

THE CORPORATION OF HALDIMAND COUNTY

By-law No. 1161/11

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

WHEREAS Section 99 of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, provides that municipalities may pass by-laws respecting advertising devices, including signs;

WHEREAS Section 425 of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, 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 Section 391 of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, provides that municipalities may pass by-laws imposing fees or charges for services or activities provided;

AND WHEREAS it is deemed necessary and expedient to amend by-law 1064/10, as amended, permitting Haldimand County to pass by-laws respecting advertising devices, including signs and to set fines for the enforcement of such by-law.

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

1. **THAT SECTION 5 ENFORCEMENT PROVISIONS** is hereby amended with the addition of the following:
 - 5.8 For contravention of sections of this by-law for which a short form wording is provided in Column 2 of Schedule "A" (where Column 3 is the corresponding Section reference), an authorized by-law enforcement officer or other agent as appointed by Council may issue an Offence Notice (in accordance with Section 3 of the *Provincial Offences Act*, R.S.O. 1990, CHAPTER P.33) with the associated fine value shown in Column 4 of the Schedule. The Offence Notice shall be in the form as prescribed in Ontario Regulations made under the *Provincial Offences Act*.
2. **THAT** "Schedule "A" be added to By-law 1064/10 to provide for short form wording and set fines.
3. **THAT** this By-law shall take precedence over any by-law with which it is inconsistent.
4. **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 24th day of January, 2011.

READ a third time and finally passed this 24th day of January, 2011.

MAYOR

CLERK

Schedule 'A'
To By-law 1064/10
SET FINES

| COLUMN 1 | COLUMN 2 | COLUMN 3 | COLUMN 4 |
|-----------------|---|---|-----------------|
| Item | Short Form Wording | Provision Creating or Defining Offence | Set Fine |
| 1 | Erect sign without permit | Section 4.2 | \$150.00 |
| 2 | Keep sign without a permit | Section 4.2 | \$150.00 |
| 3 | Display sign without a permit | Section 4.2 | \$150.00 |
| 4 | Erect sign not specifically permitted | Section 6.1(i) | \$150.00 |
| 5 | Cause roof sign to be erected | Section 6.1(ii) | \$150.00 |
| 6 | Cause Animated Sign to be erected | Section 6.1(iii) | \$150.00 |
| 7 | Cause vehicle/trailer sign to be erected on non-motorized vehicle | Section 6.1(iv) | \$150.00 |
| 8 | Erect sign causing confusion with traffic control sign | Section 6.1(v) | \$150.00 |
| 9 | Erect sign causing confusion with traffic control signal | Section 6.1(v) | \$150.00 |
| 10 | Permit an abandoned sign | Section 6.1(vi) | \$150.00 |
| 11 | Locate sign impeding view of pedestrian | Section 6.2(i) | \$150.00 |
| 12 | Locate sign impeding view of motorist | Section 6.2(i) | \$150.00 |
| 13 | Locate sign structure impeding view of pedestrian | Section 6.2(i) | \$150.00 |
| 14 | Locate sign structure impeding view of motorist | Section 6.2(i) | \$150.00 |
| 15 | Locate sign obstructing fire escape | Section 6.2(ii) | \$150.00 |
| 16 | Locate sign obstructing fire exit | Section 6.2(ii) | \$150.00 |
| 17 | Locate sign obstructing door | Section 6.2(ii) | \$150.00 |
| 18 | Locate sign obstructing window | Section 6.2(ii) | \$150.00 |
| 19 | Locate sign obstructing fire fighter's access panel | Section 6.2(ii) | \$150.00 |
| 20 | Locate sign obstructing skylight | Section 6.2(ii) | \$150.00 |
| 21 | Erect sign obstructing parking space | Section 6.2(iii) | \$150.00 |
| 22 | Erect sign obstructing loading space | Section 6.2(iii) | \$150.00 |
| 23 | Erect sign obstructing driveway | Section 6.2(iii) | \$150.00 |
| 24 | Erect sign obstructing aisle | Section 6.2(iii) | \$150.00 |
| 25 | Locate sign obstructing flue | Section 6.2(iv) | \$150.00 |
| 26 | Locate sign obstructing air intake | Section 6.2(iv) | \$150.00 |
| 27 | Locate sign obstructing exhaust system | Section 6.2(iv) | \$150.00 |
| 28 | Fasten sign to a tree | Section 6.2(v) | \$150.00 |
| 29 | Erect ground sign less than 1.0 metre of street line | Section 6.2(vi) | \$150.00 |
| 30 | Erect sign higher than 0.75 metres within 3 metres of road allowance where sign may impede visibility | Section 6.2(vii) | \$150.00 |
| 31 | Erect sign on road allowance without municipal agreement | Section 6.2(viii) | \$150.00 |

