

The Corporation of the Town of Minto

By-Law 01-65

Being a by-law prohibiting or regulating signs and any other advertising devices or any class or classes thereof and the posting of notices on buildings and vacant lots within the Town of Minto.

Whereas Section 210, Paragraph 146 of The Municipal Act, R.S.O. 1990, c M45, as amended, authorizes the Council of a municipality to pass a by-law for prohibiting or regulating signs and other advertising devices or any class or classes thereof and the posting of notices on buildings or vacant lots within any defined area or areas or on land abutting on any defined highway or part of a highway;

And whereas the municipal Council of the Corporation of the Town of Minto deems it necessary and expedient to enact a by-law for such purposes;

Now therefore the municipal Council of the Corporation of the Town of Minto enacts as follows;

1. Short Title

This by-law may be cited as the “Town of Minto Sign By-law”.

2. Conformity Requirement

- a. In the Town of Minto, no person shall erect, display, structurally alter or relocate any sign located wholly or partly upon private or public property unless a permit has been obtained in compliance with the provisions of this by-law.
- b. Notwithstanding section 2a, a change in the message displayed by a sign does not constitute an alteration so as to require a permit, provided such sign has been erected in conformity with this by-law.
- c. All of the lands within the Corporation of the Town of Minto are subject to the provisions of this by-law.
- d. All encroachments onto or over municipal property will require an Encroachment Agreement with the Town of Minto.

3. Definitions

In this by-law,

- a. “**Animated**”, when used to describe a type of sign, means a sign with moving sections, parcels or parts, or with flashing, animated or intermittent lighting, or which revolves or oscillates but does not include electronic messages.
- b. “**Awning**” shall mean a roof-like covering stretched upon a frame that is affixed to the face of the building and may be moveable or immovable to be used as a shelter from the rain or sun or as an ornament.

- c. “**Canopy**” shall mean a solid overhanging covering those projects from the face of the building and firmly attached into the wall of the building, to be used as an ornament or a protection against sun and rain.
- d. “**Chief Building Official**” means the Chief Building Official of the Town of Minto.
- e. “**Directional Sign**” means a sign to give guidance or direction to locations on a site or to caution, advise or restrict movement or activity on a site.
- f. “**Fascia Sign**” means an on-premises sign attached to the exterior wall of a building and projecting not more than fifty centimetres (50cm) therefrom and with the sign face parallel to the wall of the building.
- g. “**Freestanding Sign**” means a sign not attached to a building but supported by a permanent attachment to the ground and including billboard signs.
- h. “**Identification Sign**” means an on-premises sign displaying only the name of the occupant and the municipal address.
- i. “**Off-Premises**”, when used to describe a type of sign, means a sign that identifies or directs attention to matters (such as, but not limited to a business, profession, commodity, service or entertainment) which are conducted, sold or offered off the site upon which the sign is located.
- j. “**On-Premises**”, when used to describe a type of sign, means a sign that identifies or directs attention to matters (such as, but not limited to a business, profession, commodity, service or entertainment) which are conducted, sold or offered on the site upon which the sign is located.
- k. “**Pilaster**” means a column (rectangular) which is usually set in a wall.
- l. “**Projecting Sign**” means an on-premises sign attached to the wall of a building, and projecting more than fifty centimetres (50 cm) from the wall and includes but is not limited to a double-sided sign or an awning or canopy sign.
- m. “**Real Estate Sign**” means a sign to advertise the sale or leasing of property.
- n. “**Roof Sign**” means an on-premises sign erected upon the roof of a building.
- o. “**Sandwich Board Signs**” shall mean a free standing, double faced, inverted-vee type sign.
- p. “**Sign**” means a message board or device bearing a message or advertisement consisting of letters, numbers, symbols or characters, the various materials upon which they are displayed, any internal or external mechanical or electrical parts, and any stiffening bars or ornamental mouldings but shall not include any supports or trusses upon which the sign is supported and shall include a message painted on the wall or roof of a building.

