

THE CORPORATION OF THE COUNTY OF PRINCE EDWARD**BY-LAW NUMBER 1122 -2003**

BEING A BY-LAW TO REGULATE SIGNS AND OTHER ADVERTISING DEVICES IN THE CORPORATION OF THE COUNTY OF PRINCE EDWARD.

WHEREAS the Section 11 (1) of the Municipal Act, 2001, S.O. 2001, c.25 as amended, provides that Councils of municipalities may pass by-laws respecting structures including fences and signs;

AND WHEREAS the sign by-laws previously passed from the former Town of Picton, Village of Bloomfield and the County of Prince Edward lapsed at the end of December 2002;.

AND WHEREAS Council deems it in the best interests of the municipality and its residents to enact a by-law to regulate the placement of signs in the County of Prince Edward;

AND WHEREAS this By-law will acknowledge permanent signs that are in place in their present form at the time of passing of this By-law.

NOW THEREFORE the Council of the Corporation of The County of Prince Edward enacts as follows:

PART I – TITLE, SCOPE, DEFINITIONS AND APPLICATION**1. TITLE OF BY-LAW**

This By-law may be cited as the "Sign By-law for the Corporation of The County of Prince Edward."

2. SCOPE OF BY-LAW

This By-law applies to all lands which are within the geographic boundaries of the Corporation of The County of Prince Edward. No signs within the Municipality shall be erected, maintained or structurally altered except in conformity with the provisions of this By-law or applicable regulation, act or legislation.

3. DEFINITIONS

- a) **ALTER** – shall mean any change to a sign, sign structure or sign face but shall not include any change in the message being displayed or any repair or maintenance to the sign, sign structure or sign face.
- b) **AWNING** – shall mean a space frame system, moveable or fixed, covered with fabric or like material attached and projecting from a building or structure but not forming an integral part thereof.
- c) **BOULEVARD** – shall mean that portion of the Municipality's road allowance located between the traveled portion of the highway and the boundary of the Municipality's road allowance.

- d) **BUILDING CODE** – shall mean the Ontario Building Regulation 403/97 passed pursuant to the provisions of the Building Code Act, S.O., 1990, c.23as it may be amended from time to time.
- e) **BUILDING FAÇADE** – shall mean that portion of any exterior elevation of a building extending from grade to the top of the parapet, wall or eaves and the entire width of the building elevation.
- f) **BY-LAW ENFORCEMENT OFFICER** – shall mean any person appointed as a By-law enforcement officer by By-law by the Council for the Corporation of the County of Prince Edward.
- g) **CHIEF BUILDING OFFICIAL** – shall mean the Chief Building Official appointed by Council of the Corporation of The County of Prince Edward as prescribed by the Ontario Building Code Act.
- h) **COUNCIL** – shall mean the Council of the Corporation of The County of Prince Edward.
- i) **ERECT** – includes the construction of, placing of or arranging for the placing of a sign on any lot or highway.
- j) **HIGHWAY** – shall have the same meaning as that word as defined in the Municipal Act.
- k) **LOT** – shall mean a parcel of land which is capable of being legally conveyed in accordance with the provisions of the Planning Act, R.S.O, 1990.
- l) **PERSON** – shall mean any human being, association, firm, partnership, incorporated company, corporation, agent or trustee and any heirs, executors, successors, assigns or other legal representatives of a person to whom a contract can apply according to law.
- m) **RURAL AREA** – shall mean all those areas within the Municipality not defined by Urban area.
- n) **SHOPPING CENTRE** – shall mean any building or group of buildings located on a lot and used for the display and sale of goods, products or services.
- o) **SIGN** – shall mean and include any structure, device, or thing (and all parts thereof) which identifies, describes, promotes or advertises any building, person, place, product, business, service, enterprise, organization, event or thing in such a way as to be visible from a highway or lot.
- p) **SIGN FACE** – means the area of the display surface upon, against, or through which a message, messages, print or text are displayed or illuminated. For the purpose of this By-law, any double face sign shall be treated as having only one face provided that one face is the reverse side of the other face.
- q) **SIGN, ANIMATED** – means a sign or advertising device which includes action or motion, moves in a revolving manner or contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of an animation or an externally mounted light source.
- r) **SIGN, AWNING** – shall mean a wall sign supported entirely from the exterior wall of a building and composed of non-ridged materials except for the supporting framework.
- s) **SIGN, BANNER** – shall mean a sign composed of fabric or other light weight material.

