which directs or invites a person to location different from which the sign is located, and does not exceed 60 square metres in size.

- e. **“Black Fluorescent Sign”** shall mean a permanent sign or mobile sign containing large changeable letters.
- f. **“Civic Address Sign”** shall mean a standardized sign supplied by the municipality and which is installed at or near the street line.
- g. **“Contractor’s Sign”** shall mean a single or double faced temporary on-premise sign containing the name of the contractor or the name of the product being used for an on-going construction, renovation or maintenance project on a lot, where such sign shall be removed upon completion of the work.
- h. **“Developer’s Sign”** shall mean a single or double faced temporary on-premise sign used to identify a development or redevelopment project on a lot or establishment or a subdivision, where such sign is removed upon completion of the development project. It shall have a maximum sign area of 9 square metres.
- i. **“Directional Sign, Off-premise”** shall mean an off-premise sign that is used to guide vehicular and pedestrian traffic to a lot or business. The sign shall contain only the name of the business or enterprise, the logo and an arrow or other form of directional indicator and shall have a maximum sign area of 3 square metres.
- j. **“Directional Sign, On-premise”** shall mean an on-premise sign that is used to guide vehicular and pedestrian traffic on a lot, such as entry or exit signage, or on-site parking signage and includes menu signage and similar on-site instructional signage, but shall not include any advertising matter. The sign shall have a maximum sign area of 0.5 square metres.
- k. **“Directory Sign”** shall mean a sign listing the tenants of a multi-tenant commercial or industrial building containing at least two (2) distinct tenant units which sign includes only the municipal address and a list of tenants or occupancies for identification purposes.

- l. **“Double Faced Sign”** shall mean a sign having two (2) sign faces of equal area and proportions which are located exactly opposite each other on the sign structure. (see Sign Area Section 2.15)
- m. **“Election Sign”** shall mean a sign which is used to promote the running candidate for public office in a federal, provincial, municipal, or School Board election period and signs used in relation to a referendum.
- n. **“Electronic Message Display”** shall mean a sign or part of a sign which is electronically controlled to display information in a pre-arranged sequence.
- o. **“Fascia Sign”** shall mean a single faced accessory sign which is painted directly onto a building façade or attached directly to the wall of a building and which does not project more than 0.3 metres from the building. Any message displayed on an awning or marquee, whether projecting over a street or not, shall be deemed a fascia sign for the purposes of this By-law.
- p. **“Fence Sign”** shall mean a single- or double-faced sign which has been affixed to a fence.
- q. **“Ground Sign”** shall mean a single- or double-faced on-premise sign which rests on the ground or is mounted on one or more poles where the sign has a clear height of less than 3.0 metres.
- r. **“Hanging Sign”** shall mean a sign which is attached perpendicular to the wall of a building, which overhangs a sidewalk or other pedestrian walkway and is fixed to prevent swinging.
- s. **“Home Business Sign”** shall mean a sign for the identification of a home business.
- t. **“Illuminated Sign”** shall mean a sign which is illuminated directly, indirectly, internally or externally by fluorescent lamps or luminous tubes.

- u. **“Inflatable Sign”** shall mean a sign designed to be airborne and tethered to the ground, a vehicle, or any other structure and shall include balloons and any other inflatable Sign.
- v. **“Mobile Sign”** shall mean a sign mounted on or connected to a trailer or other type of structure which is not permanently anchored in the ground and is designed in such a manner as to facilitate its movement from place to place for the purpose of advertising on a temporary basis, but shall not include a sandwich board, or real estate sign.
- w. **“Multi-faced Sign** shall mean a ground sign having more than two (2) sign faces up to a maximum of four (4) sign faces, each face being of equal area and proportion to the other.
- x. **“Off-Premise Sign”** shall mean a sign identifying or advertising a business, person, activity, goods, products or service, which is not related to, or available at the lot where the sign is located.
- y. **“On-premise Sign”** shall mean a sign identifying, advertising, or directing attention to a business, profession, commodity, subject service, or entertainment which is conducted, sold or offered at the lot upon which the sign is located.
- z. **“Personal Identification Sign”** shall mean a single or double-faced on-premise sign that identifies the residential occupants of the lot.
- aa. **“Poster Panel Sign”** shall mean a single or double faced Off-premise sign which is used for the display of a message produced on a sheet of paper that may be either self-supporting or affixed to a building or other structure for support.
- bb. **“Private Warning Sign”** shall mean a single faced On-premise sign that directs a warning to the public such as no trespassing, beware of dog, no hunting or similar warnings.
- cc. **“Public Information Sign”** shall mean any sign erected for or at the direction of any government authority, agency, board or committee for the purpose of providing information to the public

concerning such authority, agency, board or committee or any proceedings thereof and shall include signs that advertise Planning Act applications.

- dd. **“Readograph”** shall mean a sign or part of a sign on which copy is changed manually with letters or pictorial panels.
- ee. **“Real Estate Sign”** shall mean a temporary sign located on a lot for the purpose of announcing a sale, lease, or rental of such lot or a building or structure located thereon.
- ff. **“Sandwich Board”** shall mean a sign which is secured but not permanently affixed to the ground. Being self-supportive, it forms the shape of an ‘A’ when erected. Its size and shape shall be limited to a maximum of 1.2 metres in height and 0.6 metres in width for each Sign Face.
- gg. **“Temporary Sign”** shall mean a sign which is intended to advertise community events or civic projects, or promote patriotic, religious or charitable events on a temporary basis.
- hh. **“Yard Sale Sign”** shall mean a sign which is used solely for the purpose of directing traffic to the location of a yard, garage, household, or auction sale. Such signs may include the name of the event holder, and the location and/or time of the event but shall contain no other message. Such sign shall be removed immediately following the closure of the event.

2.17 “Sight Triangle” shall mean an unobstructed triangular area where the front lot line and exterior side lot line meet on a corner lot.

2.18 “Sign Face” shall mean that portion of a sign on which a message is intended to be displayed.

2.19 “Sign Structure” shall mean those parts of a sign consisting of the supports or framework for the support of the sign.

2.20 “Street” shall mean a highway as defined in the Municipal Act, 2001 and includes the travelled and non-travelled portion of a street allowance.

2.21 “Street Frontage” shall mean the limit of the street allowance and is the dividing line between a lot and a street.

2.22 “Third Party Advertising” shall mean a sign erected on or at a business premise intended to advertise a business that is conducted at another location.

2.23 “Zoning By-law” shall mean any zoning By-law of the Corporation passed under Section 34 of the Planning Act, R.S.O., 1990, as amended.

3. General Provisions

3.1 Scope

Unless otherwise specifically exempt or covered under a Community Improvement Plan Area, all lands within the limits of the Township of Cavan Monaghan are subject to the provisions of this By-law.

3.2 Effect of this By-law

No person shall erect, display or alter, or cause the same, any sign within the limits of the Township of Cavan Monaghan except in compliance with this By-law.

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions. The most restrictive of all the regulations shall prevail.

3.3 Permit Required

No person shall erect, display or alter, or cause to be erected, displayed, or altered a sign within the limits of the Corporation without first obtaining a permit from the Chief Building Official or his/her designates, unless the sign is exempt from the permit requirement.

3.4 Issuance of Permit

When the requirements of this By-law have been complied with and the Chief Building Official or his/her designate accepts and approves the application and all the plans and drawings therewith, and when the

necessary fees have been paid, the Chief Building Official or his/her designate shall issue a permit for the erection of the sign.

The Chief Building Official or his/her designate shall not issue a sign permit for a proposed sign, awning or marquee, which would contravene any provision of this By-law, the Building Code Act or any other applicable statute.

3.5 Sign Permits and Fees

- a. Every applicant for a sign permit shall complete a sign permit application provided by the Planning and Development Department, submit all necessary plans and drawings, and pay all applicable fees as set out in the Township's User Fees and Charges By-law.
- b. The applicant for a sign permit shall provide the following information by drawings or in writing as may be required by the Chief Building Official or his/her designate in his/her sole discretion:
 - i. A Site Plan depicting the location of all existing buildings and their entrances and the location of the proposed sign, and their distances to lot lines;
 - ii. The type, size and weight of the sign;
 - iii. The minimum clear height and the maximum height of the sign;
 - iv. The type and operation of lighting, if any, of the sign;
 - v. The means of support and manner of erection of the sign;
 - vi. The location and size of other signs on the lot;
 - vii. Existing and proposed use(s) of the premises;
 - viii. The municipal address of the premises;
 - ix. The name and addresses of the owner of the sign;
 - x. The name and address of the erector of the sign;
 - xi. Other information as determined by the Chief Building Official or his/her designate with respect to the building including architectural and structural drawings as may be necessary to determine if the building is structurally capable, under the Ontario Building Code, of supporting the sign.