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| 32 | Erect sign within visibility triangle | Section 6.2(ix) | \$150.00 |
| 33 | Erect wall sign above first storey of building | Section 6.2(x) | \$150.00 |
| 34 | Erect wall sign above sill of lowest window of second storey of building | Section 6.2(x) | \$150.00 |
| 35 | Locate illumination so as to permit light trespass beyond sign support structure | Section 7.3 | \$150.00 |
| 36 | Locate illumination so as to permit light trespass beyond display surface area | Section 7.3 | \$150.00 |
| 37 | Permit sign not permitted by property use in Table 2 | Section 8.8 | \$150.00 |
| 38 | Exceed maximum number of signs for a property as per Table 3 | Section 8.9 | \$150.00 |
| 39 | Failure to comply with maximum sign area as per Table 4 | Section 8.10 | \$150.00 |
| 40 | Failure to comply with maximum sign height as per Table 5 | Section 8.11 | \$150.00 |
| 41 | Banner sign – displayed for more than two periods of 21 days | Section 9.1(i) | \$150.00 |
| 42 | Billboard signs – erect more than 1 on property | Section 9.2(i) | \$150.00 |
| 43 | Billboard sign – erected on fence | Section 9.2(ii) | \$150.00 |
| 44 | Billboard sign – erected less than 150 metres from a residential zone | Section 9.2(iii) | \$150.00 |
| 45 | Billboard sign – erected less than 300 metres from another billboard sign | Section 9.2(iv) | \$150.00 |
| 46 | Billboard sign – erected within a setback required by zoning by-law between building and lot line | Section 9.2(v) | \$150.00 |
| 47 | Billboard sign – animated sign not permitted | Section 9.2(vi) | \$150.00 |
| 48 | Community event sign – erected on private property without owner's consent | Section 9.3(i) | \$150.00 |
| 49 | Community event sign – erected on County property without approval of County | Section 9.3(ii) | \$150.00 |
| 50 | Community event sign – erected on road allowance without approval of County | Section 9.3(ii) | \$150.00 |
| 51 | Federal Election sign – erected before Writ issued | Section 9.4(i) | \$150.00 |
| 52 | Provincial Election sign – erected before Writ issued | Section 9.4(i) | \$150.00 |
| 53 | Municipal Election sign – erected more than 45 days before voting day | Section 9.4(ii) | \$150.00 |
| 54 | Municipal Election sign – displayed more than 45 days before voting day | Section 9.4(ii) | \$150.00 |
| 55 | Election sign – failure to remove no later than 48 hours after election polls close | Section 9.4(iii) | \$150.00 |
| 56 | Election sign – fail to erect on private property unless a Poster Sign | Section 9.4(iv) | \$150.00 |
| 57 | Election sign – erected on private property without permission of owner | Section 9.4(iv) | \$150.00 |
| 58 | Election sign – erected on road allowance not as permitted under Section 9.10 | Section 9.4(v) | \$150.00 |
| 59 | Electronic message board sign – message display | Section 9.5 | \$150.00 |

