BY-LAW NO. 2009-66

OF

The Corporation of Norfolk County

BEING A BY-LAW TO REGULATE AWNINGS, CANOPIES, SIGNS AND OTHER ADVERTISING DEVICES WITHIN NORFOLK COUNTY

WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 10(1) provides that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable to the public;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 10(2) provides that a single-tier municipality may pass by-laws respecting matters regarding structures, including fences and signs;

AND WHEREAS the Council of The Corporation of Norfolk County deems it desirable to prohibit and regulate signs and other advertising devices within Norfolk County that are not covered by the Building Code Act or Regulations made there under.

AND WHEREAS the Council of The Corporation of Norfolk County deems it desirable to prohibit and regulate signs and other advertising devices on buildings, lots or on land abutting defined highways or parts thereof within Norfolk County that are not covered by the Municipal Act,

AND WHEREAS the Municipal Act, S.O. 2001, c.25, Section 446(1), as amended provides that if a municipality has the authority under this or any other Act to direct or require that a matter or thing be done and in default of it being done such matter or thing shall require that it be done at a person's expense;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 446(2), provides that for the purpose of Section 446(1), the municipality may enter upon land at any reasonable time;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 446(3), provides that the municipality may recover the costs of doing a thing or matter under Section 446(1) from the person directed or required to do it by action or adding the costs to the tax roll and collecting them in the same manner as property taxes.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF NORFOLK COUNTY HEREBY ENACTS AS FOLLOWS:

1. SHORT TITLE

1.1 This By-Law shall be known as the "Norfolk County Sign By-Law".

2. DEFINITIONS

2.1 In this By-Law:

ABANDONED SIGN shall mean a sign that no longer identifies or advertises an activity, business, product or service, or identifies or advertises an activity, business, product or service which is no longer conducted.

ADDRESS SIGN shall mean a sign intended solely to indicate a municipal address.

AGRICULTURAL ZONE shall mean an Agricultural Zone as defined in the Zoning By-Law in effect.

ALTER shall mean to change one or more dimensions of a sign or to change to another sign type and includes changing the material of a sign.

ANIMATED SIGN shall mean any sign that includes action or motion of all or any part of a sign and includes an electronic sign containing intermittent or flashing light source.

AWNING shall mean a retractable, collapsible or moveable shelter, hood or cover that projects from the wall of a building.

BANNER SIGN shall mean any sign composed of non-rigid material such as cloth, canvas or other similar material used for temporary purposes with or without frames.

BILLBOARD SIGN shall mean any sign other than a real estate sign, that directs attention to products, goods and services, activities or facilities not provided on the premises on which the sign is located.

CANOPY shall mean a permanent non-retractable shelter, hood or cover that projects from the wall of a building but does not include a projecting roof.

CHIEF BUILDING OFFICIAL shall mean the person appointed as such by the Municipality under Section 3 of the *Building Code Act, 1992, S.O. 1992, c.23,* as amended.

COMMERCIAL ZONE shall mean a Commercial Zone as defined in the Zoning By-Law in effect.

CONSTRUCTION SIGN shall mean a temporary sign advertising construction, reconstruction, repair, renovation and/or development and may include information or personnel related to the project.

COUNCIL shall mean the Council of The Corporation of Norfolk County.

COMMITTEE shall mean the By-law Appeals Committee.

DEVELOPMENT SIGN shall mean a sign that provides information on the sale or rental of new properties under development.

DIRECTIONAL SIGN shall mean a sign that communicates information regarding pedestrian or vehicular movement.

ELECTION SIGN shall have the same meaning as defined in the Norfolk County Election Sign By-Law currently in effect.

ERECT shall mean to attach, install, hang, place, suspend or affix a sign or letters or to build, construct, reconstruct, alter, enlarge, relocate the sign.

EXISTING SIGN shall mean a sign that was lawfully on display prior to the passing of this By-Law.

FACIA SIGN shall mean a sign located in such a manner that the sign surface is parallel to the main wall of a building, awning or canopy to which it is attached.

GARAGE SALE SIGN shall mean a sign advertising any general sale to the public of personal property from any residential premises including, but not limited to all sales entitled garage, lawn, yard, attic, porch, driveway, room, backyard, patio, flea market, rummage or moving sale.

GRADE shall mean the average elevation of the finished surface of the ground immediately surrounding the sign.

GROUND SIGN shall mean a sign affixed to, supported by or placed directly upon the ground.

