

**THE CORPORATION OF THE UNITED TOWNSHIPS
OF DYSART, DUDLEY, HARCOURT, GUILFORD,
HARBURN, BRUTON, HAVELOCK, EYRE AND CLYDE**

**BY-LAW NO. 2007-90,
AMENDED BY BY-LAWS NO. 2008-61, NO. 2008-75, NO. 2009-77
AND NO. 2010-29**

**BEING A BY-LAW TO REGULATE SIGNS
AND OTHER ADVERTISING DEVICES
WITHIN THE MUNICIPALITY OF DYSART ET AL**

Whereas Section 11. (3) 7. of the *Municipal Act, 2001, as amended* authorizes the Municipality to pass by-laws respecting signs;

And Whereas the Council of the Corporation of the United Townships of Dysart et al deems it advisable to pass a by-law to regulate advertising devices and signs;

And Whereas Section 99. (1) of the *Municipal Act, 2001, as amended* provides that the by-law does not apply to any advertising devices, including signs that were lawfully erected or displayed on the day this by-law comes into force and are not substantially altered;

And Whereas the Council of the Corporation of the United Townships of Dysart et al has given public notice of its intention to pass this by-law in accordance with the Municipal Act;

Now Therefore the Council of the Corporation of the United Townships of Dysart et al enacts as follows:

Section 1 - Definitions

- 1.1 *Alter* - means to make any change or addition to a sign structure but does not include a change to the message or normal repair and maintenance.
- 1.1.1 *Backlit Sign* - means a *sign* that is internally lit with light emitting through the front of the *sign*. (By-law 2010-29)
- 1.2 *Billboard Sign* or *Field Advertising Sign* - means a *sign* that contains advertising which is not related to the property that the sign is located on.

- 1.3 *Contractor's Sign* - means a temporary sign used to identify the name or names of contractors doing construction on a lot or a sign posted by someone providing materials for a construction project.
- 1.4 *Council* - means the Council of the Corporation of the United Townships of Dysart, Dudley, Harcourt, Guilford, Harburn, Bruton, Havelock, Eyre and Clyde.
- 1.4.1 *Development Sign* – means a *free standing sign* which advertises the development of land and/or buildings on site and does not include real estate signs under section 4.3. (By-law 2009-77)
- 1.5 *Erect* - means to erect, install, post, display or alter a sign.
- 1.6 *Fascia Sign* - means a sign attached to, marked, inscribed or painted onto the exterior wall of a building.
- 1.7 *Free Standing Sign* - means a sign permanently affixed to the ground and visually separated from a building.
- 1.8 *Mobile Sign* - means a sign which is designed or intended to be moved readily from one location to another and is not attached to a building or fixed to the ground and includes signs transported by means of wheels, inflatable signs and signs attached to vehicles.
- 1.9 *Municipality* - means the Corporation of the United Townships of Dysart, Dudley, Harcourt, Guilford, Harburn, Bruton, Havelock, Eyre and Clyde.
- 1.10 *Official Sign* - means a sign required under any statute, regulation, by-law of any federal, provincial or municipal agency or board.
- 1.11 *Personal Sign* - means a private sign that does not include advertising and is used to identify the owner or to signify private property, no trespassing, etc.
- 1.12 *Portable Sign* - means a sign intended to be moved from one location to another, which is not permanently affixed to the ground. A portable sign shall have a maximum of 2 sides. Portable signs include sandwich boards, 'A' frame signs and inverted 'T' signs.

