

THE CORPORATION OF THE
MUNICIPALITY OF NORTHERN BRUCE PENINSULA

BY-LAW NO. 2013-07

BEING A BY-LAW TO REGULATE AND CONTROL THE ERECTION,
ALTERATION AND RELOCATION OF ANY SIGN, ADVERTISING DEVICE AND
AWNING IN THE MUNICIPALITY OF NORTHERN BRUCE PENINSULA

WHEREAS Section 8(1) of the Municipal Act, 2001, S.O. 2001, as amended, confers upon a municipality broad authority to enable the municipality to govern its affairs as it considers appropriate and enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 11(3)(7) of the Municipal Act, 2001, S.O. 2001, as amended, empowers a municipality to pass by-laws respecting structures including fences and signs;

NOW THEREFORE the Council of the Corporation of the Municipality of Northern Bruce Peninsula enacts as follows:

SECTION 1 - APPLICATIONS

- a. The provisions of this by-law shall apply to all lands within the Municipality of Northern Bruce Peninsula.

SECTION 2 - DEFINITIONS

- a. "A Frame Sign" means a free standing double faced "A" shaped sign. A Frame signs shall not exceed 0.65 meters (25.59 inches) in width and 1.0 meters (39.37 inches) in height.
- b. "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 or off the premises where such sign is displayed.
- c. "Accessory Sign" means a sign identifying, advertising or directing attention to a business, profession, commodity, service or entertainment which is conducted, sold or offered at the lot upon which the sign is located and may incorporate changeable message areas on which an accessory message may be displayed.
- d. "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.
- e. "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.
- f. "Awning" means a retractable or non-retractable roof-like structure constructed of canvas or canvas-like material (which may have a message displayed) supported by a frame that projects from, is attached to and is supported by a building, any message displayed on an awning, whether projecting over a street or not, shall be deemed a fascia sign for the purpose of this by-law.
- g. "Banner or Stringer" means a portable sign made of cloth, plastic or similar

lightweight non-rigid material and is usually of temporary nature not permanently anchored to the ground or a structure.

- h. “Billboard” mean a standard sign that is supported by a structure or on the ground that is attached to the structure having a sign area greater than 3.0 square metres (32 square feet) and no larger than (12ft x 24 ft) 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.
- i. “Contractor’s Sign” means a single or double faced temporary accessory 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 the property where the construction activity is taking place.
- j. “Council” means the Council of the Corporation of the Municipality of Northern Bruce Peninsula.
- k. “County of Bruce Corridor” means from the centre of the County Road extending outwards fifty feet (50’) to the sides
- l. “Erected” means attached, altered, built, constructed, reconstructed, enlarged or moved, but does not include copy change on any sign.
- m. “By-Law Enforcement Officer” means the Municipal By-Law Enforcement Officer or other person(s) appointed by Council to enforce municipal by-laws.
- n. “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.
- o. “Fascia Sign” means a single faced accessory sign which is attached directly to the wall of a building and which does not project more than 0.35 m² (1.15 feet) from the building.
- p. “Frontage (lot)” means the horizontal distance adjacent to a road and/or lane measured between the side lot lines.
- q. “Ground Sign” means a single or double faced accessory sign which rests on the ground or is mounted on one or more pole.
- r. “Height of Sign” mean 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 where the sign has a clear height of less than 3.0 meters (9.84 feet).
- s. “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.
- t. “Legal Non-conforming Sign” means any advertising structure or sign which was lawfully erected and maintained prior to or the enactment of this by-law, or a legal non-conforming sign for which a special permit has been issued.
- u. “Lot Line” means the boundary of a lot.
- v. “Maintain” means to have, possess or keep in repair any sign, advertising device and awning.