- q. “**Sign Area**” means the total surface area of one side of the sign excluding the supporting structure, if any; and in the case of a sign composed only of a group of individual letters, numbers, symbols or characters, the sign area shall be the area bounded by the outside periphery of the letters, numbers, symbols or characters in such group; and the sign area of a sign having two faces which are parallel and opposite, is the area of one such face; and the sign area of any other sign is the total of the area of all the faces thereof.
- r. “**Sign Elevation**” means the vertical distance between the average elevation of the ground beneath the sign and the lowest point of the sign.
- s. “**Sign Height**” means the vertical distance between the average elevation of the ground beneath the sign and the highest point of the sign.
- t. “**Site-Single Tenant**” means a parcel of land or several adjacent parcels of land used or occupied, or to be used or occupied, for a use permitted by the Town of Minto Zoning By-law or permitted buildings and accessory buildings and the lot on which the building is located.
- u. “**Site-multiple tenants**” shall mean where a property has multiple tenancy, each tenancy will be treated as a site-single tenant for the purposes of this by-law for a use permitted by the Town of Minto Zoning By-law or permitted buildings and accessory buildings and the lot on which the building is located.
- v. “**Street line**” means any property line, or part of a property line that abuts a public street.
- w. “**Temporary Sign – non portable**” means a sign erected to advertise:
1. the future use of the site on which it is erected;
 2. a project on a construction site;
 3. a community or public service project; or
 4. a special community event.
- x. “**Temporary Sign – portable**” means a sign not permanently attached to the ground or to a building and which is specifically designed or intended to be moved or may be moved from one location to another and shall include all signs commonly known as “A-board”, “mobile” or “read-a-graph” signs, notwithstanding that any running gear has been removed.
- y. “**Zone**” means an area designated in the Town of Minto Zoning By-law within which, in accordance with the provisions of the Town of Minto Zoning By-law, certain uses of lands are permitted and all other uses are prohibited and the development and use of sites for permitted uses is subject to regulations requiring yard areas, frontage site area and other features and limiting building height, density, site coverage and other aspects.

4. Administration

The applicant for a permit under this By-law shall file with the Chief Building Official or designate the following:

- a. an application for a sign permit in the form annexed hereto as “Schedule A”;
- b. a scaled drawing showing the adjacent street lines and other boundaries of the site upon which it is proposed to erect such sign and the location of the sign upon the site in relation to other structures upon such site;
- c. drawings and specifications covering the construction of the sign and its supporting framework;
- d. where a building permit is required under the “Building Code Act” a building permit shall be obtained, in addition to the sign permit, prior to erecting the sign.
- e. If a free-standing sign exceeds 7.5 metres in height above the finished grade; or a projecting sign weighs more than 115 kg; or a roof sign is more than 10 square metres then a building permit is required.

5. Permits

- a. A sign permit issued under this By-law shall be in the form annexed hereto as Schedule “A”, but no permit shall be issued by the Chief Building Official or his designate under this By-law until the application for a sign permit has been approved by the Chief Building Official as being in conformity with the Ontario Building Code, this By-law and any other applicable law.
- b. Notwithstanding section 2a no permit will be required for the following signs:
 1. an on-premises real estate sign advertising property for sale or lease;
 2. an election sign erected in connection with any proclaimed Federal, Provincial or Municipal election;
 3. a directional sign having an area of less than one square metre (1 sq.m);
 4. an identification sign for a dwelling displaying only the name of the occupant and/or the municipal address of less than point three square metres (.3 sq.m);
 5. a sign not visible from the street within a building;
 6. any sign, bill, poster or placard erected or placed by the municipality;
 7. a highway sign erected on any connecting link or provincial highway by the Province of Ontario or the Provincial or Municipal Police to assist the flow of traffic;

8. a commemorative plaque or cornerstone of a non-advertising nature;
9. a sign as part of or attached to vending machines, ice machines, fuel pumps, fuel tanks, garbage cans, drive thru boards and other similar devices provided that the message on such devices relates directly to that object;
10. a temporary-non portable sign which will be removed within six months.

6. Fees

Upon application for a sign permit the applicant shall pay an application fee of twenty-five (\$25.00) dollars to the Treasurer of the Town of Minto.

7. Damages

The provisions of the By-law do not relieve or limit the responsibility or liability of any person erecting or owning any sign or display for personal injury or property damage resulting from the placing of such sign, or resulting from the negligence or wilful acts of such person, his agents or employees, in the construction, erection, maintenance, repair, removal or relocation of any sign erected in accordance with a permit issued hereunder.