HIGHWAY COMMERCIAL ZONE shall mean a Highway Commercial Zone as defined in the Zoning By-Law in effect.

INDUSTRIAL ZONE shall mean an Industrial Zone as defined in the Zoning By-Law in effect.

INFLATABLE SIGN shall mean a non-rigid sign supported by air or other gas pressure designed to be airborne and tethered to the ground, a vehicle or any structure.

INSTITUTIONAL ZONE shall mean an Institutional Zone as defined in the Zoning By-Law in effect.

MEMORIAL SIGN shall mean a sign noting historical information about a building to which it is attached or the site upon which the sign is erected.

MUNCIPAL LAW ENFORCEMENT OFFICER shall mean an officer or employee of the Municipality appointed by the Council of the Corporation of Norfolk County for the purpose of enforcing County By-Laws.

MURAL shall mean any painting, drawing, sketching or other markings, that contain text or logo, that appear to be advertising a business or product and that are applied directly to a wall or other integral part of a building or structure.

OFFICIAL SIGN shall mean a sign erected on behalf of any Federal, Provincial, or Municipal government or agency thereof or Local Board or Public Utility.

OWNER shall mean the owner, authorized agent, lessee or occupier of the lands or structure upon which a sign is located and may be an individual, corporation, sole proprietorship or partnership.

PEDESTAL SIGN shall mean a non-illuminated, non-fixed sign resting on the ground and shall include wind activated attention devices.

POLE SIGN shall mean a sign supported and placed upon one or more poles or standards.

POSTER SIGN means any paper, cardboard or plastic sign or similar material including any handbill, circular, leaflet, pamphlet, poster, flyer, paper or other printed matter.

PORTABLE SIGN shall mean a temporary advertising device and includes any and all signs constructed so as to be readily moved or transported whether or not the sign is fixed to the ground, mounted on a vehicle or affixed to a freestanding structure but does not include a Sandwich Board Sign or Pedestal Sign.

PROJECTING SIGN shall mean a sign which projects from a building Face so that the Sign Face is not more than a 90 degree angle with the wall to which it is attached.

PROPERTY shall mean a separately assessed property shown on the Municipality's Assessment Roll.

REAL ESTATE SIGN shall mean a temporary sign indicating the property on which the sign is located or any part thereof is for sale, rent or is open for viewing for the purpose of such sale or rent of the property and shall include open house directional signage.

RESIDENTIAL ZONE shall mean a Residential Zone as defined in the Zoning By-Law in effect.

ROOF LINE shall mean a line formed by the intersection of the exterior walls of a building with the roof of a building and in the case of a pitched roof shall be the eaves level.

ROOF SIGN shall mean any sign that is erected, on or above the roof line of a building and includes an Inflatable Sign.

SANDWICH BOARD SIGN shall mean an "A" shaped sign which consists of two (2) flat surfaces joined at one (1) end and resting on the ground.

SIGN shall mean a sign surface containing an advertisement by means of painting or printing on, attaching bills, letters, numerals or symbols to any building, structure or device which identifies or advertises any business, group, activity or product on any premises in such a way as to be visible to the public, excluding a mural.

SIGN AREA shall mean the area of one (1) surface of any sign including the outer edge of the frame or border of a sign. Where only letters or symbols are used, the sign area shall be deemed to be the area contained within the line surrounding all of the letters or symbols.

STREET shall mean a common and public highway, street, avenue, parkway, square, place, bridge, viaduct or trestle any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

STREET LINE shall mean the curb line, edge of asphalt or any travelled portion of a street.

UNSAFE shall mean structurally inadequate or faulty for the purpose for which it is used; or in a condition that could be hazardous to the health or safety of persons.

VEHICLE shall mean a motor vehicle, tractor, trailer, camper, boat, motorcycle, motorized snow vehicle, mechanical equipment or any vehicle drawn, propelled or driven by any kind of power.

VISIBILITY TRIANGLE shall mean a triangular area formed within a lot by:

(a) intersecting streets and a straight line connecting them 9.0 m (29.5ft.) from their point of intersection
(b) the intersection of a street and any portion of a driveway within 5.0 m (16.4 ft) of a property line and a straight line connecting them 5.0 m (16.4 ft) from their point of intersection; or
(c) the intersection of an alley and a street, or two alleys and a straight line connecting them 5.0m (16.4 ft) from their point of intersection.

WINDOW SIGN shall mean a sign placed, painted or affixed upon a window facing the outside and intended to be seen from the exterior of the window.

