THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA

BY-LAW NUMBER 27-2012

BEING A BY-LAW TO REGULATE OR PROHIBIT
SIGNS WITHIN THE TOWN OF SOUTH BRUCE PENINSULA

WHEREAS Section 11(3) 7 of the Municipal Act, 2001, as amended, provides authority to a lower-tier municipality to pass by-laws respecting matters within the sphere of jurisdiction of structures, including fences and signs;

AND WHEREAS the Council of The Corporation of the Town of South Bruce Peninsula deems it desirable to pass a by-law to prohibit and regulate signs and other advertising devices within the municipality.

NOW THEREFORE the Council of The Corporation of the Town of South Bruce Peninsula enacts the following:

1. DEFINITIONS:

The following terms shall, for the purpose of this by-law, have the meanings stated below:

1.1 “ABANDONED SIGN” is any sign which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product or activity conducted or product available on the premises where such a sign is displayed;

1.2 “ADVERTISING DEVICE” shall include any awning or other feature or structure that displays a message or symbol created for the purpose of conveying a message.

1.3 “ACCESSORY SIGN” means any sign identifying or advertising a business, person, activity, goods, products or services located on the premises where the sign is installed and maintained;

1.4 “ANIMATED SIGN” means any sign that includes action or motion within the sign area. For purpose of this by-law the term does not refer to flashing, rotating automatic changing signs;

1.5 “AWNING SIGN” means any sign on a shade made of canvas, metal or wood fixed to a frame over a window or door that may or may not be retractable;

1.6 “BANNER” means a portable sign made of cloth, plastic or similar lightweight non-rigid material and is usually of a temporary nature not permanently anchored to the ground or a structure.
1.7 "BILLBOARD" means a standard sign that is supported by a structure on the ground or is attached to the structure having a sign area greater than 3.0 square meters (32 square feet) and no larger than 12ft x 24ft and is maintained by persons engaged in the sale or rental of sign space thereon to a clientele for advertising products or services from a premise other than the sign location.

1.8 "BUSINESS DESTINATION SIGN" means a directional sign for a commercial enterprise or attraction.

1.9 "BUSINESS ESTABLISHMENT" means a commercial enterprise utilizing common personnel, facilities and space.

1.10 "BY-LAW OFFICER" means any person duly appointed to enforce the by-laws of the Corporation of the Town of South Bruce Peninsula.

1.11 "COUNCIL" means the Council of The Corporation of the Town of South Bruce Peninsula.

1.12 "CONTRACTOR'S OR CONSTRUCTION SIGN" means a single or double faced temporary Accessory Sign containing the name of the contractor or Construction Company or the name of the product being used for an on-going construction, renovation or maintenance project on the lot.

1.13 "COUNTY OF BRUCE CORRIDOR" means from the centre of the County Road extending outwards 50' to the sides.

1.14 "ERECTED" means attached, altered, built, constructed, reconstructed, enlarged or moved, but does not include copy change on any sign.

1.15 "FLASHING SIGN" means any sign which contains an intermittent or flashing source, or which includes the illusion or intermittent or flashing light by means of animation, or externally mounted intermittent light source.

1.16 "FREE-STANDING SANDWICH BOARD SIGN" means a free-standing sign placed on but not permanently anchored to the ground, commonly referred to as an A-frame, or T-frame but shall not mean or include any other sign defined in this by-law.

1.17 "GROUND SIGN" means a sign directly supported by the ground, without the aid of any other building or structure, other than the sign structure.

1.18 "HEIGHT OF SIGN" means the vertical distance measured from the adjacent street grade or upper surface of the nearest street curb other than an elevated roadway, which permits the greatest height to the highest point of said sign.
1.19 "ILLUMINATED SIGN" means any sign designed to provide artificial light either through exposed lighting on the sign face or through transparent or translucent material from a light source within the sign.

1.20 "INSPECTOR" shall mean the Municipal By-Law Enforcement Officer or other person(s) appointed by Council to enforce Town by-laws.

