

THE CORPORATION OF THE MUNICIPALITY OF THAMES CENTRE

BY-LAW NUMBER 60-2006

Being a By-law to prohibit and regulate signs and other advertising devices and the posting of notices on buildings or vacant lots within the Municipality of Thames Centre and to repeal By-law No. 48-90 and amendments thereto.

**WHEREAS** section 11(1) of the *Municipal Act, 2001 S.O. 2001, c.25, as amended*, herein referred to as the "Act", provides that a local municipality may pass By-laws respecting matters within its spheres of jurisdiction;

**AND WHEREAS** structures, including fences and signs are within the sphere of jurisdiction of The Corporation of the Municipality of Thames Centre;

**AND WHEREAS** section 99(2) of the *Act* provides that a municipality may by By-law prohibit and regulate the message, content and nature of signs, advertising and advertising devices, including any printed matter, oral or other communication or thing, promoting adult entertainment establishments, and to pass By-laws with respect to any other business or person;

**AND WHEREAS** section 99(3) of the *Act* provides for a municipality to enter land and pull down or remove an advertising device, at the expense of the owner of the advertising device, if it is erected or displayed in contravention of the By-law;

**AND WHEREAS** section 99(5) of the *Act* authorizes a municipality to approve minor variances from the By-law if in the opinion of the municipality the general intent and purpose of the By-law are maintained;

**AND WHEREAS** Section 11(1) of the *Act* provides that a single-tier municipality may pass By-laws respecting matters within its spheres of jurisdiction;

**AND WHEREAS** section 391 of the *Act* provides that despite any *Act*, a municipality and a local board may pass By-laws imposing fees or charges on any class of persons;

**AND WHEREAS** the municipality has complied with section 99 of the *Municipal Act* with respect to giving public notice of its intention to pass the By-law;

**NOW THEREFORE** the Council of The Corporation of the Municipality of Thames Centre hereby enacts the follows:

This By-law may be commonly referred to as the "**Sign By-law**".

**1.0 Definitions**

The following words shall have the following meanings in this By-law:

**"abandoned sign"** means a sign located on property which becomes vacant and unoccupied for a period of 90 days or more, or any sign that pertains to a time event or purpose that no longer applies;

**"address sign"** means a fascia or ground sign on which the copy is limited to the name and address of a place, building, business, organization, person, or occupancy of the premises it identifies but does not include a sign that only contains the numerical municipal address;

**"address sign – residential development"** means an address sign that identifies a residential development including a subdivision, vacant land condominium or townhouse development;

**"advertising device"** means any device or object erected or located so as to attract public attention to any goods or services or facilities or events and includes flags, banners, pennants and lights;

**"alter"** means any change to the sign structure or the sign face with the exception of the re-arrangement of numerals, letters or copy applied directly to the face of a sign and specifically designed and intended to be periodically rearranged, the repair and maintenance of a sign, and a change in sign copy;

**"animated sign"** means a sign with a sign face that moves in whole or in part and includes a flashing or a rotating sign, but does not include a clock, a time, date or temperature display or an electronic message display;

**"awning"** means a space frame system, moveable or fixed, covered with fabric, metal or like material attached and projecting from a building or structure, but not forming an integral part thereof and includes a canopy;

**"awning sign"** means a sign with copy painted or affixed flat to the surface of an awning, which does not extend vertically or horizontally beyond the limits of such awning;

**"banner"** means a sign or advertising device made from cloth, plastic or a similar lightweight non-rigid material;

**"billboard sign"** means an outdoor sign that advertises goods, products, or services that are not sold or offered on the property where the sign is located, and is either single faced or double faced;

**"box fascia sign"** means an internally illuminated sign attached to a wall of a building or the sloping portion of a mansard roof;

**"Building Code"** means the *Ontario Building Code Act*, as amended from time to time, and any regulations thereunder;

**"building facade"** means an exterior building wall facing a street and any other building wall, which does not face a street, but through which the main entrance for the public passes and which faces a parking lot;

**"candidate"** shall have the same meaning as in the *Canada Elections Act*, the *Election Act* (Ontario) or the *Municipal Elections Act*, 1996, as applicable, and shall be deemed to include a person seeking to influence other persons to vote for or against any question or By-law submitted to the electors under Section 8 of the *Municipal Elections Act*, 1996;

**"canopy"** shall mean a permanent roof-like projection or soffit which projects horizontally at right angles to the building face or wall, extends from part or all of a building face or wall over an entrance, is constructed of durable material and does not project into the front yard any greater than 1.5 metres (5 feet) or 50 percent of the required front yard, whichever is lesser;

**"cemetery"** means land that is used or intended to be used as a place for the interment of the dead or in which human bodies have been buried, and includes an animal or pet cemetery;

**"changing copy sign"** means a sign constructed so that the message or copy can be changed by manual, electronic, or electro-mechanical means;

**"Chief Building Official"** means the Chief Building Official for The Corporation of the Municipality of Thames Centre or his or her designate;

**"community service sign"** means an outdoor sign that advertises messages or/and displays symbols of a community service group or groups;

**"construction site sign"** means a temporary sign that

- a) includes, in whole or in part, information promoting a development and may identify component parts of such building or structure and the persons involved in its design and construction; and
- b) relates to or advertises the construction or sale of a building structure on the property;

**"copy"** means the graphic content of a sign surface in either permanent or removable letter, pictorial, symbolic, or numeric form;

**"Council"** means the Council of the Municipality of Thames Centre;

**"designated light standard"** means a light standard owned by the Municipality or Hydro One;

**"directional sign"** means a sign on the property that gives directions or instructions for the control of vehicular or pedestrian traffic and shall include an entry and exit sign;

**"Director of Community Services and Development"** means the Director of Community Services and Development for The Corporation of the Municipality of Thames Centre or his or her designate;

