

CORPORATION OF THE TOWNSHIP OF NORTH GRENVILLE

BY-LAW NO. 18-00

Being a By-Law to Regulate Billboard Signs Within the Municipal Boundaries of the Township of North Grenville

WHEREAS Section 210 (146) of the *Municipal Act*, R.S.O. 1990, Ch M. 45, as amended, authorizes Council to pass by-laws prohibiting or regulating signs within the Municipality;

AND WHEREAS Council of the Corporation of the Township of North Grenville considers it reasonable and necessary to regulate by by-law the number, location, size and type of billboard signs within the Municipal boundaries of the Corporation of the Township of North Grenville;

NOW THEREFORE the Council of the Corporation of the Township of North Grenville enacts as follows:

1. DEFINITIONS

In this by-law, except where a contrary intention appears:

- 1.1 “**Alteration**” means any change to a 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.
- 1.2 “**Copy**” means the wording and symbols on a sign.
- 1.3 “**Council**” means the Council of the Corporation of the Township of North Grenville.
- 1.4 “**Day Light Triangle**” means a triangle area formed within a corner lot by the intersecting street lines or the projections thereof and a straight line connecting them 6.0 meters from their point of intersection. A corner lot is a lot situated at the intersection of, and abutting, two streets, or parts of the same street, the adjacent sides of which street or streets (or in the case of a curved corner, the tangents of which) contain an angle of not more than 135 degrees.
- 1.5 “**Dwelling**” means a building or part of a building used or intended to be used for human habitation, in which all usual domestic functions may be carried on.
- 1.6 “**Erected**” means attached, built, constructed, re-constructed, enlarged, placed or moved.
- 1.7 “**Face Area**” means the area of that portion of a sign, excluding any part of the Sign Structure, that is open to view and which may be used for the display of any advertising or other message or communication.
- 1.8 “**Grade**” means the elevation of the ground directly beneath a sign.
- 1.9 “**Lot**” means a parcel of land described as a single parcel of land with definite boundaries in a Registered Plan of Subdivision or as a single parcel of land with definite boundaries described in a deed or transfer registered in the Land Registry Office for the County of Grenville pursuant to the *Registry Act* or the *Land Titles Act* and which may be legally conveyed by the owner thereof without obtaining a Consent for severance pursuant to the provisions of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended.
- 1.10 “**Lot Line**” means the line formed by the boundary of any lot.
- 1.11 “**Municipal By-Law Enforcement Officer**” means a By-Law Enforcement Officer

of the Township of North Grenville and any other officer authorized by the Township of North Grenville for the enforcement of by-laws in the Township of North Grenville.

- 1.12 “**Person**” shall include any association, partnership, corporation, municipal corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.
- 1.13 “**Sign**” means any identification, description, illustration or device which directs attention to, or advertises, any person, business, commodity, service or use. A sign shall include “Face Area” and “Sign Structure” and shall be considered a structure for the purpose of this by-law. Without limiting the generality of the above, the definition of sign includes, but is not limited to, the following types of signs:
- (a) “**Abandoned Sign**” means a sign which formerly identified, but no longer correctly identifies, the business, commodity, service or use presently conducted, sold or offered. A sign shall not be deemed abandoned until 90 days after such activity is discontinued.
 - (b) “**Billboard Sign**” means a sign, including an Illuminated Sign, which uses either permanent copy, or poster panels or other similar surfaces to which temporary or permanent sign copy can be attached, with a single Face Area greater than 3.0 square meters (32.3 sq. ft.); used to identify or advertise any business, activity, service or person, or any goods, commodities or products which are not located in, conducted on, sold on, produced on or displayed on the lot upon which the sign is located; but does not include a “Fascia (Wall) Sign”, as defined herein.
 - (c) “**Election Campaign Sign**” means any sign advertising or promoting the election of candidates
 - (d) “**Electronic Message Display Sign**” means a sign which is electronically controlled and which displays information in a pre-arranged sequence, and on which the intensity of illumination is constant.
 - (e) “**Fascia (Wall) Sign**” means a sign attached to a wall of a building or the sloping portion of a mansard roof and parallel to the wall of a building.
 - (f) “**Flashing Sign**” means a sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of illumination or an externally mounted light source, but shall not include Electronic Message Display Sign and time/temperature signs.
 - (g) “**Illuminated Sign**” means a sign illuminated by any artificial light source.
 - (h) “**Real Estate Sign**” means a notification advising that a property is to be sold, rented, or leased and which may also indicate to whom a person should inquire with regard thereto
- 1.14 “**Sign Face**” means that portion of the sign, excluding the supporting structure, where copy can be placed.
- 1.15 “**Sign Height**” means the vertical distance from the base at grade to the top of the highest attached component of the Sign Structure.
- 1.16 “**Sign Structure**” means a structure which is intended to support, or be capable of supporting, any sign, and which in turn is supported by the ground, a building or a structure which is not an integral part of the sign.
- 1.17 “**Street Line**” means the boundary line between a road allowance and abutting lot.
- 1.18 “**Township**” means the Corporation of the Township of North Grenville.