ZONE shall mean an area delineated on a Map Schedule of the Zoning By-Law and designated by such By-Law for a specific use or specific uses.

ZONING BY-LAW shall mean any Zoning By-Law currently in effect within the County

3. GENERAL REQUIREMENTS

3.1 No sign or its structure, temporary or permanent, shall be erected, altered, enlarged, maintained, or placed for any purpose within Norfolk County, except as permitted by this By-Law and in conformity with applicable provisions of the Ontario Building Code.

3.2 Except as otherwise provided in this By-Law, no sign or awning shall be erected without a sign permit being issued therefore by the Municipal Law Enforcement Officer.

3.3 No sign shall be erected without a building permit being issued by the Chief Building Official where the sign is:

a) a Ground Sign or Pole Sign exceeding 7.5 m (24.6 ft) in height above adjacent grade;
b) a Projecting Sign weighing more than 22kg (48.5 lb.);
c) a Fascia Sign exceeding 10 m sq (108.0 ft sq) in sign area;

d) an Animated Sign;
e) any Sign greater than 10 m sq (108.0 ft sq) in sign area; or
f) an Awning or Canopy

3.4 A sign permit issued pursuant to Subsection 3.2 and 3.3 of this By-Law shall expire if the work, as allowed by the permit, is not commenced within six (6) months from the date the permit was issued

3.5 A sign pursuant to Subsection 3.3 (a)(b)(c)(d)(e) shall be certified by a Professional Engineer in the Province of Ontario for design and erection of the sign including support, anchoring and framework with respect to structural adequacy.

3.6 No person shall erect or maintain any sign, awning or canopy in such a location or of such construction so as to block or interfere with visibility or operation of any traffic sign, traffic signal or other traffic related appurtenance or that obstructs the view of a vehicle driver or pedestrian so as to create an unsafe situation.

3.7 No person shall erect any sign, awning or canopy in such a location so as to obstruct openings required for light, ventilation, any required means of egress or required access for fire fighting.

3.8 Nothing in this By-Law shall serve to relieve any person from the obligation to comply with the Ontario Building Code and all other applicable law.

3.9 Every sign, sign message and structure must be maintained in a proper state of repair, and any sign which is deemed to be unsafe shall be modified or removed immediately to eliminate the conditions which render it unsafe.

3.10 This By-Law shall not apply to an existing sign that was lawfully erected or displayed on the day that this By-Law comes into affect provided that no such sign is reconstructed, substantially altered or moved. The maintenance and repair of the sign or change in message or contents displayed is deemed not in itself to constitute a substantial alteration.

3.11 Notwithstanding other provisions of this By-Law the requirement for a sign permit or building permit shall not apply to:

(a) signs required to be posted by government order, rule or regulation;
(b) memorial plaques, cornerstones, historical markers and like monuments
(c) national, provincial and municipal flags or emblems of political, civic, educational, cultural and religious organizations;
(d) Banner Signs erected for a period not exceeding seven (7) consecutive days;
(e) Official Signs or signs pertaining to public safety;

(f) a sign not exceeding 0.37 m sq (4.0 ft sq.) in sign area;
(g) Garage Sale Signs;
(h) Election Signs erected in accordance with the Norfolk County Election Sign By-Law currently in effect;
(i) Address Sign not exceeding 0.19 m sq (2.0 ft sq.) in sign area unless provided for in this By-Law;
(j) emblems or insignia of patriotic, civic, educational or religious organizations;
(k) Sandwich Board Signs and Pedestal Signs;
(l) Directional Signs not exceeding 1.0 m sq (10.76 ft sq.) in sign area;
(m) Real Estate Signs not exceeding 1.0 sq m (10.76 ft sq.) in sign area;
(n) Portable Signs

3.12 All signs permitted under this By-Law shall comply with the provisions of all other By-Laws.

3.13 No electrical extension cord used in conjunction with any sign shall pass over a sidewalk, pedestrian walkway, roadway, driveway, aisle or parking space.

3.14 The By-law Appeals Committee may, upon written request from any person, authorize minor exceptions from this By-Law, if in the opinion of the Committee the general intent and purpose of the By-Law are maintained and may contain such terms and conditions as the Committee deems necessary.

4. GENERAL SIGN PROVISIONS

4.1 The provisions of this Section shall apply to all signs.

4.2 To apply for a sign permit and/or building permit the applicant shall submit a completed sign permit application form (Schedule 'A') and/or prescribed building permit application (if applicable) which shall be accompanied by the following unless deemed unnecessary by the Municipal Law Enforcement Officer and/or Chief Building Official.