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| | moved within 30 seconds | | |
| 60 | Electronic message board sign – message display changed colour within 30 seconds | Section 9.5 | \$150.00 |
| 61 | Electronic message board sign –intensity of illumination not maintained at a constant level | Section 9.5 | \$150.00 |
| 62 | Inflatable sign – erected for more than 14 consecutive days | Section 9.6(i) | \$150.00 |
| 63 | Inflatable sign – erected less than 3.0 metres from property line | Section 9.6(iii) | \$150.00 |
| 64 | Inflatable sign – fail to secure to fixed base | Section 9.6(iv) | \$150.00 |
| 65 | Inflatable sign – fail to obtain liability insurance | Section 9.6(iv) | \$150.00 |
| 66 | Inflatable sign – erected on roof of building | Section 9.6(v) | \$150.00 |
| 67 | Mobile sign – failure to move sign within 24 hours after expiry of permit | Section 9.7(ii) | \$150.00 |
| 68 | Erect mobile sign and portable sign at same time on property | Section 9.7(iv) | \$150.00 |
| 69 | Mobile sign – erected on vacant property | Section 9.7(v) | \$150.00 |
| 70 | Mobile sign – erected on road allowance | Section 9.7(v) | \$150.00 |
| 71 | Mobile sign – erected closer than 25 metres of another mobile sign on same property | Section 9.7(vi) | \$150.00 |
| 72 | Mobile sign – erected closer than 25 metres of another portable sign on same property | Section 9.7(vi) | \$150.00 |
| 73 | Mobile sign – erected closer than 25 metres of ground sign on same property | Section 9.7(vi) | \$150.00 |
| 74 | Mobile sign – erected where home occupation not permitted to have | Section 9.7(vii) | \$150.00 |
| 75 | Mobile sign – erected where home industry not permitted to have | Section 9.7(vii) | \$150.00 |
| 76 | Mobile sign – erected with name of owner not displayed | Section 9.7(viii) | \$150.00 |
| 77 | Off-Site directional sign – located restricting safe movement of pedestrian | Section 9.8 | \$150.00 |
| 78 | Off-Site directional sign – located restricting safe movement of vehicle | Section 9.8 | \$150.00 |
| 79 | Off-Site directional sign – located restricting safe movement of conveyance on road allowance | Section 9.8 | \$150.00 |
| 80 | Off-Site directional sign – impedes visibility of driveway | Section 9.8 | \$150.00 |
| 81 | Portable Sign – displayed not during actual hours of operation of business | Section 9.9(i) | \$150.00 |
| 82 | Portable sign – used other than on or in front of premises where business operates | Section 9.9(ii) | \$150.00 |
| 83 | Portable sign – displayed other than on or in front of premises where business operates | Section 9.9(ii) | \$150.00 |
| 84 | Portable sign – located restricting safe movement of pedestrian | Section 9.9(iii) | \$150.00 |
| 85 | Portable sign – located restricting safe movement of vehicle | Section 9.9(iii) | \$150.00 |

