THE CORPORATION OF THE TOWNSHIP OF JOLY

BY-LAW NO. 2012-10

Being a By-law to authorize and regulate signage.

WHEREAS pursuant to Section 11(3)(7) of the Municipal Act, S.O. 2001, C.25, as amended, a municipality is authorized to regulate the placing and erection of signs and other advertising devices within its municipal boundaries;

NOW THEREFORE the Council of the Corporation of the Township of Joly enacts as follows:

Location Signs

Part 1

A location sign is one where the sign is at the location of the place of business.

Brush on the road right-of-way shall be cleared with Township approval by the sign owner as required to give a clear view of approved business identification signs located on private property. The Township shall not clear brush that is off the road right-of-way. Arrangements for clearing brush that is off the township's right-of-way shall be made between the owner of the property and the owner of the sign(s).

There is no fee by the township for location signage on private property.

The location signs of a commercial establishment may be moved nearer to the road right-of-way if these signs would be hidden from the view of approaching traffic by bush. In cases where location signs adjacent to a bush are hidden from view of approaching traffic by bush upon the road right-of-way, they may be moved onto the road right-of-way under a sign permit.

A location sign that is moved nearer to or onto the road right-of-way in accordance with this By-law shall be kept in good repair and in a condition satisfactory to the Township of Joly.

Part 2

Requirements

Location signs moved closer to or onto the road right-of-way in accordance with this By-law shall not:

a) Be more than 32 square feet in total area.
b) Be placed such that the front edge of the sign is more than 0.9m (3ft.) in front of the bush line, and the location of each such sign shall be as approved by the Township. Where bush on the road right-of-way is removed, each location sign shall be moved back so that it will be not more than 0.9m (3ft.) from the new bush line.
c) Exceed two in number and each sign shall face in a direction different from the other.
d) Be placed less than 46m (150 ft.) from the sign of another establishment which sign is located upon the road right-of-way or less than 46m (150ft) from an official highway sign.
e) Be placed until a permit for the sign(s) has been obtained.
f) Be placed to direct traffic to the establishment.

Billboard Signs

Part 1

Billboard signs on township's right-of-way or on private property are permitted providing the requirements as outlined are met.

A billboard sign is a sign which contains a message that is not related to the property that the sign is located on.

Part 2

Message on the billboard

The message on the billboard must not promote violence, hatred, or contempt against any identifiable group. Identifiable group means any section of the public distinguished by colour, race, ancestry, religion, ethnic origin, sexual orientation or disability.

A billboard sign must not be:

a) More than 32 square feet (4x8) in area on the road right-of-way.
b) Located on the left hand side of the road facing the motorist.
c) Placed within 91 m (300 ft.) of the limit of a road, street, or railway that intersects a road at grade.
d) Placed adjacent to a curve where the radius is less than 1000 m.
e) Located on road right-of-way where the billboard sign is visible to an adjacent residential dwelling unit. Unless the residents of the dwelling unit have signed a waiver agreeing to the billboard location.
f) As a blank poster panel, advertise "for rent" or contain the name/number of the advertiser/sign operator in lieu of an advertisement on road right-of-way for more than six (6) months.
g) Affixed to or mounted upon or be made to form part of a fence.
h) A contravention of federal/provincial legislation (i.e. advertise restricted products such as tobacco).
i) Erected before a permit for the sign has been obtained.
j) A changeable message sign on the road right-of-way.

Setback distance for billboards on road right-of-way

The following setback distance shall apply for signs up to and including 32 square feet (4x8):

a) Must be approved by Road Superintendent.

Setback distance for billboards on private property adjacent to township roads.

The following setback:

a) Signs up to and including 32 square feet (4x8) must be set back 3 m (10 ft.) from the township road property line.
b) Signs greater than 32 square feet (4x8) will not be allowed.

Multiple applications

No one advertiser/sign operator can hold more than one (1) permit per every five (5) consecutive sites, per road (includes road right-of-way and private property).

Angle of billboard sign as related to highway

The angle of a billboard sign as this relates to the centre line of a road shall be equal to

or greater than 45 degrees whether or not the sign is affixed to a building. That is, if the plane forming the face of the sign was extended in a straight line to intersect the centre line of the road, the angle this formed would be at the minimum angle of 45 degrees.

