

CORPORATION OF THE TOWNSHIP OF MCKELLAR

BY-LAW NO. 2004-17

Being a By-law to prohibit and regulate signs in the Township of McKellar

WHEREAS Section 99 of the Municipal Act, S.O. 2001, as amended provides that Council may pass by-laws for prohibiting or regulating signs and other advertising devices within the municipality;

AND WHEREAS Section 11(1) of the Municipal Act, S.O. 2001, provides that Council may pass by-laws respecting matters within the highway sphere of jurisdiction;

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

PART 1 - DEFINITIONS

- 1.01 In this By-law, words that are defined have the following meanings:
- 1.02 “**Accessory Sign**” means a sign identifying, advertising or directing attention to a business, profession, commodity, subject service or entertainment which is conducted, sold or offered at the lot upon which the sign is located, and may incorporate changeable message areas on which accessory message may be displayed.
- 1.03 “**Alter, Altered or Alteration**” means to change any one or more external dimensions or location of a sign but shall not include replacement of a sign face, painting, repainting, cleaning or normal maintenance and repair of a sign not involving structural change.
- 1.04 “**Chief Building Official**” means the Chief Building Official for the Corporation of the Township of McKellar or his/her designate.
- 1.05 “**Clear Height**” means the distance between the highest elevation of the ground beneath a sign or awning and the lowest point of the sign (excluding support poles) or the awning, as the case may be.
- 1.06 “**Contractor’s Sign**” means a single or double faced temporary accessory sign containing the name of the contractor or the name of the product being used for an on-going construction, renovation or maintenance project on the lot.
- 1.07 “**Corner Lot**” means a lot situated at the intersection of and abutting upon two or more streets provided that the angle of intersection of such streets is not more than 135 degrees.
- 1.08 “**Day Light Triangle**” means a triangle area formed within a corner lot by the intersecting street lines or the projections thereof and a straight line connecting them 6.0 metres from their point of intersection. A corner lot is a lot situated at the intersection of, and abutting, two streets, or parts of the same street, the adjacent sides of which street or streets (or in the case of a curved corner, the tangents of which) contain an angle of not more than 135 degrees.
- 1.09 “**Directional Sign**” means a sign which provides direction or information for the control of vehicular traffic such as an entry or exit sign or a loading area sign.
- 1.10 “**Election Sign**” means a sign erected in connection with a federal, provincial or municipal election and/or referendum.
- 1.11 “**Erect**” means to build, construct, place, reconstruct, alter or relocate and, not to limit the generality of the foregoing, shall include any preliminary physical operation such as excavating, grading, piling, cribbing or filling, structurally altering, making an addition, deletion, enlargement or extension but a change in the message of a sign or advertising device shall not constitute an alteration which requires a sign permit unless the sign frame or part thereof is changed, moved or removed.
- 1.12 “**Fascia (Wall) Sign**” means a single faced accessory sign which is attached directly to the wall of a building and which does not project more than 0.35 metres from the building and any message displayed on an awning or marquee, whether projecting over a street or not, shall be deemed a fascia sign for the purposes of this by-law. A fascia sign does not include a non-accessory sign.