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| 86 | Portable sign – located restricting safe movement of conveyance | Section 9.9(iii) | \$150.00 |
| 87 | Portable sign – located in a manner which impedes vision | Section 9.9(iii) | \$150.00 |
| 88 | Portable sign – located closer than 25 metres of a mobile sign on same property | Section 9.9(iv) | \$150.00 |
| 89 | Portable sign – located closer than 25 metres of a portable sign on same property | Section 9.9(iv) | \$150.00 |
| 90 | Portable sign – located closer than 25 metres of a ground sign on same property | Section 9.9(iv) | \$150.00 |
| 91 | Erect portable sign and mobile sign on property for same business at same time | Section 9.9(v) | \$150.00 |
| 92 | Poster sign – displayed on community bulletin board for more than 21 days | Section 9.10(i)a. | \$150.00 |
| 93 | Poster sign – displayed on community bulletin board for more than 3 days after advertising event | Section 9.10(i)a. | \$150.00 |
| 94 | Poster sign – erected on community bulletin board more than 2.5 metres above finished grade | Section 9.10(i)b. | \$150.00 |
| 95 | Poster sign – not made of paper and erected on community bulletin board | Section 9.10(i)c. | \$150.00 |
| 96 | Poster sign – not attached flush to the surface on community bulletin board | Section 9.10(i)d. | \$150.00 |
| 97 | Poster sign – not attached with water soluble paste or tape on community bulletin board | Section 9.10(i)d. | \$150.00 |
| 98 | Poster sign – erected on a sign erected by the County to control traffic | Section 9.10(ii)a. | \$150.00 |
| 100 | Poster sign – erected on a sign erected by the County to control parking | Section 9.10(ii)a. | \$150.00 |
| 101 | Poster sign – erected on a traffic control erected by the County | Section 9.10(ii)a. | \$150.00 |
| 102 | Poster sign – erected closer than 30 metres to a community bulletin board | Section 9.10(ii)b. | \$150.00 |
| 103 | Poster sign – not printed on paper | Section 9.10(ii)c. | \$150.00 |
| 104 | Poster sign – not flush to surface with soluble paste or removable tape | Section 9.10(ii)d. | \$150.00 |
| 105 | Poster sign – erect more than one with same information on community bulletin board | Section 9.10(iii) | \$150.00 |
| 106 | Poster sign – erect more than one with same information on permitted structure | Section 9.10(iii) | \$150.00 |
| 107 | Poster sign – overlap or cover in whole or part of any other sign | Section 9.10(iv) | \$150.00 |
| 108 | Projecting sign – erected less than 2.5 metres above finished grade | Section 9.11(i) | \$150.00 |
| 109 | Projecting sign – erected less than 2.5 metres above surface of road allowance | Section 9.11(i) | \$150.00 |
| 110 | Projecting sign – erected less than 2.5 metres above sidewalk | Section 9.11(i) | \$150.00 |
| 111 | Projecting sign – failure to carry liability insurance naming the municipality as an additional insured when over road | Section 9.11(ii) | \$150.00 |

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| | allowance | | |
| 112 | Projecting sign – failure to obtain an encroachment permit when overhanging road allowance | Section 9.11(iii) | \$150.00 |
| 113 | Promotional development direction sign – used not during actual hours of operation of development sales office | Section 9.12(i) | \$150.00 |
| 114 | Promotional development direction sign – displayed not during actual hours of operation of development sales office | Section 9.12(i) | \$150.00 |
| 115 | Promotional development direction sign – located restricting safe movement of pedestrian | Section 9.12(ii) | \$150.00 |
| 116 | Promotional development direction sign – located restricting safe movement of vehicle | Section 9.12(ii) | \$150.00 |
| 117 | Promotional development direction sign – located restricting safe movement of conveyance | Section 9.12(ii) | \$150.00 |
| 118 | Promotional development direction sign – located in manner impeding vision | Section 9.12(ii) | \$150.00 |
| 119 | Erect promotional development direction sign and mobile sign at the same time | Section 9.12(iii) | \$150.00 |
| 120 | Promotional development sign – erected prior to receiving draft plan approval | Section 9.13 (i)a | \$150.00 |
| 121 | Promotional development sign – failure to remove sign 30 days after date of sale of last property within plan of subdivision | Section 9.13(i)b | \$150.00 |
| 122 | Wall signs – projecting more than 0.3 metres from wall of building | Section 9.14(i) | \$150.00 |
| 123 | Wall signs – erected above first storey of building | Section 9.14(ii) | \$150.00 |
| 124 | Wall signs – erected on wall of a building which does not contain business to which sign applies | Section 9.14(iii) | \$150.00 |
| 125 | Wall signs – erected on wall of a structure which does not contain business to which sign applies | Section 9.14(iii) | \$150.00 |
| 126 | Failure to keep sign in good repair | Section 10.1 | \$150.00 |
| 127 | Failure to keep sign structure not kept in good repair | Section 10.1 | \$150.00 |
| 128 | Failure to maintain sign without visible deterioration | Section 10.1 | \$150.00 |
| 129 | Failure to maintain sign structure without visible deterioration | Section 10.1 | \$150.00 |
| 130 | Sign not maintained in compliance with Sign by-law | Section 10.2 | \$150.00 |
| 131 | Sign structure not maintained in compliance with Sign by-law | Section 10.2 | \$150.00 |