(a) drawings and specifications in duplicate showing:
  (i) plans of the proposed sign drawn to scale including details, supporting framework, footings, foundation, illumination details, height and weight, area, clearance height and elevation in relation to adjacent buildings and the sign type
  (ii) materials and specifications
  (iii) a site plan showing the proposed location of the sign in relation to the building and the boundaries of the lot upon which it is to be situated; and
  (iii) the size and location of all existing signs on the property.

(b) in cases of signs affixed to any wall, anchoring plans and plans showing the elevation of building on which the proposed sign is to be erected, doors, windows and other openings, wall area, location and colour of the proposed sign;
(c) where a proposed sign will front on a Provincial Highway, a copy of the approval from the Ministry of Transportation;
(d) a sign permit fee as per Schedule 'B' of this By-Law payable to Norfolk County and/or Building Permit fee (if applicable)

4.3 The Municipal Law Enforcement Officer as per Subsection 3.2 and Chief Building Official as per Subsection 3.3 shall issue a permit for any sign if a complete application has been received and approved together with all required supporting documentation and the appropriate fees paid.

4.4 Except as otherwise provided for in this By-Law, no person shall erect the following:

(a) a Roof Sign;
(b) a sign within a visibility triangle;
(c) a sign on a vehicle when such vehicle is located in such a manner as to serve primarily as a sign;
(d) any sign that is indecent in any word, picture, logo, symbol or the like;
(e) a sign attached to a tree, tree grating, protector, utility pole or light standard;
(f) a sign located on or over property owned by the County, a public utility or local board without written consent from Norfolk County, public utility or local board;
(g) a sign projecting over any street; or
(h) a sign that encroaches upon any vertical or horizontal spatial clearance required by the applicable Public Hydro Utility or Norfolk County, for electrical wires, poles or light standards.

4.5 The following signs are permitted in all zones:

(a) a Directional Sign
(b) a sign required to be posted by government order, rule or regulation
(c) memorial plaques, cornerstones, historical markers and like monuments
(d) an Election Sign erected in accordance with Norfolk County Election Signs By-Law currently in effect;
(e) a Real Estate Sign
(f) national, provincial and municipal flags or emblems of political, civic, educational, cultural and religious organizations.
(g) a Portable Sign located by a charitable, non-profit organization with permission of the Chief Building Official or designate
(h) an Official Sign or a sign pertaining to public safety
(i) an Address Sign

4.6 One (1) Construction Sign not to exceed 6.0 sq. m. (64.59 sq. ft.) in sign area may be erected on a construction site indicating the nature of the project and the developers and related personnel, professions or trades involved in the project or development of the site. The sign may be on display for not longer than thirty (30) days after the completion of construction.

4.7 One (1) Development Sign used to identify a subdivision or development not to exceed 6.0 sq. m. (64.59 sq. ft.) in sign area may be erected at the entrance of the subdivision or development until the subdivision or other development is substantially complete as determined by the Chief Building Official.

4.8 The owner of land on which a sign is erected shall remove the sign or cause the sign to be removed within fourteen (14) days of the sign becoming an Abandoned Sign. In the event that the sign(s) is (are) not removed within this time period, the Municipal Law Enforcement Officer or its legal agents may enter upon the property and carry out the removal of the sign(s) at the expense of the owner.

4.9 All illuminated signs shall be so constructed as to direct light away from any adjacent residential use.

4.10 Not more than one (1) Ground Sign or Pole Sign may be erected on any property except:

(a) where the property frontage exceeds 50.0 m (160.04 ft) one (1) additional Ground Sign or Pole Sign may be erected for every 50.0 m (164.04 ft.) of frontage; or
(b) where the property fronts on more than one (1) street, additional Ground Signs or Pole Signs on each street is permitted based upon the calculations set out in Subsection 4.10(a).

4.11 With the exception of Subsection 7.6, the requirements of Section 7 shall apply to all Zones where the Zoning By-Law permits Commercial, Industrial or Institutional uses.

5. RESIDENTIAL ZONES

5.1 In addition to the requirements contained in Section 4, the requirements of this Section shall apply to all signs in any Residential Zone.