- t) **SIGN, BILLBOARD** – shall mean a sign structure to which advertising copy is fastened in such a manner so as to permit its periodic replacement and which displays goods, products, services 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 on which the sign is located.
- u) **SIGN, CANOPY** – shall mean a sign erected as an integral part of an attached canopy or a freestanding canopy.
- v) **SIGN, CONSTRUCTION** – shall mean a sign incidental to a construction project or a development located within the boundaries of the development or construction site.
- w) **SIGN, BUSINESS DIRECTORY** – shall mean a ground sign which identifies or draws attention to the names of businesses or persons located on the same lot as the sign.
- x) **SIGN, DIRECTIONAL** – shall mean a sign erected for the public safety or one which provides directional information for the control of vehicular traffic such as an entrance or exit sign or a loading area, and bearing no commercial advertising. A directional sign may take the form of a Ground sign or Wall Sign.
- y) **SIGN, ELECTION** – shall mean any ground sign used to promote a candidate or political party during any municipal, provincial or federal election.
- z) **SIGN ELECTRIC** – shall mean a sign that employs flashing, animated illumination or intermittent illumination.
- aa) **SIGN, GROUND** – shall mean a free standing sign in a fixed location, which sign is wholly supported by uprights or braces attached to the ground, and shall include a pole or pylon sign.
- bb) **SIGN, HOME IDENTIFICATION** – means a sign which identifies by letters and/or numbers, the name of the occupants and/or highway address of the building on which lot the sign is located.
- cc) **SIGN, ILLUMINATED** – shall mean any sign illuminated or lighted by any artificial means whatsoever, including direct, indirect, internal or external sources of illumination.
- dd) **SIGN, OFF-LOT** – shall mean any sign which identifies or advertises a business, person, activity, good, product or service, which is not normally related to, or available at the lot where the sign is located.
- ee) **SIGN, ON-LOT** – shall mean any sign identifying or advertising a business, person, activity, good, product or service available at the lot where the sign is located.
- ff) **SIGN, PORTABLE/MOBILE** – shall mean and include any sign which is specifically designed or intended to be readily moved from one location to another and which does not rely on a building or a fixed foundation for its structural support.
- gg) **SIGN, POSTER** – shall mean an on-lot or off-lot sign which must be secured to another structure such as a utility pole or light standard for support and which is made out of paper or other biodegradable material and does not exceed 279 mm (11 inches) in length by 432 mm (17 inches) in width, (11" x 17").
- hh) **SIGN, POSTURN** – shall mean a sign made with a series of triangular vertical sections that turn and stop, or index to show two or more pictures or messages in the same area.

- ii) **SIGN, PROJECTING** – shall mean any sign attached to an exterior wall of a building and which projects horizontally to that wall.
- jj) **SIGN, PUBLIC AUTHORITY** – shall mean any sign erected for or at the direction of any Municipality or government authority, agency, board or committee for the purpose of providing information to the public concerning any proceedings by such agency, authority, board or committee.
- kk) **SIGN, REAL ESTATE** – shall mean a sign on a lot advertising the sale, rent or lease of the lot but shall not include signs which advertise new subdivisions or developments.
- ll) **SIGN, READOGRAPH** – shall mean a sign, other than a portable sign, composed of interchangeable letters.
- mm) **SIGN, ROOF**– shall mean any sign the face of which is above the level of the eaves or parapet of a building, and includes painted signs on roofing material.
- nn) **SIGN, SANDWICH BOARD** – shall mean a sign which is erected or placed on, but not permanently anchored in the ground, with copy on either or both sides.
- oo) **SIGN, SIGNATURE ENTRANCE** – shall mean a permanent ground sign that is to promote and advertise the name of the subdivision, neighbourhood or community.
- pp) **SIGN STRUCTURE** – shall mean the supports and frame work for a sign face.
- qq) **SIGN, WALL/FACADE** – shall mean a sign attached in close proximity and parallel to any exterior wall.
- rr) **SIGN, WINDOW** – shall mean any sign located on the interior of a building, which is intended to be seen from off the lot on which the sign is located.
- tt) **URBAN AREA** – any area of the Municipality within a Secondary Plan Area or Hamlet as so designated in the County Official Plan, as amended from time to time.

