

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 2024-062

A By-law regulate the Installation, Display, Alteration, repair, maintenance and removal of Signs within the Township of Puslinch and a By-law to repeal By-laws 9/91, 49/14, 21/18 and 021-2022

WHEREAS the *Municipal Act, S.O. 2001, c.25, Section 8*, provides that the Act shall be interpreted broadly so as to confer board 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 *Municipal Act, S.O. 2001, c.25, Section 9*, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the *Act*;

AND WHEREAS the *Municipal Act, S.O. 2001, c.25, Section 11*, provides that a lower-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public, including Signs;

AND WHEREAS the *Municipal Act, S.O. 2001, c.25, Section 23.2* authorizes the Township to delegate its powers to an officer, employee, or agent of a municipality;

AND WHEREAS the *Municipal Act, S.O. 2001, c.25, Section 63*, provides that a by-law may prohibit or regulate the placing or standing of an object on or near a Highway, and may provide for the removal and impounding or restraining and immobilizing of an object placed or standing on or near a Highway;

AND WHEREAS the *Municipal Act, S.O. 2001, c.25, Section 99* sets out rules which apply to a by-law of a municipality respecting advertising devises, including Signs;

AND WHEREAS the *Municipal Act, S.O. 2001, c.25, Section 425* establishes that any person who contravenes any by-law of the municipality, may be, passed under the *Act*, is guilty of an offence;

AND WHEREAS the *Municipal Act, S.O. 2001, c.25, Section 426(4)* establishes that any Person that hinders or obstructs, or attempts to hinder or obstruct, any Person who is exercising or performing a duty under this By-law created under the *Act* is guilty of an offence;

AND WHEREAS the *Municipal Act, S.O. 2001, c.25, Section 446* of the *Municipal Act* gives the Township the authority to direct or require a person to do a matter or, thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person’s expense. For these purposes, the Township may enter upon land at any reasonable time. The Township may recover the costs of doing a matter or, thing from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

NOW THEREFORE the Council of The Corporation of the Township of Puslinch hereby enacts as follows:

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1.0 Title, Interpretation and Severability

- 1.1 This By-law may be referred to as the “Sign By-law”.
- 1.2 Wherever a word is used in this By-law with its first letter capitalized, the term is being used as it is defined in Section 2 of this By-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
- 1.3 Wherever a word defined in Section 2 of this By-law is used in the form of a noun, verb, adverb, or adjective, it shall be interpreted as having a corresponding defined meaning even if it is in ordinary case.
- 1.4 All words importing the singular shall include the plural, and words imparting the masculine gender shall include the feminine, and the converse of the foregoing also applies, unless the context of the By-law requires otherwise.
- 1.5 Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this By-law.
- 1.6 If a court of competent jurisdiction declares any section, or any part of a section of this By-law to be invalid or to be of no force or effect, it is the intention of Township that every other provision of this By-law be applied and enforced in accordance with its terms to the fullest extent possible according to law.
- 1.7 The Township, in regulating Signs, assumes no liability for Signs not Installed or maintained by the Township and makes no representation and gives no

warranties in respect to the safety of any Sign or the truth of its content, whether or not such Sign is permitted under this By-law.

2.0 Definitions

In this By-law:

“A-Frame Sign” means a temporary, double-faced Sign, triangular in shape, designed with two sides of similar length forming its apex allowing it to stand on the ground. Such Sign includes but is not limited to, sandwich board-style Signs;

“Address Sign” means a Sign which identifies the address of a dwelling, school or institutional building, and may include the occupiers name but not occupation;

“Alter” or “Alteration” means any change to the Sign structure or Sign Face including the relocation of the Sign and/or the addition, deletion or re-arrangement of components other than Changeable Copy;

“Awning” means a space frame system, moveable or fixed, covered with fabric, metal or like material attached and projecting from a building or structure, but not forming an integral part thereof and includes a canopy;

“Awning Sign” means a Sign with copy painted or affixed flat to the surface of an Awning, which does not extend vertically or horizontally beyond the limits of such Awning;

“Bag Sign” means a prohibited, temporary Sign that is constructed of an opaque plastic bag, cardboard or a similar material that is placed over a metal or wire frame and pushed into the ground;

“Banner Sign” means a Sign made from cloth, plastic or a similar lightweight non-rigid material displaying a message in words or symbols, but shall not include a recognized flag, Awning Sign, Window Sign, Feather Banner Sign, Wall Banner Sign or Fascia(Wall) Sign;

“Billboard” means a Sign in a fixed location supported by uprights, braces, or a supported structure, which is in turn embedded into the ground that is owned and maintained by a Person engaged in the rental or leasing of the Sign Face Area for advertising goods, services, or facilities that are not sold or offered on the Property where the Sign is Displayed and is single faced, is not illuminated and does not include Electronic Billboard or real estate signs;

“Building Code Act” means the Building Code Act, 1992, O.S. 1992, c.17, as amended, or any predecessor or successor thereto, and includes the Regulations thereunder, including the Ontario Building Code;

“Changeable Copy” means an area on which messages can be changed either manually or automatically and includes, but is not limited to, an Electronic Message Centre(Digital Sign);

“Chief Building Official” means the Chief Building Official appointed by Council or his/her designate;

“Clerk” means the Municipal Clerk appointed by Council, or his/her designate;

“Community Event” means an event held or sponsored by a Non-Profit Organization for which all net proceeds are directed to the support of the Non-Profit Organization and/or its projects;

“Community Event Sign” means a Ground Sign Installed by the Township or Non-Profit Organization on public or private property to announce special community events and occasions;

“Community Event Directional Sign” means a temporary sign installed on the public Road Allowance to direct the public to special Community Events;

“Council” means the Council of the Corporation of the Township of Puslinch;

“Designated Official” means the Sign Administrator, Clerk, Chief Building Official, or their designates;

“Development Sign” means a temporary double or single-faced Sign that is affixed to the ground that:

- i. Includes in whole or in part information promoting a development and may identify components of such building or structure and the persons involved in its design and construction; and
- ii. Promotes a model home in a development; or
- iii. Relates to or advertises the construction or sale of a building structure on the property;

“Display” includes authorizing, allowing or permitting the display of a Sign;

“Directional Sign” means a double or single faced Sign that gives directions or instructions for the control of vehicular or pedestrian traffic within the property and shall include entry and exit Signs;

“Driver Visibility Triangle” means a triangular area formed on both sides of a driveway projecting from where the property line meets the edge of roadway or the projection thereof;

“Dwell Time” means the minimum duration that fixed Sign Copy Content on an Electronic Message Centre(Digital Sign) is Displayed;

“Election Sign” means a sign that is regulated by Township by-law with respect to elections under the Canada Elections Act, the Election Act (Ontario), or the Municipal Elections Act, 1996, or any successor legislation;

“Electronic Billboard” means a Ground Sign that is owned and maintained by a Person engaged in the rental or leasing of the Sign Face Area for advertising goods, services, or facilities that are not sold or offered on the Property where the Sign is Displayed by means of an Electronic Message Centre(Digital Sign) and is either single faced or double faced but does not include Ground Sign or Billboard;

“Electronic Message Centre” (Digital Sign) mean a Sign that is capable of Displaying words, symbols, figures, images or other messages digitally that can be electronically changed by remote and/or automatic means;

“Fascia(Wall) Sign” means a single-faced Sign, constructed of a permanent and rigid material, that is attached and position parallel to the exterior wall of a building or structure and shall not include a Window Sign or Gas Bar Canopy Sign;

“Feather Banner Sign” means a Sign that is made from cloth or a similar non-rigid material which is affixed to the ground and supported by a pole;

“Former By-law” means By-law 9/91, together with all amendments adopted up until the day immediately preceding the date on which this Sign By-law comes into force;

“Garage Sale” means an occasional use sale, conducted on a residential Property by an occupant of such residential property, or household goods belonging to the occupier thereof;

“Garage Sale Sign” means a Sign associated with a Garage Sale a Property with a Residential Use by the occupant of the property, of household goods belonging to the occupant;

“Gas Bar Canopy” means Sign located, Installed or Displayed on an open and permanent roof structure, free standing or attached to a building, which is Installed for the purpose of sheltering gasoline pumps; and shall not include an Awning Sign or Projecting Sign;

“Ground Sign” means a Sign in a fixed location supported by uprights, braces, or a supported structure, which is in turn embedded into the ground. This definition does not include a Billboard, Electronic Billboard, Development Sign, Directional Sign, or Menu Board;

“Heritage Attribute” means, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest;

“Heritage Permit” means a Permit issued by the Township pursuant to the provisions of this the Ontario Heritage Act and/or any by-law of the Township;

“Heritage Property” means any lands designated pursuant to the Ontario Heritage Act, R.S.O. 1990, c.O. 18, as amended (the “Ontario Heritage Act”);

“Hoarding” means any temporary construction barrier continuously enclosing a construction site that is installed for the purpose of site protection;

“Hoarding Sign” means a temporary single-faced Sign Installed on Hoarding associated with the development of the Property, that advertises or identifies the development of the Property on which the Sign is located;

“Home Occupation Sign” means a temporary single-faced Sign that advertises a Home Business or Home Industry as defined and permitted by the Zoning By-law;

“Illuminate” or Illuminated means the lighting of a Sign in whole or in part by any type of artificial light, whether by emission or reflection;

“Illumination” means the act of lighting a Sign by way of an artificial light source that is located within, on or external to the Sign, the brightness and intensity of which are measured in Nits;

“Incidental Sign” means a non-Illuminated Sign not exceeding 0.5m² and is of minor consequence that is accessory in nature to principal identification signage. Notwithstanding and without limiting the foregoing, Incidental Signs shall include any Sign which identifies the manufacturer of equipment or product, a flag, bench advertising, public safety Sign, no-trespassing, safety directions, caution, parking requirements, washrooms, no-smoking, etc.;

“Inflatable Sign” means a Sign filled with air or gas;

“Install” includes the act of authorizing, allowing, Displaying, or permitted the physical placement of a Sign;

“Manual Changeable Copy” means letters, numerals, symbols, illustrations, and/or images that can be changed on a Sign by non-electronic means;

“Menu Board” means a Sign Installed as part of a drive through facility and only used to Display products and services available at the drive-through Premises;

“Mobile Sign” means a Sign which is designed to be moved from place to place and which only utilizes Manual Changeable Copy, but excludes A-Frame Signs, T-Frame Signs, Bag Signs, Feather Banner Signs, and Inflatable Signs. For further clarity, a Mobile Sign is considered a Sign whether or not Manual Changeable Copy is on;

“Motor Vehicle” means an automobile, truck or any other vehicle, including motorized construction equipment or farm equipment, motor home, motorcycle, snowmobile, boat, recreational vehicle, a trailer or farm implement or any other kind of device which is capable of being driven, propelled or drawn by any kind of power, but does not include bicycle or any other device powered solely by means of human effort;