**"double faced sign"** means a ground sign having two (2) sign faces of equal area and proportions which are located exactly opposite each other on the sign structure;

**"election sign"** means a sign advertising, promoting or relating to the election of a political party, candidate for public office in a federal, provincial or municipal election, or an authorized question on the ballot;

**"electronic media sign"** means a video monitor or other medium for displaying electronic animated images;

**"erect"** means the construction, maintenance, display, alteration, placing or relocation of any sign or portion thereof, and the posting of notices;

**"facade"** means the entire building wall including a parapet;

**"fascia sign"** means a sign attached to, marked or inscribed on, erected or placed against a wall forming part of a building, or supported by or through a wall of a building and having the exposed face thereof on a plane approximately parallel to the plane of such wall and includes a painted wall and awning sign. A fascia sign shall not include any other sign defined in the By-law unless otherwise stated;

**"finished grade"** means the elevation of the finished surface of the ground adjoining the base of all exterior walls of a building or the elevation of the finished surface of the ground at the base of a structure, exclusive of any artificial embankment at the base of such building or structure;

**"flashing sign"** means a sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means or animation or an externally mounted light source but does not include an automatic changing sign or electronically controlled message centre;

**"garage sale sign"** means a sign advertising the sale of personal merchandise in a private garage sale held on a property zoned residential;

**"gas bar canopy"** means an open and permanent roof structure, free standing or attached to a building, erected for the purpose of sheltering gasoline pumps;

**"ground sign"** means a sign directly supported by the ground without the aid of any other building or structure, which sign includes the names of owner(s) and/or tenants(s) and address and/or advertise goods, products, services, or events that are sold, offered, or provided on the premises on which the sign is located and does not include any other sign defined in this By-law;

**"height"** means the vertical dimension between the average grade at the base of a building or structure and the highest point of such building or structure or part thereof;

**"home occupation"** shall mean the use of a part of a dwelling unit for an occupation which provides gain or support for at least one of the permanent residence of such dwelling unit and which is clearly secondary to the main use of the dwelling unit in the residential zone;

**"illuminated"** means direct, indirect, internal or external illumination;

**"internally illuminated sign"** means a sign illuminated by any internal artificial light source;

**"inflatable sign"** means a sign or advertising device designed to be airborne and tethered to the ground or any other structure and shall include balloons and any other inflatable advertising device;

**"lot"** means a parcel of land, described in a registered deed or other document legally capable of being conveyed,

- a) corner lot means a lot where a front lot line and an exterior side lot line intersect at a corner, and may include a through lot;
- b) interior lot means any lot, other than a corner lot, which abuts a street; and
- c) through lot means any interior lot having at least two (2) street lines;

**"lot frontage"** means the distance between the side lot lines of a lot, such distance being measured along a line which is parallel to the required setback distance from the front lot line, except that where the front lot line is narrower than the line at the required setback, the lot frontage shall be the shortest distance between the side lot lines measured at a point 6.0 m from the nearest point of the front lot line;

**"marquee sign"** shall mean a sign attached to any roof-like structure or overhang constructed as a permanent part of a building over the entrance to the building, which structure or overhang projects more than 0.3m (1 foot) from the exterior wall of the building;

**"menu board"** means a sign erected as part of a drive-through facility and used to display and order products and services available in association with drive-through business;

**"multi-faced sign"** means a ground sign having more than two (2) sign faces up to a maximum of four (4) faces, each being of equal area and proportion to the other;

**"Municipality"** means The Corporation of the Municipality of Thames Centre;

**"official sign"** means a sign required by or erected under any statute or By-law or other directive of any federal, provincial or municipal government or agency thereof or any board or commission and shall include a permanent sign erected on a public road allowance to inform the public of the location of public buildings, hospitals, public libraries, institutions, places of worship, parks, recreational or educational facilities, traffic regulations, parking regulations, street identification or municipal identification;

**"on-premise sign"** means a sign relating in its copy to the premises on which it is located;

**"open house directional sign"** means a temporary portable sign intended to direct traffic to a residence for sale or lease;

**"owner"** means the registered owner of the lands or premises;

**"painted wall sign"** means any sign painted, applied as paint, or film or any other covering to any outside wall or other integral part of a building without the use of independent supports or frames;

**"person"** means an individual, business, firm, corporation, association or partnership;

**"portable sign"** means a sign not permanently affixed to the ground and designed in such a manner as to be capable of being moved from place to place but does not include a sidewalk sign;

**"poster"** means a printed notice conveying information intended to be displayed for a temporary period of time and includes but is not limited to a bill, handbill, leaflet, notice, placard and election sign;

**"pre-menu board"** means a sign erected as part of a drive-through facility and only used to display products and services available in association with a drive-through business;

**"premises"** means a lot under registered ownership and includes all buildings and structures thereon;

**"projecting sign"** means a sign attached to a building and projecting out horizontally from a building at a right angle to the building;

**"property"** means a parcel of land having specific boundaries, which is capable of legal transfer;

**"public property"** means property, land, structure or building owned by the Municipality as amended or owned by the Federal or Provincial government(s);

**"pump island sign"** means a sign on top of gasoline service pumps or on the columns of a gas bar canopy, on guard posts or freestanding on a gasoline pump apron;

**"read-o-graph"** means a sign on which copy is changed manually with letters on pictorial panels;

**"real estate sign"** means a temporary non-illuminated sign installed, erected or displayed on a property for the notification that a building, premises, lot(s) or portion thereof is offered for sale, rent or lease;

**"religious institution"** means a building or structure used by a congregation or organization dedicated to worship and related religious, social and charitable activities, with or without an auditorium, convent or monastery, or clergy residence as uses accessory thereto;

**"repair and maintain"** means anything done to preserve the condition of a sign or to prevent the deterioration of the sign and includes the restoration of a sign by removing or replacing worn out, missing, damaged or broken parts;