5.2 One (1) Ground Sign, Fascia Sign or Projecting Sign identifying a home occupation/home industry as permitted under the Zoning By-Law and indicating not more than the name, occupation and operating hours of the home occupation is permitted and any such sign shall:

(a) not exceed .5 sq. m. (5.38 sq. ft.) in sign area;

(b) not be internally illuminated;
(c) not be flashing or animated;
(d) if a Ground Sign, not to exceed 1.2 m (3.94 ft.) in height from grade; and
(e) not be closer than 1.0 m (3.28 ft.) to any property line.

5.3 One (1) Portable Sign is permitted for a period not exceeding three (3) days and shall not be used for commercial purposes.

6. AGRICULTURAL ZONES

6.1 In addition to the requirements contained in Section 4, the requirements of this Section shall apply to all signs in any Agricultural Zone.

6.2 One (1) Ground Sign, Fascia Sign or Projecting Sign identifying a home occupation/home industry permitted under the Zoning By-Law and indicating not more than the name, occupation and operating hours of the home occupation is permitted and any such sign shall:

(a) not exceed 3.0 sq. m. (32.30 sq. ft.) in sign area;
(b) not be internally illuminated;
(c) not be flashing or animated;
(d) if a Ground Sign, not exceed 1.2 m (3.94 ft.) in height from adjacent grade; and
(e) not be closer than 1.0 m (3.28 ft.) to any property line.

6.3 In addition to the sign referred to in Subsection 6.2, one (1) Ground Sign for the purpose of advertising the sale of produce is permitted and, the sign shall:

(a) not exceed 4.5 sq. m. (48.44 sq. ft.) in sign area;
(b) if a Ground Sign, the sign shall not exceed 2.4 m (8.0 ft.) in height from adjacent grade; and
(c) not be closer than 1.0 m (3.28 ft.) to any property line.

6.4 A Billboard Sign is permitted and must comply with the requirements of Section 12 of this By-Law.

6.5 A Portable Sign is permitted for a period no longer than six (6) months within a calendar year for the purpose of advertising goods or produce grown or produced on the farm.

7. COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL ZONES

7.1 In addition to the requirements contained in Section 4, the requirements of this Section shall apply to all signs in any Commercial Zone, Industrial Zone or Institutional Zone.

7.2 In a Commercial Zone or Institutional Zone, a Fascia Sign is permitted with a maximum sign area of 1.0 sq. m. (10.76 sq. ft.) per 1.0 lineal meter (3.28 ft.) of building frontage on a street. For buildings fronting on more than one (1) street, the building frontage on each street shall be deemed to be separate building frontages for the purpose of calculating the permitted sign area and shall not be combined;

7.3 In an Industrial Zone, the provisions of Subsection 7.2 shall apply except that the maximum permitted sign area shall be 1.5 m (16.4 sq. ft.) for each linear meter of building frontage.

7.4 A Projecting Sign is permitted provided that:

(a) the maximum projection of the sign shall be no greater than 1.0 m (3.28 ft) beyond the face of the wall to which it is attached; and
(b) the lowest point is at least 2.5 m (8.2 ft) above the level of any pedestrian walkway.

7.5 A Ground Sign or Pole Sign is permitted provided that such sign shall:

(a) have a clearance of 4.5 m (14.75 ft) above adjacent grade if erected in a visibility triangle; and
(b) not be closer than 1.0 m (3.28 ft) to any property line,
(c) if a Pole Sign have a minimum clearance height of 2.5 m (8.2 ft), is supported by supports having a maximum width of 38 cm (15 in) and does not have a base or ornamental features which will create a visual obstruction for motorists.

7.6 A Billboard Sign is permitted and shall comply with the requirements of Section 12 of this By-Law.

7.7 A Portable Sign is permitted and shall comply with the requirements of Section 8 of this By-Law.

7.8 Direction Signs may be erected in a visibility triangle provided that the signs do not exceed 1.2 m (3.94 ft.) in height from grade.

7.9 A Sandwich Board Sign or Pedestal Sign is permitted and shall comply with the requirements of Section 9 of this By-Law.

7.10 An Inflatable Sign is permitted and shall comply with the requirements of Section 10 of this By-Law.

7.11 A Banner Sign erected on a building is permitted and shall comply with sign area requirements as calculated in Subsection 7.2 and 7.3.

8. PORTABLE SIGNS

8.1 In addition to the requirements contained in Section 4, the requirements of this Section apply to all Portable Signs.

8.2 One (1) Portable Sign is permitted per property at any one time except properties with a frontage exceeding 50.0 m (164.0 ft) or part thereof are permitted an additional Portable Sign provided that no Portable Sign is located closer than 30.0 m (98.44 ft) from any other Portable Sign.