3.6 Revocation of a Sign Permit

The Township may revoke a permit under the following circumstances:

- a. When six (6) months after its issuance, the erection, display, alteration of the sign in respect of which the permit has been issued has not, in the opinion of the Chief Building Official, been seriously commenced or has been substantially suspended or discontinued.
- b. Where the sign has not been erected, displayed or altered in accordance with the permit and/or does not comply with the provisions of this By-law.
- c. Where the permit has been issued as the result of false, mistaken, incorrect, or misleading statements, or undertakings on the application.

3.7 Inspection

Upon completion of the erection, display, alteration or repair of a sign for which a permit has been issued, the person to whom the permit was issued shall notify the Chief Building Official or his/her designate, who shall within thirty (30) days from the date of such notice, inspect the sign and sign structure (if applicable) to ensure that it has been erected, displayed, altered or repaired in accordance with the approved plans in respect of which the permit was issued, the requirements of this By-law, the Ontario Building Code, and any other applicable laws.

3.8 Exemptions

No permit shall be required for any of the following:

- a. Personal identification signs having a maximum sign area of 0.5 square metres.
- b. Real estate, restricted to the size and definition provided by the Chief Building Official or his/her designate.
- c. Private Warning signs or other such directional signs regulating the use of the property.
- d. Directory signs.
- e. On-premise directional signage.
- f. Memorial or commemorative signs or tablets, ground mounted or permanently attached or architecturally integrated into a building.
- g. Signs erected upon commercial or industrial premises which list only the hours of operation, municipal address, unit number, telephone number, webpage and or email address, providing that the number of such signs does not exceed one per business establishment and that the sign area does not exceed 0.5 square metres.

- h. All signs in the interior of buildings, whether they can be seen from the outside or not, including window painted signs.
- i. Election signs.
- j. Temporary signs, subject to their removal within one (1) week of the conclusion of the special event.
- k. Signs that are used to advertise the sale of fresh farm products provided the total area of the sign does not exceed 1.5 square metres.
- l. Civic address signs not exceeding 0.2 square metres in sign area.

3.9 Enforcement

This By-law shall be administered by the Chief Building Official or his/her designate, as appointed by the Council of the Corporation of the Township of Cavan Monaghan.

3.10 Location of Signs

No sign shall be located in such a manner as to impede the view of any highway intersection or railroad grade crossing or any ingress and/or egress from private or public property or where, in the opinion of the road authority having jurisdiction, it may be confused with or impair the view of any authorized traffic sign, signal or device. If a sign falls within jurisdiction of another governmental authority, input from the applicable authority will be sought.

3.11 Number of Signs

- a. Off-premise Signs
A maximum of one (1) off-premise sign may be erected or displayed on one lot.

3.12 Existing Signs

- a. This By-law shall not apply so as to require any sign that was lawfully erected or displayed on the date this By-law comes into full force and effect that does not comply with the provisions of this By-law, to be made to comply with this By-law so long as the sign is not altered.
- b. If any sign legally existing on the date this By-law comes into full force and effect is removed, relocated or deemed by the Chief Building Official or his/her designate to be substantially altered, the

sign shall be replaced or upgraded only in accordance with all the requirements of this By-law.

- c. Subsection a. does not apply to signs located on Municipal Property.

3.13 Maintenance

Every sign shall be kept clean, neatly painted, well maintained and in good state of repair as to safety and appearance. No person shall permit any sign to become unsafe. Failure of maintenance requirements is subject to section 6.2c.

3.14 Illumination

- a. Signs may be illuminated unless otherwise expressly prohibited by this By-law.
- b. No illumination of a sign shall spill beyond the face of the sign such that light interferes with the enjoyment of neighbouring lands or interferes with the visibility on nearby streets.

3.15 Prohibited Signs

Any sign not expressly permitted by the By-law is prohibited and without limiting the generality of the foregoing, the following signs are specifically prohibited:

- a. Abandoned sign;
- b. Animated sign;
- c. A banner, other than a banner located within a public road allowance which has been given approval by Council;
- d. An inflatable advertising sign;
- e. A sign erected or painted on a vehicle or trailer where the vehicle or trailer is not in weekly operation for transportation and is parked in a manner so as to make the sign visible from a street for the purpose of functioning as an identification, information or advertising sign;
- f. A sign located so as to obstruct the view of any motor vehicle driver so as to cause an unsafe condition;
- g. A sign located within a site triangle;
- h. A sign interfering with or obstructing the view of an authorized traffic sign, traffic signal, or an official sign or any sign capable of being confused with such traffic sign traffic signal or official sign;

- i. Any sign which may interfere with or damage any above or below ground municipal or utility services;
- j. Any sign structure in a state of disrepair or in an unsafe, damaged or hazardous condition;
- k. Any mobile sign structure anchored by concrete blocks, sandbags, or any other hazardous or unsightly objects;
- l. Any sign or part of any sign on or within any Municipal Road Allowance (unless accompanied by an encroachment agreement), public park, or municipally owned lands;
- m. Any sign so illuminated that it interferes with the effectiveness of, or obscures a traffic control sign, device or signal;
- n. Any sign, which obstructs or interferes with any maintenance operations provided by the Township;
- o. Any sign which obstructs any fire escape, fire exit, fire hydrant or standpipe;
- p. Except for a public information sign, banner or sign pertaining to public safety, no person shall attach or display any sign or advertisement on a utility pole, light standard, or live tree except as provided for hereafter; and
- q. A fence sign.

3.16 Municipal Property

Except for sandwich board signs which have been authorized by the Corporation pursuant to the provisions of the By-law and those signs described in Sections 3.8 f, g, j, k, and l of this By-law, no other sign shall be located on any Municipal Property. No sign shall be attached to a tree or utility pole or existing lawful sign on Municipal Property.

4. Special Provisions

Every person who erects or displays a sign shall comply with the following requirements:

4.1 Mobile Signs

A permitted mobile sign may be displayed for a period of ninety (90) days per calendar year (Jan 1, to Dec 31st) at one location.

4.1.1. Number of Signs

- a. A maximum of 1 mobile sign shall be permitted on a lot having a street frontage of 121 metres or less.
- b. A maximum of 2 mobile signs shall be permitted on a lot having a street frontage exceeding 121 metres.

4.1.2. General Provisions

- a. It is located on private property;
- b. It is displaying a message that logically and clearly indicates that the use is for the subject property;
- c. It is in good repair and has not become unsafe, unsightly or dangerous;
- d. It is situated at grade;
- e. Where it has been leased or rented from a sign company, the name and telephone number of the sign company is affixed to the sign at a clearly visible location;
- f. It has no more than two (2) sign faces for which the maximum sign face area shall not exceed 4.6 square metres in which no one dimension is greater than 2.4 metres;
- g. Where a business is located on a lot occupied by two (2) or more businesses, no application shall be approved if the total number of signs permitted on that lot would be exceeded until a permit has expired;
- h. It is located a minimum of 3 metres from the closest edge of a sidewalk or lot line and at least 23 metres from the closest edge of another mobile sign; and
- i. A blank mobile sign shall not be permitted.

4.2 Readographs, and Electronic Message Displays

- a. Readographs and Electronic Message Displays shall only be permitted in commercial, employment and institutional zones.
- b. A ground sign incorporating a readograph or an electronic message display shall be subject to the provisions of section 4.4 of this By-law, except that the maximum permitted sign area for a ground sign incorporating a readograph or electronic message display shall be 25 percent greater than the maximum permitted sign area that does not incorporate a readograph or an electronic message display.
- c. The intensity of illumination of an electronic message display during a cycle shall be maintained at a constant level. In addition, such signs shall come equipped with automatic dimming technology that

automatically adjusts the signs brightness in direct correlation with ambient light conditions.

- d. The information displayed on an electronic message display shall be static for at least 6 seconds per message.

4.3 Fascia Signs

- a. A fascia sign may only be erected or displayed on that portion of an exterior wall which is adjacent to that business and only when the wall faces a street, public lane, public parking lot or private parking lot.
- b. A fascia sign shall be permitted in any commercial, employment and institutional facility zone.
- c. A fascia sign shall only be permitted for the purpose of providing a notice of the use or occupancy of the building for which it is attached.
- d. A fascia sign may be erected above the first storey of any building, with a minimum clear height of 2.7 metres.
- e. The total sign area of all fascia signs on a building shall not exceed 25 percent of the wall area of the first storey.
- f. Directional fascia signs shall be permitted in the parking areas of restaurants, multiple unit retail establishments, employment areas and multiple unit residential buildings, which shall not exceed 0.6 square metres in sign area.
- g. Fascia signs shall be anchored safely and securely to the exterior wall of a building that is capable of carrying this additional load by means of approved fastener.
- h. A fascia sign shall not project more than 0.3 metres from the wall of a building to which it is attached.
- i. Each lot shall be limited to two (2) fascia signs or one fascia sign for each business operation. An additional fascia sign is permitted for each additional street frontage.
- j. A fascia sign shall not exceed the height of the wall to which it is attached.