4. **PERMIT REQUIRED**

No person shall erect, display, alter, repair or cause to be erected, displayed, altered or repaired, a sign in the Municipality unless a sign permit has been issued by the Chief Building Official or designate except for signs referred to in Section 6 of this By-law.

5. **PERMIT EXEMPTION**

Despite Section 4, a permit is not required for the following signs in Section 5.

- a) **Real Estate Sign (point of sale)**: The area of any one sign face shall not exceed 2 square metres (21.3 square feet). Such signs shall be limited to a maximum of two signs per urban lot and four signs for a non urban lot and shall not obstruct or interfere with the vision of vehicular or pedestrian traffic; and shall be removed within fourteen (14) days of a sale or lease completion.
- b) **Signs advertising yard sales, garage sales, auctions and/or open houses**: Such signs shall measure not more than 0.4 square metres (4.3 square feet) in sign face area (each side); no more than four signs shall be permitted for a period to not exceed five (5) consecutive days. Such signs shall be located on private property; and shall not obstruct or interfere with the vision of vehicular or pedestrian traffic.

- c) Directional Signs: up to two directional signs per driveway access provided no sign face is greater than 0.75 square metres (8.1 square feet) in sign area, and provided that the top of any directional sign is no higher than 1.5 metres (5.0 feet) above the finished grade at the sign location.
- d) Public Authority Signs: an official sign required or authorized by a recognized public authority.
- e) Personal Identification Signs on Residential Property: provided such sign is for personal identification only and does not exceed 0.2 square metres (2.15 square feet).
- f) Flags, emblems, banners or insignia.
- g) Displays consisting entirely of vegetative material.
- h) Non-Illuminated Development or Construction Site Sign located on the development or construction site with a face area not greater than 10 square metres (108 square feet) and that is removed from the site within 60 days of the completion of the construction.
- i) Election Signs for Federal, Provincial, Municipal or School Board elections that are in accordance with the Election Acts.
- j) Special Event Signs advertising special events of charitable organizations or County of Prince Edward sanctioned events provided that no sign face area is greater than 2 square metres (21.5 square feet); no signs shall be erected more than twenty-one (21) days prior to the day of the event unless approved by Council; and the sign or signs shall be removed within forty-eight (48) hours after completion of the event.
- k) Crop signs.

6. **PROHIBITED SIGNS**

No person shall place or erect any sign or display or permit the placing or erection of any sign or display that is listed within this section.

- a) Vehicles, trailers or other equipment permanently parked solely for the purpose of advertising the direction to a place of business or an event;
- b) Signs that encroach on public property unless expressly authorized by the responsible public authority;
- c) Signs that endanger public safety by reason of their location or inadequate or improper construction or maintenance;
- d) Signs which obstruct or impede any flue, air, intake, fire escape, fire exit, door, skylight, exhaust or impede free access by firefighters to any part of a premises;
- e) Mobile/Portable signs unless specifically permitted by PART II, Section 10;
- f) Signs on public trees and public fence posts.

PART II - REGULATIONS

1. GENERAL

- a) Only four off-lot signs shall be permitted for any business or for the advertisement of any event and not exempted in Section 5.
- b) No person shall erect or display a sign or permit the erection or display of a sign on any property where the sign is not in conformance with this By-law.