- w. "Municipality" means the Corporation of the Municipality of Northern Bruce Peninsula.
- x. "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.
- y. "Painted Sign" means a sign painted on the wall or roof of a building and shall be deemed to be a fascia sign if the sign is accessory.
- z. "Portable Sign" means a sign usually of a temporary nature not permanently anchored to the ground, a building or a structure and which can be moved from location to location. This shall include any form of moveable sign.
- aa. "Projecting Sign" means a single or double faced accessory sign which is attached to the wall of a building and which projects more than 0.35 meters (1.15 feet), but no more than 3.5 meters (11.48 feet) from the building walls, such sign is to have a minimum clear height of 3.0 meters (9.84 feet).
- bb. "Real Estate Sign" means a single or double faced accessory sign used to advertise that a lot, building or structure is being offered for sale or rent or leased has been sold or rented or leased..
- cc. "Setback" means the shortest horizontal distance from a specified lot line to the nearest permitted part of any building or structure on a lot.
- dd. "Sign" means display board, screen cloth or structures having characters and/or letters and/or illustrations applied thereto in any manner and shall include the posting or painting or any advertisement or notice on a building or structure advertising a place or a special event.
- ee. "Sign Area" means the total surface of the sign excluding the supporting structure if any, and in the case of a sign composed only of a group of individual letters, the sign area shall be the area bounded by the outside perimeter of the letters in such groups and the sign area of a sign having two faces which face opposite is the area of one such face and the sign area of any other sign is the total of the area of all the faces thereof.
- ff. "Structure" as defined in the Building Code Act under (1) Definitions (d) Structures designated in the Building Code.
- gg. "Zone" means an area delineated on a Zoning Map Schedule and established and designated by this By-Law for a specific use.

SECTION 3 - GENERAL PROVISIONS

- a. The following signs shall not be subject to the provisions of the by-law:
 - (i) Signs for regulating traffic or similar devices, legal notices or warnings at railway crossings;
 - (ii) Signs in display windows including writing, representation, painting or lettering directly on the surfaces of any window or door;
 - (iii) Small signs displayed for the direction of the public including signs which identify restrooms, facilities and such other similar directional signs.
 - (iv) Signs on property within the jurisdiction of County highway and MTO corridors.

- (v) Election signs, Federal, Provincial and Municipal.
- (vi) Any sign advertising a proposed amendment to the Municipality's Official Plan or the Zoning By-law or any other applicable planning notification.
- (vii) Municipal addresses mounted on buildings or on free standing signs on a lot.
- (viii) Traffic control devices and signs erected on streets by or for the Municipality, the County of Bruce or the Province of Ontario.

SECTION 4 - SIGNS

- a. No portion of any newly erected sign, nor any part of its support, shall project or extend over any street or road entrance in any manner after the date of the passing of this by-law.
- b. 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 that will interfere with the full and unobstructed use of the fire escape.
- c. No signs, nor any part thereof, nor any portion of its support, shall be constructed, erected or maintained which, in any way, obstructs or interferes with any equipment carrying or intended to carry electrical power.
- d. Illuminated signs, flashing or animated, are prohibited in a residential zone.
- e. Illuminated signs, flashing or animated, which may be permitted in commercial and institutional zones, must be dark sky compliant.
- f. 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.
- g. 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 said lights must also comply with dark sky regulations.
- h. No sign or advertising device shall be erected or structurally altered within the Municipality without first obtaining a sign permit.
- i. Sign provisions as stated in the Ontario Building Code Act shall apply to the erection of all signs, where applicable.
- j. No person shall erect upon or attach to any building or other approved support unless such building is able to carry that additional dead weight and wind load caused by to the erection of such signs or without exceeding the stresses permitted on the respective material by the Ontario Building Code.
- k. All zones mentioned in this by-law shall be as determined by designation in the Municipality's Comprehensive Zoning By-law.
- l. No banner, stringer or advertising device shall be suspended across any street without first having been approved by the appropriate authorities.

- m. No banner or stringer may be used as a permanent sign on the face of a business establishment for a period longer than three (3) months.
- n. In all zones, non-illuminated real estate sign(s) not greater than 0.5 square meters (5.38 square feet) in area may be erected on the subject property being offered for sale or rent or lease.
- o. Awnings are permitted to be erected and shall project over a street only in Commercial zones.
- p. Exterior awning frames or supports shall be erected overhanging a side walk or other pedestrian walkway with a minimum clear height of 2.4 meters (8 feet) and no part of any awning shall be less than 2 meters (6.56 feet) above the ground or sidewalk surface, as the case may be, beneath the awning.
- q. Any message displayed on an awning shall be of a permanent nature and shall be deemed a fascia sign for the purposes of this by-law
- r. No person shall have an awning that is not maintained in a safe condition and in good repair as deemed by the By-Law Enforcement Officer.
- s. No person shall erect a sign that is not in a safe condition.
- t. No person shall erect a sign unless the size of said sign complies with the provisions of this by-law.
- u. The Municipality is not responsible for any sign mentioned herein in the case of a sign falling and injuring person(s), property, vehicles, etc.
- v. No person shall erect or cause to be erected in the municipality any sign, advertising device or awning unless a sign permit has been obtained from the Municipality.
- w. Sign permits are not transferable. If authorized work is not completed within six (6) months after the date of issuance of a sign permit, the sign permit shall be canceled without notice and all fees paid shall not be refunded.
- x. The fees for all sign permits are set out in the Municipality's Fees and Charges By-law.
- y. Where the permit has been issued based on false or misleading statements or undertakings in the application, the permit may be revoked.
- z. 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.
- aa. No sign shall be attached or supported by any tree or post on property owned or controlled by the Municipality without the approval of Council.
- bb. Any sign found attached to a tree, post or telephone pole on property owned or controlled by the Municipality without first being approved shall be removed by the sign owner, property owner or the Municipality. Each owner shall be given fourteen (14) days 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 fourteen (14) days, if the signs are not removed, Enforcement Officer shall remove said signs and a charge as per the Fees and Charges By-Law shall be charged to the sign owner or property owner for removal of said sign.
- cc. All signs or other advertising devices that were lawfully erected or displayed on the day this by-law comes into force but do not comply with