**"roof sign"** means a sign, other than an inflatable sign, supported entirely or partly by the roof of a building or structure and which sign projects above the roof;

**"shopping centre"** means a building designed, constructed, operated or maintained as a unit containing at least a total floor area of 550 square metres within physically separate and independent retail stores which may be connected by a common corridor and which is provided with common parking areas, driveways, landscaped open space and other shared accessory facilities and services and which is held under single ownership, condominium ownership, co-operative or similar arrangement.;

**"sidewalk sign"** means a free standing sign placed on but not permanently anchored in the ground, consisting of signs commonly referred to as A-frame, T-frame and sandwich boards but shall not mean or include any other sign defined in this By-law;

**"sight triangle"** means the triangular space formed by the street lines of a corner lot, where such lot is located at the intersection of two (2) or more streets, and a line drawn from a point in one street to a point in the other street line, such point being a specified distance, as per the Zoning By-law, from the point of intersection of the street lines measured along the said street lines, and where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be

the intersection of the projected tangents of the street lines drawn through the extremities of the interior lot lines;

**"sign"** means any surface, structure and other component parts, which are used or capable of being used as a visual medium to attract attention to a specific subject matter for identification, information or advertising purposes and includes an advertising device or notice;

**"sign area"** means the entire area of a sign face;

**"sign face"** means that portion of a sign, excluding the sign structure, upon which, as part of, against or through which the message of the sign is displayed. Where a sign is composed of individually installed letters, numerals or shapes, the sign face shall mean the area of the smallest polygon containing a maximum of eight (8) right angle sides that encloses the grouping of letters, numerals or shapes;

**"sign owner"** means the owner or lessee of a sign, or his/her agent. Where there is no owner, lessee or agent for a sign or such person cannot be determined with certainty, the sign owner shall be deemed to be the person or business having the use or major benefit of the sign, or if such person or business is unknown, the sign owner shall be deemed to be the registered owner of the land upon which the sign is situated;

**"sign structure"** means anything used to support or brace a sign face and which is attached to the ground or a building or structure;

**"storey"** means a horizontal division of a building from a floor to the ceiling directly above such floor, and includes an attic wherein at least 50% of the space above the floor is more than 2.1 metres in height and meets the minimum floor area requirements of the *Ontario Building Code* but does not include a cellar, or a mezzanine, gallery, balcony or other overhang the floor area of which does not exceed 40% of the floor area of the storey directly below such overhang, provided that the space beneath such overhang is not enclosed and the extent of such overhang does not exceed 40% of the least dimension of the room in which the said overhang is located;

**"street"** means a public highway or public road under the jurisdiction of the Municipality, the County or the Province but does not include a lane or right-of-way;

**"street line"** means the limit of the street allowance and is the dividing line between a lot and a street;

**"subdivision sign"** shall mean a sign permitted through a subdivision agreement under section 51 of the *Planning Act, 1990, R.S.O. 1990, Chapter P.13*, as amended or any predecessor or successor thereof;

**"unsafe"** when used with respect to a sign or sign structure means a condition that is structurally inadequate or faulty, or could be hazardous to a pedestrian or motorist;

**"use"** means, when used as a noun, the purpose for which a lot, building or structure, or any combination or part thereof, is designed, arranged, occupied or maintained and, when used as a verb, means to put to such purpose;

**"window sign"** means a sign posted, painted, placed or affixed in or on a window exposed to public view, and shall include an interior sign that faces a window exposed to public view and located within 1 metre of a window; and

**"zone"** means the area of a defined land use zone in the Municipality's Zoning By-law passed under the *Planning Act, 1990, R.S.O. 1990, Chapter P.13*, as amended or any predecessor or successor thereof.

## **2.0 Administration**

This By-law shall be administered by the Director of Community Services and Development or his or her designate.

### **3.0 Interpretation**

Words importing the singular number or the masculine gender may include more persons, parties or things of the same kind than one, and females as well as males in the converse.

### **4.0 General Provisions**

- a) No person shall erect, display, alter or allow the erection, display, or alteration of any sign within the Municipality on publicly or privately owned property without obtaining a permit under this By-law.
- b) The requirements for signs contained in Sections 11.0 to 19.0 inclusive shall not apply to any sign erected on any land, building or structure owned or occupied by the Municipality, but subsection 4 (a) shall apply to any such sign.
- c) Except for an official sign or a sign otherwise permitted in this By-law or authorized by the Municipality, no sign is permitted on, over, partly on or over a street.
- d) No person shall erect a sign in a location which may interfere with or damage any above or below ground municipal or utility services which have been lawfully placed at the location.
- e) No person shall attach, affix or display any sign or advertisement on a vehicle or trailer which is parked or located for the primary purpose of displaying said sign or advertisement.
- f) No person shall erect, display or alter, or cause to be erected, displayed or altered, a sign or advertising device in a zoned area that is not permitted by Section 11.0 of this By-law.
- g) No person shall erect, display or alter, or cause to be erected, displayed or altered, a sign or advertising device for which a permit has been issued under this By-law, except in accordance with the approved plans for the sign or advertising device.
- h) No person shall erect, display or alter, or cause to be erected, displayed or altered, a sign or advertising device except in accordance with the regulations for such sign or advertising device established by this By-law.
- i) No person shall erect or display, or cause to be erected or displayed, a portable sign for a time period exceeding 30 consecutive days.
- j) No person shall erect or display, or cause to be erected or displayed, a sign or advertising device with flashing lights.
- k) No person shall erect or display, or cause to be erected or displayed, a projecting sign.
- l) No person shall erect or display, or cause to be erected or displayed, a sign which is painted on the exterior of any building or structure except as permitted by Section 16.0 of this By-law.
- m) No person shall erect or display, or cause to be erected or displayed, a ground sign or portable sign within a visibility triangle.
- n) No person shall erect or display, or cause to be erected or displayed, a roof sign.
- o) No person shall fail to obey a Notice of Offence issued to him or her in accordance with this By-law.

