

THE CORPORATION OF HALDIMAND COUNTY

By-law No.1203/11

Being a by-law to amend By-law 1064/10, as amended, a by-law for regulating or prohibiting signs and other advertising devices

WHEREAS Section 10(2) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended ("the Act), provides that single tier municipalities may pass by-laws respecting structures, including signs; and

WHEREAS Section 391(1) of the Act provides that municipalities may pass by-laws imposing fees or charges for services or activities provided; and

WHEREAS Section 446(1) of the Act provides that municipalities have the authority by by-law or otherwise to direct or require that a matter or thing be done, and that municipalities may require that, in default of this being done by the person directed or required to do it, such matter or thing shall be done at the person's expense; and

WHEREAS By-law 1064/10 was enacted to regulate or prohibit signs and other advertising devices; and

WHEREAS By-law 1064/10 has been previously amended by By-laws 1123/10 and 1161/11; and

WHEREAS the Council of the Corporation of Haldimand County deems it necessary to further amend By-law 1064/10;

NOW THEREFORE, the Council of The Corporation of Haldimand County enacts as follows:

1. **THAT** Section 4.4 Sign Permit Fee be repealed and the Sections following be renumbered accordingly.

2. **THAT** Section 5.4 be repealed from By-law 1123/10 and replaced with:

Any sign found in contravention of any provision of this By-law may be removed by the Inspector or any person directed by him/her, without notice and such sign may be disposed of or impounded at the discretion of the Inspector.

3. **THAT** Section 5 be amended with the addition of Section 5.9 as follows:

Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33

4. **THAT** Section 6.2(i) be repealed and replaced with:

No person shall locate a sign or sign structure in a manner which, in the opinion of the Inspector, impedes the necessary view of a pedestrian or motorist.

5. **THAT** Section 6.2(ii) be repealed and replaced with:

No person shall locate a sign or sign structure in a manner which obstructs or impedes any fire escape, fire exit or door, any window required for natural ventilation or natural lighting or required as an emergency escape, or a fire fighter's access panel or skylight, or so as to prevent or impede free access from or to any part of a building;

6. **THAT** Section 6.2 be amended by changing the last subsection from "vii" to "x".

7. **THAT** Section 7.3 be repealed and replaced with:

No person shall erect, cause or permit to be erected an illuminate sign unless, the sign and source of illumination is designed and located so as to prevent light trespass beyond the sign support structure and the display surface area. Only down-lighting and back-lighting will be permitted. Down-lights shall be of a full cut-off design.

8. **THAT** Section 8 be amended with the addition of the following :

8.0 No person shall erect, cause or permit to be erected a sign unless it is expressly permitted by this by-law and it complies with all applicable provisions.

9. **THAT** Section 8.4 be amended with the addition of the following:

The letters n/a indicates that this requirement is not applicable.

10. **THAT** Section 8.5 be amended with the addition of "RS" under subsection "RES Residential".

11. **THAT** Section 8.8 Table 2 row "Portable Signs" be amended by changing permissions from "Y" to "P" in columns "IND", "COM", "INS" and "AGR".

12. **THAT** Section 8.10 Table 4 row "Canopy Sign" be amended by adding "N" in columns "RES" and "OS".

13. **THAT** Section 8.10 Table 4 row "Election Sign" be amended by adding "N" in the column "OS".

14. **THAT** Section 8.10 Table 4 row "Poster" be amended by deleting 0.600 cm² and inserting 0.60 cm².

15. **THAT** Section 9.3 i) be repealed and replaced with:

A community event sign shall only be erected on private property with the consent of the owner.

16. **THAT** Section 9.3 ii) be repealed and replaced with:

A community event sign shall only be erected on a property owned by the County or on the untraveled portion of a road allowance with the approval of the County and shall comply with any conditions or requirements imposed by the County.

17. **THAT** Section 9.4 v) be repealed from By-law 1123/10 and replaced with:

Election signs shall not be erected on a road allowance, save and except as a poster sign as permitted under section 9.10 of this by-law.
18. **THAT** Section 9.6 iv) be repealed and replaced with:

All inflatable signs are to be secured to a fixed base and liability insurance shall be obtained by the owner.
19. **THAT** Section 9.8 be repealed and replaced with:

A portable off-site directional sign providing directions to the seasonal sale of produce shall be located on the untraveled road allowance and the sign shall be located in a manner that does not restrict the free and safe movement for any pedestrian, vehicle or other conveyance on the road allowance and shall in no manner impede the visibility of a driveway.
20. **THAT** the Section "Portable Signs" be renumbered from 9.8 to 9.9.
21. **THAT** Section 11.2 Sign By-law Variance Fees be deleted.
22. **THAT** Schedule A, Item 3, Column 2 be repealed and replaced with:

Maintain sign without permit
23. **THAT** Schedule A, Item 47, Column 2 be repealed and replaced with:

Billboard sign – erect animated sign
24. **THAT** Schedule A, Item 56 be repealed and the remaining Items renumbered accordingly.
25. **THAT** Schedule A, Item 58, Column 2 be repealed and replaced with:

Election sign – erected on a road allowance and not a poster sign
26. **THAT** Schedule A, Item 74, Column 2 be repealed and replaced with:

Mobile sign – erected where home occupation
27. **THAT** Schedule A, Item 75, Column 2 be repealed and replaced with:

Mobile sign – erected where home industry
28. **THAT** Schedule A, Item 127, Column 2 be repealed and replaced with:

Failure to keep sign structure in good repair
29. **THAT** Schedule A, Items 130 and 131 be repealed.

30. **THAT** this By-law shall take precedence over any by-law with which it is inconsistent.
31. **AND THAT** this By-law shall come into force and take full effect on the date of passing.

READ a first and second time this 27th day of June, 2011.

READ a third time and finally passed this 27th day of June, 2011.

MAYOR

CLERK