this by-law shall be considered legal non-conforming.

- dd. Legal non-conforming signs which are damaged to such an extent that the supporting members are broken shall be deemed to have been destroyed and shall not be reconstructed unless in the conformity with this by-law.
- ee. Every sign shall be maintained in a safe, presentable and good structural condition at all time, including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of said sign.
- ff. No ground sign or billboard or a sign of any nature shall be placed on property owned or controlled by the Municipality without the approval of Council.
- gg. Any ground sign or billboard or sign of any nature on property owned or controlled by the Municipality without first being approved, shall be removed by the sign owner, property owner or the Municipality. Each owner shall be given fourteen (14) days 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 fourteen (14) days, if the signs are not removed, the By-Law Enforcement Officer shall remove said signs and a charge as per the Fees and Charges By-Law shall be charged to the sign owner or property owner for removal of said sign or both.

SECTION 5 - PORTABLE SIGNS

All portable signs shall be erected in accordance with the following regulations.

- a. Portable signs shall have a single or double face not greater than four (4) square meters (43 square feet) in area.
- b. A portable sign shall not be erected upon or attached to a vehicle except when it is in transit from one location to another.
- c. Portable signs advertising for registered charities, service clubs and/or special events shall be allowed to be erected for a maximum of fourteen (14) days before the event and must be removed within forty-eight (48) hours of the conclusion of the event.
- d. A portable sign shall not be situated closer than one (1) meter (3.2 feet) to a lot line and/or building.
- e. A portable sign shall not be erected in such a way that it would obstruct traffic sight triangles and vehicular visibility.

SECTION 6 - A FRAME SIGNS

- a. The single face of an A frame sign may not exceed a sign area of 0.6 square meters (6.45 square feet).
- b. A frame signs must be situated against the building for which they are advertising or placed at the edge of sidewalks or curbs next to traffic so they do not interfere with the movement of pedestrians.
- c. A frame signs may be displayed for only the duration which the business is open.
- d. One (1) A frame sign is permitted per commercial zoned property and is not permitted in any other zone.
- e. A frame signs, advertising an open house and/or auction, may be placed at three (3) separate private property locations for a maximum of three (3)

days prior to the open house and/or auction and must be removed within forty-eight (48) hours after the conclusion of the event.

SECTION 7 - CONTRACTOR'S SIGNS

- a. One (1) Contractor's sign representing each contractor on site may be posted on private property where construction is taking place for only the timeframe in which the construction is occurring.
- b. A Contractor's sign shall be no greater in size than 0.4 square meters (4 square feet) in area.
- c. A Contractor's sign must be removed within fourteen (14) days after all contractors have vacated the site.

SECTION 8 - REAL ESTATE SIGNS

- a. Real Estate signs advertising the sale, rent or lease of property, lot, structure and building may be posted on the owner's property for the period of time that the property is listed with Real Estate Company.
- b. All signs advertising real estate must be removed with fourteen (14) days after the completion of the sale.

SECTION 9 - HOME BASED BUSINESS SIGNS

In accordance with the Comprehensive Zoning By-law a sign may be erected in accordance with the following regulations:

- a. One non-illuminated sign not greater than 0.4 square meters (4.0 square feet) in area advertising any permitted home based professional use business.
- b. One non-illuminated sign not greater than 0.4 square meters (4.0 square feet) in area advertising any permitted home based domestic and/or household arts business.
- c. One non-illuminated sign not greater than one (1) square meter (10.7 square feet) in area advertising any permitted home based business located in a Rural Zone.