4.4 Ground Signs

- a. Ground signs shall be permitted in any commercial, employment and institutional facility zone.

- b. One ground sign shall be permitted on a property with frontage on a municipal highway. If a property has frontage on more than one municipal highway, one sign for each frontage shall be permitted on that property.
- c. A ground sign on a property with frontage of less than 30.0 metres shall not exceed 5.5 metres in height, and shall not exceed 5.5 square metres in sign area.
- d. For each additional 5.0 metres of frontage, an additional 0.5 metres of height shall be permitted, to a maximum height of 8.0 metres. Further, an additional 0.5 square metres in area shall be permitted, to a maximum area of 7.0 square metres.
- e. One off premises ground sign shall be permitted on a property that is undeveloped, which shall not exceed 5.0 square metres in sign area.
- f. A ground sign shall be located at least 3.0 metres from the property line of any adjacent residence.
- g. A ground sign shall be located at least 1.5 metres from the property line of any adjacent commercial, employment, institutional zone or municipal public right of way.
- h. Ground signs shall be set in concrete footings which shall extend below the depth of frost penetration and shall be of sufficient size and weight to prevent overturning of the sign.
- i. Where required by the Chief Building Official or his/her designate, ground signs shall be designed by a professional engineer when required by the Ontario Building Code.

4.5 Sandwich Board Signs

- a. A sandwich board sign shall be permitted on Municipal Property during regular business hours only where an encroachment agreement has been entered into with the Corporation.
- b. A maximum of one (1) sandwich board sign per business may be erected or displayed within the municipal limits.
- c. Sandwich board signs must be removed from public property after business hours.

4.6 Election Signs

Election Signs for Federal, Provincial, Municipal, or School Board elections are regulated through legislation and in addition shall be subjected to the following:

- a. Election signs must be removed within seventy-two (72) hours after election polls close;
- b. Sandwich boards, portable/mobile signs, electronic message display signs and readograph signs are prohibited for election use;
- c. Election signs are not permitted within any municipal road allowance;
- d. No election sign shall be located as to interfere with the safe operation of vehicular and pedestrian traffic and any sign improperly located may be removed by Municipal Staff or his/her designate;
- e. No election sign shall be erected in any sight triangle;
- f. No election sign shall be erected at, adjacent to, or within 18 metres of polling stations. The Chief Building Official or his/her designate has the authority to remove these election signs immediately without notice;
- g. The Chief Building Official has the authority to immediately remove any election sign that is not in compliance with the requirement of this By-law; and
- h. No election sign shall be erected within any municipal property, including election-oriented vehicle wrapping signage.

4.7 Poster Panel Signs

- a. Poster panel signs shall be permitted in any commercial or employment zone.
- b. Only one poster panel sign shall be permitted on a lot.
- c. The regulations contained within Section 4.4 Ground Signs as they relate to sign height, sign area and location apply equally to Poster Panel Signs.

4.8 Hanging Signs

- a. Hanging signs shall be permitted in any commercial, institutional or employment zone.
- b. The maximum area of a hanging sign shall not exceed 1.5 square metres.
- c. A hanging sign shall be firmly anchored to a building face.
- d. The sign shall have a minimum clearance above grade of 2.4 metres.
- e. A hanging sign shall not be constructed as a swing sign.

5. Zones Where Signs are Permitted

Every person who erects or displays a sign shall comply with the following requirements:

5.1 Interpretation

Reference made in this By-law to the Zoning By-law of the Corporation of the Township of Cavan Monaghan, shall mean the Comprehensive Zoning By-law of the Township of Cavan Monaghan No. 2018-58, as amended.

5.2. Signs Permitted in all Zones

Real estate signs, contractor's signs, developer's signs, directional signs, warning signs, traffic control signs and public information signs shall be permitted in any zone, excluding Natural Core.

No person shall erect a real estate sign, contractor's sign, developer's sign, directional sign, or warning sign in any zone, except in accordance with the following provisions;

5.2.1. Real Estate Signs

- a. Real estate signs shall be permitted in any zone on a lot which is for sale or available for lease or rent, and shall be removed within twenty-one (21) days following the confirmation of a sale or the leasing of the premises;
- b. Real estate signs shall not have a sign area exceeding 0.5 square metres, except in a commercial or employment zone, where the sign area shall not exceed 3 square metres; and
- c. A maximum of one (1) real estate sign per lot shall be permitted, except where there is separate street or water frontage, at which point one additional sign per street or water frontage will be permitted.

5.2.2. Contractor's Signs

- a. Contractor's signs shall be permitted in any zone on a lot where there is active and ongoing construction by the business or person so indicated on the sign and shall be removed upon completion of construction;

- b. Contractor's signs shall not have a sign area exceeding 1.5 square metres; and
- c. Contractor's signs may be located adjacent to any lot line including a street line.

5.2.3. Developer's Signs

- a. Developer's signs may be permitted in any zone on a lot that is subject to a current or proposed development or redevelopment project;
- b. A maximum of one (1) developer's sign shall be permitted on a lot for each separate street onto which the lot subject to the development project fronts;
- c. Developer's signs shall be removed within twenty-one (21) days from the date of completion of the development or redevelopment project;
- d. The maximum sign area for each developer's sign shall be 0.1 square metres for each 1.5 metres of street frontage, but in no case shall exceed 14 square metres in area;
- e. Developer's signs shall be deemed to be Ground Signs for setback purposes, and therefore subject to the relevant policies of Section 4.4 of this By-law; and
- f. The maximum height of a developer's sign shall be 4.6 metres.

5.2.4. Directional Signs

- a. Directional signs shall be permitted in any Zone along or adjacent to any private thoroughfare; and
- b. Directional signs shall not have any face exceeding 0.5 square metres.

5.2.5. Warning Signs

- a. Warning signs shall have a maximum sign area of 0.5 metres.

5.2.6. Civic Address Signs

- a. Civic address signs shall have a maximum sign area of 0.2 square metres.

5.3. Residential Zones

No person shall erect, display, or cause or permit to be erected or displayed a sign in a residential zone within the Township, subject to the

following exceptions and subject to compliance with the other applicable provisions of this by-law.

- a. Signs permitted in Section 5.2 of this By-law;
- b. Personal identification signs;
- c. Private warning signs;
- d. Directory signs;
- e. Election signs;
- f. Home occupation signs, non-illuminated and not exceeding 1square metre as per Zoning By-law No. 2018-58 and its amendments;
- g. Block Parent or similar signs; and
- h. Yard sale signs.

5.4. Institutional Zones

No person shall erect, display, or cause or permit to be erected or displayed a sign in an institutional zone within the Township, subject to the following exceptions and subject to compliance with the other applicable provisions of this by-law.

- a. Signs permitted in Section 5.2 of this By-law;
- b. Electronic Message Display signs;
- c. Fascia signs;
- d. Ground signs;
- e. Mobile signs;
- f. Sandwich board signs; and
- g. Temporary signs.

5.5. Commercial and Employment Zones

No person shall erect, display, or cause or permit to be erected or displayed a sign in commercial and employment zones within the Township, subject to the following exceptions and subject to compliance with the other applicable provisions of this by-law.

- a. Signs permitted in Section 5.2 of this By-law;
- b. Electronic Message Display signs;
- c. Fascia signs;
- d. Ground signs
- e. Mobile signs
- f. Poster panel signs;

- g. Readograph signs
- h. Sandwich board signs; and
- i. Temporary signs.

5.6. Rural and Agricultural Zones

No person shall erect, display, or cause or permit to be erected or displayed a sign in rural and agricultural zone within the Township, subject to the following exceptions and subject to compliance with the other applicable provisions of this by-law.

- a. Signs permitted in Section 5.2 of this By-law;
- b. Billboard signs are permitted on Rural and Agriculturally Zoned parcels with frontage on County roads and Provincial Highways subject to the regulations and permit requirements of the governing road authority. No additional municipal permits are required;
- c. Fascia signs erected on a barn or other accessory building or structure used to advertise the name of the farm or the identity of the operators, having a maximum sign area of 14 square metres;
- d. Ground signs used for personal identification, not exceeding 2.3 square metres;
- e. Temporary signs used to identify crops;
- f. Home occupation signs;
- g. Signs that are used to advertise the sale of fresh farm products provided the total area of the sign does not exceed 1.5 square metres.