“Mural” means any type of Display or artistic endeavor applied to any external wall or other part of a building or structure, and:

- a) shall not include any words, images, logos, tags, acronyms, solicitation, public information or trademarks that advertise or convey any promotional message;

b) shall not be considered an obscene or defamatory Sign as set out in Section 5.2(h);

“Nits” means a unit of measurement of luminance, or intensity of visible light, where one nit is equal to one candela per square meter. Nits are used to describe the brightness of illuminated and electronic displays;

“Non-Profit Organization” means a club, group, society, or association, that is organized and operated solely for social welfare, civic improvement, pleasure or recreation or any other purpose except profit;

“Officer” means any Person designated by by-law of the Township to enforce this By-law;

“Owner” means the registered Owner(s) of the Property;

“Permanent Sign” means a Sign which is intended to remain in place for an indefinite duration;

“Permit” means a formal authorization issued by the Township under this By-law;

“Permit Holder” means a Person to whom a Sign Permit is issued by the Township as well as the registered Owner, lessee and a mortgagee in possession, of the Property to which the Sign Permit pertains;

“Person” means an individual, firm, sole proprietorship, partnership, associations, trusts, corporations, directors and officers of corporations, trustees, and agents, and the heirs, executors, assigns or other legal representatives of a person to whom the context can apply in law;

“POA” means the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended or any successor thereto;

“Poster” means a printed notice conveying information intended to be Displayed for a temporary period of time and includes, but is not limited to, a bill, handbill, leaflet, notice and placard. This definition does not include Election Sign;

“Pre-Menu Board” means a Sign Installed as part of a drive-through facility and only used to Display products and services available at the drive-through Premises;

“Premises” means the space(s) owned or operated by a business establishment which can include the whole of a building or individual units as the case may be;

“Projecting Sign” means a Sign attached to and which projects out horizontally from an exterior wall or a building in a perpendicular manner including a blade sign or perpendicular sign. This definition does not include Awning Sign, Gas Bar Canopy Sign or Fascia(Wall) Sign;

“Property” means a parcel of land having specific boundaries, which is capable of legal transfer;

“Pump Island Sign” means a Sign on top of gasoline service pumps or on the columns of a Gas Bar Canopy, on guard posts or freestanding on a gasoline pump apron;

“Puslinch Design Guideline” means the urban design guideline, adopted by Council and applied to commercial, industrial and institutional development and redevelopment proposals to support an enhanced streetscape in identified areas of the Township;

“Real Estate Sign” means a Temporary Sign that is affixed to the ground for the purpose of advertising the sale, lease, rental or pre-sale, lease or rental of the lands and existing buildings located on the Property. This definition does not include a Development Sign or a Billboard;

“Residential Use” means lands, buildings or structures or portions thereof used, or designed or intended for use as a home or residence of one or more individuals, and

shall include a single detached dwelling, a semi-detached dwelling, a multiple dwelling, an apartment dwelling, and the residential portion of a mixed-use building or structure;

“Road Allowance” means a highway under the Township’s jurisdiction established under the authority of any statute, and includes where applicable, the curb, shoulder, boulevard, sidewalk and landscaping. A Street is a public Road Allowance for the purposes of this By-law;

“Roof Sign” means any Sign that is attached to or is located more than one (1) metre above the roof line or a building or structure, any Sign that is Installed or located wholly above the roof of a building and/or any Sign Installed, constructed or attached to or located wholly above the parapet of a building;

“Seasonal Farm Product Sign” means a temporary sign which is posted to promote the sale of farm products on the property.

“Sight Triangle” means a theoretical triangular area that is clear of any visual obstruction and is formed between points measured along a lot line a prescribed distance from the intersection of a Street, County or Provincial Street, or railway corridor;

“Sign” means any devise, object or thing which directs attention to and which is designed to convey a message and that is placed for the purpose of advertising goods and services offered, for identifying a business, organization, or enterprise, and/or for conveying any other type of message. This definition includes, but is not limited to, the types of Signs specifically defined in this Section and includes the supports, braces, or other appurtenances associated with such Signs;

“Sign Administrator” means the Clerk or designate;

“Sign Copy Content” means any colour, graphic, logo, symbol, word, numeral, text, image, message, picture, or combination thereof Displayed on a Sign Face;

“Sign Face” means the surface of a Sign, including the border and frame but excluding the supporting structure, upon which information and advertising is Displayed;

“Sign Face Area” means the area on the surface of a Sign including the border and frame and where this is no border, shall include all of the surface area lying within the rectangular box drawn around the full extent of the words, numbers, images, and/or symbols comprising the complete message;

“Sign Permit” means a permit issued by the Township authorizing a Sign, which is issued to a Person based on a review of this By-law;

“Sign Structure” means a structure which is intended to support, or be capable of supporting, any Sign which in turn is supported by the ground, building or a structure, which is not an integral part of the Sign;

“Storey” means that portion of a building, other than the cellar, which is situated between the surface of any floor and the surface of the floor next above and, if there is no floor above, that portion between the surface of such floor and the ceiling above;

“Street” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle or any part of which is intended for the use by the general public for the passage of vehicles and includes the area between the lateral Property lines thereof;

“Street Line” means a lot line dividing a lot from a Street and is the limit of the Road Allowance;

“Sunrise” means the hour and minute designated as sunrise by the National Research Council Canada for the applicable calendar date in the Township;

“Sunset” means the hour and minute designated as sunset by the National Research Council Canada for the applicable calendar date in the Township;

“Temporary Personal Sign” means a Sign or advertising device, used for a personal announcement or congratulatory message, on a Property with a Residential Use or an institutional or agricultural Zone;

“Temporary Business Sign” means a Sign used to advertising work that is being completed by a business on a private property while the work is actively being completed;

“Temporary Sign” means a fixed or moveable Sign which is permitted for a defined duration per the regulations set out in this By-law;

“T-Frame Sign” means a temporary double or single-faced Sign which is supported by a base that rests on the ground and is not embedded into the ground;

“Third Party Sign” means a Sign which identifies or directs attention to a business, profession, commodity, service, event, or other activity not being conducted, sold, or offered on the Property to which the Sign is located;

“Traffic Control Device” means a signal or Sign located at an intersection that is intended to control the flow of traffic at that intersection. For the purposes of this By-law, any measurement from a Traffic Control Device shall be taken from the pole or post supporting such device;

“Use” includes “used” and “using” having corresponding meaning and means the arrangement of, design or the intended Use or actual Use of any place;

“User Fees and Charges By-law” means the Township by-law, as amended from time to time, which regulates user fees or charges for services or activities;

“Variance” means a permission granted by the Sign Administrator pursuant to Section 4 of this By-law (or by Council on appeal from the Sign Administrator or for a Variance request not within the scope of authority of the Sign Administrator), to Install and Display a Sign in a particular location which the Sign, but for such permission, would not comply with this By-law;

“Wall Banner Sign” means a Temporary Sign that is made from cloth or a similar lightweight non-rigid material which is secured or mounted to a building. This definition does not include a flag, Awning Sign, Banner Sign, Canopy Sign, Window Sign or Inflatable Sign;

“Window Sign” means a Temporary Sign located in, on, or within 2.0m behind a window which is visible from the exterior of the building;

“Zone” means an area designated for a particular land use established by the Township’s Zoning By-law, and/or other land use regulations as may be applicable in the Township;

“Zoning By-law” means the Township’s Comprehensive Zoning By-law, as applicable and amended from time to time.

3.0 Transition, Conflict, and Compliance with Other Laws

3.1 All Sign Permits issued by the Township prior to the coming into force of this Sign By-law, for which Sign Permits are current and valid on the day this By-law comes into force shall:

- a) remain current and valid under this By-law as if the Sign Permit had been issued under this By-law, whether or not such Sign Permit would be authorized under this By-law;
- b) subject to Section 3.1(a) above, shall otherwise be subject to all provisions of this By-law; and
- c) on expiry of the Sign Permit, be subject to this Sign By-law as if no prior Sign Permit had been issued.

- 3.2 Any Sign that has been Installed, Displayed or Altered without a valid Sign Permit prior to the coming into force of this By-law, shall be subject to the provisions and regulations of this Sign By-law.
- 3.3 A Sign Permit Application received but not issued by the Township, prior to the coming into force of this Sign By-law, shall be issued in accordance with this Sign By-law.
- 3.4 Where a Variance has been approved by Council under the Former Sign By-Law, a Sign Permit shall be issued in accordance with the terms and conditions set out in the Variance, and thereafter the Sign shall be subject to the provisions of Section 3.1 above as if the Sign Permit had been issued prior to the coming into force of this Sign By-Law.
- 3.5 The Former Sign By-Law is otherwise repealed as of the day on which this By-law comes into force.
- 3.6 Any Sign lawfully Installed or Displayed before the day this By-law comes into force, may remain and be maintained if it is not Altered.
- 3.7 Where a Sign referred to in Section 3.6 is Altered, it is subject to all general and zone-specific regulations and restrictions as are provided in this By-law.
- 3.8 Where there is a conflict between the provisions of this By-law and the provisions of any other Township by-law, the provisions that establish the highest standards shall apply. No agreement shall be deemed to provide an exemption from the requirements of this By-law unless this By-law authorizes such exemption, and the agreement specifically provides for it.
- 3.9 This By-law, and the provisions contained within, are intended to be complementary to federal and provincial statutes and regulations, and to other by-laws passed by the Township. If any other applicable law requires a higher standard than this By-law requires, the higher standard shall apply.
- 3.10 By-laws, statutes, regulations, and guidelines referenced in this By-law, including in schedules attached hereto, include any amendment, replacements, or updates to those by-laws, statutes, regulations, and guidelines.

4.0 Scope, Administration, Delegated Authority and Variances/Appeals

4.1 Scope

- 4.1.1 This By-law applied to all Property in the geographic area within the Township, save and except any Property owned by the Township.
- 4.1.2 Signs that are not specifically permitted by this By-law are prohibited. Without limiting the generality of the foregoing, a Variance pertains only to the Installation and Display for which the Application for a Variance was granted at the location specified in the Variance. Any Alteration or removal of the Sign will render the Variance void. The granting of Variance for one Sign is not an indication by the Sign Administrator or Council, as the case may be, that a Variance for a similar (or even identical) Sign and/or location will be approved in the future.
- 4.1.3 This By-law regulates the location, size, number, construction, alteration, repair, and maintenance of all outdoor Signs and Signs visible from the exterior of a building or structure, including Signs located in windows.
- 4.1.4 Signs regulations vary by the Zoning designation for the subject Property where the Sign is located. Signs are permitted only where they are identified for the applicable Zone. Any Sign not specifically permitted within a particular Zone is prohibited, subject to Section 3.0 (legal non-conforming use).