2. NON-CONFORMING SIGNS

Any permanent sign erected or displayed on the day this By-law comes into force is exempt from the requirements to obtain a permit under Part 1, Section 4 of this by-law and such sign shall be allowed to remain in place until such time as it is willfully removed by the owner providing such sign remains in good repair.

3. SIGN MAINTENANCE

All signs are to be maintained in a proper state of repair so that such sign does not become unsafe, structurally unsound, unsightly or dangerous.

4. HEIGHT SPECIFICATIONS

- a) No sign erected above a highway built to allow vehicles shall be less than 5 metres (16.40 feet) above such public thoroughfare or any boulevard or shoulder area associated therewith;
- b) No sign erected above a pedestrian walkway shall be less than 2.4 metres (8 feet) above such walkway;
- c) The maximum height of a wall sign shall not exceed the height of the adjoining wall, except as provided in the Ontario Building Code; and
- d) No part of any ground sign shall exceed in height a distance of 8 metres (26 feet) legal review above the level of the ground at the base of the sign structure.

5. MAXIMUM PROJECTION

No sign shall project over that portion of any highway that is designed and used by vehicular traffic.

6. SIGN ILLUMINATION

Any lights that are to be used to illuminate a sign face shall be directed at the sign face only.

7. SIGN LOCATION

Except as otherwise provided herein, signs used or erected in accordance with all other provisions of this by-law shall be located so that:

- a) No sign other than a sign for the regulation, safety or guidance of traffic, is located closer than 1 metre (3.28 feet) to any lot line, existing or created; and
- b) No sign shall be located or erected that creates a visual impediment to vehicular traffic

8. WALL/FACADE SIGNS

The maximum area of wall/facade signs shall be the lesser of fifteen (15) percent of the building façade to which it is attached or 14 square metres (150.70 square feet) or as approved by Council.

9. PROJECTING SIGNS

- a) A maximum of one (1) projecting sign may be erected or displayed on the side of the premises fronting on a highway or public thoroughfare and, in the case of premises with sides fronting on more than one highway or public thoroughfare, a maximum of one (1) projecting sign may be erected on each side.
- b) No projecting sign face shall be more than 0.6 square metres (6.5 square feet) in size.
- c) No part of a projecting sign shall have a height less than 2.4 metres (8 feet) measured from the finished grade directly below the sign.
- d) Projecting signs shall not project more than 120 centimetres (47.2 inches) from the building.

10. PORTABLE/MOBILE SIGNS

- a) No portable/mobile sign or any part of the sign structure shall be located less than 1 metre (3.28 feet) from any property line of the lot on which the sign is located.
- b) No side of any portable/mobile sign face shall have a gross area greater than 3.7 square metres (39.8 square feet);
- c) All portable/mobile signs shall be staked firmly to the ground by means of iron stakes and all wheels shall be off the ground;
- d) No more than one portable/mobile sign shall be erected or displayed on a lot at any time; and
- e) No portable sign shall be erected or displayed on any one lot for more than 5 (five) months in any calendar year;
- f) Only one (1) portable/mobile sign in addition to the four (4) off-lot signs or any combination thereof shall be permitted per commercial, industrial or rural lot;
- g) Each portable/mobile sign shall be on privately owned property and not on municipal property and must be maintained to the satisfaction of the Municipality.

11. SANDWICH BOARD SIGNS

Sandwich board signs are permitted provided that all of the following conditions are met:

- a) a maximum of two (2) sandwich board signs per business shall be permitted in an urban zone and a maximum of four (4) sandwich board signs per business in rural or agricultural zones with a maximum of four (4) sandwich board signs on any one lot;
- b) the maximum size of a sandwich board sign is 1.1 square metres (11.8 square feet) on each side;
- c) the location of the sandwich board sign is restricted to an area within 0.6 metres (1.97 feet) of the front of the building in which the industry or business is located or on a boulevard adjacent to such industry or business. That sandwich board

signs within rural areas be increased to 121.9 cm (48 inches) in height above the existing ground level of the street measured at the base of the sign.

12. OFF-LOT SIGNS

No off-lot sign shall be erected in the Municipality except in lots zoned for industrial, commercial, rural or agricultural use. The following provisions shall apply:

- a) All off-lot signs shall be located in line with the established building lines, or where no such line exists, shall have a minimum setback of 1 metre (3.28 feet) from all property lines.
- b) No off lot sign shall be located closer than 45 metres to an intersection.
- c) No off-lot sign shall have an area greater than 18.5 square metres (200 square feet).
- d) No off-lot sign shall be located closer than 10.5 metres (34.44 feet) from any side yard lot line; 30 metres (98 feet) to a park, hospital, school or 100 metres (328.08 feet) from any residentially-zoned lot.

13. BILLBOARD SIGNS

Despite setbacks for signs stipulated elsewhere in the by-law, the following setbacks shall apply to Billboard Signs:

- a) No billboard sign shall be located closer than 10.5 metres (34.44 feet) from any side yard lot line; 30 metres (98 feet) to a park, hospital, school or 100 metres (328.08 feet) from any residentially-zoned lot.
- b) No billboard sign shall be located closer than 100 metres (328.08 feet) from any municipal road.

14. SOFFIT SIGNS

- a) No portion of any soffit sign shall be less than 2.4 metres (8.0 feet) above the finished grade or be located above the first story of any building;

15. CANOPY SIGNS

- a) A canopy sign shall be designed as an integral part of the canopy fascia;
- b) No portion of any canopy sign shall be less than 2.4 metres (8.0 feet) above the finished floor level immediately below such sign; and
- c) A canopy sign shall only be located on the storey of a building having direct access to a street.

16. RESIDENTIAL SIGNS

- a) A maximum of one sign not exceeding 0.3 square metres (3.23 square feet) in area, advertising boarding or lodging on the lot on which the sign is located is permitted provided such accommodation is not prohibited by the current County of Prince Edward Zoning By-laws, as amended; and
- b) A maximum of one sign, not exceeding one (1) square metre (10.76 square feet) in area is permitted on multi use residential property indicating the name of the apartment or property use and shall be located on the property on which the sign is identifying, provided such property use is permitted by the current Zoning By-law(s), as amended, for the County of Prince Edward.

17. HOME OCCUPATION/HOME-BASED BUSINESS SIGNS

- a) A home occupation/home-based business sign shall be a maximum of 1 square metre (10.75 square feet) in an urban area; and
- b) 2 square metres (21.5 sq. feet) in a non urban area.
- c) A maximum of one (1) home occupation/home-based business sign shall be permitted and shall be located in or on the property in which the home occupation is permitted.

PART III – ADMINISTRATION

1. CHIEF BUILDING OFFICIAL

The Chief Building Official or designate is responsible for the administration and enforcement of this By-law.

2. PERMITS

The Chief Building Official or designate shall issue a sign permit except where:

- a) The proposed sign or sign structure will not comply with this By-law, the Ontario Building Code, or any other applicable law; or
- b) The application is incomplete or any fees due are unpaid.

3. PERMIT APPLICATIONS

Applications for a sign permit shall be made to the Chief Building Official upon a form to be provided by the Chief Building Official which shall require the following information to be set out on or accompany such application:

- a) The name and address of the owner of the sign;
- b) The name and address of installing contractor, if different than owner;
- c) The name and address of the owner of the premises upon which the sign is located or to be located;
- d) Drawings, plans, and specifications showing:
 - i) The location or proposed location of the sign on the premises including its relation to any highway and lot line;
 - ii) The location or proposed location of all other signs on the premises for which a permit is required;
 - iii) The dimensions, construction supports, sizes, electrical attachments and character of structural members to which the attachment is made, together with such other engineering data certified by a duly licensed engineer or qualified professional, as the Chief Building Official may require;
- e) All permits as may be required by any other applicable government authorities such as Hydro One, Electrical Services Authority, the Ministry of Transportation and Quinte Conservation;
- f) The required fee;
- g) Such further and other information as the Chief Building Official may require in order to ensure that such sign will comply with the requirements of this By-law, the Ontario Building Code and any other applicable laws.
- h) The consent of the person in possession of the lot upon which the sign is located or to be located to permit entry upon the said lot by the Chief Building Official or designate for the purpose of inspecting the sign.

4. PERMIT FEE

Each application for a sign permit shall be accompanied by a non-refundable fee payable to the Municipality in the amount of:

- a) Permanent Sign: A building permit is required for this sign
- b) Portable Sign: \$10.00/month
- d) Sandwich Boards: Sandwich board signs erected on private property, or public property where approval to erect such sign is obtained are exempt from paying permit fee.

An administration fee of \$100 minimum to maximum of \$1,000 based on 50% of the applicable fee shall be applied in addition to the permit fee for any project starting without a permit.

5. CONSTRUCTION

All permanent signs shall be constructed and inspected in accordance with the Building Code Act, S.O. 1992, c.23, as amended, by S.O. 1997, c. 30, Schedule B2.

6. SIGN REMOVAL OR ORDER TO REMOVE SIGN

The Chief Building Official or designate may either immediately remove a sign or may provide seven (7) days of written notice to the owner of a sign and the person in possession of the lot upon which the sign is located instructing such person to remove or modify such sign where it is not in compliance with this By-law.

7. ENFORCEMENT AND PENALTY

Subject to Part III, Section 6 of this By-law to remove a sign, the Chief Building Official or designate may pull down or remove a sign that is not in compliance with this by-law at the expense of the owner of the sign. The costs associated with pulling down and/or removal of the sign will be collected from the owner of the property on which the sign was located in a like manner as property taxes; and shall be as follows: minimum \$100.00 plus costs associated with said removal.

8. VALIDITY

If any section, clause or provision of this By-law is for any reason declared by Court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall be declared to be invalid.

9. LIABILITY

The provisions of this By-law shall not be construed as relieving or limiting the responsibility or liability of any person who erects, displays, causes, permits or allows to be erected or displayed, any sign, for personal injury including injury resulting in death, or property damage resulting from such sign or from the employees, contractors or sub-contractors, in the construction, erection, maintenance, display alteration, repair or removal of any sign erected in accordance with a permit which is issued hereunder. Likewise, the provisions of this By-law shall not be construed as imposing on the Municipality, its officers, employees, servants and agents, any responsibility or liability whatsoever by reason of the approval of or issuance of a permit for any sign or removal of any sign.

10. INDEMNIFICATION

The applicant for a permit for a sign, the owner and occupant of the lands and premises on which any sign is erected, shall be jointly and severally responsible to indemnify the Municipality, its officers, employees, servants and agents, from all loss, damages, costs, expenses, claims, demands, actions, suits or other proceedings, of every nature and kind arising from and in consequence of the construction, erection, maintenance, display, alteration, repair or removal of such sign.

11. OFFENCES/PENALTIES

Any person who:


- a) Knowingly furnishes false information in any application for a permit or any documents or plans accompanying such application for a permit under this By-law; or
- b) Fails to comply with any notice, order, direction or other requirement given in accordance with this By-law; or
- c) Contravenes any provision of this By-law; or
- d) Causes or permits or allows any contravention of any of the provisions of this By-law;

Is guilty of an offense; and is liable upon conviction of such penalty as is authorized by the provisions of the Provincial Offences Act R.S.O. 1990, c.P.33, as amended from time to time.


12. EFFECTIVE DATE

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

Read a first, second and third time and finally passed this 25th day of August, 2003.



CLERK
Victoria Leskie



ACTING MAYOR
Councillor Robert Bell