2. INTERPRETATION AND APPLICATION

- 2.1 In this by-law, unless the contrary intention appears, words importing the singular number or the masculine gender only, shall include more persons, parties or things of the same kind than one, and females as well as males.
- 2.2 In this by-law, the word “shall” is construed as being mandatory and not discretionary.
- 2.3 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 from time to time within the Township or from observing or complying with the requirements of any applicable Federal, Provincial or County legislation.
- 2.4 This by-law shall not apply to:
- (a) Signs within an enclosed structure, except window signs.
 - (b) Signs installed by or on behalf of the Township, United Counties of Leeds & Grenville, the Province of Ontario or the Government of Canada.
 - (c) Plaques placed by historical agencies of the Township, United Counties of Leeds & Grenville, the Province of Ontario or the Government of Canada.
 - (d) Election proclamations or notices under any *Election Act*.
 - (e) Any sign that is lawfully erected or displayed on the day this by-law comes into force if the sign is not substantially altered and the maintenance and repair of the sign or a change in the message displayed shall be deemed not in itself to constitute an alteration.

3. REGULATIONS

- 3.1 Billboard Signs shall not be erected or displayed upon any property without the written consent of the owner of such property.
- 3.2 Billboard signs shall not:
- (a) obstruct pedestrian or vehicular traffic;
 - (b) obscure clear visibility of normal approaching pedestrian or vehicular traffic;
 - (c) be erected or displayed so as to be, by nature of the colour, shape or location thereof, confused with any traffic control sign, signal or device, or obscure the visibility or effectiveness of a traffic control sign, signal or device;
 - (d) be located within the Day Light Triangle as defined herein;
 - (e) be a Flashing Sign;
 - (f) be an Electronic Message Display Signs or signs with mechanically moving parts;
 - (g) be located within a road allowance.
- 3.3 Billboard signs shall not obstruct any fire escape, fire exit, standpipe, fire hydrant and fire access route and in any case not be erected or displayed any closer than 3.0 metres from any fire escape, fire exit, standpipe, fire hydrant and fire access route.
- 3.4 Where there is a need for electrical power to be provided for a billboard sign, the

billboard sign shall comply with the regulations of the local electrical inspection authority. Electrical wires accessory to signs are prohibited on parking lots, driveways and walkways.

- 3.5 Unless otherwise noted in this by-law, billboard signs which are luminous or are illuminated by lights, shall be designed and/or oriented to direct light away from adjacent premises and streets.
- 3.6 Billboard signs shall not project or encroach over or onto any road allowance or any other public property except as otherwise permitted in this by-law, or as specifically permitted by Council.
- 3.7 Billboard signs shall comply with, and be constructed and installed in accordance with the applicable provisions of the Ontario Building Code and all other applicable law.