- 4.1.5 Responsibility for compliance with this By-law rests with, individually and collectively, on the Owner of the Property on which the Sign is or will be located, the Lessee, Person whose business is being promoted by the Sign, the applicant, and the Permit Holder.

4.2 Administration

- 4.2.1 The Clerk, or designate, in consultation with the Chief Building Official, shall be responsible for the administration of this By-law and the Clerk will be referred to as the Sign Administrator while administering this By-law.

4.3 Delegated Authority

- 4.3.1 The Sign Administrator has the delegated authority to:

- a) create forms, guides, guidelines and processes for the administration of this By-law;
- b) approve, exempt/waive, issue, revoke, extend, renew, amend, or close a Permit and/or grant approvals of Sign Permits and impose conditions for continuing to hold a Sign Permit in addition to the requirements under this By-law;
- c) determine when a meeting of Council is required or not required;
- d) determine and deem an Application as abandoned, expired, or closed;
- e) establish appropriate requirements;
- f) require or exempt certain works from provisions of this By-law, as permitted in this By-law; and
- g) authorize and/or hire such agents, contractors, and other Persons to perform work, as required.

- 4.3.2 This By-law may be enforced by Officers and/or Designated Officials. Without limiting/restricting any other power, duty or function granted by this By-law, Officers and/or Designate Officials may: give direction, issue an Order to discontinue or to perform work and further give verbal or written direction and may enter a Property and/or carry out and direct whatever inspections, are reasonably required to determine compliance with this By-law in accordance with Section 8 of this By-law.

- 4.3.3 Council hereby delegates to the Sign Administrator the power to grant Sign Variances from any of the provisions of this By-law, **with the exception of following:**

- a) An Unauthorized Sign described in Section 5.2;
- b) A reduction in distance required from a Residential Use for an Electronic Message Centre(Digital Sign) or Illuminated Sign of any type;
- c) A Sign described in Section 5.8 (Heritage Properties);
- d) A Billboard or Electronic Billboard.

4.4 Variances

- 4.4.1 Variances applications of any provision **excluding** section 4.3.3

- a) A Variance application shall be in respect to a single Sign.
- b) A Variance application shall be submitted to the Sign Administrator using such forms as the Sign Administrator may prescribe and shall only be considered if and when all required information has been provided. Additional information or studies may be required by the Sign Administration and the applicant is responsible for the cost of the studies preparation and any cost associated with any external review as may be required.
- c) In determining whether to grant a Variance under this section, the Sign Administrator shall consider the following, where applicable:
 - i. Sign compatibility with "Puslinch Design Guidelines" for building, Property and the surrounding area;
 - ii. Whether there is a negative impact on any surrounding residential uses;

- iii. Whether the applicant and/or owner of the Sign has complied with all terms and conditions of approval of any previous Sign Permit issued to the Applicant under this Section, if any;
 - iv. Impacts, if any, on accessibility;
 - v. Impacts, if any, on public safety; and
 - vi. Any written response(s), if any, received in response to a public notice, if required by the Sign Administrator.
- d) The Sign Administrator may refuse a variance or grant a Variance in whole or in part.
 - e) A notice of decision of the Sign Administrator, including any reason for refusal, shall be provided in writing to the applicant within ten (10) days of the decision and the applicant shall be deemed to have received notice in accordance with Section 9.0.
 - f) An applicant may appeal the decision of the Sign Administrator to refuse a variance or approve a variance in part. The appeal shall be initiated by the applicant filing a written request for an appeal to Council with the Sign Administrator within seven (7) days of the service of the notice of decision outlined in Section 4.4.1(e). All applicable material provided to the Sign Administrator under Section 4.4.1(c) shall be placed before Council. On consideration of the appeal, Council retains authority to grant or refuse the Variance, in whole or part and Council decision is considered final.

4.4.2 Variances applications in accordance with section 4.3.3

- a) A Variance application shall be in respect to a single Sign.
- b) A Variance application shall be submitted to the Sign Administrator using such forms as the Sign Administrator may prescribe and shall only be considered if and when all required information has been provided. Additional information or studies may be required by the Sign Administration or Council and the applicant is responsible for the cost of the studies preparation and any cost associated with any external review as may be required.
- c) In determining whether to grant a Variance under this section, Council shall consider the following, where applicable:
 - i. In the case of an Electronic Billboard Sign, Council will reference the “Guidelines for Review of Sign Variance Applications for Electronic Billboard Signs” when considered an application for Sign Variance;
 - ii. Sign compatibility with “Puslinch Design Guidelines” for building, Property and the surrounding area;
 - iii. Whether there is a negative impact on any surrounding residential uses;
 - iv. Whether the applicant and/or owner of the Sign has complied with all terms and conditions of approval of any previous Sign Permit issued to the Applicant under this Section, if any;
 - v. Impacts, if any, on accessibility;
 - vi. Impacts, if any, on public safety; and
 - vii. Any written response(s), if any, received in response to a public notice, if required by the Sign Administrator.
- d) The Council may grant a Variance in whole or in part.
- e) A notice of decision of Council, including any reason for refusal, shall be provided in writing to the applicant within ten (10) days of the decision and the applicant shall be deemed to have received notice in accordance with Section 9.0. Council decision is considered final.

4.4.3 Variance application for refusal of permit by Sign Administrator

- a) A variance may be applied to Council for following Sign Administrator’s refusal of a sign permit. The variance shall be initiated by the applicant filing a written request for a variance to Council with the Sign Administrator, within twenty-one (21) days of notice of refusal of a Sign Permit Application by the Sign Administrator and shall contain the following, where applicable:

- i. The name and address of the applicant together with such additional information as may be prescribed by the Sign Administrator;
 - ii. The written authorization of the Sign owner/Permit Holder if not the same as the applicant;
 - iii. Written authorization from the Property Owner(s) and occupant(s) of the Premises that have authorized the application;
 - iv. Where applicable, proof of approval for the proposed Sign from all other governmental authorities having jurisdiction;
 - v. The Notice of Refusal of the Sign Permit Application; and
 - vi. The fee as set out in the User Fees By-law.
- b) A notice of decision of Council, including any reason for refusal, shall be provided in writing to the applicant within ten (10) days of the decision and the applicant shall be deemed to have received notice in accordance with Section 9.0. Any decision by Council is final.

5.0 General Provisions

5.1 Prohibitions

No Person shall:

- a) Install, Display or Alter a Sign of any type that is not specifically permitted under this By-law or by a Variance issued under this By-law;
- b) Install, Display or Alter a Sign for a Use that is not specifically permitted within a specific Zone;
- c) Install or Display a Sign in a prohibited location;
- d) Install, Display or Alter, or repair a Sign without a Sign Permit if a Sign Permit is required under this By-law;
- e) Install, Display or Alter, or repair a Sign except in accordance with the approved plans and drawings submitted to the Township as part of the Sign Permit application;
- f) Install, Display, Alter or repair a Sign in a manner that is inconsistent with the regulations of this By-law or the conditions of any Sign Permit or Variance granted under this By-law;
- g) Install, Display, Alter or repair a Sign where such Sign may obstruct any fire escape, fire exit, door, window, flue or air intake or exhaust so as to prevent or impede free access of emergency personnel to any part of a building;
- h) Install, Display, Alter or repair a Sign which is on or overhangs Township Property, unless specifically authorized by this By-law;
- i) Install or Display a Sign on any Sign pole, fence, bench or waste receptacle managed or controlled by the Township;
- j) Install or Display a Sign in any location where such Sign may impede or in any way interfere with utility easements, public rights-of-way, Township snow removal, and/or maintenance operations;
- k) Locate a Sign Face within 0.6m of the vehicular travelled portion of a private lane or Street Line, excluding drive-through facility or a parking area, unless the minimum vertical distance between grade and the bottom of the overhanging Sign Face is at least 5.0m;

- l) Install or Display any Sign upon any pole, traffic Sign, or control box which is located within the Road Allowance, and which is managed or controlled by the Township, County or utility;
- m) Install or Display any Sign upon any tree, fence, gate or railing unless otherwise specifically permitted by this By-Law;
- n) Install or Display a Sign that obstructs any traffic Sign or device from the view of any pedestrian, or driver of a Motor Vehicle, or which interferes with vehicular traffic in a manner that could endanger any person;
- o) Install or Display an Electronic Message Centre(Digital Sign), or use a television, monitor, or similar device as a Sign, within 2.0m of and visible through a window;
- p) Install or Display a Sign on private Property for a purpose not ancillary to a principal use permitted under the Zoning By-law and carried on within a building located on the Property except as specifically permitted under this By-law;
- q) Permit an Electronic Message Centre(Digital Sign) to have a Dwell Time of less than ten (10) seconds or a transition time of more than one (1) second;
- r) Fail to dim or turn off an Illuminated Sign within 30m of a Residential Use between Sunset and Sunrise, if directed by conditions of a Sign Permits or Variance;
- s) Fail to turn off an Illuminated Sign when it is malfunctioning;
- t) Fail to maintain a Sign in a proper state of repair;
- u) Fail to remove, Alter, or repair a Sign which is not in compliance with this By-law when so directed by the Chief Building Official or Municipal By-law Enforcement Officer;
- v) Install, Display, Alter or repair any Mural that is prohibited under this By-law.

5.2 Unauthorized Signs

Unless otherwise specifically permitted by this By-law, or by a Variance thereto granted under Section 4.0, the following Signs are prohibited:

- a) Electronic Billboard Signs described in Section 6.2 are subject to consideration by Council as a Variance described in Section 4.4.1.
- b) Any Sign which, in whole or in part, uses animation, scrolling content, motion, rotation, fading, flashing, blinking light, or any effect that creates the illusion of movement;
- c) Any Sign that emits light exceeding a maximum luminance of 5000 Nits between Sunrise and Sunset;
- d) Any Sign the emits light exceeding a maximum luminance of 200 Nits between Sunset and Sunrise;
- e) Any Sign the imitates, resembles or could be confused with a traffic control Sign or device;
- f) Any Sign on an overpass;
- g) Any Sign that moves, swings or revolves;

- h) Any Sign which:
 - i. is obscene as that term is understood under the Criminal Code, R.S. C 1985, c. C-46, as amended;
 - ii. publishes defamatory statements, and/or
 - iii. by its words, symbols, or images is degrading or dehumanizing to an individual or group, particularly but not limited to on the basis of grounds protected under the Human Rights Code (Ontario);
- i) A Roof Sign;
- j) An Inflatable Sign;
- k) A Banner Sign;
- l) A Bag Sign, with the exception of those used as Real Estate Signs, Temporary Business Signs or Election Signs;
- m) Any Vehicle Displaying words or images that has been parked on a Property in a manner that is unrelated to its normal use as a Vehicle and which is more consistent with the use or intended use of the vehicle as a Sign;
- n) Any Sign that obstructs a parking space;
- o) Any Sign which advertises a business no longer conducted, or product no longer sold;
- p) Any Sign that Displays sequential messages, either on the same Sign or on subsequent Signs;
- q) A Third Party Sign, subject to permitted Zone-specific exemptions for:
 - i. A Garage Sale Sign;
 - ii. A temporary Sign associated with an open house or model home;
 - iii. A Mobile Sign being used by a Non-Profit Organization in connection with the promotion of that organization or its objects; or
 - iv. A Poster;
 - v. Billboard and/or Electronic Billboards approved by Variance, by Council.
- r) Any Sign that is Installed on the external wall of a building, unless posted in an area occupied by a business associated with the Sign and/or over a common entrance that leads to the business advertised.

5.3 Signs Not Requiring a Permit

5.3.1 This By-law shall not apply to:

- a) Any Incidental Sign;
- b) Any Sign Installed by, on behalf of, or by specific direction from the Township, County, Public Health, the Province of Ontario, Government of Canada or their agencies;
- c) Any Sign providing public notices in fulfillment of statutory notice requirements under the Planning Act, or any other Provincial or Federal statute Installed in accordance with the applicable policy of the Township for such notices;
- d) Any Sign authorized by the Township and located on public Property;
- e) Any Election Sign regulated by a Township By-law;

- f) Township-approved Murals that do not promote or advertise a person, place or thing for profit;
- g) A Commemorative plaque or corner stone of a non-advertising nature that does not exceed a height of 1.8m or an area of 0.5m²;
- h) Any Flag bearing only patriotic, civic, or religious emblems and/or support for diversity and inclusion;
- i) A Sign painted directly or otherwise attached to a Motor Vehicle, provided that such Motor Vehicle is parked in accordance with the Zoning By-law and is not being used primarily for Sign purposes.

5.3.2 A Sign Permit is not required for the following Signs; however, these Signs shall comply with all other requirements of this By-law unless otherwise provided:

- a) A Directional Sign in accordance with Section 6.4.7;
- b) A Garage Sale Sign in accordance with Section 7.1.1;
- c) A Temporary Personal Sign in accordance with Section 7.1.2;
- d) A Real Estate Sign in accordance with Section 7.1.3;
- e) A Seasonal Farm Product Sign in accordance with Section 7.1.5;
- f) An A-Frame Signs or T-Frame Sign located on private Property in accordance with Section 7.1.6;
- g) A Window Sign in accordance with Section 7.1.7;
- h) A Poster;
- i) An A-Frame or T-Frame Sign advertising a contractor undertaking landscaping, home construction, repairs or renovations etc., provided such Sign is Installed no more than two (2) days prior to the commencement of the project and is removed from the Property immediately after the project is complete;
- j) A non-Illuminated Address Sign not exceeding 0.2m²;
- k) A Pump Island Sign;
- l) Any Sign which has been authorized by the Township as part of an Event Permit.

5.4 Permit Application - Requirements

5.4.1 The applicant for a Sign Permit shall submit to the Township such information prescribed by the Sign Administrator in the prescribed format which may include any or all of the following:

- a) A complete application and Sign details;
- b) Written authorization of the Property Owner or manager having authority from the Owner to provide approval which clearly indicates consent to Display of the Sign on the Property;
- c) A current site plan on which is shown the location of the proposed Sign in relation to the lot, adjacent Streets, and any buildings or structures on the Property;
- d) Drawings showing plan, building elevations and cross section views of the proposed Sign and Sign structure, including dimensions, Sign Copy design, materials, engineered drawings (if required by the Chief Building Official);
- e) Where applicable, drawings and specifications showing the parts of the building to which the proposed Sign is to be attached;
- f) Where applicable, proof of a Heritage Permit for a Sign located on a Heritage Property;
- g) Evidence satisfactory to the Sign Administrator of consent of any other county, provincial or federal ministry or agency having jurisdiction over the Sign or the Property on which the Sign is proposed to be Installed;
- h) Where required, proof of general liability insurance Township of Puslinch named as additional insured for not less than two million dollars; and
- i) Any fee set out in the most current Fees and Charges By-law.

- 5.4.2 In addition to other provisions set out in this By-law, the Township may make a Sign Permit conditional on an encroachment agreement with the Township for a Sign proposed to be located on or over a public Road Allowance.
- 5.4.3 In addition to provisions set out in this By-law, the Sign Administrator, having regard for the purpose of this By-law, may impose conditions relating to public safety and to the size and location of Signs.
- 5.4.4 The Sign Administrator shall issue a Sign Permit if provisions of this By-law, and other applicable law known to the Sign Administrator, including provisions of the Building Code Act as determined by the Chief Building Official and other guidelines of the Ministry of Transportation for the Province of Ontario and the County of Wellington, for which approvals have been received.
- 5.4.5 The Sign Administrator may request additional information respecting the proposed Sign and the Sign Permit Application.
- 5.4.6 Except in the case of a Sign Permit for a Temporary Sign, the Permit Holder shall provide written confirmation to the Sign Administrator within ten (10) days of Installation, confirming that the Sign has been Installed in accordance with the specifications set out in the Sign Permit.
- 5.4.7 Sign Permit applications for Mobile or Feather Banner Sign shall be submitted to the Sign Administrator no less than ten (10) business days in advance but not more than sixty (60) days prior to the Installation or Display of the Mobile or Feather Banner Sign.
- 5.4.8 Sign Permits are the property of the Township. The issuance of a Sign Permit does not imply renewal thereof.
- 5.4.9 The Township has absolute discretion over the assignment of a Sign Permit. A Sign Permit issued by the Township is not transferable, except on the written direction of the Township and subject to conditions that the Township may impose.
- 5.4.10 No Person shall sell, purchase, lease, mortgage, charge, assign, pledge, transfer, seize, distraint or otherwise deal with a Sign Permit issued by the Township under this or any previous Sign By-law.

5.5 Permit Application – Insurance Requirements and Indemnity

- 5.5.1 The applicant for a Sign Permit and the Permit Holder for which the Sign is Installed or Displayed shall be jointly and severally responsible to indemnify the Township, its officers, employees, servants and agents from all losses, damages, costs, expenses, claims, demands, actions, suits, or other proceedings of every nature and kinds arising from and in consequence of construction, Installation, Display, Alteration, and maintenance or removal of such Sign.
- 5.5.2 Every applicant for a Sign Permit in respect of a Sign which is, by this By-law, permitted to be located on or over a public Road Allowance shall provide proof of general liability insurance Township of Puslinch named as additional insured for not less than two million dollars and every such Person shall ensure that such insurance remains in effect as long as the Sign exists in such a location.
- 5.5.3 Every Person that Installs a Real Estate Directional Sign, open house or model home Sign on a Road Allowance shall provide proof of general liability insurance Township of Puslinch named as additional insured for not less than two million dollars and every such Person shall ensure that such insurance remains in effect as long as the Sign exists in such a location(s).

5.6 Permit Refusal, Cancellation, Revocation and Expiry

- 5.6.1 The Sign Administrator may refuse to issue a Sign Permit for any of the following reasons:

- a) The application is incomplete and/or the fees has not been submitted;
- b) The proposed Sign does not comply with this By-law an/or with any other Township by-law, county, provincial or federal statute or regulation;
- c) The applicant and/or Owner of the Property is in non-compliance with this By-law;
- d) In the case of a Billboard or Electronic Billboard, a Variance approval of Council is required and has not been obtained;
- e) A Heritage Permit is required and has not been obtained.

5.6.2 The Sign Administrator may cancel an application if:

- a) The applicant or Owner requests in writing that it be cancelled;
- b) The application has been refused for failure to provide information required pursuant to Section 5.1(d) (Permit Required) of this By-law and the applicant has not provided the required additional written information to the Sign Administrator within six (6) months of written notice from the Township that the Application is considered incomplete.

5.6.3 The Sign Administrator may revoke a Sign Permit if:

- a) The Permit Holder is unwilling or unable to comply with the conditions of an Order;
- b) The Permit Holder does not comply with the requirements of the Sign Permit in respect of requesting and cooperating with inspections and/or submitting required reports during the construction and Installation of the Sign;
- c) The Sign has been Installed, Altered or maintained in a manner which is in breach of a statute, regulation, or other enactment and/or contrary to the lawful directions of any government authority having jurisdiction over the area where the Sign is situated;
- d) The Sign Permit has been issued in error;
- e) The Sign Permit was issued in reliance on false, mistaken, incorrect, or misleading information or undertakings provided to the Township;
- f) The Sign Administrator determines that construction and Installation of the Sign has not been seriously commenced within six (6) months of the date of the Sign Permit issuance;
- g) The Sign Administrator determines that construction and Installation of the Sign has been suspended or discontinued for a period of more than one (1) year;
- h) The Property Owner and/or the Permit Holder requests in writing that it be revoked.

5.6.4 The Sign shall expire:

- a) Upon expiry of any Display period specified by this By-law or in the Sign Permit;
or
- b) Immediately upon removal of the Sign.

5.6.5 Any fee refunds relating to this By-law shall be governed by the most current Township Fees & Charges By-law.

5.7 Sign Maintenance

5.7.1 Every Person who owns or Displays a Sign, and/or is the Owner or tenant of the Property on which a Sign is Installed and/or Displayed, and any Permit Holder shall ensure that:

- a) A Sign is maintained in a proper state of repair and operated in a manner so that it does not become unsafe, structurally unsound, unsightly or dangerous;
- b) An Electronic Message Centre(Digital Sign), Illuminated Sign, Billboard or Electronic Billboard that malfunctions is turned off until it is repaired and is able to operate as intended;
- c) A Sign that has been defaced, damaged or destroyed to the extent that it requires repair or replacement, shall do so with the express permission of the

Township pursuant to this By-law and a new application shall be required for Signs for which a Sign Permit is required.

5.8 Signs on Heritage Properties

5.8.1 All Signs and Sign Structures proposed to be Installed, Displayed, Altered or relocated on Property designated under the Ontario Heritage Act shall comply with the provisions of that Act with respect to alterations to the designated Property.

5.8.2 Notwithstanding any other section of this By-law, no Sign on a Heritage Property shall obstruct or impact the Heritage Attributes identified in the by-law designating the Property.

5.9 Sight Triangle and Driver Visibility Triangle

In addition to other requirements of this By-law, the following regulations apply to all Signs:

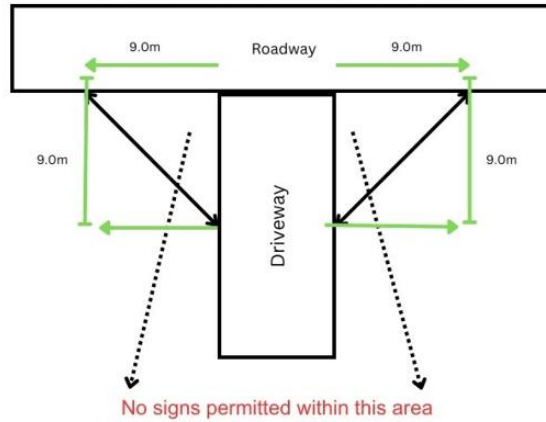
- a) On a corner lot, a Sign which extends beyond 0.6m in height above the elevation of the centre-line of the adjacent roadway of a public Road Allowance shall not be located within the Sight Triangle as defined in this By-law and the most recent Township Zoning By-law;
- b) For the purposes of calculating the extent of a Sight Triangle, the distance between the point of intersection of the two lot lines and their respective points of intersection with the line constituting the third side of the triangle shall be in accordance with the following Table 4.2 from the Township Zoning By-law 023-18 (as may be amended from time to time):

Requirements for Sight Triangles

STANDARD	
Where at least one of the abutting intersecting streets is a County Road or Provincial Highway	28 m
Where neither abutting intersecting street is a County Road or Provincial Highway	9 m
Where a street intersects a railway right-of-way at grade , or such greater distance as may be required from time to time by the Canadian Transportation Commission	46 m

- c) At a driveway, a Sign which extends beyond 0.6m in height above the elevation of the centre-line of the adjacent roadway of a public road allowance shall not be located within the Driver Visibility Triangle as defined in this By-law.
- d) For the purposes of calculated the extent of a Driver Visibility Triangle, the distance between the point of intersection of the private driveway and the abutting roadway shall be:
- e) Where the abutting intersecting roadway is a County roadway or Provincial Highway, the setback shall be no less than 28m;
- f) Where the abutting intersecting roadway is a Township roadway, the setback shall be no less than 9m.

Figure: Driver Visibility Triangle



5.10 Sign Design – Consideration of “Puslinch Design Guidelines”

Design Guidelines for Signs set out in the “Puslinch Design Guideline”, approved by Council and amended from time to time, should be incorporated wherever possible.

6.0 Regulations Respecting Size, Type & Location of Permanent Signs

6.1 Illuminated Signs

Table 6.1 - Regulation of Illuminated Signs	
Illuminated Sign	Details
Permitted Sign Types	<p>Illumination is only permitted on Permanent Signs.</p> <p>Any Illuminated Ground Sign that is greater than 2.5m in height shall only be Illuminated internally.</p> <p>Notwithstanding the above, Temporary Mobile Signs may be Illuminated.</p> <p>One Illuminated open/closed Sign with a maximum of 0.4m² Sign Face Area is permitted to be located on a first-floor window.</p>
Location Restrictions	<p>Unless specifically permitted by a condition of a Sign Permit or Variance, no Illuminated Signs are permitted within 30m of a Residential Use.</p> <p>No Sign in a residential Zone shall be Illuminated.</p>
Illumination	<p>Maximum luminance of 5000Nits between Sunrise and Sunset;</p> <p>Maximum luminance of 200Nits between Sunset and Sunrise.</p> <ul style="list-style-type: none"> • 5000cd/m² from Sunrise to Sunset (One Nit = One Candela per m² (cd/m²)) • 200cd/m² from Sunset to Sunrise (One Nit = One Candela per m² (cd/m²))

6.2 Electronic Billboard Signs

In accordance with Section 4.3.3(d), 5.2(a), Electronic Billboard Signs are Unauthorized Signs, with Council retaining the authority to approve such Signs through the Variance process outlined in Section 4.4.1.

6.3 Electronic Message Centres (Digital Signs)

Table 6.3 - Regulation of Electronic Message Centre(Digital Sign)	
Electronic Message Centres	Details
Permitted Sign Types	Electronic Message Centres(Digital Signs) are only permitted on Permanent Grounds Signs, Fascia(Wall) Signs and Menu Boards regulated by this By-law.
Location Restrictions	<p>Electronic Message Centres(Digital Signs) shall be located a minimum of 30m away from any Residential Use or intersection.</p> <p>Electronic Message Centres(Digital Signs) shall not be located on a Heritage Property without receiving a variance from Council.</p>
Sign Copy Content	Sign Copy Content is limited to static alphanumeric text and digital images.
Prohibited Content	<p>Unless otherwise permitted by this By-law, the following is prohibited on a Sign:</p> <p>Animation, motion, scrolling content, fading, flashing, or blinking lights, or any effects that may create the illusion of movement;</p> <p>Any directional information, whether in text or graphics;</p> <p>Any sequential messages, either on the same Sign or on subsequent Signs;</p> <p>Any imitation or resemblance of a Traffic Control Device.</p>
Minimum Dwell Time	Ten (10) seconds
Transition time between Successive Displays	0.1 second or instantaneous
Illumination	<p>Maximum luminance of 5000Nits between Sunrise and Sunset;</p> <p>Maximum luminance of 200Nits between Sunset and Sunrise.</p> <ul style="list-style-type: none"> • 5000cd/m² from Sunrise to Sunset (One Nit = One Candela per m² (cd/m²)) • 200cd/m² from Sunset to Sunrise (One Nit = One Candela per m² (cd/m²)) <p>Electronic Message Centers must be equipped with functioning automatic dimming technology which will automatically adjust the intensity of the Illumination in direct correlation with the ambient light conditions.</p>

6.4 Permanent Signs by Land Use

The Sign types listed in Column 1 of the table below shall only be permitted on a property with a Residential Use or in a Zone indicated in Column 3. Column 2 of the table below indicates the Section of this By-law applicable to each Sign Type listed.

In addition to other regulations of this By-law, the following regulations apply to residential, industrial, institutional, agricultural (including specialized zones) designated in the Zoning By-law:

RES	Residential Use
COM	Commercial (C, HC, AC) and Core Mixed Use (Central Business District – Aberfoyle and Morriston)
IND	Industrial (IND, EXI, DI)
INST	Institutional (I)
AGR	Agricultural (A, OS, NE)

Table 6.4 - Permanent Signs By Land use						
Column 1	Column 2	Column 3				
Sign Type	Section	RES	COM	IND	INST	AGR
Billboard	6.4.2		✓	✓	✓	✓
Ground	6.4.3	✓	✓	✓	✓	✓
Fascia(Wall)	6.4.4	✓	✓	✓	✓	✓
Awning	6.4.5		✓	✓	✓	✓
Projecting	6.4.6		✓	✓	✓	
Menu/Pre-Menu Board	6.4.7		✓	✓		
Directional	6.4.8		✓	✓	✓	✓

6.4.1 Permanent Sign Specifications – Maximum Sign Face Area

Notwithstanding any specifications outlined in this Section, the maximum Sign Face Area on a Property shall include the total area of all Permanent Signs on such property.

6.4.2 Billboard

No person shall Install, Alter, maintain a Billboard in conjunction with the uses listed in Column 1, below, unless the Sign complies with all other provisions of this By-law.

- a) A Billboard must be located on private Property.
- b) A maximum of one (1) Billboard sign is permitted on a commercial, industrial, institutional or agricultural property with a minimum required frontage of 100 m.
- c) A Billboard sign face may be a maximum of 25 m².
- d) A Billboard sign shall not be multi-faced.
- e) A Billboard shall not be located within 400 m of any limit of a County Road or MTO Highway without written permission from the appropriate road authority.
- f) A Billboard Sign shall not be erected within 250m of a major traffic sign and 500 m of a driver decision point.
- g) A Billboard shall not be located closer than 300 m measured in a straight line from a residential use.
- h) A Billboard sign shall be located no closer than the setback for buildings & structures of the most current Zoning By-law.
- i) A Billboard shall be no closer than 3 km from another Billboard on the same side of the highway.
- j) A Billboard shall be positioned relative to one another so that no more than one Billboard shall be visible to an approaching drive at the same time.
- k) A Billboard shall not exceed 5 m in height above an adjacent roadway or 10 m in height if the sign is facing the 401.

6.4.3 Ground Signs

No person shall Install, Alter, maintain a Ground Sign in conjunction with the uses listed in Column 1, below, unless the Sign complies with all other provisions of this By-law.

Table 6.4.2 – Regulation of Ground Signs					
Column 1	Column 2				
Land Use	Min. Lot Frontage	Number	Max. Sign Face Area	Max. Sign Height	Min. Street Line Setback
Property with a Residential Use – Address Sign (One Ground or Fascia(Wall) Sign per Property)	N/A	1 per Property	0.6m ²	1.3m	1.0m
Apartment and Institutional Zone (One Fascia(Wall) and One Ground Sign per entrance)	N/A	1 per entrance	3m ²	2.5m	1.0m
All Commercial Uses	Under 20m	1 per lot frontage	6m ² per Sign Face	3.5m	1.0m
All Commercial Uses	Over 20m to 30m	1 per lot frontage	9m ² per Sign Face	4.5m	1.0m
All Commercial Uses	Over 30m to 40m	1 per lot frontage	12m ² per Sign Face	5.5m	1.0m
All Commercial Uses	Over 40m to 50m	1 per lot frontage	15m ² per Sign Face	6.5m	1.0m
All Commercial Uses	Over 50m	1 per 50m of lot frontage	20m ² per Sign Face	7.5m	1.0m
Agricultural	Over 25m	1 per lot frontage	10m ² per Sign Face	7.5m	1.0m
All Industrial Uses with 30m or less of Lot Frontage	N/A	1 per lot frontage	10m ² per Sign Face	7.5m	1.0m
All Industrial Uses with 30m of Lot Frontage or more	N/A	1 per lot frontage	15m ² per Sign Face	7.5m	1.0m

- a) A Ground Sign must be located on private Property.
- b) Based on the formula in Table 6.4.2, no more than 2 (two) free standing Signs shall be located on a Property and such Signs must be located a minimum distance of 50m from each other or those located on an abutting Property.
- c) A Ground Sign must be located a minimum distance of 3m from an adjacent Property or driveway or exit.
- d) Every Illuminated Ground Sign shall be a minimum of 30m from any Residential Use.
- e) The maximum Sign Face Area for a Ground Sign that is double faced or multi-faced, shall be double the permitted area for one Sign Face.

- f) A Ground Sign that contains three Sign Faces, each Sign Face shall be attached to the adjacent Sign Face at an angle of no greater than ninety (90) degrees.
- g) Every Ground Sign that is greater than 2.5m in height shall only be internally Illuminated.
- h) The Illumination of a Ground Sign must be in compliance with Section 6.1.
- i) Electronic Message Centres(Digital Signs) must comply with Section 6.3.
- j) A Ground Sign located in a commercial or industrial Zone shall Display the municipal address in numerals and letters that are a minimum of 15cm in height.

6.4.4 Fascia (Wall) Signs

No person shall Install, Alter, maintain a Fascia (Wall) Sign in conjunction with the uses listed in Column 1, below, unless the Sign complies with all other provisions of this By-law.

Table 6.4.3 – Regulation of Fascia (Wall) Signs	
Column 1	Column 2
Land Use	Fascia (Wall) Sign – Max. Sign Face Area
All Commercial, Industrial & Institutional Uses (except uses listed below)	20% of the external wall area per façade of that part of the building occupied by a business in connection with the Sign to a maximum of 20m ²
Retail store or restaurant accessory to a Gas Bar or Motor Vehicle service station	20% of a wall facing a Street Line or fuel pumps
Car Wash or service bay accessor to a Gas Bar or Motor Vehicle service station	15% of a wall with an entrance and 10% of a wall with an exit facing fuel pumps
Gas Bar Canopy accessory to a Gas Bar or Motor Vehicle service station	20% maximum canopy face
Individual Free Standing or Multi-Occupant Industrial Establishment	15% of the building face of the first storey for each occupancy

- a) A Fascia (Wall) Sign must be Installed on the building face of the business or office advertised, unless it is Installed in an area occupied by a business associated with the Sign and/or over a common entrance that leads to the business advertised.
- b) A Facia (Wall) Sign must be Installed a minimum distance of 1.0m from an adjacent Property.
- c) A Fascia (Wall) Sign may project a maximum of 0.5m from a building face and must provide a minimum clearance of 2.5m above the ground surface.
- d) A Facia (Wall) Sign must be Installed on the first Storey of a building face unless otherwise permitted by this By-law. This shall not apply to an enclosed shopping centre.
- e) A building of three (3) or more Storeys, located in a commercial zone, may Install one (1) non-Illuminated Fascia (Wall) Sign per Property on the top storey of the building. If this Section is utilized, then no other Signs are permitted to be located on any other Storey of the side of the building to which there is a Fascia (Wall) Sign on the top Storey.
- f) Roof structures as shown on architectural elevations are not included in the calculation. When the maximum Sign Face Area of a Fascia (Wall) Sign is related to the area of the building face, it shall be taken as that building face projected on a plane parallel to the Sign Face, or tangent thereto if the Sign Face is not flat. The Sign must be attached to the building face used to calculate the maximum Sign Face Area.
- e) Every Illuminated Fascia (Wall) Sign shall be a minimum of 30m from any Residential Use.
- f) An Illuminated Fascia (Wall) Sign may be internally or externally Illuminated.

- g) The Illumination of a Fascia (Wall) Sign must be in compliance with Section 6.1.
- h) Electronic Message Centres (Digital Signs) must comply with Section 6.3.
- i) A Fascia (Wall) Sign shall not be Installed in a manner that covers Heritage Attributes of the building or structure.
- j) Changeable Copy on a Fascia (Wall) Sign is prohibited.

6.4.5 Awning Signs

An Awning Sign shall be Installed, Altered and/or maintained in conjunction with the regulations below and all other provisions outlined in this By-law.

- a) An Awning Sign must be Installed on the building face of the business or office advertised, unless it is Installed in an area occupied by a business associated with the Sign and/or over a common entrance that leads to the business advertised.
- b) Awning Sign is restricted to the first story of a building or structure.
- c) An Awning Sign must be Installed a minimum of 0.5m from an adjacent Property.
- d) The minimum Awning Sign vertical clearance shall be:
 - i. 2.5m when projecting over an area intended for pedestrian traffic.
 - ii. 4.3m when within 1m of an area intended for vehicular traffic.
- e) The maximum Sign Face Area shall be calculated as 20% of the external wall area per facade of that part of the building occupied by a business in connection with the Sign to a maximum of 20m²
- f) Changeable Copy on an Awning Sign is prohibited.
- g) The maximum Sign Face Area of the Awning must not exceed 80% (eighty percent) of the Awning length.
- h) An Awning Sign may be externally Illuminated, internally Illuminated or non-Illuminated.
- i) Every Illuminated Awning Sign shall be a minimum of 30m from any Residential Use.
- j) The Illumination of an Awning Sign must be in compliance with Section 6.1.
- k) An Awning Sign shall not be Installed in a manner that covers Heritage Attributes of the building or structure.
- l) No Person shall Install or maintain an Awning Sign or portion thereof which projects over a Street or Road Allowance without first entering into an agreement with the Township, indemnifying the Township from and against all manner of claims for damage, loss, expense or otherwise, arising from the Installation, maintenance, removing or falling of such Sign or part thereof.

6.4.6 Projecting Signs

A Projecting Sign shall be Installed, Altered and/or maintained in conjunction with the regulations below and all other provisions outlined in this By-law:

- a) A Projecting Sign must be Installed on the building face of the business or office advertised.
- b) One Projecting Sign for each exterior ground floor entrance door of the business or office advertised is permitted.
- c) A Projecting Sign is restricted to the first story of a building or structure.
- d) A Projecting Sign must be Installed a minimum distance of 2.0m from an adjacent Property.
- e) The maximum Sign Face Area for a Projecting Sign is 2m².
- f) Changeable Copy on a Projecting Sign is prohibited.
- g) The minimum clearance above ground surface shall be 2.4m when projecting over an area intended for pedestrian traffic and 9m when projecting over an area intended for vehicular traffic.
- h) The maximum Projecting Sign projection over a Street Line is 2m.

- i) A Projecting Sign may be externally Illuminated, internally Illuminated or non-Illuminated.
- j) The Illumination of the Projecting Sign must be in compliance with Section 6.1.
- k) A Projecting Sign shall not be Installed in a manner that covers Heritage Attributes of the building or structure.
- l) No Person shall Install or maintain a Projecting Sign or portion thereof which projects over a Street or Road Allowance without first entering into an agreement with the Township, indemnifying the Township from and against all manner of claims for damage, loss, expense or otherwise, arising from the Installation, maintenance, removing or falling of such Sign or part thereof.

6.4.7 Menu and Pre-Menu Board Signs

No person shall Install, Alter, maintain a Menu Board or Pre-Menu Board in conjunction with the uses listed in Column 1, below, unless the Sign complies with all other provisions of this By-law.

Table 6.4.6 – Regulation of Menu & Pre-Menu Boards						
Column 1	Column 2					
	Permitted Sign Type & Specification					
	Number	Menu Board		Pre-Menu Board		
		Max. Sign Face Area	Max. Height	Number	Max. Sign Face Area	Max. Sign Height
Restaurant	1 per drive through lane	4.1m ²	3.0m	1 per drive through	2.0m ²	3.0m
Restaurant accessory to Gas Bar or Motor Vehicle Service Station	1 per drive through lane	2.0m ²	3.0m	Not permitted	N/A	N/A
Car Wash accessory to Gas Bar or Motor Vehicle Service Station	1 per Car Wash	2.0m ²	3.0m	Not permitted	N/A	N/A
Car Wash	1 per Car Wash	2.0m ²	3.0m	Not permitted	N/A	N/A

- a) A Menu or Pre-Menu Board must be Installed on private Property.
- b) A Menu or Pre-Menu Board must be Installed a minimum distance of 9.0m from a public Street Line.
- c) A Menu or Pre-Menu Board must be Installed a minimum of 3.0m from an adjacent Property. If the Sign Face is visible from a property with a Residential Use, then the minimum setback is 30m.
- d) Changeable Copy is permitted on a Menu or Pre-Menu Board.
- e) Electronic Message Centres(Digital Signs) must be in compliance with Section 6.3, with the exception that the Dwell Time shall be five (5) seconds and animation during transition is permitted.
- f) A Menu or Pre-Menu Board may be non-illuminated or internally Illuminated
- g) The Illumination of the Menu or Pre-Menu Board must be in compliance with Section 6.1.

6.4.8 Directional

A Directional Sign shall be Installed, Altered and/or maintained in conjunction with the regulations below and all other provisions outlined in this By-law:

- a) A Directional Sign must be Installed on private Property.
- b) One Directional Sign is permitted to be located at each entrance and/or exit to a Property from a Street.
- c) A Directional Sign must be located a minimum distance of 1.0m from a Street Line.
- d) The maximum Sign Face Area for a Directional Sign is 0.8m².
- e) The maximum height of a Directional Sign is 1.2m.
- f) A Directional Sign may be non-illuminated or internally illuminated.

7.0 Regulations Respecting Size, Type & Location of Temporary Signs

The Sign types listed in Column 1 of the table below shall only be permitted on a property with a Residential Use or in a Zone indicated in Column 4. Column 3 of the table below indicates the section of this By-law applicable to each Sign Type listed.

In addition to other regulations of this By-law, the following regulations apply to residential, commercial, industrial, institutional, agricultural (including specialized zones) designated in the Zoning By-law:

RES	Residential Use
COM	Commercial (C, HC, AC) and Core Mixed Use (Central Business District – Aberfoyle and Morriston)
IND	Industrial (IND, EXI, DI)
INST	Institutional (I)
AGR	Agricultural (A, OS, NE)

Table 7.0 - Regulation of Temporary Signs by Land Use							
Column 1	Column 2	Column 3	Column 4				
Sign Type	Requires Permit	Section	RES	COM	IND	INST	AGR
Garage Sale	No	7.1.1	✓				✓
Temporary Personal	No	7.1.2	✓			✓	✓
Temporary Business Sign	No	7.1.3	✓	✓	✓	✓	✓
Real Estate Sign on Private Property	No	7.1.4	✓	✓	✓	✓	✓
Real Estate Directional, Open House/Model Home	Yes	7.1.5	✓				
Seasonal Farm Product Sign	No	7.1.6					✓
A-Frame or T-Frame Sign	Yes	7.1.7		✓	✓	✓	✓
Window Sign	No	7.1.8		✓	✓	✓	
Mobile Sign	Yes	7.1.9		✓	✓	✓	
Feather Banner Sign	Yes	7.1.10		✓	✓	✓	
Development Sign and Hoarding Sign	Yes	7.1.11	✓				
Home Occupation Sign	Yes	7.1.12	✓				✓

Community Event Sign	Yes	7.1.13	✓	✓	✓	✓	✓
Community Event Directional Sign	No	7.1.14	✓	✓	✓	✓	✓
Wall Banner Sign	Yes	7.1.15		✓	✓	✓	

7.1 Temporary Signs by Land Use

7.1.1 Garage Sale Sign

A Garage Sale Sign is temporary Signs that **does not** require a Sign Permit but must be Installed as follows:

- a) In a residential Zone or agricultural Zone.
- b) No earlier than 5:00PM two (2) days immediately before the garage sale and shall be removed by 7:00AM on the day immediately following the garage sale.
- c) Not exceeding 1m² in Sign Area.
- d) No more than one Garage Sale Sign located on or in front of the Property and two (2) off-site locations.
- e) May be located on the untraveled portion of the Street or Road Allowance, in a manner that does not create a traffic hazard.
- f) Not Illuminated.

7.1.2 Temporary Personal Sign

A Temporary Personal Sign is a temporary Sign that **does not** require a Sign Permit but must be Installed as follows:

- a) Only on private Property with a Residential Use or in an institutional or agricultural Zone.
- b) No more than three (3) consecutive days.
- c) No more than one Temporary Personal Sign per Property at the same time;
- d) Not permanently constructed or affixed to any structure.
- e) Not exceeding 3.7m² per face on a Sign board, and a height of not greater than 1.5m in height.
- f) Set back 1.0m from Street Line and/or an adjacent Property.
- g) Not Illuminated.

7.1.2 Temporary Personal Sign

A Temporary Personal Sign is a temporary Sign that **does not** require a Sign Permit but must be Installed as follows:

- a) Only on private Property with a Residential Use or in an institutional or agricultural Zone.
- b) No more than three (3) consecutive days.
- c) No more than one Temporary Personal Sign per Property at the same time;
- d) Not permanently constructed or affixed to any structure.
- e) Not exceeding 3.7m² per face on a Sign board, and a height of not greater than 1.5m in height.
- f) Set back 1.0m from Street Line and/or an adjacent Property.
- g) Not Illuminated.

7.1.3 Temporary Business Sign

A Temporary Business sign is a temporary Sign that **does not** require a Sign Permit but must be Installed as follows:

- a) Only on private Property, in any Zone.

- b) Not more than two (2) days before work begins and not more than five (5) days after completion of work on the property is completed.
- c) One (1) sign with a sign face not exceeding 0.8m² if Installed on a Property with a Residential Use and not exceeding 4.4m² if Installed on a Property in any other Zone.
- d) Set back 1.0m from Street Line and/or an adjacent Property.
- e) Not Illuminated.

7.1.4 Real Estate Sign

A Real Estate Sign is a temporary Sign that **does not** require a Sign Permit but must Installed as follows:

- f) Only on private Property, in any Zone.
- g) Not more than five (5) days before offers can be made and not more than thirty (30) days after the acceptance of a firm offer to purchase, lease, or rent of the Property.
- h) One (1) sign not exceeding 0.8m² if Installed on a Property with a Residential Use and not exceeding 4.4m² if Installed on a Property in any other Zone.
- i) Set back 1.0m from Street Line and/or an adjacent Property.
- j) Not Illuminated.

7.1.5 Real Estate Directional Sign, Open House or Model Home Sign

A Sign directing traffic to a to a property listed for sale, lease or rent, or a Sign advertising an open house or model home are temporary signs that **require a Sign Permit**, and must be Installed as follows:

- a) In any Zone;
- b) Not more than thirty (30) days after the acceptance of a firm offer to purchase, lease, or rent of the Property;
- c) Not more than five (5) days prior to the open house and must be removed six (6) hours after the event.
- d) Not before 4:00PM on a Friday preceding the opening of a weekend model home sales centre and shall be removed no later than 10:00AM the following Monday.
- e) Not exceeding 0.5m² per Sign Face and a maximum height of 1.0m in height;
- f) No more than one (1) Real Estate Directional Sign (for each property being advertised) is permitted off-site
- g) No more than one (1) Sign located on or in front of the open house or model home Property and no more than eight (8) off-site locations.
- h) No less than 3.0m between the Real Estate Directional Sign, open house or model home Sign and any other Sign.
- i) Not Illuminated.
- j) Any Person that Installs, Displays or owns a Real Estate Directional Sign, open house or model home Sign that is located on a Street or Road Allowance shall have liability insurance in the amount of at least two million dollars (\$2,000,000) with the Township named as an additional insured and shall ensure that such insurance remains in effect as long as the Sign is placed on a Street or Road Allowance.

7.1.6 Seasonal Farm Product Sign

Seasonal Farm Product Signs are temporary Sign that **does not** require a Sign Permit, but must be Installed as follows:

- a) On private Property, in an agricultural Zone.
- b) Displayed only when product is for sale.
- c) Not greater than 1.0m² in size.
- d) No more than one (1) Sign on or in front of the Property on which the product is sold and two (2) off site locations.
- e) A setback from the Street Line of at least 1.0m.

- f) Not Illuminated.

7.1.7 A-Frame or T-Frame Sign

A-Frame and T-Frame Signs are Temporary Signs that **require a Sign Permit**, and must be installed as follows:

- a) In a commercial, industrial or institutional Zone.
- b) Must be removed when the business is closed or when it may interfere with snow removal; sidewalk maintenance or when weather conditions have the potential to move the Sign.
- c) A maximum Sign Face Areas and any sign face shall not exceed 0.56m².
- d) A-Frame or T-Frame Sign shall be no more than 1.0m in height.
- e) Maximum of one (1) A-Frame or T-Frame Sign for every sidewalk Street frontage.
- f) A-Frame or T-Frame Sign shall be located:
 - i. In front of the business which the Sign is advertising;
 - ii. Within 2.0m of the building;
 - iii. Within 3.0m of an adjacent Property line or driveway entrance;
 - iv. In a manner so that at least 2.0m width of the sidewalk/walkway remains unencumbered.
- g) No A-Frame or T-Frame Sign shall be Installed on unlevel ground.
- h) Not Illuminated.
- i) Any Person that Displays on A-Frame or T-Frame on a Street or Road Allowance shall have liability insurance in the amount of at least two million dollars (\$2,000,000) with the Township named as an additional insured and shall ensure that such insurance remains in effect as long as the Sign is placed on a Street or Road Allowance.

7.1.8 Window Sign

Window Signs are temporary Sign that **do not** require a Permit and must be Installed as follows:

- a) In a commercial, industrial or institutional Zone.
- b) Window Signs may cover a combined maximum of 50% of the window or faux window area located on the building face of the ground floor of the business being advertised.
- c) Not Illuminated.
- d) One electronic, illuminated open/closed Sign with a maximum Sign Face Area of 0.4m² is permitted to be located on a first-floor window, is permitted.

7.1.9 Mobile Sign

Mobile Signs are temporary Signs, that **require a Sign Permit**, and must be Installed as follows:

- a) On private Property, in a commercial, industrial or institutional Zone.
- b) Maximum Display period per Mobile Sign Permit is thirty (30) days.
- c) Maximum Display period to advertise the opening of a new business location may be ninety (90) days per Mobile Sign Permit.
- d) Maximum number of Mobile Sign Permits issued per location in one (1) calendar year shall be one (1).
- e) Maximum Sign Face Area shall be 4.4m² and 1.8m in height.
- f) Maximum of one (1) Mobile Sign for every Property at one time.
- g) Maximum size of letters used on a Mobile Sign shall be 0.5m in height.
- h) No Mobile Sign shall be located or permitted to be located within:
 - i. 1.0m of the Street Line;
 - ii. 3.0m of an Property Line;
 - iii. the Sight Triangle or Driver Visibility Triangle;
 - iv. 15m of any Traffic Control Device.
- i) No Mobile Sign shall be Installed on unlevel ground.

- j) A Mobile Sign may be Illuminated in accordance with Section 6.1 of this By-law.
- k) A Mobile Sign shall not incorporate features of an Electronic Message Centre(Digital Sign);
- l) A Sign Permit application for a Mobile Sign shall be accompanied by a letter from the property Owner or their authorized agent confirming knowledge of, and agreement with, application.

7.1.10 Feather Banner Sign

Feather Banner Signs are Temporary Signs that **require a Sign Permit** and must be Installed as follows:

- a) In a commercial, industrial or institutional Zone.
- b) Maximum Sign Face Area shall be 2.3m².
- c) Feather Banner Sign shall be no more than 0.76m wide and 3.0m in height.
- d) Maximum of one (1) Feather Banner Sign for every 25m of frontage to a maximum of four (4) per Property.
- e) No Feather Banner Sign shall be located or permitted to be located within:
 - i. In such a way that it impedes a drivers visibility or sightlines;;
 - ii. 3.0m of an adjacent Property line or driveway entrance;
 - iii. 15m of the intersection of any two Street Lines or frontages;
 - iv. 15m from any Traffic Control Device.
- f) No Feather Banner Sign shall be Installed on unlevel ground.
- g) Any Person that Displays a Feather Banner on a Street or Road Allowance shall have liability insurance in the amount of at least two million dollars (\$2,000,000) with the Township named as an additional insured and shall ensure that such insurance remains in effect as long as the Sign is placed on a Street or Road Allowance.

7.1.11 Development Sign and Hoarding Sign

Development and Hoarding Signs are temporary Signs that **require a Sign Permit** and must be Installed as follows:

- a) Only on private Property, in any Zone.
- b) All Development and Hoarding Signs shall be removed from the Property within sixty (60) days of the first unit occupancy on the lot.
- c) Development Sign shall be no more than 12m² in Sign Face Area and maximum height of 7.5m.
- d) Development Sign shall have a minimum 13m setback from any Street Line and be located a minimum distance of 3.0m from an adjacent Property or driveway or exit.
- e) Hoarding Sign shall have a maximum height of 2.0m or maximum height of the fencing, whichever is less.
- f) No more than one (1) Development Sign for every 150m of frontage on the development Property being advertised.
- g) No more than one (1) Hoarding Sign on the development Property being advertised.
- h) No Sign shall be located on any lands to be conveyed to the Township or which may form a part of a Street or Road Allowance.
- i) The Development or Hoarding Sign Copy Area shall identify:
 - i. The project name;
 - ii. Name and contact information for the developer(s) and/or builders; and
 - iii. Such other information as required by the conditions of draft approval of the development.
- j) The Development Sign must be a Ground Sign.
- k) Not Illuminated.

7.1.12 Home Occupation Sign

A Home Occupation Sign is a temporary Sign that **requires a Sign Permit** and must be Installed as follows:

- a) Only on private Property on a Property with a Residential Use.
- b) Not exceeding 1m² in Sign Area and 1.2m in height.
- c) Maximum one (1) Sign per Property.
- d) Shall be setback at least 1.0m from the Street Line.
- e) Shall be located no higher than the first Storey in the case of a Window or Fascia(Wall) Sign.
- f) Shall be a Ground, Window or Fascia(Wall) Sign.
- g) Not Illuminated.

7.1.13 Community Event Sign

Community Event Signs are temporary Signs advertising an event sponsored or held by a Non-Profit Organization, **require a Sign Permit**. The Sign Permit Fee is waived for events identified as an Annual Community Event in Schedule "A" forming a part of this By-law.

Community Event Signs are temporary signs advertising an event sponsored or held by a Non-Profit Organization and must be Installed as follows:

- a) In any Zone.
- b) Not more than three (3) weeks prior to the event and must be removed as soon as possible after the day of the event.
- c) Sign shall not exceed 1.2m by 2.4m in size.
- d) May be located on private Property or on a Road Allowance.
- e) Signs located on a Road Allowance will be Installed in locations approved by the Director of Public Works.
- f) Signs shall be professionally designed and approved by the Sign Administrator prior to installation.
- g) Signs shall be a Ground Sign and Installed to the satisfaction of the Chief Building Official.
- h) Not Illuminated.
- i) Any Person that Installs, Displays or owns a Sign that is located on Township Property shall have liability insurance in the amount of at least two million dollars (\$2,000,000) with the Township named as an additional insured and shall ensure that such insurance remains in effect as long as the Sign is placed on Township Property.

7.1.14 Community Event Directional Sign

Community Event Directional Signs are temporary Signs that **require a Sign Permit**. The Sign Permit Fee is waived for events identified as an Annual Community Event in Schedule "A" forming a part of this By-law.

Community Event Directional Signs are temporary Signs advertising an event sponsored or held by a Non-Profit Organization, and must be Installed as follows:

- a) In any Zone.
- b) Not more than seven (7) days prior to the event and must be removed by 11:59PM on the day of the event.
- c) Not exceeding 0.5m² per Sign Face and a maximum height of 1.0m in height;
- d) No less than 3.0m between the directional Signs and any other Sign.
- e) May be located on private Property or on a Road Allowance.
- f) Signs located on a Road Allowance will be Installed in locations approved by the Director of Public Works.
- g) Not Illuminated.
- h) Any Person that Installs, Displays or owns a Sign that is located on Township Property shall have liability insurance in the amount of at least two million dollars

(\$2,000,000) with the Township named as an additional insured and shall ensure that such insurance remains in effect as long as the Sign is placed on Township Property.

7.1.15 Wall Banner Sign

Wall Banner Signs are Temporary Signs that **require a Sign Permit** and must be Installed as follows:

- a) On private Property, in a commercial, industrial or institutional Zone.
- b) Maximum Display period per Wall Banner Sign Permit is thirty (30) days.
- c) Maximum Display period to advertise the opening of a new business location may be ninety (90) days per Wall Banner Sign Permit.
- d) Maximum number of Wall Banner Sign Permits issued per location in one (1) calendar year shall be one (1).
- e) Maximum Sign Face Area shall be 4.9m².
- f) Minimum height above ground shall be 2.4m.
- g) Restricted to the façade area of the part of the building occupied by the business being advertised.
- h) Not Illuminated.

8.0 Enforcement

8.1 This By-law may be enforced by Officers and/or the Clerk and Chief Building Official, and their designates. Without limiting/restricting any other power, duty or function granted by this By-law, Officers and/or the Clerk and Chief Building Official, and their designates may: give direction, issue an Order to discontinue or to perform work and further give verbal or written direction and may enter Property and/or carry out and direct whatever inspection, are reasonably required to determine compliance with this By-law.

8.2 An Order may include but is not limited to:

- a) Immediately desist from the activity constituting or contributing to such contravention; and
- b) Take immediate action to mitigate and/or remediate the impacts of the activity.

8.3 Officers and the Designated Official may, at any reasonable time:

- a) Enter and inspect Property determine compliance with the provisions of this By-law, or any Condition of a Permit, or Order issued under this By-law. This power of entry does not allow entry into any dwelling;
- b) Enter the Property to collect information, take photographs, videos, or measurements, readings and samples;
- c) Require the production of copies of reports, manifests, or other documents for the purpose of auditing any Sign or compliance with the conditions of a Permit, agreement or Order; and
- d) Require the production of documents for inspection or things relevant to the inspection, inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts.

8.4 Where an Officer has reasonable grounds to believe that an offence has been committed by a Person, the Officer may require the name, address, and proof of identity of that Person, and the Person shall supply the required information.

8.5 No Person shall:

- a) Hinder or obstruct or attempt to obstruct the Designated Official, Officer, or person in the discharge of duties under this By-law as required by the Designated Official or Officer in order to bring a Sign into compliance with this By-law or an Order issued under this By-law;
- b) Provide false information in any statement, whether orally, in writing or otherwise, made to an Officer or the Designated Official;

- c) Hinder or obstruct, or attempt to hinder or obstruct, any Officer or Designated Official who is exercising a power or performing a duty under this By-law;
- d) Fail to obey an Order issued under this By-law.

- 8.6 Where any Sign is Installed, Displayed, Altered, repaired or maintained, the Owner of the Property is presumed to have undertaken, caused, or permitted the Sign to be Installed, Displayed, Altered, repaired or maintained, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
- 8.7 If an Officer or the Designated Official is satisfied that a person has Installed, Displayed, Altered, repaired or maintained any Sign in contravention of the provisions of this By-law, the Conditions of a Permit, and/or an agreement pursuant to this By-law, the Officer may issue an Order requiring work to be done to correct the contravention.
- 8.8 Orders issued shall contain the municipal address and/or the legal description of the Property, and shall set out:
- a) Reasonable particulars of the contravention, the work to be done, any work or action required to cease or be undertaken to rectify the contravention, and the period within which there must be compliance with the Order; and
 - b) Notification that if the work or action is not done, or ceased, as the case may be, in compliance with the Order within the period specified, the Township may have the work done at the expense of the Owner and seek penalties as outlined in this By-law.

9.0 Service of Documents

- 9.1 Service of any document, including an Order, under this By-law shall be serviced as follows:
- a) Personally, or by prepaid registered mail to the last known address of the Owner, the Permit Holder and any other Person to whom the Order is issued;
or
 - b) If the Township is unable to effect service on the Owner, a placard containing the terms of the Order may be placed in a conspicuous place on the Property and the placing of the placard shall be deemed to be service of the Order;
 - c) In addition to 9.1(a) and/or (b), service of any document may be given by email to the last known email address of the Owner, the Permit Holder and any other Person to whom the Order is issued.
- 9.2 If an Order is served on a Person by registered mail, it shall be deemed to have been served on the Person on the fifth (5th) day after the mailing of the Order, which deemed service may be rebutted by the Person proving, on a balance of probabilities, that they did not receive the Order.

An Order may also be issued to a new Owner in any case where ownership of the Property has changed but the offence continues or remains.

10.0 Recovery of Costs

- 10.1 If a Person fails to do a matter or thing, including comply with an Order under this By-law, as directed or required by this By-law, the Township may, in default of it being done by the Person directed or required to do it, do the matter or thing at the Person's expense, and may enter upon the Property at any reasonable time for this purpose.
- 10.2 The Township may recover all costs associated with doing the matter or thing, including administrative fees, by action or it may collect them in a like manner as municipal taxes.

- 10.3 The Township may recover its costs of remedying a violation of this By-law by invoicing the Owner, by instituting court proceedings or by adding the cost, including interest, to the tax roll, and the exercise of any other available remedy.
- 10.4 The Township has priority lien status in accordance with Section 1(3) of the Act on the Property for the amount spent to do the work (and administrative fees).

11.0 Penalty and Offence

- 11.1 (1) Every Person who contravenes any provision of this By-law and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the Provincial Offences Act, R.S.O. 1990, c.P.33, as it may be amended from time to time.
- (2) If an Order has been issued under this By-law, and the Order has not been complied with, the contravention of the Order shall be deemed to be a continuing offence for each day or part of a day that the Order is not complied with.
- 11.2 Every Person who is guilty of a non-continuing offence under this By-law shall be subject to the following penalties:
- a) Upon a first conviction under this By-law, to a fine not less than \$500.00 and not more than \$50,000.00 per offence;
 - b) Upon a second offence or each subsequent offence, to a fine not less than \$500.00 and not more than \$100,000.00.
- 11.3 Every Person who is guilty of a continuing offence under this By-law shall upon conviction be subject to a fine of not less than \$500.00 and not more than \$10,000 for each day or each part of a day that the offence continues up to a maximum of \$100,000 per continuing offence.
- 11.4 Upon conviction, any penalty imposed under this By-law shall be collected under the authority of the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended.
- 11.5 When a Person is convicted of an offence under this By-law, the Ontario Court of Justice or any court of competent jurisdiction thereafter may, in addition to any other penalty or remedy imposed on the Person convicted, make an Order:
- a) prohibiting the continuation or repetition of the offence by the Person convicted; and/or
 - b) requiring the Person convicted to undertake to achieve compliance with this By-law within such reasonable time as the Court Orders.

12.0 Schedules

Schedule "A" - Annual Community Events

Schedule "B" – Determination of Fees

Schedule "C" - Short Form Wording and Set Fines (attached hereto does not form part of this By-law)

13.0 Effective Dates and Repeal of Predecessor By-law

13.1 This By-law Repeals By-laws 9/91, 49/14, 21/18 and 021-2022.

13.2 This By-law shall come into force and effect upon its passage, at which time By-law 9/91, 021-2022 and all amendments thereto shall hereby be repealed.

READ A FIRST, SECOND AND THIRD AND FINALLY PASSED THIS 9 OF OCTOBER, 2024.

James Seeley, Mayor

Justine Brotherston, Interim Municipal Clerk

SCHEDULE "A"
BY-LAW 062-2024
TOWNSHIP OF PUSLINCH

ANNUAL COMMUNITY EVENTS

1. Fall Fair
2. Santa Claus Parade
3. Canada Day
4. Family Day
5. Remembrance Day

SCHEDULE "B"
BY-LAW 062-2024
TOWNSHIP OF PUSLINCH
DETERMINATION OF FEES

Type of Revenue/User	Unit/Decr	2024/2025 Rate	Comments
Sign Permit	See User Fees and Charges By-law	See User Fees and Charges By-law	With building permit.
Temporary Sign Permit	Flat Fee	\$110.00	Signs requiring a permit in accordance with Section 7. 4.4
Sign Variance (Staff Approval)*	Administrative	\$200.00	In accordance with section 4.4.1
Sign Variance (Council Approval)*	Administrative	\$1,247.50	In accordance with section 4.4.2
Sign Refusal Appeal (Council Approval)*	Administrative	\$1047.50	In accordance with section 4.4.3

*Subject to disbursements and third part consultant fees including legal reviews for the processing of the application/appeal.

SCHEDULE "C"

TOWNSHIP OF PUSLINCH

PART 1 PROVINCIAL OFFENCES ACT – BY-LAW 062-2024: SIGN BY-LAW

Being a By-law to Regulate the Installation, Display, Alteration, repair, maintenance and removal of Signs

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provisions Creating or Defining Offence	COLUMN 3 Set Fine
PROHIBITIONS			
1	Install, Display or Alter, or repair a Sign without a Permit	5.1(d)	\$500.00
2	Install, Display or Alter, or repair a Sign except in accordance with approved plans and drawings	5.1(e)	\$500.00
3	Fail to dim or turn off an Illuminated Sign within 30m of a Residential Use between Sunrise and Sunset	5.1(r)	\$300.00
4	Fail to maintain a Sign in a proper state of repair	5.1(t)	\$300.00
ENFORCEMENT			
5	Hinder or obstruct, or attempt to hinder or obstruct an Officer	8.5(a)	\$900.00
6	Failure to comply with an Order issued under this By-law	8.5(d)	\$700.00