- p) Except for an official sign or a sign otherwise permitted in this By-law, no person shall erect or display, or cause to be erected or displayed, a sign on public property or on a street.

#### **4.1 Signs Not Requiring a Sign Permit**

Notwithstanding Sections 4.0(a) and 4.0(b), a sign permit is not required for the following signs and all such signs shall comply with all other requirements of this By-law:

- (i) official signs or signs pertaining exclusively to public safety;
- (ii) election signs, erected in accordance with Section 20.1;
- (iii) a non-illuminated trespassing, safety or other warning sign not exceeding 0.5 m<sup>2</sup> in sign area;
- (iv) an address sign not exceeding 0.2 m<sup>2</sup> in sign area unless otherwise provided for in this By-law;
- (v) flags of corporations, government, educational, or religious organizations;
- (vi) emblems or insignia of patriotic, civic, educational, or religious organizations;
- (vii) commemorative plaque or corner stone of a non-advertising nature;
- (viii) a directional sign in accordance with Section 17.0;
- (ix) a construction site sign on a construction site in a R1, R2, R3 or RM zone in accordance with section 20.5;
- (x) a sign other than an on-premises ground or fascia sign, erected, displayed or stored on the business premises of a sign manufacturer or contractor;
- (xi) a poster sign;
- (xii) a real estate sign in accordance with Section 20.4;
- (xiii) a garage sale sign in accordance with Section 20.6;
- (xiv) an open house directional sign in accordance with Section 20.7;
- (xv) a banner installed by the Municipality;
- (xvi) a sign for a contractor undertaking landscaping, home repairs or renovations, provided such sign is erected no more than 2 days prior to the commencement of the project and is removed from the property immediately after the project is completed;
- (xvii) a fund raising sign, for a charitable or non-profit organization provided only one sign is erected per street frontage and the sign is erected only for the duration of the event and is located on the property of the organization;
- (xviii) any advertising on street furniture and fixtures approved by the Municipality.
- (xix) a window sign in accordance with Section 18.0;
- (xx) an awning sign;
- (xxi) a subdivision sign in accordance with Section 20.9; and
- (xxii) a pump island sign.

#### **4.2 Prohibited Signs**

Any sign not expressly permitted by this By-law is prohibited and without limiting the generality of the foregoing, the following signs are specifically prohibited:

- (i) abandoned sign;
- (ii) a banner other than a banner located within a public road allowance and approved by the Municipality;
- (iii) flashing or animated sign;
- (iv) projecting sign except as provided for in Section 13.0;
- (v) a marquee sign;
- (vi) a roof sign;
- (vii) a sign located so as to obstruct the view of any pedestrian or motor vehicle driver so as to create an unsafe condition;
- (viii) a sign interfering with or obstructing the view of an authorized traffic sign, traffic signal, or official sign or any sign capable of being confused with such a traffic sign, traffic signal or official sign;
- (ix) a sign located within a sight triangle;



- (x) a sign advertising a business, materials and/or services that are not situated on the same property as the sign;
- (xi) a sign advertising a use that is not permitted under the Municipality's Zoning By-law as amended;
- (xii) a billboard sign;
- (xiii) an electronic media sign; and
- (xiv) a sign that is located on or encroaches on property owned by the Municipality without the formal approval of the Municipality, except as provided for in Sections 19.0, 20.1, 20.3, 20.4, 20.6 and 20.7.

## 5.0 Sign Permits

- a) All signs shall comply with all other applicable Municipal By-laws and all other applicable law. All signs shall be erected and designed in accordance with the requirements of the *Ontario Building Code Act*, as amended.
- b) Every applicant for a sign permit shall complete a sign permit application provided by the Building Department, submit all necessary plans and drawings, and pay all applicable fees as set out in Schedule "A" to this By-law.
- c) If the matters mentioned in any application for a permit, or if the drawings, specifications or plan of survey submitted with the application indicate to the Chief Building Official that the work proposed to be done will not comply in all respects with the provisions of this By-law, the *Building Code*, the Zoning By-law and all other applicable regulations, the Chief Building Official shall refuse to issue a permit therefore and no permit shall be issued until the application, drawings, and specifications and the plan of survey are made to conform to the requirements of this By-law, the *Building Code*, the Zoning By-law and all other applicable regulations.
- d) Where the sign permit application meets all the requirements of this By-law and any other applicable laws, a sign permit shall be issued by the Chief Building Official or his or her designate.

## 5.1 Sign Permit Information

All plans and drawings accompanying a sign permit application for a permanent sign shall be provided in duplicate and shall contain the following information:

- (i) a site plan drawn to scale showing all measurements in metric;
- (ii) the municipal address and legal description of the property;
- (iii) the existing or proposed use of the property;
- (iv) the zoning category of the property;
- (v) the location of all existing buildings and their entrances;
- (vi) the location of all driveways and parking areas on the property;
- (vii) the location and dimensions of the frontage and all boundaries of the property on which the sign is proposed to be erected;
- (viii) the location of the proposed sign on the property;
- (ix) details of the sign drawn to scale, including dimensions, materials, colours, text, graphics, sign area and any other information as may be required to determine compliance with this By-law;
- (x) other information as determined by the Chief Building Official with respect to the building including architectural and structural drawings as may be necessary to determine if the building is structurally capable, under the *Ontario Building Code*, of supporting the sign or advertising device; and
- (xi) authorization of the owner of the property on which the sign is to be erected or displayed.

## **5.2 Fascia Sign Permit Information**

In addition to the information required under section 5.1, all plans and drawings accompanying an application for a fascia sign permit shall contain the following information for a building or unit in a multi-unit complex:

- (i) the dimensions of the building, wall or unit on which the fascia sign is to be affixed;
- (ii) the location of all building or unit entrances;
- (iii) the names of the occupants of each unit which is the subject of the application; and
- (iv) identification of any existing sign on the building or unit.