8. Penalties

- a. Every person who contravenes any provision of this By-law is guilty of an offence and liable upon conviction to a penalty as authorized by the Provincial Offences Act.
- b. Upon conviction, the Court in which the conviction has been entered and any Court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

9. Grant of Exemption by Council

Notwithstanding anything contained in this By-law, application may be made in writing to Council, to be granted a variance from any of the provisions of this By-law for which the applicant might be prosecuted, and Council, by resolution, may refuse to grant any exemption or may grant the exemption applied for or any exemption of lesser effect and any exemption granted may contain such terms and conditions as in the opinion of Council maintains the general intent and purpose of the by-law.

10. General Regulations

11. Unlawful Signs

Any person who,

- a. has caused a sign to be erected, displayed or altered without first having obtained a permit to do so, shall make such sign comply with the provisions of this By-law and obtain an amended sign permit, or shall remove such sign

within fourteen (14) days of receiving written notice of such violation from the Town of Minto. The applicant shall pay a fee of \$50 for an amended sign permit to the Treasurer of the Town of Minto;

- b. having obtained a permit, has caused a sign to be erected, displayed or altered contrary to the approved plans in respect of which the permit was issued, shall make such sign comply with the provisions of this By-law and obtain an amended sign permit, or shall remove such sign within fourteen (14) days of receiving written notice of such violation from the Town of Minto.

12. Non-Conforming Signs

This By-law shall not be applied so as to require a sign that is lawfully erected or displayed on the day the by-law comes into force, but does not comply with the by-law, to be made to comply with the by-law or to be removed by the owner or the owner of the site on which it is situated, so long as the sign is not in any way substantially altered (provided that the maintenance and repair of the sign or a change in the message displayed shall not be deemed to constitute an alteration).

13. Maintenance, Repair or Removal of Signs

- a. The owner, lessee or agent of the site, upon which a sign is located shall maintain, or cause such sign to be maintained, in a proper state of repair so that such sign does not become unsafe or dangerous and so that such sign shall be completely operative at all times.
- b. Notwithstanding section 13a where any sign is in a dangerous or defective condition or location, the Chief Building Official or designate shall notify in writing the owner, lessee or agent of the site upon which the sign is located, forthwith to remove such sign or place the same in a proper state of repair.
- c. Where notice has been issued pursuant to section 13b the owner, lessee or agent of the site shall at once proceed to repair or remove such sign and if the owner, lessee or agent of the site fails to repair or remove such sign the Chief Building Official or designate may have such sign removed or such repairs made thereto as he deems necessary, and the expense thereof, with costs, shall be recovered by action or distress, and in the case of non-payment, in the like manner as taxes.

14. Prohibited Signs

- a. Notwithstanding any other provisions of this By-law, any sign, which creates a traffic hazard, is prohibited. No sign shall be erected which reduces the effectiveness of any traffic signal on any street or otherwise interfering with traffic on any street including obstructing the view of motorists at any intersection of streets or street access driveway and a street within six metres (6 m) of that intersection of the property lines.
- b. Temporary signs – portable are prohibited.

- c. No banner, stringer or advertising device shall be placed on any municipal property for any event including road allowances without first having been approved by the Council of the Town of Minto.
- d. No sign shall be attached to or placed upon a building in such a manner as to obstruct any fire escape or to interfere in any way with the work of the Fire Department in case of a fire.
- e. Animated signs are not permitted.
- f. Sandwich board signs are not permitted.

15. Permitted Signs

- a. The following types of signs may be permitted in the Town of Minto;
 - 1. Free-standing sign,
 - 2. Fascia/Projecting sign,
 - 3. Roof sign,
 - 4. Canopy/Awning sign,
 - 5. Temporary non-portable sign as defined in 3w.
- b. Any commercial or institutional site may contain up to a maximum of two of the permitted types of signs. Only one of the two permitted signs may be a free-standing sign subject to the restrictions set out in 17 below.

16. Residential Zone Signs

- a. Any multi-residential site or locally recognized subdivision may erect only one sign. The maximum sign area shall be 3 square metres.
- b. A residential site with a home occupation may erect one sign. The maximum sign area shall be a maximum of point three square metres (.3 square metres).