Billboard Sign Provisions

- 3.8 Provided that the requirements of Section 2.3 hereof are complied with, the following provisions shall apply to the erection of billboard signs;
 - (a) One billboard sign shall be permitted per lot, provided all other provisions listed herein, can be satisfied
 - (b) A billboard sign may only be located along a Provincial Highway or a County Road.
 - (c) Minimum Setback from a Lot Line or a Street Line (other than on a Provincial Highway) 15.0 metres
 - (d) Maximum Sign Height: 8.0 metres
 - (e) Minimum Setback from an existing residential dwelling on an adjacent lot 150.0 metres
 - (f) Minimum distance between Billboard Signs: 1000 metres

4. PERMITS

- 4.1 Without first having received a Sign Permit in a form described in Schedule ‘C’, no person shall erect, display, or relocate any sign permitted in accordance with this by-law, without first having obtained a Sign Permit from the Township to do so.
- 4.2 A Sign Permit shall not be issued by the Township until all other necessary approvals have been obtained, which may include the appropriate Conservation Authority or road authority approval.
- 4.3 A Sign Permit shall only be issued upon the submission and approval of a completed Application For Billboard Sign Permit described in Schedule ‘B’.
- 4.4 Fees for inspection and review of plans submitted with an Application for a Sign Permit shall be payable at the time of application in accordance with Schedule ‘A’.
- 4.5 Notwithstanding Section 4.1 above, the following signs shall not require a Sign Permit, provided that they conform with the provisions of this by-law and with the requirements of any other body or agency that may have jurisdiction or interest (e.g. Ministry of Transportation):
 - (a) Election Campaign Sign
 - (b) Special Event Directional sign

- 4.6 No sign permit will be issued for a billboard sign which does not comply in all respects with the provisions of this by-law, provided that the maintenance and repair of a sign or a change in the message displayed shall be deemed not in itself to constitute an alteration.

5. MINOR VARIANCE

- 5.1 Upon the application of any person, Council may, by resolution, authorize minor variances from this by-law, if in the opinion of Council the general intent and purpose of the by-law are maintained.
- 5.2 Applications for signs requiring a minor variance shall be initiated by the filing of a letter from the applicant to the Township Clerk requesting Council to consider a proposal.
- 5.3 Fees for inspection and review of a request for a minor variance from this by-law shall be payable at the time of application in accordance with Schedule "A".
- 5.4 Applicants shall provide a detailed analysis of their proposal complete with a detailed site plan indicating setbacks from property lines, intersections, residential areas, and other signs.
- 5.5 Council may direct the By-Law Committee to review the proposal and to prepare a detailed report for consideration by Council. The Committee may consult with the Ministry of Transportation, the United Counties of Leeds and Grenville, the Police Department, the Chief Building Official, the Municipal By-Law Enforcement Officer and other staff as required. Council may direct a site plan agreement to be entered into.

6. MAINTENANCE AND REMOVAL OF SIGNS

- 6.1 Every sign in the Township shall be maintained in good structural condition at all times. All signs shall be clean and neatly painted, including all metal parts and supports. If any sign, including an Abandoned Sign, does not conform in any respect with the provisions of this by-law, or any other by-law or Code applicable thereto, the Municipal By-Law Enforcement Officer may give written notice to the owner of the sign. Such notice shall require that the sign be repaired, removed or brought into compliance with this by-law and/or any other applicable law, within a period of time not exceeding fourteen (14) days. If in the opinion of the Municipal By-Law Enforcement Officer any sign is in an unsafe condition, the Municipal By-Law Enforcement Officer may take immediate action pursuant to the Ontario Building Code and cause the removal, repair, transportation and/or storage of the sign. The costs of the aforesaid actions may be recoverable from the owner by the Township in like manner as municipal taxes, pursuant to the provisions of the *Municipal Act*.
- 6.2 (a) Election Campaign Signs which are installed on any lot shall be removed within seven (7) days of the termination of the event for which the signs are erected, by the owner of such signs, or owner of the lot on which the signs are erected, failing this, the Municipal By-Law Enforcement Officer may have such signs removed.
- (b) Real Estate Signs which are installed on any lot shall be removed within fourteen (14) days of the sale of the property or the termination of the event for which the signs are erected, by the owner of such signs or the owner of the lot on which the signs are erected, failing this, the Municipal By-Law Enforcement Officer may have such signs removed.

7. ADMINISTRATION AND ENFORCEMENT

The Manager of Planning, Building and Economic Development shall be responsible for the administration and enforcement of this by-law.

