

**THE CORPORATION OF THE MUNICIPALITY OF POWASSAN**

**BY-LAW NO. 2008-23**

---

Being a by-law to regulate signs and other advertising devices, including posting of notices on public property within the Municipality of Powassan.

---

Whereas Sections 10(2) (a) and 15 (1) and (4) of the Municipal Act S.O. 2001, ch. 25 authorizes Council to pass by-laws prohibiting or regulating signs with the municipality; and

Whereas the Council of the Corporation of the Municipality of Powassan deems it advisable to regulate the appearance and location of signs; and

Whereas public notice of the intention to pass a sign by-law was given in the Almaguin News and the Municipal Website obtain community opinion;

Whereas Council considers it desirable and expedient to enact a by-law to regulate outdoor signs and outdoor advertising devices for the purpose of a voiding traffic hazards and unsightly appearance;

NOW THEREFORE The Council of the Corporation of the Municipality of Powassan enacts as follows;

**Short Title:**

This By-law shall be known and cited as the “Municipal Sign By-law”.

**1. Definitions:**

1.0 In this By-law:

- 1.1 Abandoned Sign means a sign which no longer identifies or advertises a bona fide business, lessor, service, owner product, or activity, or for which no legal owner can be found.
- 1.2 Alter means any alteration to the sign structure or sign face excepting the changing of copy in compliance with this by-law or the replacement of similar parts for maintenance purposes.
- 1.3 Area of Sign means the number of square meters on the surface of a sign, both sides if a double face sign, including the border and frame.
- 1.4 Billboard Sign means a sign which displays goods, services, products or facilities that are not available at the location of the sign and/or which directs or invites a person to a location different from that which is the sign is located.
- 1.5 Council means the Council of the Corporation of the Municipality of Powassan.
- 1.6 Directional Sign means a sign which is affixed to a utility pole usually located at an intersection and which identifies an institution or public area and in some cases a business.

- 1.7 Election Sign means a temporary sign used to advertise a name involved in the current political Municipal, Provincial, or Federal election.
- 1.8 Erect means attach, build, construct, re-construct, enlarge, place or move.
- 1.9 Facia Sign means a sign attached to or erected against a wall of a building, with the face horizontally parallel to the building all not extending above the top of the wall nor beyond the ends of the wall to which it is attached.
- 1.10 Ground Sign means a sign in a fixed location, wholly supported by one or more uprights, poles, braces or located on a structural base placed in or upon the ground, and includes soft landscape treatment at the base of the sign or supporting structure.
- 1.11 Height of Sign means the vertical distance from the ground to the lowest point of the sign.
- 1.12 Illuminated Sign means a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
- 1.13 Lot line means the line formed by the boundary of any lot.
- 1.14 Mobile Sign means any sign not securely anchored to a permanent foundation or to a building or pole or which, because of its design nature, shall be moved and shall include a sign located on a vehicle or trailer or variation thereof, other than a sign printed or painted on or attached to the side identifying ownership of a commercial vehicle. Sandwich board signs or V-signs shall not be deemed as mobile signs. Mobile Sign is considered a temporary sign.
- 1.15 Overhanging Sign means any sign permanently anchored to the vertical face of a building and which projects horizontally.
- 1.16 Person means an individual, business, firm, corporation, association or partnership.
- 1.17 Poster means any bill, notice or sign which contains direction, information, identification or advertisement.
- 1.18 Public Property means property, lands, buildings, owned by the Corporation of the Municipality of Powassan.
- 1.19-Real Estate Sign means a temporary sign used exclusively to advertise the sale, lease or rent of property.
- 1.20 Sandwich Board Sign means a sign not permanently attached to or affixed into the ground, to a building or structure, which is hinged or otherwise attached at the top or side enabling the two sign faces to be extended into an inverted V-shape.
- 1.21 Sight Triangle means the triangular space measured along the corner lot lines for a distance of 9m from their point of intersection.
- 1.22 Sign means any device, structure, fixture, or placard using graphics, symbols, and/or written copy for the primary purpose of identifying, providing directions or advertising

any establishment, product, goods or services, with the exception of window displays, interior signs, national flags, and painting of exterior building walls. For the purpose of removal of signs, this definition “any also” includes all sign structures as well as any inflatable advertising devices.

1.23 Temporary Sign means a sign not constructed or intended for long term use. It is primarily used for events such as, advertising special events grand openings, or holidays and can include real estate sales signs, elections, yard sales, and includes mobile signs.

1.24 Window Sign means a sign installed inside a window and intended to be viewed from the outside.

1.25 Zone means a zone designation contained in the Municipal Comprehensive Zoning By-law.

## **2. General Provisions**

2.0 No person shall erect, display or maintain signs imitating or resembling official traffic or government signs or signals.

2.1 The owners of any sign including signs or advertising devices erected, constructed, or altered in the Municipality shall conform to the provisions of this by-law and to any applicable requirements of the Ontario Building Code and any Order issued under this By-law.

2.2 No person shall erect, display, affix, attach, fasten or alter any sign on public property, including road allowances, utility poles and property used for beautification purposes with exception of Election signs per section 3.6.3.

2.3 All signs or advertising devices erected or displayed shall be non-offensive to the public, at the discretion of Council of the Municipality of Powassan.

2.4 Notwithstanding any other section of this By-law, no person shall construct, affix, attach, fasten, alter, display or continue to display any sign which obstructs the sight triangle of or access to any of the following:

2.4.1 Fire hydrant

2.4.2 Sprinkler connection

2.4.3 Traffic sign

2.4.4 Manhole/catch basin

2.4.5 Fire escape / emergency exit from building

2.4.6 Intersections

2.5 Maintenance of Signs shall be the responsibility of the owner, lessee or agent of the land upon which any sign is erected. All signs must be maintained in a proper state of repair so that such sign or advertising device does not become unsafe, illegible, dangerous or defective and so that such sign shall be completely operative at all times. The Municipality assumes no responsibility for maintenance or unsafe installation of a sign.