- 1.13 *Sign* - includes any device or medium including its structural and other parts, used or capable of being used to identify, explain or promote any business, product, enterprise, organization or event in such a manner as to be visible to the public and includes flyers, bills, banners or any advertising device. A sign also includes any inflatable device or vehicle parked in such a way as to act as a sign.
- 1.14 *Sign Area* - means the surface area of the sign face provided that, if a sign consists of more than one sign, section or module, all areas visible from any one direction will be included in calculating the sign area. Where letters, figures or symbols are affixed to a wall separately to constitute a sign, the area shall be deemed to be the smallest rectangle, triangle or circle which encloses the letters.
- 1.15 *Sign Committee* - means a Committee appointed by Council to grant permission for relief from the provisions of this by-law.
- 1.15.1 *Storefront* - the front of a store facing a street where the main entrance is located. (By-law 2008-61)
- 1.16 *Special events sign* - means a temporary sign that advertises a community event.
- 1.17 *Window Sign* - a sign mounted in the window visible from the outside.
- 1.18 *Zone* - means the zone classifications assigned to a property by the Municipality's Comprehensive Zoning By-law 2005-120, as amended.

Section 2 - General Provisions

- 2.1 No person shall *erect* or *alter* or cause to be *erected* or *altered* a *sign* except in accordance with the provisions of this by-law unless site specific provisions for signs have been negotiated in a site plan agreement, pursuant to the Planning Act;
- 2.2 No person shall *erect* or *alter* or cause to be *erected* or *altered* a *sign* used to identify, explain or promote any business, enterprise or organization on any property unless such business, enterprise or organization conducts its business or activities on that property unless expressly permitted by this by-law. (By-law 2009-77)
- 2.3 Any *sign* that is *erected* or *altered* or displayed in contravention of this by-law shall be removed by the Municipality at the owner's expense; (By-law 2009-77)

- 2.4 Any person who contravenes this by-law is guilty of an offence and upon conviction is liable to a fine under the Provincial Offences Act;
- 2.5 This by-law shall be enforced by a Municipal Law Enforcement Officer;
- 2.6 Should any section, subsection, clause or provision of this by-law be 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 so declared to be invalid;
- 2.7 Where any provision(s) of this by-law conflicts with any statute or any other by-law or regulation the provision that establishes the more restrictive standard shall prevail.

Section 3 - Prohibited Signs

No person shall *erect* or *alter*, place or display or cause the *erection alteration* or placement or display of:

- 3.1 A *sign* on or overhanging municipal property unless expressly permitted by the by-law;
- 3.2 A *sign* that is located so as to obstruct the movement or view of pedestrians or motor vehicles or to cause an unsafe condition;
- 3.3 a flashing *sign* or *signs* that contain lights that vary in intensity at lapsed intervals;
- 3.4 A *sign* that is mounted on a roof or the face of a building which extends above the roof level;
- 3.5 Any *sign* that contravenes the Ontario Building Code Regulations;
- 3.6 Any obsolete *sign* which advertises a business no longer in business or product that is not available;
- 3.7 Any bills or flyers that are not expressly permitted in this by-law.

Section 4 - No Sign Permit Required

No permit is required to erect a *sign* if it complies with one or more of the following provisions:

- 4.1 An unlit *sign* used to advertise a home business, home industry or bed and breakfast, located on the owner's property that is not more than 1 sq. meter in *sign area* if readable from one side or 0.5 sq. meter in *sign area* if readable from two sides.
- 4.2 A *contractor's sign* not exceeding 1 sq. meter in *sign area* with not more than two such *signs* per site, posted when a building is under construction, provided it is removed within one year after it is posted or when the project is complete whichever is sooner;
- 4.3 Real estate *signs* with a maximum *sign area* of less than 1 sq. meter for a residential sign and 3 sq. meters for a commercial sign erected on a property that is currently for sale, and/or a *sign* with a maximum *sign area* of 0.5 sq. meters used to direct buyers to a property that is for sale, provided the *signs* are removed once the property is sold;
- 4.4 Election campaign *signs* in accordance with any by-law or act that regulates such *signs*, provided they are removed within two weeks after the election;
- 4.5 An *official sign*;
- 4.6 *Personal signs* located on the owner's property, or posted on a road directory board, with a *sign area* of less than 0.2 sq. meters; (By-law 2008-75)
- 4.7 A *special event sign*. These *signs* are limited to thirty (30) days before the event and must be removed within seven (7) days after the event; (By-law 2008-75)
- 4.8 A *sign* located inside a building including a *window sign* (if it complies with Section 6.5);
- 4.9 Any *sign* or *signs* that are erected in accordance the provisions of a Site Plan Agreement.