5.7. Community Improvement Plan Areas

No person shall erect, display, or cause or permit to be erected or displayed a sign in Community Improvement Plan areas within the Township, subject to the following exceptions and subject to compliance with the other applicable provisions of this by-law.

- a. Signs permitted in Section 5.2 of this By-law;
- b. Ground Signs
- c. Sandwich Board Signs
- d. Fascia Signs
- e. Hanging Signs
- f. Window Signs
- g. Awning Signs

All signs within a Community Improvement Plan Area may be subject to the supplementary regulations or design guidelines developed and approved for those CIP Area(s). These regulations or design guidelines are in addition to those contained elsewhere in the By-law and shall take precedence on those points which conflict.

5.8. Other Zones

No person shall erect or display a sign on a lot in another zone except signs permitted pursuant to section 5.2 of this By-law or for signs for which a permit is not required by this By-law.

6. Administration

6.1 Responsibility

- a. This By-law shall be administered and enforced by the Chief Building Official or his/her designate.
- b. The provisions of this By-law shall not be construed as relieving or limiting the responsibility or liability of any person erecting or maintaining a sign, awning or marquee erected pursuant to this By-law for personal injury, property damage or any loss however accessioned resulting from negligence or willful acts of such person, his agents or employees, in the erection, maintenance or removal of a sign, awning or marquee erected in accordance with a permit issued by the Corporation under this By-law, nor shall it be construed as imposing upon the Corporation or its officials any responsibility or liability by reason of approval of any sign, awning or marquee under the provisions of this By-law.

6.2 Violations, Penalties and Remedies

- a. Any person who contravenes the provisions of this By-law is guilty of an offence and, upon conviction, is subject to a fine as provided in the (Ontario) Provincial Offences Act and to any other applicable penalties.
- b. If this By-law is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.

- c. For the purposes of this By-law, each and every day that a contravention of this By-law continues constitutes a separate and distinct offence under the By-law.
- d. In addition to any other remedy provided for in law, as it relates to signs located on private property, the Corporation, upon the giving of not less than five (5) days of notice to the owner of land or the owner of a sign, awning or marquee by registered mail or personal service at the address as shown on the last revised assessment roll, may remove or pull down any sign, awning or marquee that is erected or maintained in contravention of this By-law as per section 3.13, or that is unsafe and poses a danger to the public, any expenses incurred by the Corporation in so doing may be collected by action or in like manner as municipal taxes.
- e. If, upon inspection, the Chief Building Official or his/her delegate, at his or her sole discretion, is satisfied that a sign poses an immediate danger to the health and safety of any person, he or she may cause the sign to be removed by the Township, without giving advance notice, at the expense of the owner of the property on which the sign is located.
- f. If a sign is removed in accordance with section 5.2 d. all costs incurred by the Township, including the administrative and storage costs, may be added to the tax roll and collected in the same manner as taxes.
- g. The Chief Building Official or his/her designate may remove any sandwich board sign that is not in compliance with this By-law.

6.3 Severability

If, for any reason, any section, clause or provision of this By-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part which was declared to be invalid.

6.4 Interpretation

- a. In the case of conflict between the provisions of this By-law and provisions of other By-laws or statutes, the most restrictive shall apply.
- b. In this By-law, the word “shall” is mandatory; words in the singular include plural; words in the plural include singular.

6.5 Variance

- a. Where a person cannot comply with the provisions of this By-law, application may be made to the Council of the Corporation of the Township of Cavan Monaghan for a variance from the provisions of this By-law.
- b. Application to Council for a variance shall clearly set out why the provisions of this By-law cannot be met and shall be accompanied by a fee which is set out in the Township's User Fees and Charges By-law which shall not be refundable.
- c. Council may, upon receipt of an application for a variance from the provisions of this By-law, authorize such variances as may be requested provided in the opinion of the Council the general intent and purpose of this By-law is maintained.

Read a first, second and third time and passed this ____ day of _____, 2021.

Scott McFadden
Mayor

Cindy Page
Clerk

**Schedule "A" to
By-law No. 2021-28**

Sign Permit Fees

All Signs \$75*

*When several sign permit applications are made concurrently on a property that is being redeveloped, only one sign permit fee will be collected.

Variance Application Fee \$250

**Schedule “B” to
By-law No. 2021-28**

Set Fines

| Item | Column 1 Short Form Wording | Column 2 Provision creating or defining offence | Column 3 Set Fine |
|------|--|---|----------------------|
| 1 | Erection of sign without permit | Section 3.3 | \$500 |
| 2 | Sign not in compliance with by-law | Section 3.2 | \$500 |

Note: the general penalty provision for the offences listed above is section 6.2(a) of By-law No. 2021-28, a certified copy of which has been filed.



Regular Council Meeting

| | |
|-----------------------|---|
| To: | Mayor and Council |
| Date: | December 7, 2020 |
| From: | Wayne Hancock, Director of Public Works John F. Connolly, Executive Director of Planning and Development |
| Report Number: | Public Works 2020-23 |
| Subject: | Draft Municipal Sign By-law |

Recommendations:

1. That Council receives Public Works 2020-23 – Draft Municipal Sign By-law as information; and
2. That Staff be directed to circulate the Draft Municipal Sign By-law to the public for their comments through a survey from the date this report is approved by Council and concluding on January 29, 2021 at 4:30 p.m.; and
3. That Staff report back with the results of this public consultation with a final Municipal Sign By-law for Council's consideration in February 2021.

Overview:

Council directed Township staff to establish a Municipal Sign By-law for the Township of Cavan Monaghan. The intent is to establish a formal process to control the type of signage, the size of signage, general content and a formal sign permitting process that also includes inspection of structural integrity.

Most Municipalities have adopted sign by-laws including most recently the County of Peterborough. Following a number of interdepartmental discussions, Township Staff have developed a draft of the Municipal Sign By-law for consideration by Council and public consultation (Attachment No. 1 to this report).

To provide specific reference to sections of this By-law, the following is provided:

1. Under Definitions but not limited to, Section 2.16 provides for sign classifications. This section has also included a maximum sign size for each defined category.
2. General Provisions – Under this section, it is noted the by-law requires that a permit will be issued for signs unless they are exempt. If approved, this will fall under a proposed permitting process under the Chief Building Official within the

Planning & Development Department. Staff have also reviewed the sign permit fee structure as outlined in Schedule 'A' of the draft bylaw. Permit requirements are outlined under Section 3.3 to Section 3.7.

3. Exemptions - proposed exemptions to the sign by-law are included in Section 3.8 (i.e. Election signs)
4. Enforcement – this section outlines the provisions of enforcement which would be implemented through the Chief Building Official or designate.
5. Location - this section outlines the number of signs permitted, status of existing signage, maintenance and illumination are defined under Sections 3.10 to 3.14.
6. Prohibited Signs – the provisions for this are outlined in Section 3.15 (e.g., signage on the side of a trailer with no weekly operation are prohibited).
7. Special Provisions - Section 4 of the proposed by-law establishes control over Mobile Signs, Readograph and Electronic Signs, Fascia Signs, Ground Signs, Sandwich Board Signs, Election Signs, Poster Panel Signs and Hanging Signs.
8. Permitted Signs –Section 5 outlines the signs permitted under certain types of zoning (i.e. Developers Signs, Builders Signs).
9. Duties of Chief Building Officer - Section 6 of the draft bylaw outlines the responsibility for the Chief Building Official or designate for permitting and enforcement.

After months of considering this matter, Township Staff are bringing this report forward for information to Council to consider the draft content and seek approval to provide the public with an opportunity to comment. Council should note that Recommendation No. 2 to this report proposes the use of a survey to allow the public an opportunity to comment on the proposed by-law until January 29, 2021 at 4:30 p.m.

Financial Impact:

The intent of this by-law is to provide a permitting process and outline a fee and penalties schedule to be collected. It is intended that any fees or penalties would be to cover costs of administration, inspection and enforcement (i.e., breakeven cost). The proposed fee structure is outlined in Schedule 'A' of the draft by-law.

Attachment:

Attachment No. 1 – Draft New Municipal Sign By-law and Schedule “A” – Fee and
Penalty Schedule – New Municipal Sign By-law

Respectfully Submitted by,

Wayne Hancock
Director of Public Works

John F. Connolly
Executive Director, Planning &
Development

Reviewed by,

Yvette Hurley
Chief Administrative Officer

The Township of Cavan Monaghan

By-law No. 2020-XX

Being a by-law law to Regulate the Use and Erection of Signs in the Corporation of the Township of Cavan Monaghan

Whereas The Municipal Act, 2001, Section 99 authorizes municipal councils to pass By-laws respecting advertising devices including signs;

And Whereas The Municipal Act, 2001, Section 391 authorizes fees and charges to be imposed on persons for the use of its property including property under its control;

And Whereas The Municipal Act, 2001, Section 446 authorizes entry onto property to enforce Township By-laws;

And Whereas The Municipal Act, 2001, Section 63(1) authorizes the removal and impounding of objects that contravene the By-law;

And Whereas Council considers it desirable to regulate certain types of advertising devices including signs within the Corporation of the Township of Cavan Monaghan;

Now Therefore the Council of the Township of Cavan Monaghan hereby enacts as follows:

1. Short Title

This By-law may be cited as “The Sign By-law” for the Corporation of the Township of Cavan Monaghan.

2. Definitions

For the purposes of this By-law, the following definitions shall apply:

2.1 “Alter, Altered, or Alteration” shall mean any change to a sign with the exception of:

- a. a change in the message displayed by a sign;
- b. the rearrangement of numbers, letters or copy applied directly to the face of a sign and specifically designed and intended to be periodically rearranged; or

- c. repair and maintenance, including replacement by identical components; unless such works change the size, height or location of the sign or otherwise affect the structure of the sign.
- 2.2 “Applicant”** shall mean a person who is applying for a sign permit under the terms of this By-law.
- 2.3 “Awning”** shall mean a retractable or non-retractable roof-like structure constructed of canvas or canvas-like material (which may have displayed thereon a message) supported by a frame that projects from, is attached to and is supported by a building.
- 2.4 “Building Code”** shall mean the Ontario Building Code Act, as amended and includes any regulations thereunder.
- 2.5 “Clear Height”** shall mean the distance between the highest elevation of the ground beneath a sign or awning and the lowest point of the sign (excluding support poles) or awning, as the case may be.
- 2.6 “Council”** shall mean the Council of the Corporation of the Township of Cavan Monaghan.
- 2.7 “Corporation”** shall mean the Corporation of the Township of Cavan Monaghan.
- 2.8 “Erect”** shall mean to attach, display, alter, build, construct, reconstruct, enlarge, or move, but does not include any change in the message displayed on a sign or any act performed to maintain a sign.
- 2.9 “Highway”** shall have the same meaning as that word is defined in the Highway Traffic Act.
- 2.10 “Lot”** shall mean a parcel of land that is registered as a legally conveyable parcel of land in the Land Titles Registry Office.
- 2.11 “Marquee”** shall mean a permanent roof structure constructed of metal, wood, plastic, plaster or similar materials projecting from, attached to and supported by a building, upon which there may be one or more sign faces.
- 2.12 “Mural”** shall mean a mural commissioned or approved prior to its creation by a property owner or occupant, where the primary purpose is to aesthetically enhance the surface it covers and the general surroundings.

2.13 “Municipal Property” shall mean property owned by or under control of the Corporation of the Township of Cavan Monaghan.

2.14 “Sign” shall mean a name identification, description device, display or illustration which is affixed to, or represented directly or indirectly upon a building, structure, or lot and which directs attention to an object, product, place, activity, person, institution, organization or business and which does not contravene any By-law of the Corporation or the County, or any Regulation of the Government of Ontario or Canada.

2.15 “Sign Area” shall mean the area of the copy surface. For the purpose of this By-law, any double-sided sign shall be deemed to have only one face, provided that the faces are identical, contiguous, and/or diverging at an angle of not more than fifteen (15) degrees.

2.16 “Sign Classifications”

- a. **“Abandoned Sign”** shall mean a sign located on property which becomes vacant and unoccupied for a period of ninety (90) days or more, or any sign which pertains to a time, event or purpose 48 hours after which it no longer applies.
- b. **“Animated Sign”** shall mean a sign whose sign face moves in whole or in part and includes flashing, chase lighting, or electronic message which is stagnant for less than sixty (60) seconds or rotating sign but does not include a clock, a time, date or temperature display.
- c. **“Banner Sign”** shall mean a temporary sign made of vinyl, cloth, canvas or other like material.
- d. **“Billboard Sign”** shall mean a sign structure to which advertising copy is fastened in such a manner as to permit its periodic replacement and which displays goods, products, services or facilities that are not available at the location of the sign and/or which directs or invites a person to location different from which the sign is located, and does not exceed 60 square metres in size.
- e. **“Black Fluorescent Sign”** shall mean a permanent sign or mobile sign containing large coloured changeable letters.
- f. **“Civic Address Sign”** shall mean a standardized sign supplied by the municipality and which is installed at or near the street line.

- g. **“Contractor’s Sign”** shall mean a single or double faced temporary on-premise sign containing the name of the contractor or the name of the product being used for an on-going construction, renovation or maintenance project on a lot, where such sign shall be removed upon completion of the work.
- h. **“Developer’s Sign”** shall mean a single or double faced temporary on-premise sign used to identify a development or redevelopment project on a lot or establishment or a subdivision, where such sign is removed upon completion of the development project. It shall have a maximum sign area of 9 square metres.
- i. **“Directional Sign, Off-premise”** shall mean an off-premise sign that is used to guide vehicular and pedestrian traffic to a lot or business. The sign shall contain only the name of the business or enterprise, the logo and an arrow or other form of directional indicator and shall have a maximum sign area of 3 square metres.
- j. **“Directional Sign, On-premise”** shall mean an on-premise sign that is used to guide vehicular and pedestrian traffic on a lot, such as entry or exit signage, or on-site parking signage and includes menu signage and similar on-site instructional signage, but shall not include any advertising matter. The sign shall have a maximum sign area of 0.5 square metres.
- k. **“Directory Sign”** shall mean a sign listing the tenants of a multi-tenant commercial or industrial building containing at least two (2) distinct tenant units which sign includes only the municipal address and a list of tenants or occupancies for identification purposes.
- l. **“Double Faced Sign”** shall mean a sign having two (2) sign faces of equal area and proportions which are located exactly opposite each other on the sign structure. (see Sign Area Section 2.15)
- m. **“Election Sign”** shall mean a sign which is used to promote the running candidate for public office in a federal, provincial or municipal election period and signs used in relation to a referendum.
- n. **“Electronic Message Display”** shall mean a sign or part of a sign which is electronically controlled to display information in a pre-arranged sequence.

- o. **“Fascia Sign”** shall mean a single faced accessory sign which is painted directly onto a building façade or attached directly to the wall of a building and which does not project more than 0.3 metres from the building. Any message displayed on an awning or marquee, whether projecting over a street or not, shall be deemed a fascia sign for the purposes of this By-law.
- p. **“Fence Sign”** shall mean a single- or double-faced sign which has been affixed to a fence.
- q. **“Ground Sign”** shall mean a single- or double-faced on-premise sign which rests on the ground or is mounted on one or more poles where the sign has a clear height of less than 3.0 metres.
- r. **“Hanging Sign”** shall mean a sign which is attached perpendicular to the wall of a building, which overhangs a sidewalk or other pedestrian walkway and is fixed to prevent swinging.
- s. **“Home Occupation Sign”** shall mean a sign for the identification of a home occupation, and shall adhere to the requirements of the Township’s Comprehensive Zoning By-law.
- t. **“Illuminated Sign”** shall mean a sign which is illuminated directly, indirectly, internally or externally by fluorescent lamps or luminous tubes.
- u. **“Inflatable Sign”** shall mean a sign designed to be airborne and tethered to the ground, a vehicle, or any other structure and shall include balloons and any other inflatable Sign.
- v. **“Mobile Sign”** shall mean a sign mounted on or connected to a trailer or other type of structure which is not permanently anchored in the ground and is designed in such a manner as to facilitate its movement from place to place for the purpose of advertising on a temporary basis including inflatable signs, but shall not include a sandwich board, or real estate sign.
- w. **“Multi-faced Sign”** shall mean a ground sign having more than two (2) sign faces up to a maximum of four (4) sign faces, each face being of equal area and proportion to the other.
- x. **“Off-Premise Sign”** shall mean a sign identifying or advertising a business, person, activity, goods, products or service, which is not related to, or available at the premises where the sign is located.