- 1.13 “**Fingerboard Sign**” means any sign that identifies a road or business and is located at the intersection of a municipal or private road, but does not include a sign located at the intersection of two private roads.
- 1.14 “**Ground Sign**” means a single or double faced accessory sign which rests on the ground or is mounted on one or more poles where the sign has a height of less than 3.1 metres.
- 1.15 “**Illuminated Sign**” means a sign illuminated by any artificial light source.
- 1.16 “**Lot**” means a single, separate parcel of land, which is capable of being conveyed, whether such parcel is described in a registered deed or is shown in a registered plan of subdivision, including any of its parts which are subject to right-of-way or easement.
- 1.17 “**Municipal Public Sign Board**” means a sign structure erected by the municipality on public property in which non-accessory signs may be attached.
- 1.18 “**Municipality**” means the Corporation of the Township of McKellar.
- 1.19 “**Non-Accessory Sign**” means a sign identifying, advertising or directing attention to a business, commodity, subject, service or entertainment which is conducted, sold or offered elsewhere than at the lot upon which the sign is located and which rests on the ground or is mounted on one or more poles where the sign has a height of less than 3.1 metres.
- 1.20 “**Official Sign**” means a sign required by or erected under any statute, regulation, by-law or directive of any federal, provincial or municipal government or agency thereof or board or commission and includes a municipal public sign board.
- 1.21 “**Painted Sign**” means a sign painted on the wall or roof of a building and shall be deemed to be a fascia sign if the sign is accessory or a poster panel if the sign is non-accessory.
- 1.22 “**Personal Identification Sign**” means a single or double faced accessory sign that identifies the residential occupants of the lot.
- 1.23 “**Portable Sign**” means a single or double faced accessory or non-accessory sign which is positioned without a permanent means of anchorage to the ground and includes an “inflatable device tethered to any building, anchor or land”.
- 1.24 “**Poster Panel**” means a single or double faced non-accessory sign which is used for the display of a message produced on sheet paper and applied to the sign face or painted directly onto the sign face.
- 1.25 “**Private Directional Sign**” means a single faced or double faced accessory sign that indicates points of ingress, egress, traffic circulation, rest rooms, parking areas or similar information on the lot.
- 1.26 “**Private Warning Sign**” means a single faced accessory sign that directs a warning to the public such as no trespassing, beware of dog, no hunting, or similar warnings.
- 1.27 “**Public Utility**” means an entity which provides a municipal or public utility service, and includes the Municipality, Bell Canada, Hydro One and Cogeco Cable.
- 1.28 “**Real Estate Sign**” means a single or double faced accessory sign used to advertise that a lot, building or structure is for sale, lease or rent or has been sold, leased or rented.
- 1.29 “**Roof Sign**” means a sign erected entirely on or above the roof or parapet of any building.
- 1.30 “**Sandwich Board Sign**” means a free standing single or double faced temporary accessory sign having a maximum sign area of 0.5 m² (5.38 sq ft) for each sign face.
- 1.31 “**Sign**” means a device or surface upon which there is printed, projected or attached any announcement, declaration, or insignia used for direction, information, identifications, advertisement, business promotion or promotion of products, activity or services, and includes a structure, whether in a fixed location or designed to be portable or capable of being relocated, or a part thereof specifically designed for the forgoing uses. Furthermore, this includes banners, advertising devices or any fixed or portable object intended for advertising purposes.
- 1.32 “**Sign Administrator**” means the Chief Building Official and/or By-law Enforcement Officer.
- 1.33 “**Sign Area**” means the area of a sign face, excluding supports, frames and other incidentals to the sign,

except on a double faced sign where only the larger of the two sign faces shall be calculated as sign area. Where letters, figures or symbols are affixed to a wall separately to constitute a sign, the sign area shall be deemed to be the area of the smallest rectangle, triangle or combination thereof which will enclose each sign message that conveys a separate thought.

- 1.34 “**Sign Face**” means the opaque, transparent or translucent surface of a sign, upon, against or through which the message of the sign is exhibited, and is the area defined by a geometric shape within a perimeter bounded by the inside of the sign frame or sign structure.
- 1.35 “**Sign Structure**” means the support, uprights, bracing and framework of the sign.
- 1.36 “**Street**” means a highway as defined in the Municipal Act and includes the travelled and non-travelled portion of a street or road allowance.
- 1.37 “**Temporary Sign**” means a single or double faced accessory or non-accessory sign which is capable of being readily moved or removed.
- 1.38 “**Through Lot**” means a lot other than a corner lot which has two separate street frontages.
- 1.39 “**Zone**” means a zone as delineated on the zoning maps attached to the Township of McKellar Zoning By-law, as amended from time to time.

PART 2 - ADMINISTRATION

2.01 ADMINISTRATION OF THE BY-LAW

This By-law shall be administered by the **Sign Administrator**.