1.21 "LOT LINE" means the boundary of a lot, including the dividing line between a lot and street.

1.22 "MAINTAIN" means to permit a sign structure to continue or, where required, to repair or refurbish a sign or sign structure.

1.23 "MOBILE SIGN OR PORTABLE SIGN" means a sign mounted on a trailer or other structure which is designated in such a manner to facilitate its movement from place to place and is usually of a temporary nature not permanently anchored to the ground or a structure.

1.24 "NON-ACCESSORY SIGN" means any sign identifying or advertising or directing attention to a business, profession, person, commodity, service or entertainment which is conducted, sold or offered elsewhere than at the lot upon which the sign is installed and maintained.

1.25 "LEGAL NON-CONFORMING SIGN" means any advertising structure or sign which was lawfully erected and maintained prior to such time as it came within the enactment of this by-law, or a non-conforming sign for which a special permit has been issued.

1.26 "REAL ESTATE SIGN" means a single or double faced accessory sign used to advertise that a lot, building or structure is for sale or for lease or has been sold or leased.

1.27 "ROOF SIGN" means any sign erected upon, against or directly above a roof; said sign shall not extend beyond the perimeter of the roof.

1.28 "SETBACK" means the horizontal distance from the lot line and/or water's edge to the nearest part or leading edges of any sign.

1.29 "SIGN" means any identification, description, illustration, or device illuminated or non-illuminated visible from any public place or located on private property and exposed to the public which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard, poster or temporary sign designed to advertise, identify or convey information, with the exception of window displays and
flags or emblems of patriotic, civic, educational, religious organizations, or private clubs. Signs shall also include all sign structures.

1.30 “SIGN AREA” means the entire area of the sign face.

1.31 “SIGN FACE” means that portion of a sign, excluding the sign structure, upon which, as part of, against or through which the message of the sign is displayed. Where a sign is composed of individual letters, numerals or shapes, the sign face shall mean the areas smallest polygon containing a maximum of eight right angle sides that encloses the grouping of letters, numerals or shapes.

1.32 “SPECIAL OCCASION SIGN” means temporary street decorations, banners, paper signs, cloth signs, mobile signs, posters and hand bills or any other temporary Advertising Device installed for various civic celebrations and/or special events which are non-profit in nature.

1.33 “STRUCTURE” as defined in the Building Code Act 1. (1) Definitions (d) Structures designated in the building code.

1.34 “STREET LINE” shall mean the dividing line between a lot and a street.

1.35 “TEMPORARY SIGN” mean a sign which is not permanently affixed and includes all devices such as banners, pennants, flags (not intended to include flags of any nations), sidewalks or curb signs, mobile/portable signs and balloons or other air or gas filled figures.

1.36 “TOWN” means the Corporation of the Town of South Bruce Peninsula.

1.37 “URBAN FURNITURE” shall mean all street related amenities and shall include benches, kiosks, telephone booths, newspaper boxes, mail boxes, clocks, street lighting, transit shelters, litter containers, clothing recycling collection boxes, bicycle racks, tree guards, planters and other similar privately or publicly owned features.”

1.38 “ZONE” means an area designated in the Town of South Bruce Peninsula Zoning By-Law whereby certain uses of lands are permitted and all other uses are prohibited and where the development and use of site areas and other features and limiting building height density site coverage and other aspects is outlined.

SECTION 2 -SHORT TITLE:

2.1 This by-law shall be called “The Sign By-Law”

2.2 GENERAL PROVISIONS

2.3 These provisions extend to all lands within the limits of the Town.
a) This by-law shall not apply to:
   i. Traffic control devices and signs erected on streets by or for the Town, the
      County of Bruce or the Province of Ontario;
   ii. Signs or Advertising Devices posted on the interior surface of any window
       or glass door in a building in any zone except Residential zones, or any
       Sign or Advertising Device erected in the interior of a building;
   iii. Municipal addresses mounted on buildings or on free standing signs on a
        lot.
   iv. Signs on property within the jurisdiction of County Highways and MTO
       corridors.
   v. Elections signs, Federal, Provincial and Municipal.
   vi. Any sign advertising a proposed amendment to the Towns Official Plan or
       the Zoning By-Law or any other applicable planning notification

SECTION 3-SIGNS IN GENERAL

3.1 No sign shall be attached or supported by any tree, post or urban furniture on property
owned or controlled by the Town without approval of the Town.