## **5.3 Ground Sign and Construction Site Sign Permit Information**

In addition to the information required under section 5.1, all plans and drawings accompanying an application for a ground sign or a Construction Site Sign permit shall contain the following information:

- (i) the location of any existing structures, parking areas, walkways, driveways, loading areas, vehicular access and egress points and existing ground signs on the premises;
- (ii) the identification by location, description, dimension and ownership of any existing or proposed easements or rights of way over the land and premises;
- (iii) the location of all landscaped areas adjacent to the sign; and
- (iv) the setback of the proposed sign from the property line.

## **5.4 Inflatable and Sidewalk Sign Permit Information**

In addition to the information required under section 5.1, all plans and drawings accompanying an application for an inflatable or sidewalk sign permit shall contain the following information:

- (i) the location of the sign;
- (ii) the dimensions of the sign drawn to scale and the sign area;
- (iii) the distance from the sign to the nearest street line, sidewalk, driveway, ground sign, inflatable sign, landscaping features, planting beds and/or street furniture; and
- (iv) an engineered drawing indicating the method of securing the inflatable sign.

## **6.0 Expiration of a Sign Permit**

Every permit issued by the Municipality shall expire six (6) months from the date of issuance unless the sign is erected or displayed for its intended purpose and the permit shall become null and void upon the removal of the sign.

## **7.0 Renewal of a Sign Permit**

- a) Where a permit has been issued and before it has expired, an application may be made to extend the permit for a further six (6) months and the provisions of Section 5 do not apply.
- b) The Chief Building Official may renew the permit after payment of the prescribed application fee where the sign conforms to this By-law.

## **8.0 Revocation of a Sign Permit**

The Chief Building Official may revoke a sign permit under the following circumstances:

- a) where the permit has been issued in error by the Municipality; or
- b) where the sign erected or placed does not conform to this By-law, the *Building Code*, the Zoning By-law or any other applicable regulations; or

- c) where the permit has been issued as the result of false, mistaken, incorrect, or misleading statements, or undertakings on the application.

**9.0 Establishment of the Class of Signs By Zoning Category**

For the purposes of this By-law, the following classes of signs are hereby established by reference to the following zone categories as set out in the Municipality of Thames Centre Zoning By-law, as amended. The terms used herein shall have the same meaning as in the Zoning By-law. Each class of sign shall only be permitted within the areas subject to the zone categories listed for that class below:

- a) Residential, Institutional and Park Signs
  - R1, R2, R3, HR, RR, MHP, I, and OS
- b) Commercial Signs
  - GC1, GC2, HC, NC, OR, and CR
- c) Industrial Signs
  - M1, M2, M3, and RM
- d) Agricultural Signs
  - A, AR, and AGC
- e) Environmental Protection and Future Development Signs
  - EP, W, and FD

**10.0 Maintenance of Signs**

- a) The owner of any sign, shall maintain or cause such sign to be maintained in a proper state of repair, so that such sign remains completely operative at all times and does not become unsafe, defective or dangerous.
- b) Maintenance or repairs using materials identical to the materials of the component being maintained or repaired does not constitute an alteration so as to require a permit to be issued.
- c) Community Service Signs shall be maintained by and at the expense of the community service group or organization to which the sign is sponsored by or represents.

**11.0 Permitted Sign Types By Sign Class**

The sign types listed in Column 1 of the chart below, shall only be permitted in the property class indicated in Column 3 of the chart below. The By-law section applicable to each sign type listed in Column 1 of the chart below is shown in Column 2 of the chart below.

RES Residential, Institutional and Park Signs  
 COM Commercial Signs  
 IND Industrial Signs  
 AGR Agricultural Signs  
 EP/FD Environmental Protection and Future Development Signs

Column #1	Column #2	Column #3				
Sign Type	Section	RES	COM	IND	AGR	EP/FD/W
Construction Site	20.5	*	*	*		*
Directional	17.0	*	*	*	*	*
Election	20.1	*	*	*	*	
Fascia	16.0	*	*	*	*	
Ground	15.0	*	*	*	*	*

Column #1	Column #2	Column #3				
Sign Type	Section	RES	COM	IND	AGR	EP/FD/W
Inflatable	20.8		Note 1	*	*	
Menu Board	13.0		*	*		
Portable	20.2		Note 1	*	*	
Pre-menu Board	13.0		*	*		
Projecting	19.0		*	*		
Real Estate	20.4	*	*	*		
Sidewalk Sign	20.3	*	*			
Window	18.0		*	*		

*Note 1– Portable signs and Inflatable signs are not permitted in areas zoned (OR) Office Residential and (RC) Residential Commercial*

### 12.0 Agricultural, Residential, Institutional and Park Signs

No person shall erect, display, alter, maintain or allow the erection, display, alteration, or maintenance of any type of sign listed in Column 2 below in conjunction with the uses listed in Column 1 below unless the sign complies with the regulations and standards applicable to that sign type in Column 2 below and with any other provisions of this By-law.