2.02 PERMITS REQUIRED

- (a) Except for the **signs** referred to in Section 2.08, no **sign** shall be erected, displayed, repaired, or **altered** unless a **sign** permit is obtained therefor.
- (b) Where required by the Ontario Building Code, **signs** shall also be required to have a building permit issued.
- (c) Where a **sign** has been lawfully erected prior to this by-law coming into force, such **sign** shall be permitted provided that it is not removed, enlarged or structurally **altered**. The maintenance and repair of the **sign** or a change in the message displayed shall be deemed not in itself to constitute an **alteration**.

2.03 APPLICATIONS FOR SIGN PERMITS

The applicant for a **sign** permit shall:

- (a) File with the **Sign Administrator** two copies of an application, which shall be on forms to be obtained at the Building Department for the **Municipality**. The applicant shall clearly and fully provide and set out the information required to complete the said application forms and shall verify the correctness of the information supplied in the application;
- (b) Submit two (2) sets of drawings and specifications covering the construction of the **sign** and the **sign structure**, and the identification of the materials to be used in the construction of the **sign** and the **sign structure**. All **signs** shall be designed and constructed in compliance with the applicable provisions of the Ontario Building Code;
- (c) Submit two (2) sets of scale drawings of, and such other information with respect to, any building upon which it is proposed to locate the **sign** and the **sign structure**, as may be necessary to determine whether the structure of such building will carry the additional loads and stresses imposed thereon by the erection of such **sign** and **sign structure** without exceeding the stresses specified in the Ontario Building Code;
- (d) Submit two (2) copies of a scaled site plan showing the adjacent **streets**, property lines, **street** frontage, or other boundaries of the **lot** upon which it is proposed to **erect** the **sign**, and the location of the **sign** upon the **lot** in relation to other buildings, structures and **signs** upon such **lot**, or upon the premises immediately adjacent thereto;

- (e) Submit, if required, structural drawings of the proposed **sign structure** which have been stamped by a registered professional engineer;
- (f) Submit, if the applicant is not the owner, a statement authorizing the applicant to apply on behalf of the owner;
- (g) Obtain any written approval from governmental authorities or public agencies having jurisdiction prior to erecting the proposed **sign**.

2.04 ISSUANCE OF SIGN PERMITS

The **Sign Administrator** shall examine all applications for **sign** permits.

- (a) When the prescribed fee has been paid in accordance with Schedule 'A' attached hereto, and the applications, drawings, specifications and site plan or survey conforms to the requirements of this By-law, the Ontario Building Code and all other applicable regulations, the **Sign Administrator** shall issue the permit together with one set of the approved drawings and specifications to the applicant and retain the other set.
- (b) Every permit shall expire if active work is not commenced within a period of six (6) months from the date of its issue, but before it has so expired, the permit may be renewed for up to a further six (6) months provided that the proposed work continues to comply with the provisions of this By-law, the Ontario Building Code and all other applicable regulations as revised to the time of the proposed renewal.

2.05 REVOCAION OF SIGN PERMITS

- (a) The **Sign Administrator** may revoke the **sign** permit at any time after the issuance thereof where the **sign** does not conform to this By-law, the Ontario Building Code, or any other applicable regulations or where the permit was issued as a result of false or misleading information by delivering written notice of the revocation to the assessed owner or occupant of the property on which the **sign** is erected or is proposed to be erected or to the applicant for the permit.

2.06 FEES

- (a) Fees to be paid in advance to the **Municipality** for the review of plans submitted with applications for **sign** permits and for inspection of **signs** shall be in accordance with Schedule 'A', attached to and forming part of this By-law.
- (b) All fees which are paid are non-refundable.

2.07 REMOVAL OF SIGNS

- (a) Any **sign** that is unsafe or erected in contravention of any of the provisions of this By-law, whether or not a permit therefor has been issued, shall be removed by the owner or occupant of the property on which such **sign** is erected, upon written notice given to that effect by the **Sign Administrator**.
- (b) Such notice shall outline the nature of the contravention and the section of the By-law so contravened and shall further direct that the By-law be complied with, within a specified time.
- (c) In the event of such **sign** not being removed in accordance with the notice, the **Sign Administrator** may cause the pulling down or removal of such **sign** at the expense of the owner or occupant and the expense therefor may be collected in like manner as municipal taxes.
- (d) An unsafe **sign** that poses a danger to persons may be pulled down or removed at the direction of the **Sign Administrator**. Such removal is to be at the expense of the owner or the occupant and the expense therefor may be collected in like manner as municipal taxes.

2.08 SIGNS FOR WHICH A SIGN PERMIT IS NOT NECESSARY

The following **signs** are permitted in any **zone** and may be erected without a **sign** permit in accordance with the standards specified herein:

- (a) Any number of **election signs** which shall be removed no later than one week following the day of the election;
- (b) **Official signs** required by law, or as required by the Municipality;
- (c) **Signs** for regulating traffic, legal notices or warnings at railway crossings and all other **signs** pertaining exclusively to public safety;
- (d) One **personal identification sign** for each dwelling unit on a **lot**, having a maximum **sign area** of 0.2m² (2.15 sq ft);
- (e) Any number of **private directional signs** having a maximum **sign area** of 1.0 m² (10.76 sq ft) for each **sign**;
- (f) Any number of **private warning signs** having a maximum sign area of 1.0 m² (10.76 sq ft) for each **sign**;
- (g) Any number of **contractor's signs** on the subject property having a maximum **sign area** of 1.5 m² (16.14 sq ft) for each **sign**, such signs to be removed no later than one week following completion of the construction, renovation or maintenance project;
- (h) **Real Estate Signs** having a maximum **sign area** of 1.0 m² (10.76 sq ft) for each **sign** in the Inland Development and Waterfront zones or a maximum **sign area** of 5.0 m² (53.82 sq ft) for each **sign** in the Commercial or Industrial zones, provided however that not more than one **real estate sign** for each 50.0 m (164 ft) or part thereof of **street** frontage shall be permitted except on corner lots where such requirements shall apply on each separate **street** frontage. Real Estate Open House signs are permitted provided that the **sign** does not impair pedestrian or vehicular traffic and that the **sign** is removed immediately following such open house;
- (i) Except for signs allowed by subsections 2.08 (a) and (b) of this By-law, no person shall erect or maintain **Non-Accessory signs** within the Municipality except under the authority of a permit issued in accordance with the provisions of this By-law;
- (j) A **sign** having a maximum **sign area** of 1.0 m² (10.76 sq ft) indicating any Home Occupation or Home Industry conducted from a property used as a residence, provided such occupancy and land use is permissible under the Township's Zoning By-law.
- (k) For automobile service stations and gas bars, one non-illuminated auxiliary promotional **sign** with a **sign area** no greater than 1.0 m² (10.76 sq ft) affixed to each fuel pump.
- (l) In a commercial, industrial or inland development zone, a **Fascia (Wall) sign** or a **Ground sign** having a maximum **sign area** of 3.0 m² (32.3 sq ft).
- (m) A Tourism-Oriented Directional **sign**, pursuant to the Provincial TODS program provided a corresponding **sign** has been approved and erected on a Provincial Highway

2.09 PROHIBITED SIGNS

Notwithstanding any other provisions of this By-law, no person shall **erect** on any premises any of the following **signs**:

- (a) A **sign** which is located so as to obstruct the view of any pedestrian or motor vehicle driver so as to cause a hazardous condition;
- (b) A **sign**, other than a **fascia (wall) sign**, which is located within the **day light triangle** of a corner **lot**;
- (c) A **sign** which is located so as to obstruct or impede any flue, air intake, fire escape, fire exit, door, window, skylight or exhaust or so as to impede free access by firefighters to any part of the premises;
- (d) A **sign** which does not comply with the Ontario Building Code;
- (e) A **sign** which does not comply with the provisions of this By-law;
- (f) A **sign** which does not comply with the provisions of the Electrical Safety Code, the Occupational Health and Safety Act, the Construction Safety Act, and any other applicable

governmental regulations;

- (g) A **sign** which is located on public property unless expressly permitted by this By-law;
- (h) A **sign** which is attached to any **public utility** pole or which interferes with any municipal or **public utility** services;
- (i) A **sign** which is painted on, attached to or supported by a tree;
- (j) A **roof sign**; and
- (k) A **sign** which depicts violence, nudity or other sexually explicit conduct;

2.10 SIGNS ON STREETS AND PUBLIC PROPERTY

No person shall post or erect or cause to be posted or erected any **sign** on any **street** or on any other public property, except as follows:

- (a) **Election signs** may be erected on any **street** provided that no such **sign** is greater than 1.0 m² (10.76 sq ft) in **sign area** or 2 metres in height and such **sign** does not impede pedestrian or vehicular traffic as determined by the **Municipality's** Road Superintendent and such **sign** is removed within one week following the day of the election.
- (b) **Official signs** required by law, or as required by the Municipality;
- (c) **Signs** for regulating traffic, legal notices or warnings at railway crossings and all other signs pertaining exclusively to public safety;
- (d) One **personal identification sign** for each dwelling unit on a **lot**, having a maximum **sign area** of 0.2m² (2.15 sq ft) located in such a manner that snow removal or the snow from the wing of the plow does not cause damage to the **sign**;
- (e) a person may apply to the Township to erect a 0.37m² (4.0 sq ft) **Non-Accessory sign** on designated **Municipal sign boards** located throughout the Township provided the required fee as established in Schedule 'A' has been paid. Only one **Non-Accessory sign** shall be permitted on the same **Municipal sign board** by each person or business. Such **signs** shall be on a first come basis. The Township shall bear no responsibility whatsoever for the **sign** so erected and all responsibility for the maintenance of the **sign** shall be the responsibility of the owner.
- (f) **Fingerboard signs** provided a **sign** permit is issued and the **sign** conforms to the standards as outlined in Schedule 'C' attached to this By-law and the **sign** shall be installed by the **Municipality** at a fee established in Schedule 'A' to this By-law.
- (g) Civic address **signs** erected in accordance with By-law No. 93-10.

2.11 VARIANCES

- (a) Where the provisions of this By-law are proposed not to be met, an application may be made to Council for a variance to the By-law.
- (b) Applications for a variance shall clearly set out why the provisions of the By-law cannot be met and shall be accompanied by the appropriate fee as set out in Schedule 'A' of this By-law.
- (c) Council may, upon application for a variance from the provisions of this By-law, authorize such minor variance if in the opinion of Council the general intent and purpose of the By-law is maintained.

PART 3 - GENERAL PROVISIONS

3.01 PROHIBITIONS AND REGULATIONS

- (a) No person shall **erect** or permit to be erected or allow to remain on land or buildings owned, rented or leased or occupied by them, any **sign** in the Township of McKellar other than in accordance with the provisions of this by-law.

- (b) No person shall paint, or otherwise affix or permit to be painted or affixed, or allow to remain on any lands owned, rented, or leased or occupied by them, any **sign** on any rock or rock cut unless such **sign** is an aid to navigation, such as an island number, name or channel marker.
- (c) No person shall **erect** any **sign** on or attach to or cause to be placed on or attached to any tree or bridge structure situate on a public **street**, highway, or thoroughfare within the limits of the Township of McKellar, or any **public utility** pole, post or other object which is used for the purpose of carrying the transmission lines of any electric power company or any other **public utility** situate on any public **street**, highway or thoroughfare within the limits of the Township of McKellar. For the purposes of this Section 3.01 only, “**signs**” includes any **real estate sign** or **election sign**.
- (d) No person shall erect any **sign** in such a manner as to interfere with the safe movement of traffic or with road maintenance operation by obstructing views or causing distraction. A **sign** shall be deemed to interfere with the safe movement of traffic or with road maintenance operation if its position, shape, colour, format or illumination obstructs the view of or may be confused with an official traffic **sign**, signal or device, or other **official sign**, or otherwise poses a potential hazard to traffic.
- (e) Nothing in this By-law shall be applicable to any **sign** erected under the authority of a permit issued by the Ministry of Transportation of Ontario.