- y. **“On-premise Sign”** shall mean a sign identifying, advertising, or directing attention to a business, profession, commodity, subject service, or entertainment which is conducted, sold or offered at the lot upon which the sign is located
- z. **“Personal Identification Sign”** shall mean a single or double-faced on-premise sign that identifies the residential occupants of the lot.
- aa. **“Poster Panel Sign”** shall mean a single or double faced off-premise sign which is used for the display of a message produced on a sheet of paper that may be either self-supporting or affixed to a building or other structure for support.
- bb. **“Private Warning Sign”** shall mean a single faced on-premise sign that directs a warning to the public such as no trespassing, beware of dog, no hunting or similar warnings.
- cc. **“Public Information Sign”** shall mean any sign erected for or at the direction of any government authority, agency, board or committee for the purpose of providing information to the public concerning such authority, agency, board or committee or any proceedings thereof and shall include signs that advertise Planning Act applications.
- dd. **“Readograph”** shall mean a sign or part of a sign on which copy is changed manually with letters or pictorial panels.
- ee. **“Real Estate Sign”** shall mean a temporary sign located on a lot for the purpose of announcing a sale, lease, or rental of such lot or a building or structure located thereon,.
- ff. **“Sandwich Board”** shall mean a sign which is secured but not permanently affixed to the ground. Being self-supportive, it forms the shape of an ‘A’ when erected. Its size and shape shall be limited to a maximum of 1.2 metres in height and 0.6 metres in width for each sign face.
- gg. **“Temporary Sign”** shall mean a sign which is intended to advertise community events or civic projects, or promote patriotic, religious or charitable events on a temporary basis.
- hh. **“Yard Sale Sign”** shall mean a sign which is used solely for the purpose of directing traffic to the location of a yard, garage,

household, or auction sale. Such signs may include the name of the event holder, and the location and/or time of the event but shall contain no other message. Such sign shall be removed immediately following the closure of the event.

2.17 “Sight Triangle” shall mean an unobstructed triangular area where the front lot line and exterior side lot line meet on a corner lot.

2.18 “Sign Face” shall mean that portion of a sign on which a message is intended to be displayed.

2.19 “Sign Structure” shall mean those parts of a sign consisting of the supports or framework for the support of the sign.

2.20 “Street” shall mean a highway as defined in the Municipal Act, 2001 and includes the travelled and non-travelled portion of a street allowance.

2.21 “Street Frontage” shall mean the limit of the street allowance and is the dividing line between a lot and a street.

2.22 “Third Party Advertising” shall mean a sign erected on or at a business premise intended to advertise a business that is conducted at another location.

2.23 “Zoning By-law” shall mean any zoning By-law of the Corporation passed under Section 34 of the Planning Act, R.S.O., 1990, as amended.

3. General Provisions

3.1 Scope

Unless otherwise specifically exempt or covered under other guidelines or a Community Improvement Plan Area, all lands within the limits of the Corporation of the Township of Cavan Monaghan are subject to the provisions of this By-law.

3.2 Effect of this By-law

No person shall erect, display or alter, or cause the same, any sign within the corporate limits of the Township of Cavan Monaghan that is in contravention of any provision of this By-law.

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions. The most restrictive of all the regulations shall prevail.

3.3 Permit Required

No person shall erect, display or alter, or cause to be erected, displayed, or altered a sign within the municipal limits of the Corporation except in accordance with a sign permit issued by the Chief Building Official or his/her designate, unless the sign permit requirement has been specifically exempted by this By-law.

3.4 Issuance of Permit

When the requirements of this By-law have been complied with and the Chief Building Official or his/her designate accepts and approves the application and all the plans and drawings therewith, and when the necessary fees have been paid, the Chief Building Official or his/her designate shall issue a permit for the erection of the sign. **The Corporation will endeavour to issue sign permits within 10 days of receipt of a complete application.**

The Chief Building Official or his/her designate shall not issue a sign permit for a proposed sign, awning or marquee, which would contravene any provision of this By-law, the Building Code Act or any other applicable statute.

3.5 Sign Permits and Fees

- a. Every applicant for a sign permit shall complete a sign permit application provided by the Building and Planning Department, submit all necessary plans and drawings, and pay all applicable fees as set out in the Township's User Fees and Charges By-law No. 2020-03.
- b. The applicant for a sign permit shall provide the following information by drawings or in writing as may be required by the Chief Building Official or his/her designate in his/her sole discretion:
 - i. A Site Plan depicting the location of all existing buildings and their entrances and the location of the proposed sign;
 - ii. The type, size and weight of the sign;
 - iii. The minimum clear height and the maximum height of the sign;

- iv. The type and operation of lighting, if any, of the sign;
- v. The means of support and manner of erection of the sign;
- vi. The location and size of other signs on the lot;
- vii. Existing and proposed use(s) of the premises;
- viii. The municipal address of the premises;
- ix. The name and addresses of the owner of the sign;
- x. The name and address of the erector of the sign;
- xi. Other information as determined by the Chief Building Official or his/her designate with respect to the building including architectural and structural drawings as may be necessary to determine if the building is structurally capable, under the Ontario Building Code, of supporting the sign.

3.6 Revocation of a Sign Permit

The Township may revoke a permit under the following circumstances:

- a. When six (6) months after its issuance, the erection, display, alteration of the sign in respect of which the permit has been issued has not, in the opinion of the Chief Building Official, been seriously commenced or has been substantially suspended or discontinued.
- b. Where the sign does not conform to this By-law, the Ontario Building Code or and other applicable regulation or legislation; or
- c. Where the permit has been issued as the result of false, mistaken, incorrect, or misleading statements, or undertakings on the application.

3.7 Inspection

Upon completion of the erection, display, alteration or repair of a sign for which a permit has been issued, the person to whom the permit was issued shall notify the Chief Building Official or his/her designate, who shall within thirty (30) days from the date of such notice, inspect the sign and sign structure to ensure that it has been erected, displayed, altered or repaired in accordance with the approved plans in respect of which the permit was issued, the requirements of this By-law, the Ontario Building Code, and any other applicable laws.

3.8 Exemptions

No permit shall be required for any of the following:

- a. Personal identification signs having a maximum sign area of 0.2 metres.
- b. Real estate, restricted to the size and definition provided by the Chief Building Official or his/her designate.
- c. Private Warning signs or other such directional signs regulating the use of the property.
- d. Directory signs.
- e. On-premise directional signage.
- f. Memorial or commemorative signs or tablets, ground mounted or permanently attached or architecturally integrated into a building.
- g. Signs erected by a government or municipal agency.
- h. Signs erected upon commercial or industrial premises which list only the hours of operation, municipal address, unit number, telephone number, **webpage and or email address**, providing that the number of such signs does not exceed one per business establishment and that the sign area does not exceed 0.2 square metres.
- i. All signs in the interior of buildings, whether they can be seen from the outside or not, including window painted signs.
- j. Election signs.
- k. Temporary signs, subject to their removal within one (1) week of the conclusion of the special event.
- l. Signs that are used to advertise the sale of fresh farm products provided the total area of the sign does not exceed 1.5 square metres.
- m. Civic address signs not exceeding 0.2 square metres in sign area.

3.9 Enforcement

This By-law shall be administered by the Chief Building Official or his/her designate, as appointed by the Council of the Corporation of the Township of Cavan Monaghan.

3.10 Location of Signs

No sign shall be located in such a manner as to impede the view of any highway intersection or railroad grade crossing or any ingress and/or egress from private or public property or where, in the opinion of the road authority having jurisdiction, it may be confused with or impair the view of any authorized traffic sign, signal or device.

3.11 Number of Signs

a. Off-premise Signs

A maximum of one (1) off-premise sign may be erected or displayed on one lot subject to the provisions of this By-law.

3.12 Existing Signs

- a. This By-law shall not apply so as to require any sign, other than a sign located on municipal property, that was lawfully erected or displayed on the date this By-law comes into full force and effect that does not comply with the provisions of this By-law, to be made to comply with this By-law so long as the sign is not altered.
- b. If any sign legally existing on the date this By-law comes into full force and effect is removed, relocated or deemed by the Chief Building Official or his/her designate to be substantially altered, the sign shall be replaced or upgraded only in accordance with all the requirements of this By-law.

3.13 Maintenance

Every sign shall be kept clean, neatly painted, well maintained and in good state of repair as to safety and appearance. No person shall permit any sign to become unsafe. Failure of maintenance requirements is subject to section 6.2c.

3.14 Illumination

- a. Signs may be illuminated unless otherwise expressly prohibited by this By-law.

- b. No illumination of a sign shall spill beyond the face of the sign such that light interferes with the enjoyment of neighbouring lands or interferes with the visibility on nearby streets.