17. Free Standing Signs – Commercial/Institutional Zones

- a. A free-standing sign shall not be located closer than one metre (1 m) from the edge of the sidewalk or where there is no sidewalk one metre (1 m) from the streetline.
- b. A free-standing sign shall not be located closer than fifteen metres (15 m) from any other free-standing sign.
- c. The height of a free-standing sign shall not exceed ten metres (10 m) except that in residential zones it shall not exceed two metres (2 m).
- d. The sign area of a free-standing sign erected on a site with the frontage on *(name of commercial/industrial streets within the Town of Minto)* where the legal existing use is commercial or institutional the sign area shall not exceed 3 square metres.

- e. The sign area of a free-standing sign erected on a site with the frontage on (*name of commercial/industrial streets within the Town of Minto*) where the legal existing use is commercial or institutional the sign area shall be calculated as follows:
- The total sign area of a sign or signs on any one site shall be a maximum, in square metres, of no more than 80% of the number of linear metres on the road allowance of the site (e.g. 30 metre frontage permits a 24 square metre sign or, signs which have a total of 24 square metres).
- f. Notwithstanding section 17e above, given the nature and style of the sign, Council may at its discretion, approve up to 100% of the frontage squared as the total allowable sign area in conformance with section 9.
- g. In respect of a sign on a site where there are multiple tenants the distribution of sign area to each tenant shall be a matter between the tenant and landlord.
- h. Notwithstanding section 15b above, the number of free-standing signs permitted shall not exceed:
1. One on a site where the frontage on a public street is 30 metres or less,
 2. Two on a site where the frontage on a public street is greater than 30 metres but less than 150 metres,
 3. Three on a site where the frontage on a public street is greater than 150 metres.
- i. All free-standing signs shall contain the municipal address of the property in accordance with County of Wellington Municipal Addressing System Bylaw.

18. Directional Signs

- a. A directional sign may be located in any zone.
- b. A directional sign shall not exceed one square metre (1 sq.m).

19. Fascia and Projecting Signs

- a. A fascia or projecting sign may be located in any zone, provided that within a residential zone a fascia or projecting sign shall have an area not greater than point three square metres (.3 sq.m) and in all other zones the area of the fascia or projecting sign or signs shall not be larger than the lesser of 20% of the area of the face of the building to which the sign is attached or 10 square metres.
- b. A fascia or projecting sign which projects over municipal property shall have a minimum elevation of two point five metres (2.5 metres) and shall not project more than zero point five metres (0.5 m) over a municipal property. A Bond of Indemnity is required by the municipality for all encroachments.

20. Roof Signs

- a. A roof sign may be located only in Commercial zones.
- b. The area of a roof sign shall not exceed three square metres (3 sq.m).
- c. The height of a roof sign shall not exceed three metres above the mid-elevation between the eaves and the peak of the roof of the building upon which it is erected.

21. Canopies and Awnings

- a. A permit shall not be issued for the erection of any canopy or awning until the Town of Minto has approved the location of such.
- b. No canopy or awning shall be permitted unless it conforms with all the following:
 1. the lower edge of the canopy or awning shall be not less than two point five metres (2.5 m) above grade.
 2. the sign area of the canopy or awning sign or signs shall not be larger than the lesser of 20% of the area of the face of the building to which the canopy or awning is attached or 10 square metres.
 3. no canopy or awning shall project over a streetline in the Town of Minto more than one point two metres (1.2 m) except those moveable awnings that are rolled up daily which may project two metres (2 m).
 4. the owner of a building who applies for a permit to erect a canopy or awning which will extend into a highway in the Town shall execute a Bond of Indemnity to the Corporation of the Town of Minto against all loss, cause, damage or expenses incurred or sustained or recovered against the municipality by reason of the construction or maintenance of the said canopy or awning.

22. Existing By-laws

All existing sign by-laws by the former Village of Clifford, Town of Harriston, Township of Minto and Town of Palmerston are hereby repealed on the passing of By-law 01-65.

23. Enactment

This By-law comes into force and effect immediately on the date of passing hereof.

Read a first and second time this 29th day of August 2001.



 Ron Elliott, Mayor



 Deputy Clerk Hazel Soady-Easton