3.2 Any sign found attached to a tree, post, telephone pole or urban furniture on property
owned or controlled by the Town without Town approval will be removed by the sign or
property owner. Each owner shall be given 5 working days (not including Saturday,
Sundays or Statutory Holidays) to remove signs. Notice shall be given to the owner in
writing to the last known address as it appears on the assessment roll. After 5 working
days, if the signs are not removed, Town staff shall remove said signs and a charge as per
the Fees By-Law shall be charged to the sign or property owner for removal of said sign.

3.3 Sign provisions stated in the Ontario Building Code Act shall apply to the erection of all
signs where applicable.

3.4 No person shall erect any sign upon or attached to any building or other approved support
unless such building is able to carry that additional dead weight and wind load due to the
erection of such signs or without exceeding the stresses permitted on the respective
materials in accordance with the Ontario Building Code.

3.5 No banner, stringer or advertising device shall be suspended across any street without
first having been approved by the Town and appropriate authorities.

3.6 No banner or stringer may be used as a permanent sign on the face of a Business
Establishment for a period of longer than three months.
3.7 No portion of any newly erected signs nor any part of its support shall project or extend over any street or road entrance in any manner unless first having been approved by the Town and appropriate authorities.

3.8 No signs nor any part thereof, nor any portion of its support shall be constructed, erected or maintained which in any way obstructs or is attached to a fire escape or is in such a position as will interfere with the full and unobstructed use of a fire escape.

3.9 No exterior sign canopy or awning shall be erected overhanging a sidewalk or other pedestrian walkway unless the vertical distance measured from the bottom of the overhanging portion of the sign to the surface of the sidewalk is at least 2.4 meters (8 feet).

3.10 No person shall place a sign illuminated with red or amber lighting from within or without, in such a fashion as to diminish or detract in any way from the effectiveness of any traffic signal or similar safety or warning device and which falls within the vision of motorists in such a manner as to create a traffic hazard.

3.11 No person shall place spot lights or flood lights used to illuminate a sign, building or premises, including a parking area, unless so arranged as to deflect light away from adjacent premises or street, in order to prevent any glare or blinding effect upon any lane or moving traffic or residential building; and must also comply with dark sky regulations.

3.12 Except as otherwise provided in this by-law, any accessory sign located on property which becomes vacant and unoccupied for a period of one year or more, or any sign which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned. Accessory signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of one year or more. No owner shall allow an abandoned sign to remain on his or her property and such sign shall be removed by the owner of the sign or owner of the premises after the Town has given a written notice by registered mail giving the owner 10 days to comply.

3.13 All signs or other advertising devices that were lawfully erected or displayed on the day this by-law comes into force but that do not comply with this by-law shall be considered legal non-conforming signs.

3.14 Legal non-conforming signs which are damaged to such an extent that the supporting members are broken or considered structurally inadequate shall be deemed to have been destroyed and shall not be reconstructed unless within the conformity with this by-law.

3.15 Every sign shall be maintained in a safe, presentable and good structural condition at all times, including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of said sign.
3.16 No person(s) shall display, cause to be erected, or structurally alter any sign within the Town without first obtaining a sign permit.

3.17 The application for a sign permit shall be signed by the owner or authorized agent of the owner and by the occupant of the land or premises thereof.

3.18 No person shall erect any sign as defined within the by-law without first obtaining plan approvals (if applicable) from the Ministry of Transportation, County of Bruce or other applicable Agencies as required.

3.19 The Town, County, Provincial or Federal Government may erect signs from time to time be they either temporary or permanent to direct attention to historic structures or current community events or to assist control of vehicle speed or parking and safe passage of pedestrians.