3.02 LIABILITY

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

3.03 INDEMNIFICATION

- (a) The applicant for a **sign** permit, and the owner and occupant of the lands and the premises on which any **sign** is erected, shall be jointly and severally responsible to indemnify the **Municipality**, its officers, employees, servants and agents, from all loss, damages, costs, expenses, claims, demands, actions, suits or other proceedings of every nature and kind arising from and in consequence of the, erection, **alteration**, repair or removal of such **sign**.
- (b) In consideration of the **Municipality** permitting the use of its property, the **sign** permit applicant agrees to indemnify and save harmless the Municipality, its officers, employees, servants and agents, from all loss, damages, costs, expenses, claims, demands, actions, suits or other proceedings of every nature and kind arising from and in consequence of the, erection, **alteration**, repair or removal of such **sign** and the use of such Municipal property.

3.04 SEVERABILITY

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

3.05 MAINTENANCE OF SIGNS

- (a) The owner and/or occupant of the lands and premises upon which any **sign** is located shall maintain, or cause to be maintained, such **sign** in a proper state of repair, so that such **sign** does not become unsafe and so that such **sign** is functioning in a manner as designed at all times.

PART 4 - SIGNS PERMITTED IN VARIOUS ZONES

4.01 WATERFRONT AND OPEN SPACE ZONES

Except as otherwise allowed in this By-law, no person shall **erect**, or cause to be erected or permit a **sign** in a Waterfront or Open Space Zone save and except the following;

- (a) **one ground or fascia (wall) sign** having a maximum **sign area** of 1 m² (10.76 sq ft) identifying a Home Occupation or Home Industry conducted from a property used as a residence, provided such occupancy and land use is permissible under the Township's Zoning By-law.
- (b) one identification **ground sign or fascia sign**, not exceeding 2 m² (21.52 sq ft) in **sign area** on the property of an institutional or recreational facility including a nursing home, sanitarium, school, place of worship, day nursery, public library, home for the aged, or retirement home
- (c) **ground signs and fascia (wall) signs** not exceeding 0.5 m² (5.38 sq ft) in **sign area** required for the direction of traffic or pedestrians on any property listed in Section 4.01(b).
- (d) one identification **sign** having a maximum **sign area** of 1.5 m² (16.14 sq ft) for a golf course.
- (e) one identification **ground sign or fascia (wall) sign** having a maximum **sign area** of 1 m² (10.76 sq ft) identifying a legal Waterfront Bed and Breakfast.

4.02 ENVIRONMENTAL PROTECTION AND FLOOD PLAIN ZONE

No person shall **erect** any **sign** or advertising device on a **lot** in a EP or FP Zone except as otherwise permitted by this By-law.

4.03 INLAND DEVELOPMENT ZONES

Except as otherwise allowed in this By-law, no person shall erect, or cause to be erected or permit a **sign** in an Inland Development Zone save and except the following;

(a) **Ground Signs/Non-Accessory Signs**

Ground signs and Non-Accessory signs shall be permitted subject to the following:

- (i) no **ground sign or non-accessory sign** shall be permitted on an inside **lot** or a corner **lot** which has a **street** frontage of less than 15 metres;
- (ii) one **ground sign or non-accessory sign** may be permitted on a **lot** which has a **street** frontage of at least 15 metres;
- (iii) two **ground signs or non-accessory signs** may be erected on a property which is defined as a **through lot**;
- (iv) the maximum **sign area** for a **ground sign or non-accessory sign** shall be 4.0 m² (43.05 sq ft);
- (v) **ground signs or non-accessory signs** shall be located a minimum of 1 metre from the front and rear **lot** line and 3 metres from the side **lot** line.

(b) **Fascia (Wall) signs**

Fascia (Wall) signs shall be allowed subject to the following:

- (i) cumulative **sign area** of **fascia (wall) signs** shall be limited to 25% of the wall area of the first storey visible from any direction.

4.04 COMMERCIAL ZONES

(a) **Ground Signs/Non-Accessory Signs**

Ground signs and Non-Accessory signs shall be permitted subject to the following:

- (i) no **ground sign or non-accessory sign** shall be permitted on an inside **lot** or a corner **lot** which has a **street** frontage of less than 15 metres;
- (ii) one **ground sign or non-accessory sign** may be permitted on a **lot** which has a **street**

frontage of at least 15 metres;

- (iii) two **ground signs** or **non-accessory signs** may be erected on a property which is defined as a **through lot**;
- (iv) the maximum **sign area** for a **ground sign** or **non-accessory sign** shall be 4.0 m² (43.05 sq ft);
- (v) **ground signs** or **non-accessory signs** shall be located a minimum of 1 metre from the front and rear **lot** line and 3 metres from the side **lot** line.