Signs must be placed within six months of issuance of permit

When a sign permit has been issued, the sign to which the permit applies must be placed or erected within six (6) months of the date of issuance of the permit otherwise the permit shall be void and shall be cancelled. When a permit is cancelled in accordance with this procedure, the fee shall not be returned.

Message on sign may be changed

The message on a billboard for which a permit has been issued may be changed from time to time (poster panels). If the size and setback of the sign remains the same a new permit is not required. A new permit is only required when the size or setback has been changed.

Changeable message sign

Changeable message signs are only permitted for billboards on private property and must conform to the specifications and requirements set out in "Setback distance for billboards on private property adjacent township roads". The issuance of a permit will be based on the size and location of the sign and not the number of individual advertisements. There is no restriction as to the number of individual advertisements displayed on any one changeable message sign.

Permit Administration

A sign permit, issued by the Township of Joly, must be obtained for each billboard sign. It is a requirement of the Township that this permit is obtained and that it be renewed every five (5) years.

For a sign located on township road right-of-way, the sign permit is issued in the name of the advertiser/sign operator.

For a sign located on private property adjacent to township road, the sign permit will be issued in the name of the registered property owner. However, when the owner of the property has a documented arrangement with the advertiser/sign operator, the sign permit may be issued to the advertiser/sign operator.

The renewal notice will be issued to either the property owner of the advertiser/sign operator as determined by the permit.

Permit/Fee Pricing

There is no fee for location signage on private property but a sign permit is required.

$6.25 a square foot
32 square feet (4x8) = $200.00

Signs cannot be more than 32 square feet (4x8)

$50 per sign returned plus incurred costs.

Enforcement

1. Payment is due upon the Township issuing a permit from the application received. A renewal of every five (5) years will follow. A renewal notice will be sent in December and if renewed payment will be due January 1st the next

calendar year. If payment is not received a grace period of 30 days will follow. After which time, a notice will be sent on February 1st indicating that if payment is not received within 14 days, the sign will be removed by the Township at the cost of the permittee.

2. Where a sign or any part thereof is erected, located or displayed on or overhanging Township Property, the Township of Joly may remove or cause the sign to be removed immediately without notice to any person.

3. Where a sign is erected or displayed in contravention of this By-law, the Township of Joly may immediately pull down or remove any sign that the Township determines constitutes a safety hazard.

4. Where a sign erected on private property does not comply with this By-law or a permit issued under this By-law, the Township of Joly may by notice require the sign owner to bring the sign into conformity in the manner and within the time specified in a notice.

5. Where a sign on private property is not removed or a sign is not brought into conformity with this By-law within the time frame required by the Township of Joly pursuant to notice given under this By-law, the Township of Joly may have the sign removed and the site restored. For this purpose, the Township of Joly, an inspector and their contractor or other agent may enter upon the lot and premises at any reasonable time.

6. The notice may be given:

a. By personal service upon the party being served;
b. By prepaid registered mail sent to the last address of the party being served on the records of the Township; or
c. By prominently posting a copy of the notice either on the sign in respect of which the notice is given, or on the property upon which the sign is located.

7. Where notice is given it is deemed to have been received by the party being served on the seventh (7) after the mailing or posting of the notice.

8. The cost incurred by the Township in removing a sign and restoring a site under Section “Enforcement 5.” shall have priority lien status under the *Municipal Act 2001* and may be added to the collector’s roll and collected in the same manner as municipal taxes. In addition, the cost incurred by the Township in removing a sign or restoring a site under Section “Enforcement 5.” is a debt due the Township of Joly and may be recovered in any court of competent jurisdiction.

9. Any sign removed by the Township shall be stored by the Township for thirty (30) days, during which time the sign owner may redeem such sign upon payment of the applicable fee prescribed in Section “Permit/Fee Pricing”.

10. Where a sign has been removed by the Township and stored for a period of thirty (30) days, and has not been redeemed by the sign owner during that period, the Township can dispose of the sign without any further notice and without any further obligation to the sign owner or any other person.

<u>Exemption</u>

Election signs are exempt from this By-law.

Read a First, Second, and Third Time and Finally Passed this 9th Day of October, 2012.

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Mario Campese, Mayor

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Joanne Griffiths, Clerk/Administrator Treasurer