3.20 Sign permits are not transferable. If authorized work is not completed within six months after the date of issuance of a sign permit, the sign permit shall be cancelled without notice and all fees paid shall not be refunded.

3.21 Where the permit has been issued as a result of false or misleading statements or undertakings in the application, the permit may be revoked.

3.22 The fee schedule for all Sign Permits shall be as provided in the Fees By-Law as amended from time to time.

3.23 No person shall place a flashing sign in a residential zone.

3.24 No person shall place an illuminated sign in a fashion that it interferes with a crossing or traffic light.

3.25 No person shall place any special occasion sign(s) unless a permit is issued or the Town has given approval.

3.26 No person shall place advertising on any urban furniture unless a permit is issued or the Town has given approval.

SECTION 4-FREE-STANDING SANDWICH BOARD SIGNS

All free-standing sandwich board signs shall be erected in accordance with the following regulations:

4.1 Only one sign is permitted per storefront.

4.2 No sign shall exceed 1.2 meters (3.94 feet) in height.
4.3 The sign shall be located adjacent and parallel to the curb in front of the premise being advertised by the said sign.

4.4 Under no circumstances shall any free-standing sandwich board sign be permitted on a pedestrian crosswalk.

4.5 A free-standing sandwich board sign shall not be closer than 1 meter to a lot line or building.

4.6 A free-standing sandwich board sign shall not be erected which would obstruct the view of the drivers of vehicles or pedestrians on a street when approaching an intersection or when entering a street from private property.

4.7 Free-standing sandwich board signs advertising for registered charities or service clubs shall be allowed to be put up 5 days before an event and they must be brought in nightly and be removed immediately after the event.

4.8 Free-standing sandwich board signs found on Town property in violation of this by-law will be removed and the owner of the sign may reclaim said signs for a fee set out in the Town’s fee by-law.

4.9 All free-standing sandwich board signs may be put out when a business opens for the day and must be removed when said business closes for the day.

4.10 Free-standing sandwich board signs may be placed at different locations advertising the open house and/or auction of property for sale. These signs may be erected 5 days before the open house and they must be brought in nightly and removed immediately after the open house has been concluded.

SECTION 5-MOBILE SIGN OR PORTABLE SIGN

5.1 A mobile sign or portable sign shall not be permitted until application is made to the Town and permission is granted by the Town. All mobile signs and portable signs are subject to a fee as per the Town’s Fee By-Law as amended from time to time. Mobile or portable signs may remain in place for 30 or 60 days in each six month period.

5.2 A non-profit organization may place a sign subject to a fee set out in the Town’s Fees By-Law.

5.3 A mobile sign or portable sign shall be removed from the lot or premise where it is situated within twenty-four hours after expiration of the permit and if said sign is not removed, the Town may remove the sign and the cost for removal will be at the owner’s expense.
5.4 All mobile signs and portable signs shall be placed on the property so as to not obstruct the view of drivers of vehicles or pedestrians on a street, roadway, intersection or when entering a street or roadway from private property.

5.5 Any mobile or portable sign that is placed within the County of Bruce corridor must comply with the regulations of the County.

5.6 Any mobile or portable sign placed outside of the County of Bruce corridor must comply with the provisions of this by-law.

SECTION 6 -CONSTRUCTION/CONTRACTOR AND REAL ESTATE SIGNS

6.1 Construction/Contractor signs advertising the Construction/Contractors name may be posted on the owners’ property for the period that the construction is in progress.

6.2 Real Estate signs advertising the sale of property/lot/structure/building may be posted on the owners’ property for the period of time that the property is listed with a Real Estate Company.

6.3 All signs advertising Construction/Contractors/Real Estate must be removed within 14 days after the completion of the construction or the sale.

SECTION 7-BILLBOARD AND OR GROUND SIGNS

7.1 No billboard/ground sign shall be attached or supported by any tree or post on property owned or controlled by the Town without first receiving approval from the Town.