8.3 Portable Signs shall:

(a) not have a sign area greater than 6.0 sq. m. (64.60 sq. ft.);
(b) not be closer than 1.0 m (3.28 ft) to any lot line;
(c) not be closer than 7.5 m (24.6 ft.) to a Residential Zone;
(d) not occupy any space required for off-street parking ;
(e) not be located within any visibility triangle; and
(f) have permanently affixed to it in a visually prominent location the name and phone number of the sign owner.

9. SANDWICH BOARD AND PEDESTAL SIGNS

9.1 In addition to requirements contained in Section 4, the requirements of this Section shall apply to all Sandwich Board Signs and Pedestal Signs.

9.2 Only one (1) Sandwich Board or Pedestal Sign is permitted for each business with a maximum of two (2) Sandwich Board Signs, Pedestal Signs or combination of both permitted per property frontage.

9.3 Sandwich Board Signs and Pedestal Signs shall:

(a) not have a sign area exceeding 1.0 sq. m (10.8 sq. ft.) and not exceed 1.0 m (3.28 ft) in height;
(b) not be closer than .30 m (1.0 ft) to the street line;
(c) if placed on public sidewalk or walkway, provided a minimum 1.5 m (5.0 ft) wide unobstructed pedestrian corridor;
(d) not be placed in a location that will interfere with parking spaces, parking meters, crosswalks, landscape planters, street furniture, trees, utility poles or fire hydrants;
(e) not create an obstruction to vehicle or pedestrian traffic or a hazard to public safety;
(f) be displayed only during the business hours of the premises; and
(g) not be illuminated.

9.4 The sign owner shall provide a public liability insurance policy in the amount of two million dollars ($2,000,000.00) naming Norfolk County as co-insured while the sign is placed within a public right-of-way.

10. INFLATABLE SIGNS

10.1 In addition to the requirements contained in Section 4, the requirements of this Section shall apply to all Inflatable Signs.

10.2 Only one (1) Inflatable Sign is permitted per property unless the property has a frontage exceeding 90.0 m (295.3 ft.) in which case one (1) additional Inflatable Sign is permitted provided that no Inflatable Sign may be located closer than 30.0 m (94.44 ft) to any other sign.

10.3 Notwithstanding Subsection 10.2, where there is a Portable Sign on the property, then only one (1) Inflatable Sign is permitted.

10.4 Inflatable Signs shall only be located on the property to which it relates.

10.5 An Inflatable Sign is permitted for a period no longer than fourteen (14) consecutive days within a calendar year.

10.6 Inflatable Signs shall:

(a) not be placed closer than equal to its height to a public sidewalk, or where there is no public sidewalk existing, the street line and under no circumstances shall an Inflatable Sign be located on a public right-of-way;
(b) not occupy any space required for off-street parking;
(c) not create an obstruction to vehicle or pedestrian traffic or a hazard to public safety.

11. REAL ESTATE SIGNS

11.1 In addition to the requirements contained in Section 4 the requirements of this Section shall apply to all Real Estate Signs.

11.2 Real Estate Signs shall:

(a) not be placed closer than 1.0 m (3.28 ft) to any lot line; and
(b) not create an obstruction to vehicle or pedestrian traffic or a hazard to public safety.

12. BILLBOARD SIGNS

12.1 In addition to the requirements contained in Section 4, the requirements of this Section shall apply to all Billboard Signs.

12.2 Billboard Signs shall:

a) not be located within 300.0 m (984.3 ft.) distance from another Billboard Sign;
b) not be located within 150.0 m (492.1 ft.) distance from a Residential Zone or building occupied with a residential use;
c) not be closer to the street line than the front of the nearest building on the property or setback requirement for the zone, whichever is the least;
d) have no more than two (2) sign faces;
e) not exceed a sign area of 22.0 sq. m. (236.8 sq. ft.);
f) not exceed 10 m (32.8 ft) in height; and
g) be maintained in a neat and clean manner free from any loose materials at all times.

13. ELECTION SIGNS

13.1 Election Signs shall comply with the By-Law regulating Election Signs within Norfolk County currently in effect.

14. POSTER SIGNS:

14.1 In addition to the requirements contained in Section 4, the requirements of this Section shall apply to all Poster Signs.