Column #1	Column #2						
	Address Sign Fascia		Address Sign Ground		Number		
	Max Area	Sign	Max Area	Sign		Max Height	Min St. Line Setback
Single Detached Dwelling, Semi Detached Dwelling, Duplex Dwelling, Triplex Dwelling, Quadruplex Dwelling, Townhouse Dwelling, Street Townhouse Dwelling, Group Home, Boarding House, Bed & Breakfast Establishment	0.6 m <sup>2</sup> (6.5 sq.ft.)		0.6 m <sup>2</sup> (6.5 sq.ft.)		1.2 m (3.94 ft.)	1 m (3.28 ft.)	1 address sign – fascia <b>or</b> 1 address sign - ground per property
Apartment, Senior's Apartment, School, Hospital, Religious Institution	1.5 m <sup>2</sup> (16.1 sq.ft.)		1.5 m <sup>2</sup> (16.1 sq.ft.) for an Address Sign only		2.5 m (11.81 ft.)	1 m (3.28 sq.ft.)	1 address sign – fascia <b>and</b> 1 address sign - ground per property
All Other Uses	1.5 m <sup>2</sup> (16.1 sq.ft.)		1.5 m <sup>2</sup> (16.1 sq.ft.)		2.5 m (13.12 ft.)	1 m (3.28 sq.ft.)	1 address sign – fascia <b>or</b> 1 address sign - ground per property

**12.1 Address Signs - Residential Development**

- a) A maximum of 1 address sign – residential development is permitted per entrance to the development.
- b) In instances where an address sign – residential development constitutes a fascia sign, the sign shall have a maximum face area of 0.6 m<sup>2</sup>. Notwithstanding any other section of this By-law, where an address sign-residential development constitutes a fascia sign, it shall be permitted on a fence or gate.
- c) In instances where an address sign – residential development constitutes a ground sign, the sign shall have a maximum face area of 0.6 m<sup>2</sup>, shall have a maximum height of 1.2m and shall have a minimum street line set back of 1m.

**12.2 Signs for Home Occupations**

In addition to the information required under Section 5.1, home occupation signs shall be limited to one of the following signs; fascia or under canopy, provided the total area of the sign does not exceed 0.38 m<sup>2</sup> (4.0 ft<sup>2</sup>) and is located on the same property as the home occupation; and erected only after a permit has been issued by the Municipality.

**13.0 Commercial Signs**

No person shall erect, display, alter, maintain or allow the erection, display, alteration, or maintenance of any type of sign listed in Column 2 below in conjunction with the uses listed in Column 1 below unless the sign complies with the regulations and standards applicable to that sign type in Column 2 below and with any other provisions of this By-law.

Column #1	Column #2					
Land Use	Number	Permitted Sign Type & Specifications				
		<i>Menu Board</i>		<i>Pre-Menu Board</i>		
		Max Sign Area	Max Height	Number	Max Sign Area	Max Height
Restaurant	1 per drive through lane	4.1 m <sup>2</sup> (44.13 sq.ft.)	3m (9.84 ft.)	1 per drive through lane	2 m <sup>2</sup> (21.52 sq.ft.)	3m (9.84 ft.)
Restaurant Accessory to Gas Bar or Motor Vehicle Service Station	1 per drive through lane	2 m <sup>2</sup> (21.52 sq.ft.)	3m (9.84 ft.)	Not Permitted	N/A	N/A
Car Wash Accessory to a Gas Bar or Motor Vehicle Service Station	1 per car wash	2 m <sup>2</sup> (21.52 sq.ft.)	3m (9.84 ft.)	Not Permitted	N/A	N/A
Car Wash	1 per car wash	2 m <sup>2</sup> (21.52 sq.ft.)	3m (9.84 ft.)	Not Permitted	N/A	N/A

Column #1	Column #2				
Land Use	Permitted Sign Type & Specifications				
	<i>Ground Sign</i>				
	Min Lot Frontage	Number	Max. Sign Area	Max Sign Height	Min. Street line Setback
Office Residential	10 m	1	2 m <sup>2</sup> (21 ft <sup>2</sup> )	1.5 m (60 in.)	1 m
All Commercial Uses	Under 25 m (82.02 ft.)	1 per lot frontage	10 m <sup>2</sup> (107.64 sq.ft.) per sign face	7.5 m (24.6 ft.)	1 m (3.28 ft.)
All Commercial Uses	Over 25 m (82.02 ft.)	1 per lot frontage	15 m <sup>2</sup> (161.46 sq.ft.) per sign face	7.5 m (24.6 ft.)	1 m (3.28 ft.)

Column #1	Column #2
Land Use	Permitted Sign Type & Specific
	<i>Maximum Sign Area</i>
	<u>Fascia Sign</u>
All Commercial Uses save and except for those listed below	20% of the building face of the first storey for each occupancy
Retail Store or Restaurant Accessory to Gas Bar or Motor Vehicle Service Station	20% of a wall facing a street line or gas pumps
Car Wash or Service Bay Accessory to Gas Bar or Motor Vehicle Service Station	15% of a wall with an entrance and 10% of a wall with an exit or facing gas pumps
Gas Bar Canopy Accessory to Gas Bar or Motor Vehicle Service Station	20% maximum canopy face
Office Residential	one sign not to exceed 1 m <sup>2</sup> (10 ft <sup>2</sup> ) of sign area.

#### 14.0 Industrial Signs

No person shall erect, display, alter, maintain or allow the erection, display, alteration, or maintenance of any type of sign listed in Column 2 below in conjunction with the uses listed in Column 1 below unless the sign complies with the regulations and standards applicable to that sign type in Column 2 below and with any other provisions of this By-law.

Column #1	Column #2				
Land Use	Permitted Sign Type & Specifications				
	<i>Fascia Sign</i>		<i>Directory Sign</i>		
	Max Sign Area for Each Occupancy	Number	Max Sign Area	Max Height	Min. Street Line Setback
Individual Free Standing Industrial Establishment	15% of the building facade of the first storey for each occupancy	N/A	N/A	N/A	N/A
Multi Occupant Industrial Establishment	15% of the building façade of the first storey for each occupancy	1	5.0 m <sup>2</sup> (53.8 sq.ft.)	4m (13.1 ft.)	7.5 m (24.6 ft.)