3.15 Prohibited Signs

Any sign not expressly permitted by the By-law is prohibited and without limiting the generality of the foregoing, the following signs are specifically prohibited:

- a. Abandoned sign;
- b. Animated sign;
- c. A banner, other than a banner located within a public road allowance which has been given approval by Council.
- d. An inflatable advertising sign;
- e. A sign erected or painted on a vehicle or trailer where the vehicle or trailer is not in weekly operation for transportation and is parked in a manner so as to make the sign visible from a street for the purpose of functioning as an identification, information or advertising sign.
- f. A sign located so as to obstruct the view of any pedestrian or motor vehicle driver so as to cause an unsafe condition;
- g. A sign located within a site triangle;
- h. A sign interfering with or obstructing the view of an authorized traffic sign, traffic signal, or an official sign or any sign capable of being confused with such traffic sign traffic signal or official sign;
- i. Any sign which may interfere with or damage any above or below ground municipal or utility services which have been lawfully placed at the location;
- j. Any sign structure in a state of disrepair or in an unsafe, damaged or hazardous condition;
- k. Any mobile sign structure anchored by concrete blocks, sandbags, or any other hazardous or unsightly objects;
- l. Any sign or part of any sign on or within any Municipal Road Allowance (unless accompanied by an encroachment agreement), public park, or municipally owned lands;

- m. Any sign so illuminated that it interferes with the effectiveness of, or obscures a traffic control sign, device or signal;
- n. Any sign, which obstructs or interferes with any maintenance operations provided by the Township;
- o. Any sign which obstructs any fire escape, fire exit, fire hydrant or standpipe;
- p. Any mobile sign located on any property or vacant lot not under his or her control without the prior written authorization from the owner of the property or vacant lot;
- q. Except for a public information sign, banner or sign pertaining to public safety, no person shall attach or display any sign or advertisement on a utility pole, light standard, fence or tree except as provided for hereafter; and
- r. A fence sign

3.16 Corporation Property

Except for sandwich board signs which have been authorized by the Corporation pursuant to the provisions of the By-law and those signs described in Sections 3.8 f, g, j, k, and l of this By-law, no other sign shall be located on any Corporation street, square, walkway, park, sidewalk, boulevard or parking lot. No sign shall be attached to a tree or utility pole or a Corporation owned sign.

4. Special Provisions

4.1 Mobile Signs

A permitted mobile sign may be displayed for a period of ninety (90) days per calendar year (Jan 1, to Dec 31st).

Number of Signs

- a. A maximum of 1 mobile sign shall be permitted on a lot having a street frontage of 121 metres or less.
- b. A maximum of 2 mobile signs shall be permitted on a lot having a street frontage exceeding 121 metres.

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- a. It is located on private property;

- b. It is displaying a message that logically and clearly indicates that the use is for the person/corporation who originally applied for the permit;
- c. It is in good repair and has not become unsafe, unsightly or dangerous;
- d. It is situated at grade;
- e. Where it has been leased or rented from a sign company, the name and telephone number of the sign company is affixed to the sign at a clearly visible location;
- f. It has no more than two (2) sign faces for which the maximum sign face area shall not exceed 4.6 square metres in which no one dimension is greater than 2.4 metres.
- g. Where a business is located on a lot occupied by two (2) or more businesses, no application shall be approved if the total number of signs permitted on that lot would be exceeded until a permit has expired;
- h. It is located a minimum of 3 metres from the closest edge of a sidewalk or lot line and at least 23 metres from the closest edge of another mobile sign; and
- i. A blank mobile sign shall not be permitted.

4.2 Readographs, and Electronic Message Displays,

- a. Readographs and Electronic Message Displays shall only be permitted in commercial, employment and institutional zones.
- b. A ground sign incorporating a readograph or an electronic message display shall be subject to the provisions of section 4.4 of this By-law, except that the maximum permitted sign area for a ground sign incorporating a readograph or electronic message display shall be 25 percent greater than the maximum permitted sign area that does not incorporate a readograph or an electronic message display.
- c. The intensity of illumination of an electronic message display during a cycle shall be maintained at a constant level. In addition, such signs shall come equipped with automatic dimming technology that automatically adjusts the signs brightness in direct correlation with ambient light conditions.

- d. Notwithstanding the policies contained herein as they relate to message display duration, the policies that apply to sign illumination as regulated by the County of Peterborough shall govern in the areas within which the County has jurisdiction. In those areas outside of the County's jurisdiction (urban areas with speed limits 50 km or lower) the information displayed on an electronic message display shall be static for at least 6 seconds per message.

4.3 Fascia Signs

- a. A fascia sign may only be erected or displayed on that portion of an exterior wall which is adjacent to that business and only when the wall faces a street, public lane, public parking lot or private parking lot.
- b. A fascia sign shall be permitted in any commercial, employment and institutional facility zone.
- c. A fascia sign shall only be permitted for the purpose of providing a notice of the use or occupancy of the building for which it is attached.
- d. A fascia sign may be erected above the first storey of any building, with a minimum clear height of 2.7 metres.
- e. The total sign area of all fascia signs on a building shall not exceed 25 percent of the wall area of the first storey.
- f. Directional fascia signs shall be permitted in the parking areas of restaurants, multiple unit retail establishments, employment areas and multiple unit residential buildings, which shall not exceed 0.6 square metres in sign area.
- g. Fascia signs shall be anchored safely and securely to the exterior wall of a building that is capable of carrying this additional load by means of approved fastener.
- h. A fascia sign shall not project more than 0.3 metres from the wall of a building to which it is attached.
- i. Each lot shall be limited to two (2) fascia signs or one fascia sign for each business operation. An additional fascia sign is permitted for each additional street frontage.

- j. A fascia sign shall not exceed the height of the wall to which it is attached.

4.4 Ground Signs

- a. Ground signs shall be permitted in any commercial, employment and institutional facility zone.
- b. One ground sign shall be permitted on a property with frontage on a municipal highway. If a property has more than one municipal frontage on more than one municipal public right of way, one sign for each frontage shall be permitted on that property.
- c. A ground sign on a property with frontage of less than 30.0 metres shall not exceed 5.5 metres in height, and shall not exceed 5.5 square metres in sign area.
- d. For each additional 5.0 metres of frontage, an additional 0.5 metres of height shall be permitted, to a maximum height of 8.0 metres. Further, an additional 0.5 square metres in area shall be permitted, to a maximum area of 7.0 square metres.
- e. One off premises ground sign shall be permitted on a property that is undeveloped, which shall not exceed 5.0 square metres in sign area.
- f. A ground sign shall be located at least 3.0 metres from the property line of any adjacent residence.
- g. A ground sign shall be located at least 1.5 metres from the property line of any adjacent commercial, employment, institutional zone or municipal public right of way.
- h. Ground signs shall be set in concrete footings which shall extend below the depth of front penetration and shall be of sufficient size and weight to prevent overturning of the sign.
- i. Where required by the Chief Building Official or his/her designate, ground signs shall be designed by a professional engineer when required by the Ontario Building Code.

4.5 Sandwich Board Signs

- a. A sandwich board sign shall be permitted on Corporation property during regular business hours only where an encroachment agreement has been entered into with the Corporation.
- b. A maximum of one (1) sandwich board sign per business may be erected or displayed within the municipal limits.
- c. **Sandwich board signs must be removed from public property after business hours.**

4.6 Election Signs

Election Signs for Federal, Provincial, Municipal, or School Board elections shall be subjected to the following;

- a. Election signs must be removed within seventy-two (72) hours after election polls close;
- b. No election sign shall be greater than 5.0 square metres in sign area and 1.2 metres in height;
- c. Sandwich boards, portable/mobile signs, electronic message display signs and readograph signs are prohibited for election use;
- d. Election signs are not permitted within any municipal road allowance;
- e. No election sign shall be located as to interfere with the safe operation of vehicular and pedestrian traffic and any sign improperly located may be removed by Municipal Staff or his/her designate;
- f. No election sign shall be erected in any sight triangle;
- g. No election sign shall be erected at, adjacent to, or within 18 metres of polling stations. The Chief Building Official or his/her designate has the authority to remove these election signs immediately without notice; and
- h. The Chief Building Official has the authority to immediately remove any election sign that is not in compliance with the requirement of this By-law.
- i. No election sign shall be erected within any municipal property, including election-oriented vehicle wrapping signage.

4.7 Poster Panel Signs

- a. Poster panel signs shall be permitted in any commercial or employment zone.
- b. Only one poster panel sign shall be permitted on a property.
- c. The regulations contained within Section 4.4 Ground Signs as they relate to sign height, sign area and location apply equally to Poster Panel Signs.
- d. Where required by the Chief Building Official or his/her designate, ground signs shall be designed by a professional engineer when required by the Ontario Building Code

4.8 Hanging Signs

- a. Hanging signs shall be permitted in any commercial, institutional or employment zone.
- b. The maximum area of a hanging sign shall not exceed 1.5 square metres.
- c. A hanging sign shall be firmly anchored to a building face.
- d. The sign shall have a minimum clearance above grade of 2.4 metres.
- e. A hanging sign shall not be constructed as a swing sign.