14.2 No person shall erect, post, or display or cause to be erected, posted, or displayed any Poster Sign upon any highway, right-of-way, walkway, tree, fencing, grating, utility pole, street light standard, or a combination thereof that supports an electrical duct, electrical switch mechanism, a traffic sign, device or signal except in compliance with the provisions of this Section.

14.3 A Municipal Law Enforcement Officer, the Norfolk County Manager of Roads, or any Public Utility or Local Board may remove or cause to be removed any Poster sign installed contrary to this By-Law without notice or compensation to its owner.

14.4 A Poster Sign erected, posted, or displayed on any County property shall:

a) conform to the shape of, or be of a width not exceeding the diameter of the standard or pole to which it is displayed;
b) be displayed at a height not exceeding 2.0 m (6.6 ft) from grade;

c) cover or overlap in whole or in part any other sign;
d) not exceed .60 m (1.97 ft.) in width and 1.0 m (3.28 ft.) in height;
e) be attached to a standard or pole by only tape, wire, staples, or push pins;
f) not be affixed to any tree;
g) shall set out the date of posting, and the name, address and telephone number of the owner of the Poster Sign; and
h) be removed by the owner of the Poster Sign, within fourteen (14) days from the date of posting or within seventy-two (72) hours of the occurrence of the event advertised on the Poster Sign whichever is the shorter period.

14.5 Garage Sale Signs shall conform to the requirements of this Section.

15. BANNER SIGNS

15.1 In addition to the requirements contained in Section 4, the requirements of this Section shall apply to all Banner Signs.

15.2 A Banner Sign shall:

a) not be closer than 1.0 m (3.28 ft) to any lot line where such Banner Sign is not attached to a building face;
b) not create an obstruction to vehicle or pedestrian traffic or a hazard to public safety;

16. AWNINGS AND CANOPIES

16.1 Awnings and Canopies may be erected provided that:

(a) the lowest point is at least 2.5 m (8.2 ft.) above the level of any pedestrian walkway;
(b) The maximum projection of the Awning or Canopy shall be no greater than 2.0 m (6.56 ft.) beyond the face of the wall to which it is attached and extend no closer than 1.0 m (3.28 ft.) to the vertical plane projected up from the street line. No such awnings or canopies may overhang municipal property without written consent from the County; and
(c) in cases where it is planned that a street will be widened in the future, any new awning or canopy shall be constructed in relation to the proposed property line so as to comply with the requirements of this By-Law as if the street has been widened.

16.2 Existing Awnings or Canopies shall be required to comply with this By-Law within sixty (60) days of the completion of a widening of a street or after receiving official notification from the Municipal Law Enforcement Officer.

16.3 Every Awning or Canopy shall be securely attached to the building wall or structure with proper fastening devices.

17. MINOR EXCEPTIONS

17.1 An application for a minor exception to this By-Law may be made to the By-Law Appeals Committee by sending notice by registered mail to the Clerk of Norfolk County.

17.2 The Bylaw Appeals Committee may recommend that any application be refused or that such relief as it considers appropriate be granted whether absolutely or subject to conditions.

17.3 The Committee is directed to follow its usual procedure on such application, as may be practical.

17.4 The Clerk shall inform the applicant, in writing, of the decision of the Committee within reasonable time after the date of the decision of the Committee.

18. ADMINISTRATION AND ENFORCEMENT

18.1 This By-Law shall be administered and enforced by the Municipal Law Enforcement Officer.

18.2 A Municipal Law Enforcement Officer may enter upon any lands at any reasonable time to inspect all signs for the purpose of determining or effecting compliance with this By-Law.

18.3 Upon the erection of any sign, the owner/agent shall notify the Municipal Law Enforcement Officer for inspection.

18.4 If after an inspection conducted under Subsection 18.2 or 18.3 it is determined that a sign is in contravention of any of the provisions of this By-Law, or of the conditions of a permit issued pursuant to this By-Law, the Municipal Law Enforcement Officer may issue an order requiring the owner to remedy such contraventions as may be outlined in the order.

18.5 An order issued under Subsection 18.4 shall contain:

(a) the municipal address and/or the legal description of the property on which the non-complying sign was erected;
(b) a description of the By-Law and/or permit provisions that have not been complied with;
(c) a statement that the sign must be brought into compliance with the provisions of this By-Law and/or the conditions of the permit issued for

the sign or to remove the sign within the time specified in the order unless the sign is made to comply with this By-Law before such time elapses.

