

THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL

BY-LAW NO. 2016-62

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Being a by-law to control, regulate and prohibit signs in the  
Municipality of McDougall

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**WHEREAS** Council deems it advisable to control, regulate and prohibit signs and advertising devices within the municipality;

**AND WHEREAS** sections 8, 9 and 10 of the Municipal Act, 2001 authorize the Municipality of McDougall to pass by-laws necessary or desirable for municipal purposes, and in particular paragraph 10 of subsection 10(2) authorizes by-laws respecting signs;

**AND WHEREAS** section 425 of the Municipal Act, 2001 authorizes the Municipality of McDougall to pass by-laws providing that a person who contravenes a by-law of the Municipality of McDougall passed under that Act is guilty of an offence;

**AND WHEREAS** the Municipal Act, 2001 further authorizes the Municipality of McDougall, amongst other things, to delegate its authority, to impose fees or charges on persons for services or activities provided or done by or on behalf of it, to provide for inspections and inspection orders, and to make orders to discontinue activity or to do work;

**NOW THEREFORE** the Council of the Corporation of the Municipality of McDougall enacts as follows:

1. **DEFINITIONS**

- a) **Commercial Advertising Sign or Device:** means any sign or device that identifies a business that may or may not be conducted or a service that may or may not be available on the property on which the sign is fixed, but does not include a sign which is located on property abutting a private road and which is located more than 100 meters from the intersection of a Municipal road.
- b) **Dilapidated:** means that a sign has decayed in whole or in part such that the inscription is not visible at 15 metres or the structural components of the sign no longer compose or support it in such a way as to fulfill its original function.
- c) **Erect:** means to install, erect, display or cause to be installed, erected or displayed.
- d) **Sign:** means any board, place card or any other device bearing an inscription conveying information in any manner whatsoever, whether permanent or temporary, including a building advertising sign, commercial advertising sign, out of service vehicle/trailer mounted sign and way finder sign;  
excluding signs which regulate traffic or navigation, real estate point of sale signs, election signs, legal notices, warning at railway crossings, signs in display windows, no trespassing signs, no hunting signs, private property signs, and any signs erected by or for Federal, Provincial, District or Municipal Government.
- e) **Out of Service Vehicle/Trailer Sign:** means any sign that is attached or adhered to any vehicle or trailer for the purpose of advertising anything to anyone travelling a municipal or provincial roadway, in which

case the vehicle or the trailer is not legally licensed for the road and/or is not in normal use for its intended purpose;

- f) **Way Finder sign:** means any sign that identifies a road or directions to a business and is located at the intersection of a municipal or private road.
- g) **Home Occupation / Home Industry Sign:** means a sign that identifies a legal home occupation or home industry as prescribed in Municipal Comprehensive Zoning Bylaw that is in authority at the time of the application for sign permit.

## 2. APPLICATION FOR PERMIT

- a) No person shall erect or structurally alter a sign or apply a sign to an out of service vehicle/trailer within the Municipality of McDougall.
- b) Application for sign permit shall be submitted on the form prescribed by the municipality, attached to this By-law as Schedule "B", and shall include the following information:
  - i) complete drawings and specification of what is to be erected or altered, including where applicable, details of supporting framework and foundation and foundation anchoring.
  - ii) a site plan indicating the location of the sign in relation to street lines and other property boundaries;
- c) Permit fees, as established in Schedule "A" to this By-law, shall be payable upon application for a sign permit.
- d) Written permission of the property owner shall be submitted with an application for a sign permit where the applicant is not the property owner.
- e) Written permission of Council shall be submitted with an application for a sign permit where the sign is to be located on Municipal property.

## 3. GENERAL PROVISIONS

- 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 Municipality of McDougall 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 place on or attach to or cause to be placed on or attached to any tree or bridge structure situated on a public street, highway, or thoroughfare within the limits of the Municipality of McDougall, or any pole, post or other object which is used for the purpose of carrying the transmission lines of any electric power company or any other utility situated on any public street, highway or thoroughfare within the limits of the Municipality of McDougall, For the purposes of this Section 3 c) only, "signs" includes any real estate point of sale 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 operations by obstructing view or causing distraction. For the purposes of this Section 3d) only, 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) No person shall store or display or erect or attach or adhere any sign to a vehicle or a trailer that is not legally licensed for the road and/or is not in normal use for its intended purpose; for which if stored on a property; the vehicle or trailer cannot be positioned in such a manner as to allow viewing of attached or adhered to sign from a municipal or provincial roadway; any such sign is considered an ***Out of Service Vehicle/Trailer sign*** and is prohibited.
- f) 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.
- g) Council may, upon the application of any person, authorize minor variances from this By-law if, in the opinion of Council, the general intent and purpose of the By-law are maintained.

#### 4. **COMMERCIAL ADVERTISING SIGN**

- a) No permit shall be issued for a Commercial Advertising Sign in the Municipality of McDougall except in accordance with the following provisions:
  - i) the maximum height of the sign, including frames and supporting structures shall be 8 metres.
  - ii) the maximum surface area of the sign shall be 38 metres square.
  - iii) The minimum setback from the center line of a travelled road shall be 10 metres.
  - iv) The minimum setback from the intersection of a travelled road shall be 100 metres.
  - v) The sign shall be adequately supported and firmly anchored to the ground. All signs are to meet the Ontario Building Code requirements including but not limited to structural requirements under part 4.  
Exception: incidental signs or other signs subject to Municipal approval.
  - vi) the sign shall not be located closer than 100 metres to any other Commercial Advertising Sign, unless located in areas of core commercial zoning. Signs are to comply with the O.B.C. 9.1.1.2. which refers you to O.B.C. 3.15.

#### 5. **WAY FINDER SIGN**

- a) No permits shall be issued for a Way Finder sign in the Municipality of McDougall except in accordance with the following provisions:
  - i) the dimension of the sign and markings thereon shall be no greater than 165 mm in height by 914 mm in length.
  - ii) the background colour to the sign shall be white or blue.
  - iii) The lettering colour of the sign shall be black, white or blue.
  - iv) The sign shall be installed by the municipality at a fee established in Schedule "A" to this by-law.

## **6. HOME OCCUPATION / HOME INDUSTRY SIGN**

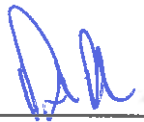
- a) No permits shall be issued for a Home Occupation / Home Industry sign in the Municipality of McDougall except in accordance with the following provisions:
  - i) the dimension of the sign and markings thereon shall be no greater than 1220 mm in height by 1220 mm in length.
  - ii) The sign may contain logos, background colour and text.
  - iii) The sign shall be installed by the municipality at a fee established in Schedule "A" to this by-law.

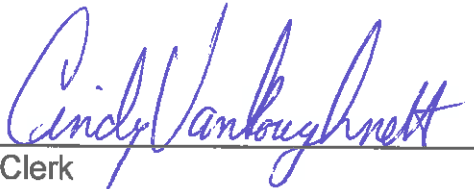
## **7. ADMINISTRATION**

- a) The Chief Municipal Law Enforcement Officer of the Municipality of McDougall shall be responsible for the administration of this by-law.
- b) The Chief Municipal Law Enforcement Officer is authorized to take down or remove any sign or other advertising device that is erected or displayed in contravention of this By-law and the owner shall pay for any costs or expenses of the Municipality of McDougall.
- c) The Chief Municipal Law Enforcement Officer may require any person who has caused a sign or other advertising device to be erected, displayed, altered or repaired without first having obtained a permit to do so to make such sign or other advertising device comply with this By-law if it does not so comply or to remove such sign or other advertising device within 14 days following receipt of written notice.
- d) The Chief Municipal Law Enforcement Officer may require any person who, having obtained a permit, has caused a sign or other advertising device to be erected, displayed, altered or repaired contrary to the approved plans in respect of which the permit was issued, to make such sign or other advertising device comply with this By-law if it does not so comply or to remove such sign or other advertising device within 14 days following receipt of written notice.
- e) Where a sign or sign structure is deemed by the Chief Municipal Law Enforcement Officer to be in a dilapidated condition, or in such condition that it is or may be dangerous to the public, the Chief Municipal Law Enforcement Officer, may at his or her discretion, either serve written notice to the owner or tenant of the property on which or adjacent to which such sign is located, to remove such sign or make the same safe, or without giving notice to the owner or tenant of the property on which or adjacent to which the sign is located, cause such sign or structure to be removed, and the owner shall pay for any costs or expenses of the Municipality of McDougall.
- f) Such costs or expenses as referred to in Section 7b) and 7e) may be recovered in accordance with Section 446(1) of the Municipal Act, S.O. 2001, c.25, as amended.
- g) Any sign removed pursuant to this By-law may be deposited in the Municipal Landfill or returned to the owner.
- h) Any notice given under this By-law may be given by registered mail to the person making application for a permit to erect a sign or where such a sign is existing, by registered mail to the owner or tenant, according to the last revised assessment roll of the municipality, or the property on which, or adjacent to which the sign is located, and such notice shall be deemed to have been received on the third (3<sup>rd</sup>) day following which such notice is mailed.

- i) Every person who contravenes any provision of the By-law is guilty of an offence and on conviction is liable to a fine not exceeding the maximum provided under the Provincial Offences Act, exclusive of costs, and every such fine shall be recoverable under the Provincial Offences Act.
- j) This by-law shall come into force and effect upon final passage thereof and Bylaw No. 97-20 be rescinded.

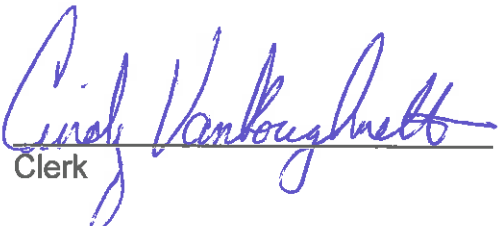
Read a First and Second time this 7<sup>th</sup> day of December 2016.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

Read a Third time, Passed, Signed and Sealed this 7<sup>th</sup> day of December 2016.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**SCHEDULE "A" TO BY-LAW NO. 2016-62**

**FEE SCHEDULE**

Application Fee for Commercial Advertising Sign.....	\$125.00
Application Fee for Home Occupation / Home Industry Sign.....	\$125.00
Application Fee for a Way Finder Sign.....	\$25.00
Installation Fee for a Way Finder Sign: if a signpost Is provided by the Municipality.....	\$125.00
Installation Fee for a Way Finder Sign; if an existing Signpost is in place.....	\$75.00

SCHEDULE "B" TO BY-LAW NO. 2016-62

MUNICIPALITY OF MCDOUGALL APPLICATION FOR A SIGN PERMIT

APPLICATION FOR:	1. Commercial Advertising Sign	_____	\$125.00
	2. Way Finder Sign	_____	\$25.00
	3. Home Occupation	_____	\$125.00
	4. Home Industry	_____	\$125.00

INSTALLATION FEE (Way Finder Sign)

If a signpost is provided by the municipality: \_\_\_\_\_ \$125.00  
 If an existing signpost is in place: \_\_\_\_\_ \$75.00

SIGN LOCATION: Lot: \_\_\_\_\_ Concession: \_\_\_\_\_

Civic Address: \_\_\_\_\_

On the reverse of this page, draw a site plan showing the location of the sign in relation to street lines and other property boundaries.

Submit a scaled drawing illustrating the wording, symbols or pictures on the sign.

SIGN DESCRIPTION:

Width: \_\_\_\_\_ Height: \_\_\_\_\_ Surface Area: \_\_\_\_\_

Total height of sign from average grade immediately below the sign and distance between bottom of sign and average grade

Support: \_\_\_\_\_

Detailed design of all structural elements of sign support structure including type species grade and actual size of material to be used for posts, back boards, all lateral bracing, fastener, size, type, grade, spacing etc., type depth, method of foundation system. Type of material thickness of actual sign including size, spacing, method and type of fasteners used to secure the sign to support structure.

Setback from centre line of travelled road: \_\_\_\_\_

Setback from intersection of travelled road: \_\_\_\_\_

Setback from existing Field Advertising Signs: \_\_\_\_\_

APPLICANT: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Landowner (if applicable)

For Office Use: \_\_\_\_\_

\_\_\_\_\_  
Chief Municipal Law Enforcement Officer

\_\_\_\_\_  
Date

Building permits required were applicable. O.B.C.1, 3,1.1.(E), 3.25.