Section 5 - Application for Sign Permits

- 5.1 No person shall install a *sign* unless they obtain a sign permit in accordance with this by-law;
- 5.2 An application for a sign permit must be submitted on the application provided by the *Municipality*;
- 5.3 All required fields on the application must be completed and the application must be signed;
- 5.4 The applicant must provide a neatly drawn site plan referenced to a copy of the survey that shows the dimensions of the lot, the location of all buildings, structures, driveways, hydro lines and poles, septic systems (in the case of a free standing *sign*), roads and the location of the *sign* and distances to the lot lines;
- 5.5 The application must include a complete plan of the *sign* showing the size, shape, supporting structure, height and its location on a building if applicable;
- 5.6 The application must include a signed authorization from the owner of the property if the applicant is not the owner of the property on which the *sign* is being erected;
- 5.7 The required fee of \$15.00 must be submitted before an application is accepted; and,
- 5.8 When the owner of a property is unable to comply with the provisions and regulations of this by-law they may apply to the *Sign Committee* for relief from the provisions of this by-law.
- 5.9 Applications requesting relief from the provisions of this by-law to the *Sign Committee* must include:
 - all the required information for a sign application in accordance with Sections 5.4-5.7 of this by-law;
 - a letter addressed to the *Sign Committee* stating why the applicant is unable to comply with this by-law; and
 - the required fee of \$50.00. (By-law 2009-77)

- 5.10 The *Sign Committee* will not consider any application for relief of the provisions of this by-law if any *signs* are being displayed in contravention of this by-law. (By-law 2009-77)

Section 6 - Regulations

All *signs* must comply with the following:

6.1 *Areas*

For the purposes of this by-law the *Municipality* shall be divided into two areas as follows:

- Area 1 is the area as depicted on Schedule A- Haliburton Village Area attached to and forming part of this by-law;
- Area 2 is the remainder of the Municipality;

6.1.2 **Area 1 Regulations** (By-law 2009-77)

- *Fascia signs* within adjacent facades or within the same building *storefront* shall be at the same height and located between pilasters or columns, where possible; and,
- Multiple *storefronts* within a continuous building block shall strive to maintain the same location height for the *fascia signs*;
- All *fascia* and *free standing signs* in Area 1 shall conform to the following:
 - *signs* shall not be backlit;
 - *signs* shall be made of a material that will withstand the weather such as wood, metal or plastic and shall be maintained in good condition;
 - *signs* shall be mounted on a solid background and the business name in raised lettering, a minimum of 1 cm above the background, and other information contained on the *sign* does not have to be raised; or; business name shall consist of individual raised letters mounted directly on the building;
- *Free Standing Sign* and *Development Sign* – Maximum Height = 3 metres.

6.2 **Maximum Sign Area**

Maximum total *sign area*: 1 sq. meter for every meter of the building width facing the street.

6.3 *Fascia Sign*

Where Permitted:

Area 1 - all Commercial Zones
all Institutional Zones

(In accordance with Area 1 Regulations in Section 6.1.2 and General *Fascia Sign* Regulations)

Area 2 - all Commercial Zones
all Institutional Zones
all Industrial Zones

General *Fascia Sign* Regulations:

- Maximum Number - one *fascia sign* for each storefront or business;
- In the case of a multi tenant property where all businesses do not face a street one extra *fascia sign* is permitted per business not facing a street, for directional purposes only, provided the *sign* does not exceed 1 sq meter in *sign area*; and,
- In the case of a building that abuts more than one street, one extra *fascia sign* is permitted on each side that abuts a street provided the *sign area* of each sign does not exceed the *sign area* of the *sign* on the *storefront* side of the building. (By-law 2010-29)

6.4 *Free Standing Sign*

Where Permitted:

Area 1 - all Commercial Zones
all Institutional Zones

(In accordance with Area 1 Regulations in Section 6.1.2 and General *Free Standing Sign* Regulations) (By-law 2009-77)

Area 2 - all Commercial Zones
all Institutional Zones
all Industrial Zones

General Free Standing Sign Regulations: (By-law 2009-77)

- Maximum Number of signs per property = one (1);
- Maximum Height (Area 2 Only) = 6 meters to the top of the *Free Standing Sign*; (By-law 2009-77)
- Minimum Setbacks to all property lines = 1.5 meters

6.4.1 *Development Signs* (By-law 2009-77)

Regulations:

- a) Maximum *sign area* more than 200 metres from a residential property – 20 m² (215.3 square feet);
- b) Maximum *sign area* within 200 metres of a residential property – 4.65 m² (50 square feet);
- c) Maximum sign height – 6 metres;
- d) Minimum setback from front property – 1.5 metres, plus an additional 0.5 metre for every square metre of sign area greater than 1 square metre;
- e) Minimum setback from a side or rear lot line – 6.0 metre;
- f) Minimum distance from any other *free standing sign* – 30 metre;
- g) Shall not be backlit;
- h) Shall not be externally lit after 10:00 pm;
- i) A permit for a *Development Sign* shall expire two years after issuance.

6.5 *Portable Sign*

Where Permitted:

Area 1 - all Commercial Zones
all Institutional Zones

Regulations:

- Maximum *sign area* = 1 sq. meters
- Minimum Height = 0.8 meter
- Maximum Height = 1.22 meters
- Maximum Number per business = one (1);
- *Portable Signs* are permitted on the municipal road allowance provided they are located a minimum of 2 meters from the traveled part of the road, and on a sidewalk, including on a sidewalk owned by the *Municipality* provided they are located adjacent to the building which

houses the advertised business and provide a minimum 1.8 meters clear path for pedestrians.

- *Portable Signs* must be removed to an indoor location no later than the time of closing of the business in each day and not replaced until the opening of the business the next day.

Where Permitted:

Area 2 - all Commercial Zones
all Institutional Zones
all Industrial Zones

Regulations:

- Maximum *sign area* = 1.5 sq. meters
- Minimum Height = 0.8 meter
- Maximum Height = 1.22 meters
- Maximum Number per business = one (1);
- *Portable Signs* are permitted on the municipal road allowance provided they are located a minimum of 2 meters from the traveled part of the road.
- *Portable Signs* must be removed to an indoor location no later than the time of closing of the business in each day and not replaced until the opening of the business the next day.

6.6 ***Window Sign***

Where Permitted:

Area 1 - all Commercial Zones
all Institutional Zones

Area 2 - all Commercial Zones
all Institutional Zones
all Industrial Zones

Regulations:

- Shall not cover more than 50% of the window area.

6.7 *Mobile Sign*

Where Permitted:

- Area 1 - all Commercial Zones
all Institutional Zones
- Area 2 - all Commercial Zones
all Institutional Zones
all Industrial Zones

Regulations:

- *Mobile signs* are permitted for special sales or functions only with written permission from the *Sign Committee* and are permitted on a temporary basis for a period not to exceed 7 days and shall not be permitted for more than 30 days in a calendar year.

6.8 *Billboard Sign or Field Advertising Sign*

Where Permitted:

- *Billboard Signs* are permitted adjacent to County Roads and Provincial Highways, only in accordance with a permit issued by the authority having jurisdiction.

6.9 *Site Plan Agreement*

- Where Council has negotiated the conditions for signs in a site plan agreement, the provisions of the site plan agreement will apply.

AND FURTHER that this By-law does hereby rescind and replace By-law No. 82-32 in its entirety and any previous By-laws to regulate signs and other advertising devices within the Municipality.

READ a first, second and third time, passed, signed and the Corporate Seal attached hereto, this 13th day of August, 2007.

REEVE: Murray Fearrey

CAO/CLERK: Tammy McKelvey