18.6 An order issued under Subsection 18.4 shall be served personally on the owner or by:

a) prepaid registered or regular mail to the owner of the lands on which the sign or other advertising device is situated at the address of the owner shown on the last revised assessment roll;
b) by personal service on any person apparently in occupation and control of the lands on which the sign is situated; or
c) if a sign permit has been applied for, by prepaid registered or regular mail to the owner of the lands named in the sign permit application.

18.7 Any costs incurred by the County under Subsections 4.8, 18.4, 18.8(b) and 18.9 may be recovered in like manner and with the same priority as municipal taxes.

18.8 Where any sign has been affixed, erected or otherwise displayed in contravention of any provisions of this By-Law, the Municipal Law Enforcement Officer may:

a) notify or order the owner to repair, remove, or bring the sign into compliance with the provisions of this By-Law; or
b) remove or cause to have removed such sign and charge the owner a fee in accordance with the User Fee By-Law of the County.

18.9 Any sign erected on property owned by the County or property managed by a Public Utility or Local Board without consent of the County, Public Utility or Local Board, may be removed and disposed of without prior notice at the expense of the owner.

18.10 No person shall obstruct a Municipal Law Enforcement Officer or any agent of the Municipality while they are carrying out their duties under this By-Law.

19. PENALTIES

19.1 Every person who contravenes any provision of this By-Law is guilty of an offence and is liable, upon conviction to a fine not exceeding five thousand dollars ($5,000.00) exclusive of costs for each offence recoverable under the *Provincial Offences Act, R.S.O. 1990, c. P.33*, (hereinafter called the "Act") as amended.

19.2 Every person who contravenes any provision of this By-Law is guilty of an offence and may, at the option of the County, be prosecuted pursuant to the provisions of Part 1 of the *Provincial Offences Act,*

upon conviction therefore is liable to a set fine as determined in accordance with the procedure delineated in the said Act and regulations passed thereunder.

20. SEVERABILITY

20.1 It is hereby declared that each and every part of the foregoing provisions of this By-Law are severable. If any provision of this By-Law should for any reason be declared invalid by any court, it is the intention and desire of this Council that each and every one of the then remaining provisions herein shall remain in full force and effect.

21. REPEALS AND EFFECTIVE DATE

21.1 The following By-Laws are hereby being repealed.

Town of Simcoe By-Law 99-46
Town of Simcoe By-Law 2000-37
Township of Delhi By-Law 19-87
Regional Municipality of Haldimand-Norfolk By-Law 131-94

21.2 This By-Law shall come into full force and effect on the final passage thereof.

ENACTED AND PASSED THIS 28TH DAY OF APRIL, 2009.

First Reading:	April 28, 2009	Mayor
Second Reading:	April 28, 2009	
Third Reading	April 28, 2009	Clerk

BYLAW DIVISION
Simcoe Office
8 Schellburg Ave., Simcoe, ON, N3Y 2J4
Langton Office
22 Albert St., Langton, ON, N0P

SCHEDULE "A" TO BY-LAW 2009-66
SIGN PERMIT APPLICATION FORM

PROPERTY OWNER INFORMATION		
Owner's Name :		
Business Address::		
Phone:	Fax:	Email:
Street Address:		
Town/City:	Province:	Postal Code:

APPLICANT/CONTRACTOR INFORMATION		
Company Name:		Contact Name:
Company Address:		
Phone:	Fax:	Email:
Street Address:		
Town/City:	Province:	Postal Code:

SIGN INFORMATION – LOCATION OF SIGN		
Street Name & Number:		
Town/City:	Province:	Postal Code:

SIGN DESCRIPTION:	
Sign Type: *Animated, Banner, Billboard, Facia, Ground, Inflatable, Mural, Pole, Portable, Projecting,*	
Sign Type:	
Number of Signs:	Applicable Fee:
Time Period (For Signs Requiring Time Limit):	
Installation Date:	Removal Date:

FOR OFFIC USE ONLY

SITE PLAN APPROVAL (if applicable)	
Date:	Approving Planner:

SIGN PERMIT APPROVAL	
Date:	Approving Officer:

SCHEDULE "B" TO BY-LAW 2009-66

SCHEDULE OF FEES

Sign Type	Fee
Animated Sign	**$ 50.00**
Banner Sign	**$50.00**
Billboard Sign	**$ 50.00**
Facia Sign	**$ 50.00**
Ground Sign	**$ 50.00**
Inflatable Sign	**$ 50.00**
Pole Sign	**$ 50.00**
Projecting Sign	**$ 50.00**