8. PENALTY

Every person who contravenes any provision of this by-law is guilty of an offence and shall, upon conviction, forfeit and pay a penalty of not more than \$2000.00, exclusive of costs, and every such fine is recoverable under the *Provincial Offences Act*.

9. SHORT TITLE

This by-law may be cited as “The Township of North Grenville Billboard Sign By-Law”.

10. GENERAL PROVISIONS

10.1 All previous by-laws or parts of by-laws of the Town of Kemptville, the Township of South Gower and the Township of Oxford-on-Rideau, contrary or inconsistent with this by-law are hereby repealed.

10.2 In the event of a conflict between the provisions of this by-law and the provisions of a zoning by-law prescribing sign requirements, the provisions of this by-law shall prevail.

10.3 It is hereby declared that each and every of the foregoing provisions of this by-law is severable and that if any provisions of this by-law should, for any reason, be declared invalid by any court, it is the intention of this Council that each and every of the then remaining provisions hereof shall remain in full force and effect.

10.4 Schedules “A”, “B” and “C” shall constitute part of this by-law.

10.5 This by-law shall come into force and take effect on the date of passing.

READ A FIRST, SECOND AND THIRD TIME
AND PASSED THIS 8TH DAY OF MAY, 2000.

DON CAMERON
Mayor

CAHL POMINVILLE
Clerk

CORPORATION OF THE TOWNSHIP OF NORTH GRENVILLE

Schedule “A” to By-Law No. 18-00

FEE SCHEDULE

The fee applicable for any sign requiring a permit within the boundaries of the Corporation of the Township of North Grenville shall be in accordance with the following:

Billboard Sign	\$100.00
Signs requiring variance approval	\$100.00

CORPORATION OF THE TOWNSHIP OF NORTH GRENVILLE

Schedule "B" to By-Law No. 18-00

APPLICATION FOR Billboard Sign PERMIT

Applicant _____ Phone _____

Address _____

Business Owner _____ Phone _____

Address _____

Property Owner _____ Phone _____

Address _____

Designer _____ Phone _____

Address _____

Type of sign: circle or check all that apply):

Construction Material: Wood ___ Plastic ___ Steel ___ Other _____

Fascia ___ Projecting ___ Ground ___ Pylon ___ Merchandise Display _____

Illuminated ___ Type of Illumination _____ Electrical Authority Approval _____ (supply copy)

Location of sign _____ Zone _____

Size of sign _____ Height of sign above ground _____

Width of property _____ Depth of property _____

Type of signs existing _____ Number of existing signs _____

Two copies of plans for the proposed signage complete with size and location indicated must be submitted with this application. All relevant information should be provided in order to assist the review committee in their decision. Failure to provide required information will result in a delay of the application review.

DECLARATION

I, the undersigned _____ am (the owner/ authorized agent for the owner) named in the above application and I certify the truth of all statements made herein.

I understand that the issuance of a permit shall not be deemed a waiver of the provisions of any By-Laws or other regulations, notwithstanding anything included in or omitted from the plans or other material filed in support of this application.

I acknowledge that in the event that a permit is issued, any departure from the plans, specifications or locations proposed in the application is prohibited and such could result in the permit being revoked. I further acknowledge that in the event the permit is revoked for any cause or irregularity or nonconformity with the By-Laws or regulations, there shall be no right of claim whatsoever against the municipal corporation or any official thereof and any such claim is hereby expressly waived.

North Grenville, Ontario _____, 20 ____
Date

Signature of owner/authorized agent
(complete back of application)

CORPORATION OF THE TOWNSHIP OF NORTH GRENVILLE

Schedule "C" to By-Law No. 18-00

TOWNSHIP OF NORTH GRENVILLE		(613) 258-7612
Date	SIGN PERMIT	Permit #
	By-Law #	
Owner	Address	
Contractor	Address	
Sign		
Location		
Message		
Size of Sign	Type of Sign	
Authorized Signature		
NOTE: ISSUANCE OF THIS SIGN PERMIT DOES NOT RELIEVE THE APPLICANT FROM THE RESPONSIBILITY OF OBTAINING A BUILDING PERMIT OR ANY OTHER NECESSARY APPROVAL.		