Column #1	Column #2			
Land Use	Permitted Sign Type & Specifications			
	<i>Ground Sign</i>			
	Max Sign Area	Max Height	Min. Street Line Setback	Number
Individual Free Standing Industrial Establishment with under 30m of Lot Frontage OR Multi Occupant Industrial Establishment with under 30m of Lot Frontage	10 m <sup>2</sup> (107.64 sq. ft.)	7.5 m (24.6 ft.)	1m (3.28 ft.)	1 per lot frontage
Individual Free Standing Industrial Establishment with 30m of Lot Frontage or more OR Multi Occupant Industrial Establishment with 30m of Lot Frontage or more	15 m <sup>2</sup> (161.46 sq.ft.) per sign face	7.5 m (24.6 ft.)	1 m (3.28 ft.)	1 per lot frontage

Column #1	Column #2					
Land Use	Permitted Sign Type & Specifications					
	Number	<i>Menu Board</i>		<i>Pre-Menu Board</i>		
		Max Sign Area	Max Height	Number	Max Sign Area	Max Height
Car Wash Accessory to a Gas Bar or Motor Vehicle Service Station	1 per car wash	2 m <sup>2</sup> (21.52 sq.ft.)	3m (9.84 ft.)	Not Permitted	N/A	N/A
Car Wash	1 per car wash	2 m <sup>2</sup> (21.52 sq.ft.)	3m (9.84 ft.)	Not Permitted	N/A	N/A

### 15.0 Ground Signs

- (a) The maximum total sign area for a ground sign that is a double faced or a multi-faced sign shall be double the area permitted for one sign face.
- (b) Where a ground sign contains up to three (3) sign faces but is not a double faced sign, the maximum total sign area shall be double the area

permitted for one sign face and each sign face shall be attached to the adjacent sign face at an angle no greater than 90 degrees.

- (c) A ground sign in a commercial or industrial zone shall display the municipal address in numerals and letters that are a minimum of 150 millimetres (5.9 inches) in height.
- (d) A ground sign shall not be located within 3m of a driveway entrance or exit.
- (e) Internally illuminated ground signs are prohibited in the OR, RM and NC, RC zone.

#### **16.0 Fascia Signs**

- (a) A fascia sign may project out from a building wall not more than 60 cm (24 inches).
- (b) A fascia sign shall be attached to the building facade used to calculate the maximum sign area of the sign.
- (c) A fascia sign shall be erected no higher than the upper limit of the first storey of a building, unless otherwise permitted in this By-law, but this shall not apply to an enclosed shopping centre.
- (d) When the area of a sign face of a fascia sign is related to the area of a wall, the area of the wall applicable shall be taken as that wall area projected on a plane parallel to the sign face, or tangent thereto if the sign face is not flat.

#### **17.0 Directional Signs**

A directional sign shall have a maximum sign area of 0.75m<sup>2</sup> and shall have a maximum height of 1.2m (4ft.), except as per sentence 17.1.

##### **17.1 Directional Signs on Municipal Property**

Directional signs may be permitted on municipal property provided they are erected or displayed in accordance with the following regulations:

- (a) signs shall not be larger than 15 cm (6") high by 90 cm (36") long;
- (b) signs shall indicate direction;
- (c) no advertising permitted on sign;
- (d) signs shall be constructed of rigid weather proofed material and maintained;

and where the officer deems the sign to have an adverse impact on traffic safety or on abutting properties may order the sign to be removed in accordance with Section 22.

#### **18.0 Window Signs**

The maximum sign area of any permitted window sign shall not cover more than 25% of any single window, or 25% of the entire surface area of a group of windows and shall not block the clear view of exits or entrances and shall maintain visibility into the interior of the premises at all times.

#### **19.0 Projecting Signs**

- (a) A projecting sign shall have a minimum clearance 2.5m above the sidewalk grade.



- (b) A projecting sign shall not exceed a total height of 9m above the sidewalk grade, exclusive of poles or guy-wires.
- (c) A projecting sign attached to a building that does not abut a public street shall not extend more than 2.5m beyond the face of such building and the outer most projection of such sign shall not project over the public street a distance of more than 46cm.
- (d) A projecting sign attached to a building that immediately abuts a public street shall not project over the public highway a distance of more than 46cm.
- (e) No person shall erect or maintain any sign which shall wholly or partially project onto any public street, or any sign that if it were to fall would fall onto any public street, without first entering into an agreement with The Corporation of the Municipality of Thames Centre indemnifying the Municipality from and against all manner of claims for damage, loss, expense or otherwise, arising from the erection, maintenance, removing or falling of such sign or part thereof.

## **20.0 Temporary Signs**

### **20.1 Election Signs**

- (a) No person shall affix, erect or otherwise display an election sign or permit an election sign to be affixed, erected or otherwise displayed:
  - (i) on any property designated park or road allowance abutting property designated park;
  - (ii) on a tree or on any official sign or official sign structure;
  - (iii) within a sight triangle;
  - (iv) upon the property whereupon a voting location is situated;
  - (v) on private property or on the road allowance directly abutting the private property without the owner's consent; and
  - (vi) at any location where the election sign:
    - obstructs the view of any pedestrian or driver of a motor vehicle, or obstructs the visibility of any traffic sign or device, or where it could interfere with vehicular traffic so that it could endanger any person;
    - obstructs openings required for light, ventilation, ingress, egress or firefighting;
    - constitutes a danger or hazard to the general public; and
    - on a concrete or masonry noise attenuation wall.
- (b) No person shall affix, erect or otherwise display an election sign or permit an election sign to be erected, affixed, or otherwise displayed prior to the issuance of writs for a provincial or federal election or until a candidate has filed all required documents and paid the required fee in support of their candidacy for municipal office.
- (c) An election sign shall not exceed a maximum sign area of 1.5m<sup>2</sup> (16.1 sq. ft.) with the exception of those placed on billboard signs.
- (d) An election sign shall not display a Municipal logo, crest, seal or other Municipal identification.
- (e) An election sign which is a fascia sign may be affixed to the face of the building or building unit which is used as a candidate's campaign headquarters provided such fascia sign complies with the provisions of this By-law for a fascia sign.
- (f) An election sign shall be removed within forty-eight (48) hours immediately following 11:59 p.m. of the day of the election.