SECTION 10 - BILLBOARD

- a. Billboard sign shall not be attached or supported by any tree or post on property owned or controlled by the Municipality without first receiving approval from the Municipality.
- b. No billboard sign shall be erected on any property in the Municipality without first receiving approval from the Municipality and payment as set out in the Fees and Charges By-law has been complied with.

SECTION 11 - SIGN REMOVAL

- a. Any sign erected on Municipal property without the consent of the Municipality shall be removed by the Municipality and all such costs to do so shall be borne by the owner.
- b. Any other sign found to be erected without approval to do so by the Municipality shall be removed by the owner. The owner will be notified in writing that said sign must be removed within fourteen (14) days. If said sign is not removed within the required timeframe, the enforcement officer, or his designate, shall proceed to remove the sign and all such costs to do so shall be borne by the owner.

- c. The enforcement officer shall remove any A frame sign or Portable Sign that is not in compliance with this by-law.

SECTION 12 - ADMINISTRATION

- a. The Municipal, County, Provincial or Federal Governments may erect signs from time to time, temporary or permanent, to direct attention to historic structures or current community events or for fire prevention purposes or to assist control of vehicle speed or parking and safe passage of pedestrians.

SECTION 13 - ENFORCEMENT

- a. The provisions of this by-law will be enforced by the By-Law Enforcement Officer.
- b. Every person who contravenes the provisions of this by-law is guilty of an offence and upon conviction is liable to a penalty as provided for in the Provincial Offences Act, as amended.
- c. 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.
- d. Where a sign has been removed by the Municipality and stored for a period of thirty days and such sign has not been reclaimed, such sign shall be destroyed or otherwise disposed of by the Municipality.
- e. The Municipality is not in any way responsible for any sign erected where said sign falls and injures a person(s), property, car, trucks etc. The owner will at all times be responsible and liable for his/her signs.
- f. In the case of a sign or other advertising device erected on a road allowance or on any street or Municipal property without the consent of the Municipality such signs shall be removed at the expense of the sign owner or property owner or both.

SECTION 14 - VALIDITY

- a. 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 that was declared to be invalid.

SECTION 15 - PENALTY

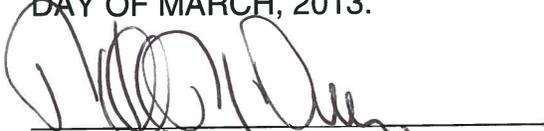
Any person who contravenes any provision of this by-law is guilty of an offence and, on conviction, is liable to the penalty as provided in Section 61 of the Provincial Offences Act, R.S.O. 1990, c. 33, as amended from time to time. The fine schedule is provided in the attached Schedule B.

SECTION 16 - EFFECTIVE DATE

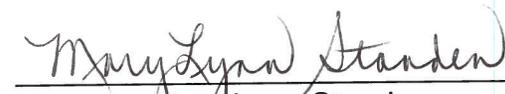
- a. This by-law shall supersede and rescind any by-laws inconsistent with this by-law.
- b. This by-law shall come into full force and effect on the date of passing.

READ A FIRST AND SECOND TIME THIS 4th DAY OF MARCH, 2013.

READ A THIRD TIME, FINALLY PASSED, SIGNED AND SEALED THIS 4th DAY OF MARCH, 2013.



MAYOR – Milt McIver



CLERK – Mary Lynn Standen

MUNICIPALITY OF NORTHERN BRUCE PENINSULA
SCHEDULE B to By-law No. 2013-07 : Regulation and Control of Signage
Part I Provincial Offences Act

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1	Placement of sign on Municipal property without approval	Section 4 sub h	\$100.00
2	Failure to obtain a sign permit	Section 4 sub w	\$100.00
3	Sign size larger than permitted	Sections 4 sub u	\$100.00
4	Fail to remove real estate sign within prescribed period	Sections 8 sub b	\$100.00
5	Fail to remove contractors sign within prescribed period	Section 7(c)	\$100.00

NOTE: The general penalty provision for the offences listed above is Section 15 of By-law No. 2013-07 a certified copy of which has been filed.

MUNICIPALITY OF NORTHERN BRUCE PENINSULA
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5	Fail to remove contractors sign within prescribed period	Section 7(c)	

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