(b) **Fascia (Wall) signs**

Fascia (Wall) signs shall be allowed subject to the following:

- (i) cumulative **sign area** of **facia (wall) signs** shall be limited to 25% of the wall area of the first storey visible from any direction.

4.05 INDUSTRIAL ZONES

(a) **Ground Signs/Non-Accessory Signs**

Ground signs and **Non-Accessory signs** shall be permitted subject to the following:

- (i) no **ground sign** or **non-accessory sign** shall be permitted on an inside **lot** or a corner **lot** which has a **street** frontage of less than 15 metres;
- (ii) one **ground sign** or **non-accessory sign** may be permitted on a **lot** which has a **street** frontage of at least 15 metres;
- (iii) two **ground signs** or **non-accessory signs** may be erected on a property which is defined as a **through lot**;
- (iv) the maximum **sign area** for a **ground sign** or **non-accessory sign** shall be 4.0 m² (43.05 sq ft);
- (v) **ground signs** or **non-accessory signs** shall be located a minimum of 1 metre from the front and rear **lot** line and 3 metres from the side **lot** line.

(b) **Fascia (Wall) signs**

Fascia (Wall) signs shall be allowed subject to the following:

- (i) cumulative **sign area** of **facia (wall) signs** shall be limited to 25% of the wall area of the first storey visible from any direction.

PART 5 - OFFENCES AND PENALTIES

5.01 OFFENCES

In addition to any other party who commits the offence, the owner, lessee and occupant of any property on which a **sign** is constructed other than in accordance with the provisions of this By-law, with respect to which an offence against this By-law is committed, shall be deemed to have committed the offence.

5.02 PENALTY

Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the **Provincial Offences Act**.

PART 6 - REPEAL OF EXISTING BY-LAW

6.01 REPEAL

By-law No. 1172 as amended by By-law No. 88-15 is hereby repealed.

6.01 EFFECTIVE DATE

This By-law shall come into force and effect upon final passage thereof.

READ a **FIRST** and **SECOND** time this 19th day of July, 2004.

Reeve

Clerk

READ a **THIRD** time and **PASSED** in **OPEN COUNCIL** this 19th day of July, 2004.

Reeve

Clerk

CORPORATION OF THE TOWNSHIP OF MCKELLAR

SCHEDULE 'A' to By-law No. 2004-17

FEE SCHEDULE

<u>CLASS OF SIGNS</u>	<u>PERMIT FEE</u>
Ground Sign	\$50.00
Fascia (Wall) Sign	\$50.00
Non-Accessory Sign	\$50.00
Non-Accessory Sign located on Municipal property in accordance with Section 2.10(e)	\$50.00/annum
Application Fee for a Fingerboard Sign (existing signpost in place)	\$50.00
Application Fee for a Fingerboard Sign (signpost not in place)	\$70.00
Sign Variance Application	\$100.00 in addition to the regular permit fee.

CORPORATION OF THE TOWNSHIP OF MCKELLAR

SCHEDULE 'B' to By-law No. 2004-17

SIGNS ON PUBLIC PROPERTY, STREETS AND HIGHWAYS

Subject to the Sign Administrator's approval, a sign permit may be issued for non-illuminated non-accessory signs on designated Municipal public sign boards subject to the following:

1. Maximum sign area is .37 m² (4.0 sq. ft)
2. Applicant is responsible for producing, erecting and maintaining sign.
3. Initial annual permit fee shall be prorated to March 31st of the following year and thereafter, annual permit fee shall be payable in advance by April 15th once yearly.
4. Failure by the applicant to pay the required annual permit fee by April 15th will result in the sign being removed and the sign space being available to the next applicant.
5. The Municipality shall be responsible for maintaining the sign board upon which the applicant's sign is erected.