5. Zones Where Signs are Permitted

5.1 Interpretation

Reference made in this By-law to the Zoning By-law of the Corporation of the Township of Cavan Monaghan, shall mean the Comprehensive Zoning By-law of the Township of Cavan Monaghan No. 2018-58, as amended.

5.2 Signs Permitted in all Zones

Real estate signs, contractor's signs, developer's signs, directional signs, warning signs, traffic control signs and public information signs shall be permitted in any zone, at the discretion of the Chief Building Official.

No person shall erect a real estate sign, contractor's sign, developer's sign, directional sign, warning sign, in any zone, except in accordance with the following provisions;

a. Real Estate Signs

- i. Real estate signs shall be permitted in any zone on a lot which is for sale or available for lease or rent, and shall be removed within twenty-one (21) days following the confirmation of a sale or the leasing of the premises;
- ii. Real estate signs shall not have a sign area exceeding 0.5 square metres, except in a commercial or employment zone, where the sign area shall not exceed 3 square metres; and
- iii. A maximum of one (1) real estate sign per lot shall be permitted, except where there is separate street or water frontage, at which point one additional sign per street or water frontage will be permitted.

b. Contractor's Signs

- i. Contractor's signs shall be permitted in any zone on a lot where there is active and ongoing construction by the business or person so indicated on the sign and shall be removed upon completion of construction;
- ii. Contractor's signs shall not have a sign area exceeding 1.5 square metres; and
- iii. Contractor's signs may be located adjacent to any lot line including a street line.

c. Developer's Signs

- i. Developer's signs may be permitted in any zone on a lot that is subject to a current or proposed development or redevelopment project;
- ii. A maximum of one (1) developer's sign shall be permitted on a lot for each separate street onto which the lot subject to the development project fronts;

- iii. Developer's signs shall be removed within twenty-one (21) days from the date of completion of the development or redevelopment project;
 - iv. The maximum sign area for each developer's sign shall be 0.1 square metres for each 1.5 metres of street frontage, but in no case shall exceed 14 square metres in area;
 - v. Developer's signs shall be deemed to be Ground Signs for setback purposes, and therefore subject to the relevant policies of Section 4.4 of this By-law; and
 - vi. The maximum height of a developer's sign shall be 4.6 metres.
- d. Directional Signs
- i. Directional signs shall be permitted in any Zone along or adjacent to any private thoroughfare; and
 - ii. Directional signs shall not have any face exceeding 0.5 square metres.
- e. Warning Signs
- i. Warning signs shall have a maximum sign area of 0.5 metres
- f. Civic Address Signs
- i. Civic address signs shall have a maximum sign area of 0.2 square metres.

5.3 Residential Zones

No person shall erect, display, or cause or permit to be erected or displayed a sign in a residential zone within the Township. Nothing within this section shall be taken to prohibit or restrict the following classes of signs:

- a. Signs permitted in Section 5.2 of this By-law;
- b. Personal identification signs;
- c. Private warning signs;
- d. Directory signs;
- e. Election signs;

- f. Home occupation signs, non-illuminated and not exceeding 1 square metre as per Zoning By-law No. 2018-58;
- g. Block Parent or similar signs; and
- h. Yard sale signs.

5.4 Institutional Zones

No person shall erect or display a sign on any lot in an Institutional Zone except;

- a. Signs permitted in Section 5.2 of this By-law;
- b. Electronic Message Display signs;
- c. Fascia signs;
- d. Ground signs;
- e. Mobile signs;
- f. Sandwich board signs; and
- g. Temporary signs.

5.5 Commercial and Employment Zones

No person shall erect or display a sign on any lot in a Commercial or Employment Zone except:

- a. Signs permitted in Section 5.2 of this By-law;
- b. Electronic Message Display signs;
- c. Fascia signs;
- d. Ground signs
- e. Mobile signs
- f. Poster panel signs;
- g. Readograph signs
- h. Sandwich board signs; and
- i. Temporary signs.

5.6 Rural and Agricultural Zones

No person shall erect or display a sign on any lot in a Rural or Agricultural Zone except:

- a. Signs permitted in Section 5.2 of this By-law;
- b. Billboard signs are permitted on Rural and Agriculturally Zoned parcels with frontage on County roads and Provincial Highways subject to the regulations and permit requirements of the governing road authority. No additional municipal permits are required;
- c. Fascia signs erected on a barn or other accessory building or structure used to advertise the name of the farm or the identify of the operators, having a maximum sign area of 14 square metres;
- d. Ground signs used for personal identification, not exceeding 2.3 square metres;
- e. Temporary signs used to identify crops;
- f. Home occupation signs;
- g. Signs that are used to advertise the sale of fresh farm products provided the total area of the sign does not exceed 1.5 square metres.

5.7 Community Improvement Plan Areas

No person shall erect or display a sign on any lot in a Community Improvement Plan Project Area except:

- a. Signs permitted in Section 5.2 of this By-law;
- b. Ground Signs
- c. Sandwich Board Signs
- d. Fascia Signs
- e. Hanging Signs
- f. Window Signs
- g. Awning Signs

All signs within a Community Improvement Plan Area may be subject to the supplementary regulations or design guidelines developed and approved for those CIP Area(s). These regulations or design guidelines are in addition to those contained elsewhere in the By-law and shall take precedence on those points which conflict.

5.8 Other Zones

No person shall erect or display a sign on a lot in another zone except signs permitted pursuant to section 5.2 of this By-law or for signs for which a permit is not required by this By-law.

6. Administration

6.1 Responsibility

- a. This By-law shall be administered and enforced by the Chief Building Official or his/her designate.
- b. The provisions of this By-law shall not be construed as relieving or limiting the responsibility or liability of any person erecting or maintaining a sign, awning or marquee erected pursuant to this By-law for personal injury, property damage or any loss however accessioned resulting from negligence or willful acts of such person, his agents or employees, in the erection, maintenance or removal of a sign, awning or marquee erected in accordance with a permit issued by the Corporation under this By-law, nor shall is be construed as imposing upon the Corporation or its officials any responsibility or liability by reason of approval of any sign, awning or marquee under the provisions of this By-law.

6.2 Violations, Penalties and Remedies

- a. Every person who violates a provision of this By-law commits an offence and on conviction is liable to a fine of not more than \$1,000.00 (exclusive of costs).
- b. For the purposes of this By-law, each and every day that a contravention of this By-law continues constitutes a separate and distinct offence under the By-law.
- c. In addition to any other remedy provided for in law, as it relates to signs located on private property, the Corporation, upon the giving of not less than five (5) days of notice to the owner of land or the owner of a sign, awning or marquee by registered mail or personal service

at the address as shown on the last revised assessment roll, may remove or pull down any sign, awning or marquee that is erected or maintained in contravention of this By-law as per section 3.13, or that is unsafe and poses a danger to the public, any expenses incurred by the Corporation in so doing may be collected by action or in like manner as municipal taxes.

- d. If, upon inspection, the Manager of Building or his/her delegate, at his or her sole discretion, is satisfied that a sign poses an immediate danger to the health and safety of any person, he or she may cause the sign to be removed by the Township, without giving advance notice, at the expense of the owner of the property on which the sign is located.
- e. If a sign is removed in accordance with section 5.2 d. all costs incurred by the Township, including the administrative and storage costs, may be added to the tax roll and collected in the same manner as taxes.
- f. The Chief Building Official or his/her designate may remove any sandwich board sign that is not in compliance with this By-law.

6.3 Severability

If, for any reason, any section, clause or provision of this By-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part which was declared to be invalid.

6.4 Interpretation

- a. In the case of conflict between the provisions of this By-law and provisions of other By-laws or statutes, the most restrictive shall apply.
- b. In this By-law, the word “shall” is mandatory; words in the singular include plural; words in the plural include singular.

6.5 Variance

- a. Where a person cannot comply with the provisions of this By-law, application may be made to the Council of the Corporation of the Township of Cavan Monaghan for a variance from the provisions of this By-law.

- b. Application to Council for a variance shall clearly set out why the provisions of this By-law cannot be met and shall be accompanied by a fee which is set out in the Township's User Fees and Charges By-law No. 2020-03 which shall not be refundable.
- c. Council may, upon receipt of an application for a variance from the provisions of this By-law, authorize such variances as may be requested provided in the opinion of the Council the general intent and purpose of this By-law is maintained.

Read a first, second and third time and passed this ____ day of _____, 20XX.

Scott McFadden
Mayor

Elana Arthurs
Clerk

**Schedule "A" to
By-law No. 2020-XX**

Sign Permit Fees

All Signs \$50.00*

*When several sign permit applications are made concurrently on a property that is being redeveloped, only one sign permit fee will be collected.

Variance Application Fee \$100.00