7.2 No billboard and or ground sign shall be erected on any property in the Town without first receiving approval from the Town and payment to the Town of a one-time fee as per the Towns Fee By-Law.

7.3 Any billboard being erected within the County of Bruce corridor must comply with the County by-law.

7.4 Any billboard being erected outside the County of Bruce corridor must comply with the provisions of this by-law.

SECTION 8- BUSINESS ESTABLISHMENT

8.1 All business establishments placing or replacing signs on the front, side or back of their building shall follow the provisions set out in Section 3 and fees set out in the Town’s fee’s by-law shall apply.

SECTION 9 –BUSINESS DESTINATION SIGNS
9.1 To apply for a Business Destination Sign an applicant must complete the appropriate application for and pay the fee as set out in the Town’s Fee By-Law.

9.2 The Town will install Business Destination signs in accordance with this by-law and approval of location.

9.3 Business Destination Signs which require maintenance due to vandalism or normal wear will be repaired or replaced by the Town at the expense of the applicant, subject to prior payment.

9.4 Should the applicant or any successor of the Business Destination Sign not wish to pay the cost of maintenance of any sign which, in the opinion of the Town has fallen into a state of disrepair, the sign shall be removed by the Town.

9.5 Business Destinations Signs which have been damaged and for which the cost of the repair are recoverable from a third party (i.e. automobile accident), may be repaired or replaced by the Town subject to reimbursement from the third party.

9.6 Business Destination Signs may only be placed on municipally maintained road allowances or roads over which the Town has jurisdiction.

9.7 The Town reserves the right to deny the placement of any Business Destination Sign where the placement of that sign would create a public hazard or an unsafe condition or where the placement would interfere with traffic sightlines.

SECTION 10-RINK AND BALL DIAMOND ADVERTISING SIGNS

10.1 Ball Diamond advertising signs 4’ x 8’ x ½” and supplied by rentor may only be placed on Municipal properties when the proper agreement and payment according to the Town’s Fees By-Law has been made.

10.2 Arena signage 4’ x 8’ x ½” supplied by rentor may only be placed within Municipal properties when the proper agreement and payment according to the Town’s Fees By-Law has been made.

10.3 Arena ice logo may on be placed within the arena when the proper agreement and payment according to the Town’s Fees By-Law has been made.

10.4 Arena dasherboard advertisement signs 4’ x 4’ may only be placed within Municipal facilities when the proper agreement and payment according to the Town’s Fees By-Law has been made.

10.5 Arena dasherboard advertisement signs 4’ x 8’ may only be placed within Municipal facilities when the proper agreement and payment according to the Town’s Fees By-Law has been made.
10.6 Zamboni Advertisement may only be done when the proper agreement and payment according to the Town's Fees By-Law has been made.

SECTION 11- TEMPORARY SIGNS

11.1 No person shall erect temporary signs without a permit except the following signs, not exceeding 0.4 m² (4 square feet), as long as they are in conformity with this by-law:

   a) No trespassing
   b) Memorial signs
   c) Warning signs
   d) Directional signs in parking areas
   e) Temporary events (garage sale, car wash)

SECTION 12-PENALTIES

12.1 Every person who fails to comply with any provisions or requirements of this By-law shall be guilty of an offence and liable to a fine as prescribed by the Provincial Offences Act, R.S.O 1990 c. p 33, as amended.

12.2 Where a sign has been removed by the Town and stored for a period of thirty days and such sign has not been reclaimed, such sign will be destroyed or otherwise disposed of by the Town.

12.3 The Town is not in any way responsible for any sign erected where said sign falls and injures a person(s), property, cars, trucks, etc. The owner will at all-times be responsible and liable for their signs.

12.4 In the case of a sign or other advertising device erected on a road allowance or on any street or town owned property without the consent of the Town such signs shall be removed at the expense of the sign owner or property owner.

12.5 Any sign which at the time of passing this by-law does not conform to this by-law must be brought into compliance with this by-law.

12.6 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 other part thereof other than the part which was declared to be invalid.

12.7 This by-law shall supersede and rescind any by-laws inconsistent with this by-law.

12.8 This by-law shall come into full force and effect on the final passing thereof.
READ a FIRST and SECOND time this 3rd day of April, 2012.

[Signatures]

READ a THIRD time and FINALLY PASSED this 3rd day of April, 2012.

[Signatures]
THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA
SIGN PERMIT APPLICATION FORM

<table>
<thead>
<tr>
<th>Town use only</th>
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<tbody>
<tr>
<td>Date received:</td>
</tr>
<tr>
<td>Roll number:</td>
</tr>
<tr>
<td>Date Beginning:</td>
</tr>
<tr>
<td>30 days</td>
</tr>
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<td>Type of Sign:</td>
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A. Project information

<table>
<thead>
<tr>
<th>Business/Store Name:</th>
<th>Phone number:</th>
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<tbody>
<tr>
<td>Civic Address</td>
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</tr>
<tr>
<td>Town/City</td>
<td>Postal Code</td>
</tr>
<tr>
<td>Sign to be placed on (Road Name)</td>
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</tr>
<tr>
<td>Nearest Intersection</td>
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</tr>
<tr>
<td>Details of other signs at same location</td>
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<tr>
<td>Sign Direction (&lt; or &gt;)</td>
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</tr>
<tr>
<td>Sign Message</td>
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B. Applicant

<table>
<thead>
<tr>
<th>Last name:</th>
<th>First name:</th>
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<tbody>
<tr>
<td>Street address:</td>
<td>Town/City</td>
</tr>
<tr>
<td>Phone number:</td>
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</table>

C. Owner of the property (if not applicant, letter of permission required to be attached)

Diagram of proposed sign on building or on property, include site plan of property.
If there is not enough room please use the back.
### TOWN OF SOUTH BRUCE PENINSULA
### PART 1 PROVINCIAL OFFENCE ACT
### BY-LAW NUMBER 27-2012: SIGN BY-LAW

<table>
<thead>
<tr>
<th>ITEM</th>
<th>COLUMN 1: SHORT FORM WORDING</th>
<th>COLUMN 2: PROVISION CREATING OR DEFINING OFFENCE</th>
<th>COLUMN 3: SET FINE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Attach a sign to a tree or post.</td>
<td>Section 3.1</td>
<td>$150.00</td>
</tr>
<tr>
<td>2</td>
<td>String banner, stringer or advertising device across street.</td>
<td>Section 3.4</td>
<td>$150.00</td>
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<tr>
<td>3</td>
<td>Erect a sign on or over a municipal street, or attached to structures or features without approval.</td>
<td>Section 3.5</td>
<td>$150.00</td>
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<tr>
<td>4</td>
<td>Erect a sign that is flashing or glares onto neighbours.</td>
<td>Section 3.9</td>
<td>$150.00</td>
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<tr>
<td>5</td>
<td>Erect or maintain a sign in an unsafe condition.</td>
<td>Section 3.13</td>
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<tr>
<td>6</td>
<td>Erect a sign without a permit.</td>
<td>Section 3.14</td>
<td>$250.00</td>
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<tr>
<td>7</td>
<td>Having more than one sandwich board per storefront</td>
<td>Section 4.1</td>
<td>$150.00</td>
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<tr>
<td>8</td>
<td>Place free standing/sandwich board in a crosswalk</td>
<td>Section 4.4</td>
<td>$150.00</td>
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<tr>
<td>9</td>
<td>Erect a sign that obstructs the view of driver or pedestrians</td>
<td>Section 4.6</td>
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<tr>
<td>10</td>
<td>Billboard erected without permit</td>
<td>Section 7.2</td>
<td>$250.00</td>
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**NOTE:** THE PENALTY PROVISIONS FOR THE OFFENCES INDICATED ABOVE IS/ARE SECTION 12 OF BY-LAW NUMBER 27-2012, A COPY OF WHICH HAS BEEN FILED.