2.6 Where a sign is erected or displayed or altered in contravention of this By-law such sign shall be pulled down or removed by the Municipality.

- 2.6.1 Where a sign is erected on municipal property the Municipality shall remove such sign immediately without notification to the owner of the sign.
- 2.6.2 Where an illegal sign is erected on private property the Municipality will forward a Notice to the owner by personal service or regular post, in which case the Notice shall be deemed to have been received on the seventh day following the date of the Notice was mailed, requiring that the illegal sign be permanently removed or made to be comply with this By-law not later than the time stipulated in the Notice. In the event that the Notice is not complied with the Municipality, its employees or agent shall enter upon the property and remove the sign immediately without further notification.
- 2.6.3 Where a sign is removed by the Municipality it shall be stored at the Public Works garage and a Notice sent to the owner indicating the illegal sign has been removed, the location it is stored and the date it will be destroyed. The Notice shall further indicate that the sign shall be reclaimed by the owner within the time period prescribed and upon payment to the Municipality the cost of pulling down, removal.
- 2.6.4 Any sign removed by the Municipality shall be stored for 30 days.
- 2.6.5 Municipal removal costs shall be as stated in the user fee by-law as updated from time to time.

### **3. Regulations**

#### **3.1 Bill Board sign**

- 3.1.1 Bill board signs shall have the approval of the Chief Building Official (CBO)
  - 3.1.1.1 A drawing consisting of the following shall be submitted to the CBO prior to the erection or altering of sign;
    - 3.1.1.1.1 The street and property lines of the proposed location
    - 3.1.1.1.2 The location of proposed sign in relation to the property lot lines, existing structures, and adjoining properties lot lines.
    - 3.1.1.1.3 The construction and sample of the face of the sign
    - 3.1.1.1.4 The construction anchorage and elevation of the structure to which the sign is attached.
    - 3.1.1.1.5 The sizes of the supports of all affected structural members, and location thereon of such sign

The sign and support structure shall be designed in accordance with the Ontario Building Code, as amended.

- 3.1.1.2 The owner must obtain clearance from any and all utilities and agencies that may be affected by the erection of the billboard sign.
- 3.1.1.3 No new billboard sign shall be located within 300 metres of any exiting billboard sign, which faces the same direction of traffic.

#### **3.2 Ground Sign**

- 3.2.1 One ground sign is permitted for each business location and per street frontage.
  - 3.2.1.1 For businesses in a business park zone according to the Municipality Comprehensive Zoning by-law as amended from time to time, a maximum height for such sign shall be 7.5m

- 3.2.1.2 For home business or occupation or commercial zones the maximum height for such sign shall be 3.5 m.
- 3.2.2 Every ground sign shall be set back a minimum of:
  - 3.2.2.1 1.0m from any street or sidewalk line
  - 3.2.2.2 1.5m from side yard lines, driveways, parking space
- 3.2.3 No ground sign shall be located within the sight triangle of a corner lot.
- 3.2.4 A ground sign shall be located only on the property of the business to which the sign is accessory to.

### 3.3 Mobile Sign

- 3.3.1 Vehicles and trailers used for advertising must be licensed by the Ministry of Transportation.

### 3.4 Overhanging Signs/Awnings/Canopy

- 3.4.1 Overhanging Signs shall be permitted provided that:
  - 3.4.1.1 Minimum height above the finished grade shall be 2.5 metres measured from the nearest point of the sign;
  - 3.4.1.2 Maximum projection from the main wall of the building shall be 1.8m including any part of the sign; and
  - 3.4.1.3 Maximum sign face area shall be 1.25m<sup>2</sup> per sign.

### 3.5 Sandwich Board Sign

- 3.5.1 Shall be permitted only on the property of the business to which the sign is accessory to.
- 3.5.2 The maximum size shall be 1.5m x 1 m.
- 3.5.3 Shall be located in such a manner so as to provide clear and free pedestrian movement at all times, and shall be placed in a position whereby they abut the building adjacent to the sidewalk/street line.
- 3.5.4 Sandwich board signs shall be prohibited in residential zones.

### 3.6 Temporary Sign

- 3.6.1 All Temporary signs shall be removed 3 days after the event is complete.
- 3.6.2 Unless stated otherwise in municipal policies temporary signs face area shall not exceed 1.5m<sup>2</sup>.
- 3.6.3 Election signs
  - 3.6.3.1 No election sign shall be erected prior to six weeks before election Day.
  - 3.6.3.2 No election sign shall be placed upon any tree, post, pole or fence on any municipal property.
  - 3.6.3.3 No sign shall be erected within a sight triangle or that obstructs the visibility of any vehicular or pedestrian traffic.

3.7 Directional Signage

- 3.7.1 Directional Signage will be permitted with a limited quantity upon the approval of Council resolution on a first come first serve basis as per the municipal sign policy.
- 3.7.2 All directional signs will be of the same theme as the municipal signs and installed by the Municipality.
- 3.7.3 The owner of the location being advertised will be responsible for the cost of materials and installation. Payment must be received prior to sign being prepared.

4. Interpretation and Application

- 4.1. The provisions of this by-law are severable. If 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.
- 4.2. Nothing in this by-law shall be interpreted in such a manner to exempt any person from complying with any requirement or applicable law that may be in force municipally, provincially or federally.
- 4.3. This by-law shall come into effect upon its adoption.

Adopted October 7, 2008

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk