

**THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES**

**BY-LAW NO. 2018-30**

**A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES TO PROHIBIT AND REGULATE SIGNS AND OTHER ADVERTISING DEVICES WITHIN THE TOWNSHIP OF MUSKOKA LAKES**

WHEREAS the *Municipal Act*, 2001, S.O. 2001, c.25 (the *Municipal Act*, 2001), as amended, Section 8 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act*;

AND WHEREAS Section 11 of the *Municipal Act*, 2001 establishes a sphere of jurisdiction of municipalities;

AND WHEREAS the *Municipal Act*, 2001, provides that Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to enable municipalities to govern their affairs as they consider appropriate and enhance their ability to respond to municipal issues;

AND WHEREAS the Table contained in Section 11 of the *Municipal Act*, 2001, identifies signs as being within the non-exclusive sphere of jurisdiction of upper-tier and lower-tier municipalities;

AND WHEREAS Section 99 (1) of the *Municipal Act*, 2001, sets out rules that apply to a by-law of the municipality respecting advertising devices, including signs;

AND WHEREAS Section 99(2) and (3) of the *Municipal Act*, 2001 states that all costs and charges incurred by a municipality for the removal, care and storage of an advertising device that is erected or displayed in contravention of a by-law of the municipality are a lien on the advertising device that may be enforced by the municipality under the *Repair and Storage Liens Act*, 1990, and that all costs and charges incurred for disposing of an advertising device may be recovered by the municipality as a debt owed by the owner of the device;

AND WHEREAS Section 150 of the *Municipal Act*, 2001, provides that Council may regulate matters not specifically provided for by the *Municipal Act*, 2001, or any other Act for the purposes related to the health, safety and well being of the inhabitants of the municipality;

AND WHEREAS Section 425 of the *Municipal Act*, 2001, states a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under this Act is guilty of an offence;

AND WHEREAS Section 426 (1) of the *Municipal Act*, 2001 states that no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this Act or under a by-law passed under this Act;

AND WHEREAS Section 429 (1) of the *Municipal Act*, 2001 states a municipality may establish a system of fines for offences under a by-law of the municipality passed under this Act, unless, under Section 429 (4), if the provisions of any other Act, other than the *Provincial Offences Act*, provide for the fines for a contravention of a by-law of a municipality, the municipality cannot establish a system of fines under this section with respect to the by-law;

AND WHEREAS Section 436 of the *Municipal Act*, 2001 states that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with: a by-law of the municipality passed under the Act, a direction or order of the municipality made under this Act or made under a by-law of the municipality passed under this Act and a condition of a licence issued under a by-law of the municipality passed under this Act;

AND WHEREAS the Municipal Council of the Corporation of the Township of Muskoka Lakes deems it expedient to regulate advertising devices, including signs, in the Township of Muskoka Lakes;

AND WHEREAS by motion from Committee of the Whole COW-11-15/03/18, the Council of The Corporation of the Township of Muskoka Lakes deems it expedient to pass such a by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES ENACTS AS FOLLOWS:

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**A. DEFINITIONS**

1. The terms set out below shall have the following meanings in this by-law:
  - 1.1. **Abut** means touching at more than just a point and *abutting* has a corresponding meaning;
  - 1.2. **Advertising Device** means any device or object *erected* or intended to be *erected* or located or attached to any property so as to attract public attention to any goods, services, business, product, activity, service, facility or *event* and may include *signs, flags, banners, pennants* and lights;
  - 1.3. **Alteration** means any change to the *sign structure* or the *sign face*, including the addition, deletion or re-arrangement of parts, provided a change in the message displayed by a *sign* does not in itself constitute an *alteration* and *altered* or *altering* have corresponding meanings;
  - 1.4. **Architectural Elevation** means architectural renderings showing each side of a building and identified by the direction it is facing;
  - 1.5. **Building Inspector** means the *person* appointed by *Council* as a *Building Inspector* of the *Township*, as defined in the *Ontario Building Code Act, 1996*;
  - 1.6. **By-Law Enforcement Officer** means the *person* appointed by *Council* as a *By-law Enforcement Officer* of the *Township*;
  - 1.7. **Canopy**
    - 1.7.1. **Canopy, Attached** means any *structure* which projects from the exterior face of a building *wall* and which may afford protection or shelter from the elements, also referred to as an awning, but shall not include a deck, porch or cantilevered building;
    - 1.7.2. **Canopy, Free Standing** means a building or *structure* unenclosed on all sides, which *structure* may afford protection or shelter from the elements;
  - 1.8. **Centre Median** means that part of a *street* that divides a *street* or separates two *streets*, including any channelizing islands, the central islands of any roundabouts or centre boulevards;
  - 1.9. **Charitable Organization** means an organization or group, eligible for registration with the Canada Revenue Agency and includes not-for-profit groups;
  - 1.10. **Commercial Zone** has the same meaning as in the *Township Zoning By-law*, as amended;
  - 1.11. **Copy** means the graphic content of a *sign* surface in either permanent or removable letter, pictorial, symbolic or numeric form;
  - 1.12. **Copy Area** means the *surface* of the *sign* where the graphic content or *copy* is placed in either permanent or removable letter, pictorial, symbolic or numeric form;
  - 1.13. **Council** means the *Council* of the *Township of Muskoka Lakes*;
  - 1.14. **Director** means the *person* appointed by *Council* as the *Director* of the Public Works Department of the *Township*, or their designate;
  - 1.15. **Disrepair** means that the *sign* does not function for its intended purpose in that it is dilapidated, broken or has missing components;
  - 1.16. **District** means the *District Municipality* of Muskoka;
  - 1.17. **Erect** means the constructing, placing, locating, relocating, altering or displaying of a *sign* or any part thereof, and includes the painting of a *mural* and posting of *poster signs*, and *erecting, erected* and *erection*; display, displayed and displaying; *paint, painting* and *painted*; and *post,*

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*posting* and *posted* have corresponding meanings;

- 1.18. **Flag** means a piece of cloth having a distinctive size, colour and design, used as a symbol, pennant, standard, signal, or emblem;
- 1.19. **Gas Bar Canopy** means an open and permanent roof *structure*, free standing or attached to a building, *erected* for the purpose of sheltering gasoline service pumps;
- 1.20. **Grade** means the average elevation of the existing, finished surface of the ground *abutting* the *sign*, or location of the *sign*, exclusive of any artificial embankments, berms or planter boxes;
- 1.21. **Height** means the vertical distance measured from the *grade* to the highest point of the *sign*, and includes any support *structure*;
- 1.22. **Home Industry** means an occupation, which is carried on entirely within a building that is accessory to a detached dwelling house, in accordance with the *Township Zoning By-law*, as amended;
- 1.23. **Home Occupation** means the accessory *use* of part of a dwelling unit for an occupation or business that results in a product or service and which is clearly secondary to the main *use* of the dwelling unit, in accordance with the *Township Zoning By-law*, as amended;
- 1.24. **Illuminated** means lighting of a *sign* by artificial means and *illuminate* and *illumination* shall have a corresponding meaning;
- 1.25. **Industrial Zone** has the same meaning as in the *Township Zoning By-law*, as amended;
- 1.26. **Institutional Zone** has the same meaning as in the *Township Zoning By-law*, as amended;
- 1.27. **Lot** has the same meaning as in the *Township Zoning By-law*, as amended, including the definitions of *lot area*; *lot coverage*; *lot frontage*; *corner lot*; *interior lot*; *through lot*; *lot line*; *exterior lot line*; *front lot line*; *rear lot line*; and *side lot line*;
- 1.28. **Maximum Sign Area** means the maximum allowable *sign face area* of *signs* requiring a *permit*;
- 1.29. **Municipality** means the *Township of Muskoka Lakes* and or the *District Municipality of Muskoka* and *Municipal* has a corresponding meaning;
- 1.30. **Mural** means an on-premises or off-premises painting, illustration or decoration that is an expression of public art, applied directly on the exterior *wall* of a building or on a backing that is affixed to the exterior of the building, with the expressed consent of the property *owner*, and is not a *sign* as defined by this by-law because such public art does not provide direction, identification, advertisement, business promotion or the promotion of a *person*, product, activity, service, *event* or idea;
- 1.31. **Non-Conforming** means a permanent *sign* that is lawfully *erected* or displayed on or before the day this by-law comes into force, but does not comply with this by-law, shall be allowed to remain so long as it is not in any way altered, replaced or relocated without prior review with the Township regarding the *sign's* non-compliance. *Alteration* shall not include a change of the message displayed on it;
- 1.32. **Owner** in respect of the *sign*, means any *person* described on the *sign*, or whose name and address, telephone number and/or Email address appears on the *sign*, or who installed the *sign*, or who is in lawful control of the *sign*, or who benefits from the message on the *sign*, or the *owner* or tenant of the property upon which the *sign* is situated, and for the purposes of this by-law, there may be more than one *owner* of the *sign*;
- 1.33. **Parapet** means a low vertical *wall* protecting the edge of a roof and extends above a roofline and includes any architectural forming as an integral part of such *parapet wall*;

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- 1.34. **Permit** and the corresponding term, *sign permit*, means a *permit* to erect a sign and may include the *permit's* renewal and does not mean an encroachment *permit*;
- 1.35. **Permit Holder** means a *person* who has obtained a permanent *sign permit* or a *sign* encroachment *permit*;
- 1.36. **Person** means, but is not limited to, an individual, association, firm, partnership, incorporated company, agent or trustee, and their heirs, executor or other legal representatives of a *person* and, for the purposes of this by-law, includes an *owner*, or any *person* in temporary possession of the property;
- 1.37. **Residential Zone** has the same meaning as in the *Township Zoning By-law*, as amended;
- 1.38. **Shopping Mall/Plaza** means a group of *commercial* and/or employment establishments and retail is defined in the *Township Zoning By-law*, as amended, as a building, or part of a building, in which goods, wares, merchandise, substances, articles, things or services are offered or kept for sale at a retail or on a rental basis but shall not include any other establishment otherwise defined or classified in the *Township Zoning By-law*, as amended;
- 1.39. **Sight Triangle** has the same meaning as in the *Township Zoning By-law*, as amended. There is no external advertising permitted other than a *temporary sign erected* in accordance with Appendix "A";
- 1.40. **Sign** means any visual medium, on-premises or off-premises, used to convey information by way of words, pictures, images, graphics, emblems or symbols or any device used for the purpose of providing direction, identification, advertisement, business promotion or the promotion of a *person*, product, activity, service, *event* or idea, and *signage* and *advertising devices* have a corresponding meaning. The following terms for different kinds of *signs* are set out below and shall have the following meanings in this by-law:
  - 1.40.1. **Animated Sign** means a sign with a sign face or faces that possess a video screen or any kinetic illusionary motion of all or a part of a sign, including rotations, or any sign which is manually displayed by an individual for the purpose of advertising or any sign that is projected on a display surface by electronic means, but does not include an electronic message board sign, flashing sign or strobe light;
  - 1.40.2. **Backlit Sign** means a type of illuminated sign in which the lighting is within or behind the sign with the light shining through the sign.
  - 1.40.3. **Banner Sign** means a *temporary sign* composed of lightweight, flexible material such as cloth, plastic, canvas or other non-rigid material, which is mounted at each end, or tethered at one end, so as to allow movement by atmospheric conditions;
  - 1.40.4. **Billboard Sign** means an outdoor *sign erected* by a *person*, firm, corporation or business engaged in the sale or rental of the space on the *sign face* to a clientele upon which *copy* is fastened in such a manner as to permit its periodic replacement and which advertises goods, products or services, not necessarily sold or offered on the property on which the *billboard sign* is located, and/or which directs a *person* to a location different from that where the *sign* is located;
  - 1.40.5. **Business Sign** means an on-site *sign* that identifies or directs attention to an object, product, place, activity, business, *person* or *persons*; service or interest situated on the same premises as the *sign*;

1.40.6. **Canopy Sign**

1.40.6.1. **Canopy Sign, Attached** means a *sign erected* as part of an attached *canopy*; and

1.40.6.2. **Canopy Sign, Free Standing** means a *sign erected* as part of free-standing *canopy structure*;

1.40.7. **Charitable Sign** means a *temporary sign* displayed by a non-profit or *charitable organization* for the purpose of advertising community service, *events* and/or an organization's functions or drives, provided such *sign* does not promote a business or product;

1.40.8. **Community Bulletin Board Sign** means a *sign on Township* property, of a design approved by the *Township*, upon which *persons* may place temporary notices to inform the public of non-profit community services or programs, including residential and cottage ratepayer groups, and possesses a transient display area for *posters*, pamphlets, notices and similar *temporary signs*;

1.40.9. **Community Service Sign** means a *sign on Township* property, of a design approved by the *Township*, which informs the public of non-profit community services or programs such as, but not limited to, service clubs, block parents, neighbourhood watch associations, adopt-a-road or adopt-a-park programs, and may provide identification of, or directional information to, community facilities such as churches, schools, libraries, hospitals, sports facilities or other *Township* facilities;

1.40.10. **Contractor's Identification Sign** means a *temporary sign* identifying the contractor on the property in which the said contractor is involved in the renovation, *erection* or demolition of a building or *structure*;

1.40.11. **Directory Board** means a *sign* listing the tenants of multi-tenant industrial or commercial buildings or subdivisions containing at least two (2) distinct tenant units;

1.40.12. **Election Sign** means any notice, device or *temporary sign* that is used by or on behalf of a political party or candidate for any federal, provincial, or *municipal election*;

1.40.13. **Electronic Message Board Sign** means a *sign* that is electronically controlled and which displays information and messages in a pre-arranged sequence or such *sign* may be presented as a *read-o-graph sign* with manually interchanged letters or symbols;

1.40.14. **Event Sign** means a *temporary sandwich board sign; poster sign* or *ground sign* placed to advertise or promote a community special *event*, held within the *Township*;

1.40.15. **Flashing Sign** means a *sign* that contains an intermittent or *flashing* light source or which includes the illusion of intermittent or *flashing* light by means of animation or an externally mounted light source. A *flashing sign* does not include a *strobe light*, *electronic message board sign* or an *animated sign*, as defined herein;

1.40.16. **Fuel Pump Island Sign** means a *sign* on top of service gasoline pumps or on the columns of a *gas bar canopy*, on guard posts or free standing on a gasoline pump apron;

1.40.17. **Ground Sign** means a free-standing *sign* in which the *sign face* is permanently affixed to the ground by a self-supporting *structure* which is located on the same property as the advertised goods or services;

1.40.18. **Home Industry Sign** means a *sign* advertising a *home industry*

that has the same meaning as in the *Township Zoning By-law*, as amended.

- 1.40.19. **Home Occupation Sign** means a *sign* advertising a *home occupation* that has the same meaning as in the *Township Zoning By-law*, as amended;
- 1.40.20. **Inflatable Sign** means any *sign* or *advertising device* designed to be inflated and to become airborne and/or tethered to the ground, or any other *structure*, and shall include balloons, hot-air balloons and any other *inflatable advertising device*;
- 1.40.21. **Marine Signage** means a vessel operations regulatory signage or buoy as regulated by Transport Canada; and/or the Canadian Shipping Act.
- 1.40.22. **Menu Board Sign** means a *ground sign* or *wall sign* providing information containing specific pre-menu or menu information necessary for a restaurant and functions with a drive-through service and a drive through *sign* containing pre-menu information;
- 1.40.23. **Mobile Portable Sign** means a *portable sign* mounted on a licenced trailer or vehicle;
- 1.40.24. **Obsolete Sign** means a *sign* that continues to advertise an *event*, purpose, business or product that is no longer in existence, ninety (90) days after the *event* has passed or the purpose, business or product advertised on the *sign* are no longer in existence or offered and may be an *abandoned sign* wherein the *sign* is in a state of *disrepair*;
- 1.40.25. **Official Sign** means a *sign* that has the same meaning as in the *Highway Traffic Act*, 1990, and means any *sign* or other device placed or *erected* on a highway under the authority of this by-law for the purpose of regulating, *warning* or guiding traffic;
- 1.40.26. **Perpendicular Sign** means a permanent *sign* which projects more than 30 cm. (1 ft.) at a perpendicular angle and is affixed to the face or wall of any building;
- 1.40.27. **Portable Sign** means a *sign* not permanently attached to the ground or a building and designed to be moved from one location to another, including its base or other supporting *structure*;
- 1.40.28. **Poster Sign** means a *sign* to which advertising is applied to market or promote upcoming special *events* or to market products, services or merchandise offered or for sale either on or off the premises;
- 1.40.29. **Pre-Menu Video Sign** means a pre-menu drive-through *sign* that may contain fixed *copy* and/or an electronic screen displaying moving video images, both providing information on the menu and/or other activities associated with a drive-through service and may also contain public service messages;
- 1.40.30. **Project Sign** means a *temporary sign* stating the name of the building or *project* to be built and the contact names and addresses of the *owners*, agents, contractors and/or consultants;
- 1.40.31. **Public Information Sign** means any of the following *signs*:
  - 1.40.31.1. **Land Development Signs** are *temporary signs* located at or near entrances to new subdivisions or land under development or redevelopment, which provide *zoning* and land use information;
  - 1.40.31.2. **Landscape Sign** means a permanent *sign* located on a decorative entrance wall, that is separate and distinct from a building wall, *landscape* feature or other

like marker in front of a multi-tenant building or multi-building *project* advertising the name and/or logo of the development or complex;

- 1.40.31.3. **Multi-Unit Landscape Sign** means a permanent *sign* located on a decorative entrance *wall*, *landscape* feature or other like marker advertising the name and/or logo of the development;
- 1.40.31.4. **Notice Of Proposed Land Use Change Sign** means a *temporary sign* that is intended to provide public notice, *erected* by a *person*, required by a public authority pursuant to an application for a plan of subdivision, rezoning, minor variance, land division by consent and other similar applications;
- 1.40.32. **Read-O-Graph Sign** means any part of a *sign*, which is designed so that any identification and/or advertisement affixed thereto, is readily interchangeable by means of interchangeable letters or symbols or the *sign* may be presented as an *electronic message board sign* that is electronically controlled and displays information and messages in a prearranged sequence;
- 1.40.33. **Real Estate Sign** means a *temporary sign* located on a property for the purpose of announcing the sale, lease or rental of such property or building or part of a building located thereon. *Real estate signs* may include off premises, directional way finding *signs* with the realtor's symbol on them to provide directions to prospective clients to the property that is for sale, lease or rent;
- 1.40.34. **Real Estate Open House Sign** means a *temporary sign* that is located off premises on the day of an open house showing to announce the open house and provide directional way finding *signs* with the realtor's symbol on them to provide directions to prospective clients to the property that is for sale, lease or rent;
- 1.40.35. **Roof Sign** means a *sign* that is located on or above the *roof* of a building or located on the top of, or above, the *parapet* of a building;
- 1.40.36. **Rotating Sign** means a *sign* or portion of a *sign* that moves in a revolving or similar manner by electricity or wind;
- 1.40.37. **Sandwich Board Sign** means a *portable* free standing *sign* affixed at the top enabling the two *sign faces* to be extended into an "A" shape so as to support the said *sign* in an upright position with *copy* on one or both *sign faces* and is also referred to as a *sandwich board sign*, *sidewalk sign* or *T-frame sign*;
- 1.40.38. **Seasonal Product Sign** means a *portable* and *temporary sign* advertising the on-site sales of such products such as, but not limited to, vegetables, fruit, honey, syrup, seasonal trees and the like, and may include off premises, directional way finding *signs* to provide directions to prospective clients to the property that is offering the seasonal products;
- 1.40.39. **Temporary Sign** means a *sign* that is *erected* without foundations and is not affixed to any other building or *structure* where an activity or *event* that is transitory or not permanent in nature is advertised and is not intended for permanent installation;
- 1.40.40. **Theatre Sign** means a *ground sign* or *wall sign* associated with a theatre that may incorporate, *electronic message board* and/or *read-o-graph signs* to advertise the entertainment current in the theatre or coming soon to the theatre;
- 1.40.41. **Traffic Directional Sign** means any on-premises *sign* which gives directions or instructions for the control of vehicular or pedestrian traffic and shall include an entry and exit sign;

- 1.40.42. **Wall Sign** means a *sign* that is affixed to the *wall* to which it is attached, and may also be referred to as a *fascia sign*;
- 1.40.43. **Warning Sign** means a *sign erected* by the Township or other public authority or their agents, or private entity which make use of the words such as, but not limited to, 'Stop', 'Slow', 'One Way', 'Danger', 'Yield', or any similar word phrases, symbols, lights or characters or other device placed or *erected* under the authority of this by-law or any other federal, provincial or *district* statutes, regulations or by-laws, for the purpose of regulating, *warning*, prohibiting entrance or guiding traffic, workers, pedestrians or vehicles.
- 1.41. **Sign Face** means the surface of the *sign* upon, against or through which the message of the *sign* is exhibited, but does not include the *sign structure*;
- 1.42. **Sign Face Area** means the total area of all *sign faces* on one *sign structure*;
- 1.43. **Sign Height** means the vertical distance from the ground on which the *sign* is *erected* to the highest physical point of the *sign*;
- 1.44. **Sign Length** means the horizontal distance between the extremities of the *sign*;
- 1.45. **Sign Permit** means a *permit* issued pursuant to the provisions of this by-law;
- 1.46. **Sign Support** means the framework, bracing and support of a *sign*;
- 1.47. **Street** means a road or public highway under the jurisdiction of the *Township, District* or Province of Ontario that is maintained so as to allow normal use by motor vehicles or a road or public highways located within a registered plan of subdivision that has not yet been assumed by a public authority;
- 1.48. **Street Line** means the limit of a *street* or road allowance as the dividing line between a *lot* and a *street* or road;
- 1.49. **Strobe Light** is a light that is a lamp that produces very short, intense flashes of light by means of an electric discharge in a gas and the ability of *strobe lights* to "freeze" the motion of rapidly moving objects by making them visible for only a fraction of a second attracts consumers' attention, similar to that of *signage* or other *advertising devices*;
- 1.50. **Structure** means anything that is *erected, built* or constructed of parts joined together and permanently located on or in the ground or attached to any other *structure* **Permanently** located on or in the ground. Structural development shall include new buildings, additions and enlargements, septic tanks and tile fields;
- 1.51. **Temporary** means lasting for a duration not to exceed 30 calendar days;
- 1.52. **Township** means the Corporation of the *Township of Muskoka Lakes*;
- 1.53. **Township Zoning By-Law** means the *Township Zoning By-law*, as amended, passed by *Council* under the authority of the *Planning Act, 1990*;
- 1.54. **Use** means the purpose for which any portion of a *lot, building* or *structure* is designed, arranged, intended, occupied or maintained and/or is the same definition as found in the *Township Zoning By-law*, as amended;
- 1.55. **Vacant Land** means a property that does not contain any legal buildings or *structures*; and
- 1.56. **Zone** means any zone as set out in the *Township Zoning By-law*, as amended, and includes all special exceptions to the zones and the term *zoned* has a corresponding meaning.



**B. PERMITS**

2. Where a sign has been lawfully erected prior to this by-law coming into force, such sign shall be permitted provided that it is not removed, enlarged or structurally altered without a sign permit. Existing signs which do not comply with the provisions of this by-law are permitted to be replaced provided the new sign complies with the requirements of this by-law.
3. Where a permit is required by the Ministry of Transportation or the District of Muskoka, no additional fee to the Township is required.
4. Pursuant to Section 99 of the *Municipal Act*, 2001 this by-law applies to the regulation of *advertising devices*, including *signs*, erected, located or displayed within the *Township of Muskoka Lakes*.
5. A *sign permit* is to be issued by the *Director of Public Works* of the *Township* to erect, locate, display or structurally alter a *sign*, with the exception of the *permit-exempt signs* listed in Section "G" of this by-law.
6. Those *signs* that are designated *structures*, per Section 1.3.1.1. (1) (e), of the *Building Code Act*, 1992, require that a *building permit*, as well as a *sign permit*, be obtained prior to *erection* of the *sign*.
7. *Council*, by resolution, may dispense with applicable *sign* fees where the *sign* is erected by a *charitable* or non-profit organization.

8. APPLICATION

- 8.1. The application for a *sign permit* shall include the following information:
  - 8.1.1. A completed application form as may be prescribed by the *Director of Public Works*;
  - 8.1.2. The written authorization of the *owner* of the property and the occupant of the premises or *sign owner* on which the *sign* will be located;
  - 8.1.3. Two (2) copies of a detailed site plan map on which details the location of the proposed *sign* in relation to the boundaries of the *lot*, adjacent *streets* and buildings on the *lot*. A registered Ontario Land Survey may be required to certify such plans and/or information;
  - 8.1.4. Two (2) copies of a detailed site plan map showing elevation and cross-section view of the proposed *sign* and *sign structure*, if applicable, including the dimensions, *copy* design and materials;
  - 8.1.5. Where applicable, provide two (2) copies of drawings and specifications showing the parts of any building to which the proposed *sign* is to be attached and how the *sign* is to be attached;
  - 8.1.6. Where applicable, proof of approval for the proposed *sign* from all other government authorities having jurisdiction; and
  - 8.1.7. Payment of the appropriate fee, if any, as set out in the *Township's Fees and Charges By-law*, as amended.
  - 8.1.8. *Election Signs* as prescribed in the *Township of Muskoka Lakes Election Sign By-law* are exempt from the application process and all associated fees.
9. The *Director of Public Works* shall issue the *permit* for a *sign* within fifteen (15) working days if all provisions this by-law, and any other applicable law known to the *Director of Public Works*, including the *Building Code Act*, 1992, any by-laws of the *District*, and any guidelines of the Ministry of Transportation of the Province of Ontario have been complied with.

10. REVOCAION OF PERMITS

- 10.1. The *Director of Public Works* may revoke a *permit* issued under this by-law under the following circumstances:
- 10.1.1. Where the *permit* was issued in error by the *Township* as a result of mistaken, false, misleading or incorrect information, statements or other such undertakings on the *sign* application provided to the *Township*; or
  - 10.1.2. Where the *sign* does not conform to this by-law or any conditions of approval under this by-law; or
  - 10.1.3. Where, after six (6) months after its issuance, the *erection* of the *sign*, other than a *mobile portable sign*, for which the *permit* was issued, has not, in the opinion of the *Director of Public Works*, been seriously commenced; or
  - 10.1.4. Where *erection* of the *sign*, other than a *mobile portable sign* is, in the opinion of the *Director of Public Works*, substantially suspended or discontinued for a period of more than one (1) year; or
  - 10.1.5. Where the *permit holder* or property *owner* or their agent request, in writing, that the *permit* be revoked.
- 10.2. Prior to revoking a *permit* in accordance with this by-law, the *Director of Public Works* shall give written notice of intention to revoke the *permit* held by the *permit holder* at their last known address, per the *Township's* tax roll, and, if on the expiration of thirty (30) days from the date of such notice, the grounds for revocation continue to exist, the *permit* shall be revoked without further notice and all submitted plans and other information may be disposed of or, at the written request of the *permit holder*, returned as directed at the *permit holder's* expense.

11. EXPIRY

- 11.1. A *permit* issued by the *Township* shall expire on the happening of the first of the following events:
- 11.1.1. Upon the expiry of any display period specified under this by-law or pursuant to the terms of the *permit*; or
  - 11.1.2. In all other instances, with the exception of a *mobile portable sign*, six months from the date of issuance, unless the *sign* is being *erected* at a reasonable rate to completion for its intended purpose; or
  - 11.1.3. Immediately upon removal of the *sign*.

12. RENEWAL

- 12.1. With the exception of a *mobile portable sign*, a *sign permit* may be renewed for up to an additional six (6) month period without the need for re-submitting the application documents referred to in Section 8 and upon submitting a written request for renewal to the *Director of Public Works*, before the expiry of the *permit*; and
- 12.2. There shall be no additional fee to renew the *sign permit*, on the condition that the request for renewal has not, in the opinion of the *Director of Public Works*, substantially been changed or altered.

C. GENERAL PROVISIONS AND REGULATIONS

13. No *person* shall *erect*, locate, display or retain any *sign*:
- 13.1. On private or public lands without having obtained a *sign permit* in accordance with the provisions of this by-law, unless it is a *permit exempt sign*, as contained within Section "E" of this by-law;

- 13.2. On private or public lands without having obtained a *sign permit* and is not *erected* in accordance with the approved plans and drawings submitted as part of the application;
- 13.3. In a manner that is not in accordance with the requirements of this by-law or the conditions of any variance granted under this by-law;
- 13.4. On private or public lands without having obtained a *sign permit* from the *District*, if the application for such *sign* is *abutting* a *District* road;
- 13.5. That is on, or overhangs, public property, including any road allowance, without the expressed written permission of the appropriate *municipality* or other government authority with jurisdiction;
- 13.6. That obstructs the view or interferes with pedestrian traffic on the *municipal* sidewalk, or the driver of a motor vehicle, the visibility of any traffic *sign* or device, or where it interferes with vehicular traffic movement in a manner that could endanger any *person*;
- 13.7. That is within a *sight triangle* at the intersection of two *streets*, where such *sight triangle* measures 7.5 m. (24 ft., 8 in.) in dimensions, except *election signs*; *real estate signs* or *real estate open house signs*; and *event signs* that are no higher than 1 m. (3 ft., 3 in.) from the established grade;
- 13.8. On private property for a purpose other than a purpose ancillary to a principal *use* permitted under the *Township Zoning By-law*, as amended, and carried on within a building located on the property or for the purpose of facilitating the commencement of such *use*;
- 13.9. Unless the light from an *illuminated sign*, is deflected or shielded away from any adjacent property or the path of vehicular traffic;
- 13.10. Unless such *sign* is maintained in a proper state of repair so that such *sign* remains safe and aesthetically acceptable in the opinion of the *Director of Public Works*;
- 13.11. Where the *event* being advertised has passed;
- 13.12. Where the purpose for the *sign* is no longer in existence;
- 13.13. Where the business the *sign* is advertising is no longer in existence;
- 13.14. Where the product being advertised is no longer offered;
- 13.15. That fails to meet the minimum requirements of the *Building Code Act*, 1992;
- 13.16. If the *sign* knowingly advertises false information;
- 13.17. That makes use of words such as, but not limited to, 'Stop', 'Slow', 'One Way', 'Danger', 'Yield', or any similar words, phrases, symbols, lights or characters in such manner as to tend to interfere with, mislead, or confuse *official signs* or *warning signs* erected by the Township, other public authority or private entity; and
- 13.18. Where a *sign structure* has not been designed by a professional architect or professional engineer and a building permit issued, per Section 1.3.1.1. (1) (e), of the *Building Code Act*, 1992, as follows:
  - 13.18.1. A *ground sign* that exceeds 7.5 m. (24.6 ft.) in *height* above the adjacent finished ground; or
  - 13.18.2. A *projecting sign* that weighs more than 115 kg. (253.5 lbs.).
14. A *person* shall be deemed to be *erecting*, locating, displaying or *altering* or allowing the *erection*, location, display, or *alteration* of a *sign*, if that *person* is a *sign owner* and directs or permits or fails to stop the *erection*, location or display of the *sign* that is not in accordance with this by-law.
15. The *sign owner* shall notify the *Director of Public Works* of the completion of the *erection* of any *ground sign* or *wall sign* erected pursuant to a *permit* within fifteen

(15) days after the *sign* is erected.

16. For the purposes of this by-law, *signs* within the controlled access of the Ontario Ministry of Transportation require the approval of that agency and shall be erected in accordance with that Ministry's regulations.
17. Except for an *official sign* or a *sign* otherwise permitted in this by-law or authorized by the *Township* or *District*, no *sign* is permitted on, over, or partly on or over, a *street*.

**D. PROHIBITIONS FOR PARTICULAR TYPES OF SIGNS OR ADVERTISING DEVICES**

18. Any *sign* not expressly permitted within this by-law is prohibited and is subject to fines under the Provincial Offences Act and, without limiting the generality of the foregoing, the following *signs* and *advertising devices* are specifically prohibited under this by-law, with exceptions noted herein and those exceptions set out within Appendix "A":
  - 18.1. *Backlit Signs* are not permitted in the Township of Muskoka Lakes.
  - 18.2. *Billboard Signs* are not permitted in the Township of Muskoka Lakes.
  - 18.3. *Business, Home Industry, Home Occupation or Poster Signs* are not permitted to be located on: trees, hydro poles, buildings on public road allowances, property owned by a Public Authority, public road allowances.
  - 18.4. *No Sign* shall be affixed to a fence on private property adjacent to any Township, District or Provincial road. This regulation shall not apply to:
    - i) Signs affixed or painted on boarding erected around a construction site.
    - ii) Banners classified under Section 21 of this by-law.
  - 18.5. Signs affixed to trees are prohibited except personal name signs no larger than 0.185 square meters or two (2) square feet.
  - 18.6. *Event signs* advertising special events that are wholly outside the *municipal* boundaries of the *Township*, as outlined in Section 28 and Appendix "A";
  - 18.7. *Flashing signs*, including electronic display signs, except in accordance with Section 29 and Appendix "A";
  - 18.8. *Inflatable signs*;
  - 18.9. *Obsolete signs*;
  - 18.10. *Poster signs*, except in accordance with Section 41 and Appendix "A";
  - 18.11. *Roof signs*;
  - 18.12. *Animated signs*;
  - 18.13. *Rotating signs*;
  - 18.14. *Strobe lights*, unless indoors and blocked from pedestrian and vehicular traffic view;
  - 18.15. Any *sign* that is in a location that obstructs the view of any pedestrian or motor vehicle driver so as to cause an unsafe condition as deemed so by the Director of Public Works;
  - 18.16. Any *sign* that is in a location that obstructs the view of, an authorized traffic *sign*, traffic signal, or any other *official sign*;
  - 18.17. Any *sign* capable of being confused with such a traffic *sign*, traffic signal or an *official sign*;
  - 18.18. Any *sign* located within a *sight triangle*, except for those *signs* described in section 1.40 and Appendix "A", which is to be kept clear of any obstructions that could impede the vision of a pedestrian or the driver of a motor vehicle exiting onto or driving on the lane, *street*, road or private road;

- 18.19. Any *sign* that obstructs or impedes any fire escape, fire exit, door, window, skylight, flue, air intake or exhaust so as to prevent or impede the free access of emergency personnel to any part of a building including Fire Department Siamese connections and/or fire hydrants;
- 18.20. Any *sign* including a *canopy, attached, or a canopy, free standing*, or portion thereof, which projects more than 10 cm. (4. in.) over a public sidewalk or other pedestrian walkway on private land unless such *canopy or canopy sign* has a vertical clearance of 2.5 m. (8 ft., 2 in.) above the surface of the walk on public or private lands, the *height* being measured between the sidewalk *grade* and the underside of such *canopy or canopy sign*, and is subject to a municipal encroachment *permit* from the appropriate *municipality*;
- 18.21. Any *sign* on lands *used or zoned for residential purposes*, except as follows;
- 18.21.1. Those *signs* specifically exempted herein or permitted under Appendix "A";
- 18.21.2. Residential *public information signs*, such as a *wall sign*, in accordance with Section 44 and Appendix "A"; or as a *ground sign*, in accordance with Section 31 and Table 1, and Appendix "A";
- 18.21.3. An "apartment for rent" type *sign* with a *maximum sign area* of 0.5 sq. m. (5.38 sq. ft.) per face; and
- 18.21.4. *Signs erected for a commercial and/or office use or institutional use* such as a school, church, hospital or public authority on lands *zoned for residential purposes* provided such *use* is permitted under the relevant land *use by-laws or regulation* and shall be subject to the provisions of this by-law.
- 18.22. No *sign* shall be permitted on a *vacant lot* with the expectation real estate signs
- 18.23. Any *sign erected* or painted on a vehicle or trailer where the vehicle or trailer is not in weekly operation for transportation and is parked or located in a manner so as to make the vehicle or trailer visible from a *street* for the purpose of functioning as a *sign*;
- 18.24. Any *sign* advertising a business shall be located on the lands where such business is located, unless otherwise permitted in this by-law;
- 18.25. Any *sign* placed or located on park benches, streetscape furniture, utility poles, or trees;
- 18.26. Any *sign*, not expressly permitted by this by-law, shall be deemed as prohibited.
- 18.27. No Billboard or Business Sign shall be permitted within 1200 feet of Highway #118, and parts of Highway #169 and 141, District Road #3, 7, 13, and 26 as defined on Schedule F of Official Plan Amendment #10 as Scenic Corridors.
- 18.28. No person shall erect, place, maintain or change the message of any *sign* not expressly permitted within this by-law.
- 18.29. No person shall erect or place signs containing profanity or defamatory statements.

**E. EXEMPTIONS**

19. The following *signs* do not require a *sign permit* from the *Director of Public Works*:
- 19.1. *Signs erected* by, or for, Federal, Provincial or *Municipal governments* or their agencies. For the purposes of this by-law, *signs* requiring the approval of the Ministry of Transportation of Ontario, *District* and any other

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applicable public authority, shall be *erected* in accordance with this by-law and any other applicable government or other authority's requirements;

- 19.2. *Signs erected* by, or for, a generator, transmitter, or distributor, as those terms are defined in Section 2 of the *Electricity Act*, 1998, for the purpose of *signing* a generating station, transmission system or distribution system;
- 19.3. *Signs erected* on land described in a license for a pit or quarry or a *permit* for a wayside pit or wayside quarry issued under the *Aggregate Resources Act*, 1990;
- 19.4. *Signs erected* on land in order to lawfully establish and operate or enlarge any pit or quarry;
- 19.5. *Signs* exempt from the provisions of this by-law by any other regulation, instrument or order of a legislative nature;
- 19.6. Any *flag*, pennant or insignia of any nation, organization of nations, province, *district*, city, any religious, civic, service organization, or school, as defined in the *Township Zoning By-law* providing the flag, pennant or insignia has regard for the following limitations in accordance with Appendix "A" and flag sizes that exceed Federal Government Guidelines are considered a *sign* under this by-law;
- 19.7. A *sign* on private property, not exceeding 0.37 sq. m. (4 sq. ft.) in area, per face, indicating no trespassing, safety, caution or any other regulatory message, including *traffic directional signs* as set out in Section 50 and Appendix "A";
- 19.8. A *wall sign* on private property, not exceeding 0.37 sq. m. (4 sq. ft.) in area, per face, *indicating the name and address of the owner or occupant of the premises on which the sign* is located, or the name of the land or premises or both, as set out in Section 51 and Appendix "A";
- 19.9. A *wall sign* on private property, not exceeding 0.37 sq. m. (4 sq. ft.) in area, per face, indicating the *municipal* number of a *structure* in a *commercial* or *industrial zone*, as set out in Section 51 and Appendix "A";
- 19.10. A *wall sign* on private property, not exceeding 0.37 sq. m. (4 sq. ft.) in area, per face, indicating the name and profession of the *person* having an office and/or residence on the *lot* on which the *sign* is located, or any *home occupation* conducted from a property *used* as a residence; and 'no parking' signs, provided such occupancy and land *use* meets other related land *use* regulations in effect in the *Township*, as set out in Section 51 and Appendix "A";
- 19.11. *Signs* or lettering attached to, or painted directly upon, any currently licensed and privately insured vehicle, trailer or cycle, provided such vehicle, trailer or cycle is not being used mainly for *sign* purposes or being stored at any location where a *mobile portable sign* would otherwise not be permitted, as outlined in Section 38 and Appendix "A";
- 19.12. Merchandise or models of products or services, which are incorporated as an integral part of an indoor window display. Merchandise may include photographic window displays of real estate available for sale, lease or rental from a licensed real estate broker;
- 19.13. *Banner signs*, that are included within a Special Event Permit;
- 19.14. *Charitable signs*, as outlined in Section 24 and Appendix "A";
- 19.15. *Community Bulletin Board signs*, as defined in Section 1.40.8;
- 19.16. *Community Service signs*, as defined in Section 1.40.9;
- 19.17. *Contractor's identification signs* as outlined in Section 25 and Appendix "A";
- 19.18. *Event signs*, as outlined in Section 28 and Appendix "A";
- 19.19. *Event signs* that are included within a Special Event Permit;

- 19.20. *Menu board signs*, as outlined in Section 37 and Appendix "A";
- 19.21. *Mobile portable signs* advertising the sale of seasonal trees, firewood, beef, pork, fish, and poultry and eggs products, grown and/or produced on site, as outlined in Section 38 and Appendix "A";
- 19.22. *Mobile Portable signs* that are included within a Special Event Permit;
- 19.23. *Official signs*, as defined in Section 1.40.26, *erected by municipalities*, the Province, public utility companies or construction companies for the purpose of regulating, *warning* or guiding traffic, including *signs* indicating the presence of underground cables, overhead wires, gas lines or similar utilities;
- 19.24. *Perpendicular signs*, as outlined in Section 39 and Appendix "A";
- 19.25. *Portable signs* included within a Special Event Permit;
- 19.26. *Project signs*, as outlined in Section 43 and Appendix "A";
- 19.27. *Public information signs* as outlined in Section 44 and Appendix "A";
- 19.28. *Real estate signs*, advertising the sale or lease of a building or property shall be located on such building or property, as set out in Section 45 and Appendix "A";
- 19.29. *Real estate open house signs* advertising an open house for the sale or lease of a building or property shall be located on and off site of such building or property, as set out in Section 46 and Appendix "A";
- 19.30. *Sandwich Board signs*, as outlined in Section 47 and Appendix "A"
- 19.31. *Temporary Event Signs*
- 19.32. *Warning signs*, as defined in Section 1.40.44, in accordance with the *Occupational Health and Safety Act, 1990*.

F. **REGULATIONS FOR SIGN TYPES**

20. **MAXIMUM SIGN AREA**

- 20.1. Except as permitted in this Section or Appendix "A" the *maximum sign face area* of all *signs* on any property shall not be more than 10% of the building façade area of the first storey. If such property has frontage on more than one public *street*, the total permitted area of all *signs* on the property shall not be more than 20% on the longest frontage, *except* in the following cases:
  - 20.1.1. In the case of a *Shopping Mall/Plaza* or any other multi-tenant user property, it is the responsibility of the *owner* and/or the *owner's* property agent to allocate an appropriate *business sign area* for each store, office or other floor area on the basis of the *maximum sign area* allowed, as set out in this section, and an additional 20% of the building *wall* of the first storey of the side and rear elevations of the building that does not have a main entrance for the public and faces a parking *lot* or driveway, but does not face a residential *use* within 100 m. (328 ft.) of the building's façade;
  - 20.1.2. Where a property is zoned for *residential* purposes, but on which a *commercial*, school, church, hospital or other such community facility is located in compliance with the appropriate land *use* by-law or regulation, the *maximum sign area* shall be calculated to be 10% of the maximum allowable *sign area* as set out in this section. This criterion does not apply to *home occupation uses* whose *signage* requirements are set out in Appendix "A", herein;

- 20.1.3. In the case of a property zoned to permit a *motor vehicle gasoline bar* as defined in the *Township Zoning By-Law*, as amended:
- 20.1.3.1. The maximum *sign face area* shall not be more than 25% of a *wall* facing a *street line*;
  - 20.1.3.2. The maximum *fuel pump island sign area* shall not be more than 4 sq. m. (43.sq. ft.) per pump island;
  - 20.1.3.3. The maximum *sign face area* for car wash service bays shall be not more than 15% of a *wall* with an entrance and 10% of a *wall* with an exit or a *wall* that is facing gas pumps;
  - 20.1.3.4. The maximum *sign face area* of a gas bar *canopy* may be 100% of the *canopy* of which only a maximum of 30%.
- 20.1.4. Due to legal *non-conforming signage* status, properties developed prior to the passing of this by-law, having a total *sign face area* greater than the *maximum sign areas* permitted under By-law No. 99-100, as amended, are permitted to replace those *signs*, provided the *sign area* of the proposed *sign* is reduced by 25% or that percentage that meets this by-law, however if the 25% reduction does not reduce the area to comply with this by-law, then when the *sign* is replaced in succeeding years, the excess *sign area* shall be similarly reduced until the total *sign area* on the property does not exceed the *maximum sign area*.

## 21. BANNER SIGNS

- 21.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *temporary banner sign*:
- 21.1.1. The *municipality* shall receive applications for *banners* over the public right of way six (6) weeks prior to the *event* with the requirements for installation stipulated in the application;
  - 21.1.2. The fee for the *erection* of the *temporary banner sign* shall be set out in the *Township's Fees By-law*;
  - 21.1.3. A *banner* may be located within a public road allowance if approved by the *Township* and/or the *District*;
  - 21.1.4. *Banner signs* shall be a minimum of 1.2 m. (3.93 ft.) above the level of the *street* or higher as deemed necessary by the *Township's* Public Works Department or the *District's* Transportation and Engineering Department, as the case may be, when installed from building *wall* to building *wall* or any *structure*;
  - 21.1.5. If a corporate name and/or symbol of a sponsor are to appear on the *banner sign*, the corporate recognition will not exceed 20% of the total area of the *banner*;
  - 21.1.6. The maximum number of display periods in a calendar year shall be two (2) for *banner signs*;
  - 21.1.7. The minimum distance separating each a *banner sign* from another *banner sign* shall be 15 m. (49 ft., 3 in); and
  - 21.1.8. The maximum display period for *banner signs* shall be thirty (30) consecutive days unless such display is incidental to a seasonal business and approved by the *Director of Public Works*.

## 22. BILLBOARD SIGNS

- 22.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to *billboard signs*:
- 22.1.1. Billboard signs are not permitted within the Township of Muskoka Lakes.



23. CANOPY SIGNS

23.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *canopy sign*:

23.1.1. A *sign* painted on a *canopy* shall be least 2.5 m (8ft., 2 in.) above the surface of any sidewalk or pedestrian walkway.

24. CHARITABLE SIGNS

24.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *temporary charitable sign*:

24.1.1. A maximum of three (3) *temporary signs*, including *charitable signs*, *event signs* and *mobile portable signs*, or any combination thereof, may be *erected* on any property at any one time;

24.1.2. The maximum display period for *charitable signs* shall be thirty (30) consecutive days per function or drive; and

24.1.3. The maximum number of display periods in a calendar year shall be six (6) per property for *charitable signs*.

25. CONTRACTOR'S IDENTIFICATION SIGNS

25.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *temporary contractor's identification sign*:

25.1.1. A *contractor's identification sign* shall not be a permanent *sign* and shall not be permanently affixed to any other *sign structure*; and

25.1.2. A *contractor's identification sign* shall be located on the property where the work is being performed and only during the period of time such work is being performed and, thereafter, such sign shall be removed within fourteen (14) working days of the completion of such work.

26. DIRECTORY BOARD SIGNS

26.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *directory board sign*:

26.1.1. *Directory boards* are not permitted on lands other than those zoned for *industrial, commercial, or institutional* purposes and having a multi-user occupancy of at least two (2) tenants within separate and distinct buildings or within units of single buildings; A *directory board* must only identify tenants and shall not advertise goods or services;

26.1.2. If a *directory board* is *erected* on the *wall* of a building, such *sign* shall comply with the *wall sign* regulations as set out in Section 51 in this by-law;

26.1.3. If a business has moved, the *directory board* shall be removed within thirty (30) calendar days to reflect such changes, and replaced within thirty (30) calendar days upon occupancy of a new tenant; and

26.1.4. Any *directory board* that is to be located or is to be refurbished, that is on public property, shall have a consistent and professional design approved by the *Township*.

27. ELECTRONIC MESSAGE BOARD SIGNS

27.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to *electronic message board signs*:

27.1.1. *Electronic message board signs* are only permitted on government buildings and only to advertise public information messages.

- 27.1.2. No electronic message center shall exceed a brightness level of 0.3 foot candles (substitute 3 Lux if a municipality would like the metric version) above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on sign area, determined using the following formula: The square root of the product of the sign area and one-hundred. Example using a 3 square metre sign: Measurement Distance =  $\sqrt{(3 \text{ Sq. M.} \times 100)} = 17.3$  metres measuring distance
- 27.1.3. *Electronic message board signs* may not flash, contain images, graphics, logos, animation or moving parts.
- 27.1.4. *Electronic message board signs* are not permitted to change messages with a frequency less than 15 seconds.
- 27.1.5. *Electronic message board signs* shall be operated only between the hours of 7am and 11pm daily.
- 27.1.6. *Electronic Message Board signs* may only contain black backgrounds, red lettering.

28. EVENT SIGNS

- 28.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *temporary event sign*:
- 28.1.1. The *event signs* shall be *erected* no sooner than ten (10) calendar days prior to the *event* and taken down within two (2) days of the conclusion of the *event*;
- 28.1.2. No *person* shall *erect*, locate or display an *event sign* for more than four (4) *events* in a calendar year, with the exception of *charitable signs*, as defined herein;
- 28.1.3. *Event signs* are permitted to be located on more than one (1) road allowance advertising an upcoming special *event* held in the *Township* where such special *events* do not last longer than five (5) days in duration, with the exception of charitable signs whose event may last longer than (5) days in duration; and
- 28.1.4. An *event sign* advertising special *events* outside the *municipal* boundary of the *Township* are not permitted.

29. FLASHING SIGNS

- 29.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *flashing sign*:
- 29.1.1. All *flashing signs* are prohibited, those that incorporate, in any manner, *flashing* or moving illumination which varies in intensity, such as a *strobe light*, or which varies in colours. *Signs* which have visible moving parts or visible mechanical movement of any description are not allowed, with the exception of a *pre-menu video sign* that is used as part of a drive-thru operation that may contain moving video images on a *pre-menu video sign*, as defined in Section 42.

30. FUEL PUMP ISLAND SIGNS

- 30.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *fuel pump island sign*:
- 30.1.1. *Fuel pump island signs* shall comply with the regulations found within Appendix "A" of this by-law.

31. GROUND SIGNS

- 31.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *ground signs*:
- 31.1.1. The total area of all *ground signs* on any property shall not exceed

50% of the *maximum sign area* for the property, as set out in Section 20;

- 31.1.2. No *Ground sign* shall have a total *sign face area* of greater than 2.22 sq. m. (24 sq. ft.) in Urban Centres and Communities as defined in Official Plan Amendment 19 to the Township of Muskoka Lakes Official Plan;
- 31.1.3. No *Ground sign* shall have a total *sign area* on a single face of greater than 5.94 sq. m. (64 sq. ft.);
- 31.1.4. No *Ground sign* with a *height* of greater than 0.3 m. (1 ft.), measured from *grade* at an intersection, shall be *erected* in a *sight triangle*, as defined herein;
- 31.1.5. No more than two (2) *Ground signs* shall be located on any one property and such *signs* shall not be located closer to each other than 152.4 m. (500 ft.);
- 31.1.6. Notwithstanding Appendix "A", a legally existing *sign* located on lands expropriated or acquired by the *Township, District* or the Ontario Ministry of Transportation for the purpose of establishing, laying out, widening, *altering* or diverting any *street*, or for the purpose of the installation or maintenance of storm, sanitary or water services, shall be relocated from the *abutting* expropriation line or acquisition line, a minimum setback of 1.5 m (4 ft., 11 in.) for a *sign* having a *sign face area* of a single *sign face* not greater than 4 sq. m. (43 sq. ft.), single or double sided, or a minimum setback of 4.5 m (14 ft., 9 in.) for a *sign face area* not greater than 7.5 sq. m. (80.7 sq. ft.). In the case of maintenance of existing public services, the *sign* may be located in its original location unless otherwise directed by the above-noted public authorities, in accordance with the setbacks noted above for expropriated public lands;
- 31.1.7. *Ground signs* erected on a vacant lot in a *commercial, industrial* or *institutional zone* are subject the provisions of Section 20 relating to maximum *sign face area*, except that no *sign* erected on such *vacant lands* shall be permitted within 33 m. (100 ft.) of an existing developed *residential zone*, hospital, park or school property;
- 31.1.8. For the purpose of applying a minimum setback from the *street* line, a "V" shaped *sign* having two (2) faces shall be considered as having one (1) face should the interior angle of the "V" not exceed 90 degrees. Should the interior angle exceed 90 degrees, the setback will be determined by using the total *sign face area* of both faces of the *sign*.
- 31.1.9. Table 1 depicts the maximum size, setback and *height* of *ground signs*, as follows:

TABLE 1: Ground Sign Regulations

Sign Face Area (Single Face)	Minimum Setback from Street Line	Maximum Height Of Sign From Grade		Minimum Setback from a Residential Zone, Park, Clinic or School Lot Line	Minimum Setback from Any Other Lot Line
		Commercial / Industrial / Institutional Zones	Rural Residential Zone and Rural Zones		
< Than or = to 1.48 sq. m. (16 sq. ft.)	3.0 m. (10 ft.)	3.0 m. (10 ft.)	3.0 m. (10 ft.)	30.37 m. (100 ft.)	1.5 m. (5 ft.)
> Than 1.48 sq. m. (16 sq. ft.) to < 2.96 sq. m. (32 sq. ft.)	3.0 m. (10 ft.)	3.0 m. (10 ft.)	3.0 m. (10 ft.)	30.37 m. (100 ft.)	1.5 m. (5 ft.)
> Than or = to 2.96 sq. m. (32 sq. ft.) to < 5.94 sq. m. (64 sq. ft.)	4.6 m. (15 ft.)	4.6 m. (15 ft.)	4.6 m. (15 ft.)	30.37 m. (100 ft.)	3.0 m. (10 ft.)

32. HOME INDUSTRY SIGNS

32.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *home industry sign*:

32.1.1. *Home industry signs* shall comply with the regulations found within Table 1 and Appendix "A" of this by-law.

33. HOME OCCUPATION SIGNS

33.1. *Home occupation signs* shall comply with the regulations found within Appendix "A" of this by-law.

34. ILLUMINATED SIGNS

34.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to an *illuminated sign*:

34.1.1. The sign and source of illumination shall be designed and located to prevent light trespass beyond the *sign support structure* and/or the *sign face* or its *sign face area*; and

34.1.2. The sign and source of illumination shall be designed and located to provide dark sky friendly lights that are of a full cut-off design, gooseneck lights and/or backlights as the preferred lighting methods, unless otherwise specified in this by-law.

35. INFLATABLE SIGNS

35.1. Are not permitted within the Township of Muskoka Lakes.

36. MARINE REGULATORY SIGNAGE & BUOYS

36.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to all *Marine Regulatory Signage & Buoys*:

36.1.1. Transport Canada, Canada Shipping Act, 2001 (CSA 2001), SOR-2008-120, Vessel Operation Restriction Regulations

36.1.2. Transport Canada, Canada Shipping Act, 2001 (CSA 2001), SOR-99-335, Private Buoy Regulations

37. MENU BOARD SIGNS

37.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *menu board sign*:

37.1.1. Where such a *sign* is considered a *ground sign*, it shall comply with the regulations found within Appendix "A", Section 20 and Section 31 - Table 1, ground sign regulations, of this by-law;

37.1.2. Where such *sign* is considered a *wall sign*, it shall comply with the regulations found within Section 51 and Appendix "A" of this by-law; and,

37.1.3. *Menu board signs* shall be located a minimum of 30 metres (98 ft.) from *residential zones*.

38. MOBILE PORTABLE SIGNS

38.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *temporary mobile portable sign*:

38.1.1. Applications for *mobile portable sign permit* shall be approved by the *Director of Public Works* and be submitted a minimum of five (5) working days prior to the location or display of the *sign* and each such application shall be subject to the provisions Appendix "A";

38.1.2. The display time *mobile portable signs* shall be thirty (30) days from the date of *permit* issuance; and



- 38.1.3. The maximum number of display periods for *mobile portable signs* in a calendar year shall be four (4);
- 38.1.4. *Mobile portable signs* shall be relocated a minimum of 200m from one location to the next for each period.
- 38.1.5. No person shall:
- 38.1.5.1. Locate or display a *mobile portable sign*, with or without copy, characters, symbols or letters on the message board unless a *sign permit* has been issued in accordance with this by-law;
  - 38.1.5.2. Place a *mobile portable sign* on property other than the property for which the *mobile portable sign* is advertising unless written permission from the land owner or business owner is obtain prior to erection of the mobile portable sign, and includes written permission from a municipality if the sign is on Township and/or District owned lands;
  - 38.1.5.3. Place a *mobile portable sign* without first obtaining a permit from the *Director of Public Works*;
  - 38.1.5.4. Erect a *mobile portable sign* on a property so as to interfere with pedestrian and/or vehicular traffic; or
  - 38.1.5.5. Place a *mobile portable sign* in a designated parking space, as required under the *Township Zoning By-law*, as amended, without the expressed written permission of the *Director*;
- 38.1.6. *Mobile portable signs* erected or used by, the *District, Township* or their agencies shall be located on their own lands, used solely in conjunction with their respective mandate and are subject to all regulations set out in this by-law and the regulations set out in Appendix "A";
- 38.1.7. *Mobile portable signs* shall be temporarily anchored to the ground, where possible, to prevent their dislocation;
- 38.1.8. The maximum display period for *mobile portable signs* shall be thirty (30) consecutive days unless such display is incidental to a seasonal business and approved by the *Director of Public Works*;
- 38.1.9. The minimum distance separating each *mobile portable sign* from any other *sign* shall be 15 m. (49 ft., 2 in.);
- 38.1.10. *Mobile portable sign owners* may request a variance from the *Township* to permit the *sign* to be utilized on multiple and/or repeat locations throughout the year and such variance shall be in the form of an agreement between the *Township* and the *mobile portable sign owner* to establish frequency, duration and fees associated with the twelve (12) month variance, should the *Township* chose to grant such a variance;
- 38.1.11. A *mobile portable sign* is not an animated sign, flashing sign or electronic message board sign;
- 38.1.12. A *mobile portable sign* shall not contain strobe, flashing or intermittent flashing lights;
- 38.1.13. Mobile Portable signs shall not be located closer than 30 m. (98 ft., 4 in.) to a residential zone;
- 38.1.14. Properties having twenty four (8) units or less are not permitted more than one (1) mobile portable sign at a time;
- 38.1.15. Properties having more than twenty four (8) units are permitted not more than two (2) mobile portable signs at a time; and

38.1.16. Mobile Portable signs erected on property containing a place of worship shall be exempt from Section 38.1.13 and may only advertise events related to the place of worship.

39. PERPENDICULAR SIGNS

39.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *perpendicular sign*:

39.1.1. *Perpendicular signs* suspended from or supported by a building and extending outward shall project more than 30 cm. (1 ft.), at a perpendicular angle to the building face or wall of any building in front of a business;

39.1.1.1. Permission must be granted from the Township Council if the *perpendicular sign* length cannot be met, as set out above;

39.1.1.2. One (1) *perpendicular sign* is permitted on a property or storefront within a *commercial zone*, located in as close proximity to the building as is deemed reasonable;

39.1.1.3. In the case of multiple storefronts within one building, one (1) *perpendicular sign* is permitted per storefront within a *commercial zone*, located in as close proximity to the building as is deemed reasonable; and

39.1.1.4. The *perpendicular sign* is to be located on the property of the business being advertised, unless permission is granted from an off-premise land owner, subject to the Director's review.

40. PORTABLE SIGNS

40.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *portable sign*:

40.1.1. Applications for a *portable sign* permit shall be approved by the Director of Public Works and be submitted a minimum of five (5) working days prior to the location or display of the sign and each such application shall be subject to the provisions Appendix "A";

40.1.2. The display time for portable signs shall be four (4) times per calendar year, for thirty (30) consecutive days from the date of permit issuance, unless such display is incidental to a seasonal business and approved by the Director of Public Works;

40.1.3. Properties having twenty four (8) units are permitted not more than one (1) *portable sign* at a time;

40.1.4. Properties having more than twenty four (24) units are permitted not more than two (2) *portable sign* at a time;

40.1.5. No person shall:

40.1.5.1. Place a *portable sign* on property other than the property for which the portable sign is advertising unless written permission from the land owner or business owner is obtained prior to erection of the portable sign and such written permission includes Township and District owned lands;

40.1.5.2. Erect a *portable sign* on a property so as to interfere with pedestrian and/or vehicular traffic; or

40.1.5.3. Place a *portable sign* in a designated parking space, as required under the Township Zoning By-law; as amended, without the written permission of the Director;

40.1.6. *Portable signs* shall be temporarily anchored to the ground to prevent their dislocation;

40.1.7. The minimum distance separating each portable sign from any

other sign shall be 50 m. (164 ft.);

40.1.8. A *portable sign* is not an animated sign, flashing sign or electronic message board sign;

40.1.9. *Portable signs* shall not be located closer than 30 m. (98 ft., 4 in.) to a residential zone; and

40.1.10. *Portable signs* erected on property containing a place of worship shall be exempt from Section 40.1.9.

41. POSTER SIGNS

41.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *temporary poster sign*:

41.1.1. *Poster signs* shall be permitted within commercial and institutional building storefronts as well as a *fuel pump islands* and shall comply with the *wall sign* regulations as set out in Section 51 and Appendix "A" of this by-law;

41.1.2. *Poster signs* shall indicate the posting date and the name of the *event* to determine who is responsible for the placement of the *poster sign*; and

41.1.3. The *Township* may remove and dispose of placed *poster signs* without notice in accordance with its regular maintenance schedule, at the *owner's* cost; in accordance with the *Township's Fees and Charges By-law*, as amended.

42. PRE-MENU VIDEO SIGN

42.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *pre-menu video sign*, and has the same meaning as an *animated sign*:

42.1.1. A *pre-menu video sign* shall not produce sound; and

42.1.2. *Pre-menu video signs* shall be located a minimum of 30 metres (98 ft.) from *residential zones*.

43. PROJECT SIGNS

43.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *project sign*:

43.1.1. *Project signs* may be *erected* for no more than six (6) months before the commencement of the *project* and such *sign* must be removed within six (6) months of completion of the project or the first occupancy within the *project*.

44. PUBLIC INFORMATION SIGNS

44.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *public information sign*:

44.1.1. *Temporary land development signs*, located at entrances to new subdivisions or lands under development or redevelopment shall provide an adequate portrayal of the *zoning* and *land uses* proposed on the subject lands and *abutting* properties. Further, such *signs* required under a subdivision or development agreement shall carry the name of the subdivision or project, the *owners*, builders, consultants, real estate agents, *lot* layout and the Director of Public Works may require any other such items as deemed necessary;

44.1.2. No *person* shall allow the *temporary notice of proposed land use change sign* to remain on lands or buildings owned, rented, leased or occupied, or on *abutting* lands, after the application for subdivision, rezoning, minor variance, consent, or other similar application has been finally disposed of or all relevant appeal

periods have lapsed; and

- 44.1.3. A free standing single or double faced *sign*, located on a entrance *wall, decorative landscape feature* or other like marker in front of a multi-tenant building or multi-building *project*, shall have a maximum total *sign face area* equal to *ground sign face areas*, per Section 31 and Table 1, provided such *sign* carries no advertising other than the address, name and/or logo of the development or complex.

45. REAL ESTATE SIGNS

- 45.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *temporary real estate sign*:
  - 45.1.1. The placement of a *real estate sign* must not be of a design that could be confused with an *official sign* or *warning sign*;
  - 45.1.2. The placement of a *real estate sign* must not interfere with pedestrian traffic on the *municipal* sidewalk, the driver of a vehicle or vehicular movement;
  - 45.1.3. The placement of a *real estate sign* at the intersection of *streets* is permitted in accordance with the *sight triangle* regulations found in Section 13.7;
  - 45.1.4. The placement of a *real estate sign* shall be on the property that is offered to be sold, rented or leased; and
  - 45.1.5. The placements of way finding arrows with the realtor's logo are permitted, where warranted.

46. REAL ESTATE - OPEN HOUSE SIGNS

- 46.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *temporary real estate open house sign*:
  - 46.1.1. The placement of a *real estate open house sign* cannot be on a *street's centre median*;
  - 46.1.2. The placement of a *real estate open house sign* cannot be affixed to a utility pole, tree, or *official sign*;
  - 46.1.3. A *real estate open house sign* may only be displayed on the day of the open house;
  - 46.1.4. The placement of a *real estate open house sign* must not interfere with pedestrian traffic on the *municipal* sidewalk, the driver of a vehicle on a *street* or interfere with vehicular movement; and
  - 46.1.5. The placement of a *real estate open house sign* at the intersection of *streets* may be permitted in accordance with the *sight triangle* regulations, Section 13.7.

47. SANDWICH BOARD SIGNS

- 47.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *temporary sandwich board sign*:
  - 47.1.1. The *sandwich board sign* is not affixed to *municipal* property;
  - 47.1.2. The *sandwich board sign* is displayed no earlier than 6:00 a.m. and removed by no later than 7:00 p.m.;
  - 47.1.3. The *sandwich board sign* shall be located in the closest proximity of the building so as to, in the opinion of the *Director of Public Works*, avoid interference with pedestrian traffic on the *municipal* sidewalk and sidewalk maintenance or create a safety hazard;
  - 47.1.4. The *sandwich board sign* shall be located at the location the business is located on, or in front of the said business and direct



attention to the products, goods, services, activities or facilities offered by that business;

47.1.5. The *sandwich board sign* shall be in a good state of repair, to the satisfaction of the *Director of Public Works*;

47.1.6. One (1) *sandwich board sign* is permitted per business in *commercial, industrial, zones and institutional zones*; and

47.1.7. The placement of a *sandwich board sign* at the intersection of *streets* may be permitted in accordance with the *sight triangle* regulations, Section 13.7.

48. SEASONAL PRODUCT SIGN

48.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *temporary seasonal product sign*:

48.1.1. *Seasonal product signs* may be located on either private or public property, with permission from the Director of Public Works if it is placed on public property; and

48.1.2. Off premise, way - finding *signs* are permitted, as required for directional purposes from an arterial road to the subject lands.

49. THEATRE SIGNS

49.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *Theatre sign*:

49.1.1. Notwithstanding Section 20, a property on which a *theatre* is located may have a *maximum sign area* of not more than 40% devoted exclusively for such theatre identification and advertising.

50. TRAFFIC DIRECTIONAL SIGNS

50.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to *traffic directional signs* on private lands:

50.1.1. There shall be no maximum number of *traffic directional signs* upon a property. However there shall not be more than two (2) such *signs* per point of ingress/egress on a property;

50.1.2. The *sign area* shall not be included in the calculation of the permitted *maximum sign area*, per Section 20;

50.1.3. A *traffic directional sign* shall be confined to directing motor vehicles or pedestrian traffic and shall be restrict to such *signs* as an "entrance" *sign*, an "exit" *sign* or a motor vehicle parking direction *sign*; and

50.1.4. Liability as to the directions given by *traffic directional signs* on private property and the enforcement of these *signs*, unless they are covered by existing legislation, is the responsibility of the property *owner* and/or his agent.

51. WALL SIGNS

51.1. Notwithstanding all other regulations in this by-law, the following regulations shall apply to a *wall sign*:

51.1.1. No *wall sign* shall extend above the top extremity of the wall upon which it is placed;

51.1.2. No *wall sign* shall extend beyond the horizontal extremities of the *wall* to which it is attached;

51.1.3. Except as provided below in Section 51.1.4, *wall signs* should only be located on the ground floor level having direct public access to the premises;

- 51.1.4. *Wall signs* shall be permitted above the level having direct public access where:
- 51.1.4.1. A business premise occupies all levels in a multi-storey building; or
  - 51.1.4.2. The building exceeds three (3) storeys and the sign identifies a business the *owner* conducts within the building and the *owner* of the building provides written consent to the tenant to be identified on the subject *wall*.
- 51.1.5. In multiple occupancy buildings or *shopping centres*, there shall be a proportional allocation of sign area for each business premises based on floor area.
- 51.1.6. The total *sign area* of all *wall signs* on any one *architectural elevation* shall not exceed 10% of the area of the *architectural elevations* on which it is *erected* regardless of *lot* size or frontage. If the building elevation includes a *parapet*, 5% of the area of that *parapet* can be added to the allowable area of *wall signs*. *Roof structures*, with the exception of a *parapet* as shown on *architectural elevations*, are not included in the calculation of elevation area;
- 51.1.7. In a *shopping Mall/Plaza*, the total *sign area* of all *wall signs* on any *architectural elevations* of a single store or business shall not exceed 10% of the total area of that *elevation*;
- 51.1.8. No part of any *wall sign* shall project more than 0.6 m (2.0 ft.) from the face of the *wall*;
- 51.1.9. The *wall sign* must comply with setback requirements of the *Township Zoning By-law*, as amended, unless located within the *Township's* Business Improvement Area;
- 51.1.10. No *illuminated wall sign*, located in an *industrial* or *commercial zone* shall be located closer than 15 m. (49 ft., 3 in.) to any *residential zone* boundary, unless such residences are located above the commercial establishments found within the *Township's* Business Improvement Area or above any other commercial establishment; and
- 51.1.11. A *wall sign*, not exceeding 0.37 sq. m. (4 sq. ft.) in area, per face, does not require a permit in the following circumstances:
- 51.1.11.1. Indicating no trespassing, caution, safety messages, caution or any other regulatory message, including traffic directional signs;
  - 51.1.11.2. The name and address of the owner or occupant;
  - 51.1.11.3. The municipal number of a commercial or industrial address; or
  - 51.1.11.4. The name and profession of a home occupation.

**F. CONSTRUCTION DETAIL**

52. Every *owner* or *person* in control of a *sign* shall comply with the following:
- 52.1. Every *sign* shall be designed, *erected* and maintained to adequately withstand all loads which may reasonably be expected to come upon them and the loads and design shall be equal to those specified in the Ontario *Building Code Act*, 1992, S.O. 1992, c.23.; and
  - 52.2. No *illuminated sign* or electrically operated *sign* shall be *erected*, maintained or *altered* unless such electrical work is in conformity with all regulations of the electrical Safety Authority and all such electrical equipment bears the appropriate approval of the Canadian Standards Association.

- 52.3. All lights used to illuminate any sign, building or structure shall be arranged so that the light is not directed or deflected into neighboring properties or traffic flow.
- 52.4. Applicants will be encouraged to provide signs which are constructed of wood, are not backlit, and retain a natural finish.

**G. VARIANCES**

- 53. Where the *owner* or *person* in control of a *sign*, for any reason, is unable to comply with the provisions and regulations under this by-law such *person* may apply to the *Township* for a variance from the provisions and regulations in this by-law, as follows:
  - 53.1. The *Committee of the Whole and Council* shall hear all applications and may authorize variances from the provisions and regulations in this by-law if, in the opinion of the *Committee of the Whole and Council* the general intent and purpose of this by-law is maintained;
  - 53.2. Application for variances shall be submitted to the *Director of Public Works* and shall be in such form as may be required from time to time, and accompanied by:
    - 53.2.1. A non-refundable fee of \$200 as set out in the Township's Fees and Charges By-law, as amended;
    - 53.2.2. Completed applications for a *sign permit*, if applicable;

**H. ADMINISTRATION**

- 54. Table 1, Appendix "A" attached herein, shall form part of this by-law.
- 55. In this by-law, unless the context otherwise requires, words imparting the singular number shall include the plural, and the words imparting the masculine gender shall include the feminine gender, and further, the converse of the foregoing also applies where the context so requires.
- 56. In this by-law, where a dimension or standard is given in both metric and imperial measurements, the metric measurements shall govern.
- 57. Any reference in any other by-law, policy or document of the *Township* in reference to *signs* shall be deemed to be in reference to this by-law.

**I. MAINTENANCE OF SIGNS**

- 58. The owner of any *sign* shall maintain or cause such *sign* to be maintained in a proper state of repair, so that such *sign* remains completely operative at all times and does not become unsafe, defective, dangerous or *obsolete*.
- 59. Maintenance or repairs using materials identical to the materials of the component being maintained or repaired does not constitute an alteration so as to require a permit to be issued.

**J. INSPECTIONS**

- 60. The *Director of Public Works*, or any designated *by-law enforcement officers*, may enter onto private property at any time for the purposes of inspecting a *sign* or enforcing this by-law or an order or *permit* issued under the authority of this by-law.

**K. OBSTRUCTION**

- 61. No *person* shall hinder or obstruct, or attempt to hinder or obstruct, any *person* who is exercising a lawful power or performing a lawful duty under this by-law.

**L. SIGN REMOVAL OR REPAIR**

- 62. Any *sign*, or part thereof, that has been *erected* located or displayed on or overhanging *municipal* property without *municipal* authorization may be removed by the *Director of Public Works*, or any designated *by-law enforcement officers*, without notice;

63. Any *sign* deemed by the *Director of Public Works*, or any designated *by-law enforcement officers*, to be a safety hazard may be either removed or altered/repaired as necessary in order to bring the *sign* or property upon which the *sign* is located into a safe condition;
64. Where a *sign* located on private property has not been brought into compliance with the by-law or *permit* after proper notice has been provided, the *Director of Public Works*, or any designated *by-law enforcement officers*, may remove the *sign* and have the site restored.

**M. NOTICE OF REMOVAL**

65. Where a *sign erected* on private property does not comply with this by-law or a *permit* or order issued under this by-law, the *Director of Public Works*, or any designated *by-law enforcement officers*, by notice, require that the property or *sign owner* bring the *sign* into conformity with the by-law by using one of the following service methods:
  - 65.1. Personal service upon the party being served;
  - 65.2. Prepaid registered mail being sent; or
  - 65.3. Posting a *copy* of the notice upon the non-complying *sign* or upon the property on which the *sign* is located.

**N. COSTS ARE OWNER'S RESPONSIBILITY**

66. All costs incurred by the *Township* in removing a *sign* or restoring a property shall be the *owner's* responsibility, as set out in the *Township's Fees and Charges By-law*, as amended. All such costs may be added to the collector's tax roll and collected in the same manner as municipal taxes.

**O. SIGN STORAGE AND RETURN FEES AND CHARGES**

67. Any impounded or seized *sign* shall be stored by the *Township* for thirty (30) days, during which time the *sign owner* may redeem the said *sign* upon payment of the applicable fee prescribed in the *Township's Fees and Charges By-Law*, as amended; and
68. Where a *sign* has not been redeemed within the thirty (30) day redemption period, the *Township* may dispose of the *sign* without notice.
69. The owner(s) of any impounded sign(s) are subject to a \$20/day per sign impounded fee upon request for retrieval of each impounded sign(s).

**P. OFFENCE**

70. Any *person* who contravenes any section or provision of this by-law shall be guilty of an offence.

**Q. PENALTY**

71. Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, exclusive of costs, for each offence, and may, at the *Township's* discretion, recover the cost for said *sign* disposal as a debt owed by the *owner* of the *sign*.

**R. CONTINUING OFFENCES**

72. A separate offence shall exist for each day that a violation under this by-law continues.

**S. LIABILITY**

73. Any *person erecting* or maintaining any *sign* or *sign structure* or on whose property a *sign* or *sign structure* is located, shall be liable for such *sign* or *sign structure*. The *Township* is hereby indemnified from and against all manner of claims for damages, loss, expense or otherwise arising from the *erection*, maintenance, removal or falling of such *sign*, *sign structure*, or parts thereof.

**T. CONFLICT**

74. Where a provision in this by-law conflicts with a provision of any applicable government regulation, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.

75. Applications for all *Township sign permits* shall be forwarded to the *District* for information and/or coordination purposes under each respective *sign* by-laws.

**U.** Where a *sign* application is within the Province of Ontario's Ministry of Transportation areas of jurisdiction, the *Township* shall forward the application to the Ministry for information and/or coordination purposes between the *Township, District* and the Province.

**V. NON-CONFORMING EXISTING SIGNS**

76. Prior to the passage of this by-law, any *sign* legally located, in accordance with all other by-laws and legislation enforceable in the *Township*, on or before the day of the enactment of this by-law may remain and continue to be used and maintained, notwithstanding that it does not conform with the applicable provisions of this by-law, provided that such *sign* shall not be altered or relocated for any reason whatsoever, unless such *sign* is then brought into conformity with the provisions of this by-law, in all respects.

77. If any such *sign* is not brought into conformity with the provisions of this by-law in all respects, such *sign* shall be subject to the provisions of this by-law.

**W. SEVERABILITY**

78. If a court of competent jurisdiction declares any provision or part of this by-law to be invalid or unenforceable for any reason whatsoever, then the particular provision or part thereof, shall be deemed to be severed from the remainder of the by-law and it is the intention of *Council* that all other provisions, or parts thereof, shall remain in full force and shall be valid and enforceable to the fullest extent permitted by law, unless the court makes an order to the contrary.

**X. TITLE**


79. This by-law shall be known and may be cited as the "Sign By-law".

**Y. FORCE AND EFFECT**

80. This by-law shall come into force and effect immediately upon the final passing thereof.

81. By-law 99-100 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 18<sup>th</sup> DAY OF MAY, 2018.

  
\_\_\_\_\_  
Mayor, Don Furniss

  
\_\_\_\_\_  
Clerk, Cheryl Mortimer

APPENDIX "A"

Regulations for Signs

Sign Type And Zone	Maximum Number	Maximum Area	Maximum Height	Minimum Distance To Lot Line / Street	Lighting Permitted ?	Permit Required ?
1. Banner Signs Section 21 All Zones except residential.	Not more than 1 (one)	10 sq. m. (108 sq. ft.)	N.A.	10 m. (32 ft., 10 in.) from street intersections	No	Yes
2. Canopy Signs Section 23 Commercial, Industrial, Institutional and Residential	1 per business and in multiple occupancy buildings, there shall be a proportional allocation of sign area for each business premises based on the floor area, by the owner. If residential, one per property.	0.5 sq. m. (5.5 sq. ft.) of sign area per linear horizontal metre of canopy fascia upon which the sign is located.	2.5 m. (8 ft., 2 in.) above the finished grade or sidewalk.	N.A.	Yes	Yes
3. Charitable Signs Section 24	6 per year, per property	See Event Signs, below	See Event Signs	See Event Signs	See Event Signs	See Event Signs
4. Contractor's Identification Signs Section 25 All Zones	1 per frontage	1 sq. m. (10.8 sq. ft.)	3 m. (9 ft., 11 in.)	2 m. (6 ft., 6 in.)	No	No
5. Directory Board Signs Section 26 All Zones	No greater than 2 per point of ingress or egress	6 sq. m. (64.6 sq. ft.)	3 m. (9 ft., 11 in.)	3 m. (9 ft., 11 in.)	Yes, Internal or External	Yes
6. Electronic Message Board Signs, including Read-o-graph Signs Section 27 Municipal Facilities	1 per frontage	A maximum of 30% of the sign area of the ground sign, per Section 31, Table 1, and Section 51, may be used for the purposes of an electronic message board sign	Refer to Section 31, Table 1 and Section 51	Refer to Section 31, Table 1 and Section 51	Yes	No

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Sign Type And Zone	Maximum Number	Maximum Area	Maximum Height	Minimum Distance To Lot Line / Street	Lighting Permitted ?	Permit Required ?
<p>7. Event Signs Section 28</p> <p>Municipal boulevards with the permission of the municipality and all Commercial zones.</p> <p><b>* Unless such Event sign is included within a Special Event Permit wherein no Permit Fee or Permit is required under this By-law.</b></p>	<p>Prohibited for events outside Township boundary as per Section 28</p> <p>One sign at 50 m. (164 ft.) intervals</p>	<p>-</p> <p>0.6 sq. m. (6.5 sq. ft.) to a maximum of 30 signs to be erected in the Township, per event</p>	<p>-</p> <p>1 m. (3 ft., 3 in.)</p>	<p>-</p> <p>1 m. (3ft., 3 in.)</p>	<p>-</p> <p>No</p>	<p>-</p> <p>Yes*</p>
<p>8. Flags and Pennants All Zones</p> <p>Flags, pennants and insignia shall be in a clean and undamaged condition at all times</p>	No maximum	Refer to the Federal Government "Flag Flying Protocol" guidelines that provide a range of flag sizes and flag pole heights	Flags shall have a minimum clearance of 2.4 m. (7 ft., 10 in.) where they project over public sidewalks	N.A.	N.A.	No
<p>9. Flashing Signs See Section 29</p> <p>Permitted in Commercial Zones C2, C3, C4, C5 and C6</p>	<p>Prohibited except as noted in Section 29</p> <p>1 per business</p>	0.5 sq. m. (5.4 sq. ft.)	N.A.	N.A.	Yes	No
<p>10. Fuel Pump Island Signs Section 30 Commercial Zones C2, C4 and C5 and Convenience Commercial gas bar uses permitted in a Residential Zones</p>	N.A.	4 sq. m. (43 sq. ft.)	May exceed the height of fuel pump island canopy or its parapet as shown on architectural elevations by no more than 3 m. (10 ft.)	N.A.	Yes	Yes

Sign Type And Zone	Maximum Number	Maximum Area	Maximum Height	Minimum Distance To Lot Line / Street	Lighting Permitted ?	Permit Required ?
11. Ground Signs Section 31 and Table 1	All Zones	Variable	Variable	0.6 m. (2 ft.) but 15.2 m. (50 ft.) to Residential, Park, Hospital or School lot lines	Yes	Yes
12. Home Industry Section 32	1 per property	Not to exceed 1.5 sq. m. (16. sq. ft.) in area, per face	3.7. m. (12 ft.)	3.0 m. (10 ft.)	Yes	No
13. Home Occupation Section 33 Bed and Breakfast; Homeowner's Names; Homeowner's Street Address (or 911 number); and "For Rent" Signs. (Institutional uses not included) Residential Zones	1 per property	Not to exceed 0.37 sq. m. (4 sq. ft.) in area.	N.A.	2.0. m. (6 ft., 7 in.)	Yes	No
14. Illuminated Signs See Section 34	1 per business	Refer to Section 51, Wall Signs; and Section 31 and Table 1, Ground Signs	Refer to Section 51, Wall Signs; and Section 31 and Table 1, Ground Signs	Refer to Section 51, Wall Signs; and Section 31 and Table 1, Ground Signs	Yes	Yes
15. Inflatable Signs See Section 35	Prohibited	-	-	-	-	-
16. Menu Board Signs Section 37 Commercial Zones	1 per business	Refer to Section 51, Wall Signs; and Section 31 and Table 1, Ground Signs	Refer to Section 51, Wall Signs; and Section 31 and Table 1, Ground Signs	Refer to Section 51, Wall Signs; and Section 31 and Table 1, Ground Signs	Yes	Yes

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Sign Type And Zone	Maximum Number	Maximum Area	Maximum Height	Minimum Distance To Lot Line / Street	Lighting Permitted ?	Permit Required ?
<p>17. Mobile Portable Signs Section 38 All Commercial, Industrial and Institutional Zones *Unless such Mobile Portable sign is included within a Special Event Permit wherein no Permit Fee or Permit is required under this By-law</p>	1 or 2 per property as per Section 38	9.3 sq. m. (100 sq. ft.)	3.5 m. (12 ft.)	4.6 m. (15 ft.)	No	Yes*
<p>18. Obsolete Signs Section 1.40.25 (including abandoned signs)</p>	Prohibited	-	-	-	-	-
<p>19. Official Signs Section 1.40.26</p>	N.A.	Provincial, or Municipal traffic signs	-	-	-	No
<p>20. Perpendicular Signs Section 39 All Commercial, Industrial, Institutional Zones</p>	1 per property or business	1.2 sq. m. (12.9 sq. ft.)	The lowest part of the sign shall not be less than 2.4 m. (8 ft.) above the level of the sidewalk The height is not to be higher than the top of the wall to which it is affixed.	N.A.	No	Yes, with mounting details provided for the approval of the Director of Public Works or their designate.
<p>21. Portable Signs Section 40 All Commercial, Industrial and Institutional Zones *Unless such Portable sign is included within a Special Event Permit wherein no Permit Fee or Permit is required under this By-law</p>	1 or 2 per property as per Section 40	3.7 sq. m. (40 sq. ft.) per face with the portable sign having no more than two (2) faces	3.7 m. (9 ft.)	3 m. (10 ft.)	No	Yes*
<p>22. Poster Signs Section 41 Commercial and Institutional Storefronts</p>	Prohibited  As set out in Section 41	-  22 cm. (8 ½ in.) X 28 cm. (11 in.)	-  28 cm. (11 in.)	-  N.A.	-  N.A.	-  No

Sign Type And Zone	Maximum Number	Maximum Area	Maximum Height	Minimum Distance To Lot Line / Street	Lighting Permitted ?	Permit Required ?
23. Pre-Menu Video Signs Section 42 Commercial Zones	1 per business	Refer to Section 51, Wall Signs; and Section 31 and Table 1, Ground Signs	Refer to Section 51, Wall Signs; and Section 31 and Table 1, Ground Signs	Refer to Section 51, Wall Signs; and Section 31 and Table 1, Ground Signs	Yes	Yes
24. Project Signs Section 43 All Zones	Residential: 1 per frontage (Corner lots may have 2 project signs) Commercial: 1 per establishment Industrial: 1 per 150 m. (492 ft.)	5.5 sq. m. (59.2 sq. ft.) per face	5 m. (16 ft., 5 in.)	3.0 m. (9 ft., 11 in.)	No	No
25. Public Information Signs Section 44						
25.1. Decorative/ Landscape Feature in Multi-Unit Landscape Signs	All Zones 1 per Multi-unit building or complex.	Total sign area included in maximum sign area for ground signs	4.5 m. (14 ft., 9 in.)	3.0 m. (9 ft., 10 in.)	Yes	Yes
25.2. Land Development Signs	All Zones Residential: 1 per frontage (Corner lots may have 2 project signs) Commercial: 1 per establishment Industrial: 1 per 150 m. (492 ft.)	5.5 sq. m. (59.2 sq. ft.) per face	5 m. (16 ft., 5 in.)	3.0 m. (9 ft., 11 in.)	No	No
25.3. Notice of Proposed Land Use Changes Signs All Zones	1 per frontage	28 cm. X 42 cm. (11 in. X 17 in.)	42 cm. (17 in.)	3 m. (9 ft., 10 in.)	No	No

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Sign Type And Zone	Maximum Number	Maximum Area	Maximum Height	Minimum Distance To Lot Line / Street	Lighting Permitted ?	Permit Required ?
<p>26. Real Estate Signs Section 45</p> <p>26.1. Real Estate Signs (For Sale, Lease or Rent) including way finding arrows where appropriate All Zones</p>	<p>Residential: 1 per frontage of the property or unit of a building or condominium Commercial: 1 per establishment Industrial: 1 per 150 m. (492 ft.)</p>	<p>Residential: 1 sq. m. (10.8 sq. ft.) in area, per face Seasonal Residential: 2 sq. m. (21.5 sq. ft.) in area, per face Rural Residential: 2 sq. m. (21.5 sq. ft.) in area, per face Rural lands, greater than 0.37 ha. (10 ac.); Commercial; and Industrial: 4 sq. m. (43.1 sq. ft.) in area, per face</p>	<p>Residential: 1.4 m. (4 ft., 7 in.) Seasonal Residential: 1.6 m. (5 ft., 3 in.) Rural Residential: 2 m. (6 ft., 7 in.) Rural lands, greater than 0.37 ha. (10 ac.); Commercial and Industrial: 3.4 m. (11 ft., 2 in.)</p>	<p>Residential: 2 m. (6 ft., 7 in.) Seasonal Residential: 3 m. (9 ft., 10 in.) Rural Residential and Commercial: 5 m. (16 ft., 5 in.) (With the exception of Commercial C1, C2, C3 and C5 Zones) Rural lands, greater than 0.37 ha. (10 ac.) and Industrial: 10 m. (32 ft., 10 in.)</p>	<p>No</p>	<p>No</p>
<p>26.2. Real Estate Open House Signs Section 46 Including way finding signs where appropriate All Zones</p>	<p>N.A.</p>	<p>0.5 sq. m. (5.4 sq. ft.) in area, per face</p>	<p>0.9 m (3 ft.) Maximum height in a sight triangle is 0.3 m. (1 ft.)</p>	<p>0.3 m. (1 ft.)</p>	<p>No</p>	<p>No</p>
<p>27. Sandwich Boards (also known as A-frame; Sidewalk; and T-frame signs) Section 47 Commercial, Industrial and Institutional Zones</p>	<p>1 per business on the lot or in front of the lot on the municipal sidewalk for which the business is being advertised unless otherwise stipulated in this by-law</p>	<p>1.2 sq. m. (12.9 sq. ft.)</p>	<p>1.2 m. (3 ft., 11 in.)</p>	<p>1 m. (3 ft., 3 in.)</p>	<p>No</p>	<p>No</p>

Sign Type And Zone	Maximum Number	Maximum Area	Maximum Height	Minimum Distance To Lot Line / Street	Lighting Permitted ?	Permit Required ?
28. Seasonal Product Signs Section 48	1 per frontage	3 sq. m. (32.3 sq. ft.), per face	4.5 m. (14 ft., 9 in.)	3 m. (9 ft. 11 in.)	No	No
Rural Zones and Commercial Zones	Off premise way finding signs permitted where appropriate	1 sq. m. (10.8 sq. ft.) in area per face	2 m. (6 ft., 7 in.)	3 m. (9 ft., 11 in.)	No	No
29. Strobe Light Signs	Prohibited	-	-	-	-	-
30. Theatre Signs Section 49 Commercial	1 per theatre	Notwithstanding Section 18, 19 and 49, lands on which a theatre is located may have an additional <i>maximum sign area</i> of not more than 40% exclusively for such theatre identification and advertising	NA	N.A.	Yes	Yes
31. Traffic Directional Signs Section 50 Commercial and Industrial	N.A.	See Section 50	N.A.	N.A.	Yes	No
32. Wall Signs Section 31 Commercial, Industrial and Institutional Zones See Section 51 With the exception of Section 49, Theatres	Variable	As per Sections 18, 19 and 49	Roof structures or parapets are not included in the calculation of the height of the sign, unless otherwise indicated in this by-law	3.0 m. (9 ft., 11 in.)	Yes	Yes
33. Warning Signs Section 1.40.44 All Zones	N.A.	N.A.	N.A.	N.A.	Yes	No