## 20.2 Portable Signs

- (a) A portable sign shall be located completely on private property.
- (b) Only one portable sign may be erected or displayed on a property at any one time.
- (c) A maximum of four (4) portable sign permits per calendar year may be issued to each business at a municipal address.
- (d) A portable sign shall not be erected or displayed for more than thirty (30) consecutive days from the date the permit is issued.
- (e) No business shall be issued a permit or erect or display a portable sign unless a minimum period of twenty-one (21) consecutive days has passed since the expiry date endorsed on a previous portable sign permit issued at a location.
- (f) A portable sign shall:
  - i) contain no more than two (2) sign faces, and each sign face shall have a maximum area of 1 m<sup>2</sup> (10.7 sq.ft.);
  - ii) not be located within 1.5m (4.9 ft.) of a sidewalk or property line, whichever is greater;
  - iii) not be located within 3m (9.8 ft.) of a driveway entrance or exit;
  - iv) not be located within 50m (164 ft.) of a traffic light standard;
  - v) not be located within 15m (49.2 ft.) of the paved portion of an intersection; and
  - vi) not be located within 10m (32.8 ft.) of a ground sign or 10m (32.8 ft.) of a portable sign on an abutting property.
- (g) No person shall erect, display or alter, or cause to be erected, displayed or altered, a portable sign without having first obtained a permit to do so in accordance with this By-law.

## 20.3 Sidewalk Signs

- (a) Properties are limited to one (1) sidewalk sign per street frontage.
- (b) A sidewalk sign:
  - i) shall have a maximum height of 1metre (3.3 ft.), a maximum of two sign faces and any sign face shall not exceed 0.55m<sup>2</sup> (5.9 sq. ft.) in area;
  - ii) shall be displayed only between sunrise and sunset of every business day and shall be taken indoors at all other times;
  - iii) shall not be located within 3 metres (9.8 ft.) of a driveway entrance;
  - iv) shall only be permitted on the 1m (3.28 ft.) of municipal property nearest and parallel to the curb in front of the premise being advertised by the said sign; and
  - v) shall not obstruct pedestrian traffic.
- (d) No person shall erect or maintain any sidewalk sign on any public street without first entering into an Agreement with The Corporation of the Municipality of Thames Centre indemnifying the Municipality from and against all manner of claims for damage, loss, expense or otherwise, arising from the erection, maintenance, removing or falling of such sign or part thereof.
- (e) Any agreement issued under the authority of this By-law shall be effective until the end of the calendar year in which it is issued and shall be renewed annually by the 31<sup>st</sup> of January. In default of the payment of the annual fee for thirty (30) days after notice in writing requiring payment thereof, the right to maintain such a sign shall cease and the

agreement issued therefore shall become forfeited and Section 22 of this By-law shall apply.

#### **20.4 Real Estate Signs**

- (a) One (1) real estate sign shall be permitted for each lot frontage of the property on which the sign is erected.
- (b) The sign face of a real estate sign shall not exceed 0.4 m<sup>2</sup> (4.7 sq. ft.) if erected on a property zoned residential and shall not exceed 4 m<sup>2</sup> (43.0 sq. ft.) if erected on a property zoned industrial or commercial.

#### **20.5 Construction Site Signs**

- (a) A construction site sign shall be non-illuminated with a sign area not exceeding 10 m<sup>2</sup> (108 sq. ft.), shall be set back 7.5m from the street line and shall be removed from the construction site within sixty days of completion of the project.
- (b) A construction site sign in areas zoned R1, R2, R3 or RM shall be non-illuminated with a sign area not exceeding 1.5 m<sup>2</sup> (16 sq. ft.), shall be set back 1m from the street line and shall be removed from the construction site with sixty days of the completion of the project.

#### **20.6 Garage Sale Signs**

- (a) A garage sale sign shall not exceed 0.6m ( 2 ft.) in any dimension and shall not exceed 0.36 m<sup>2</sup> (3.9 sq. ft.) in sign area.
- (b) A garage sale sign may be located in the untravelled portion of the street allowance, but not in a manner as to create a traffic hazard.
- (c) No person shall place or locate a garage sale sign before 5:00 p.m. of the day immediately before the garage sale and all such signs shall be removed by no later than 7:00 a.m. of the day immediately following the garage sale.

#### **20.7 Open House Directional Signs**

- (a) An open house directional sign shall have a maximum height of 1m (3.3 ft.) and a maximum sign area of 0.4 m<sup>2</sup> (4.7 sq. ft.) per sign face.
- (b) An open house directional sign may be erected on that portion of a street located between the curb or edge of the traveled roadway and the sidewalk, or where no curb exists, such sign may be erected on the untravelled portion of the right-of-way closest to the outer edge of the traveled roadway, provided that the sign does not interfere with pedestrian or vehicular traffic and does not create a hazard.

#### **20.8 Inflatable Signs**

- (a) No person shall erect an inflatable sign without a permit and an inflatable sign shall be erected in the specific location as shown on a plan approved for such purposes by the Director of Community Services and Development.
- (b) An inflatable sign shall only be permitted on a property with a minimum frontage of 15m (49 ft.).
- (c) An inflatable sign shall be located:
  - (i) a minimum of 3m (9.8 ft.) from any property line;
  - (ii) a minimum of 3m (9.8 ft.) from any driveway entrance and/or exit;
  - (iii) a minimum of 10m (32.8 ft.) from any ground or portable sign on the same property or abutting property;
  - (iv) a minimum of 92m (301 ft.) measured in a straight line from a residential property; and

- (v) a minimum of 50m (164 ft.) from a traffic light standard.
- (d) An inflatable sign shall have a maximum height of 7m (22.96 ft.) and a maximum width of 6m (19.68 ft.).
- (e) One inflatable sign shall be permitted for each property at any one time.
- (f) Sign permits to erect or display inflatable signs shall be issued for periods of a maximum of thirty (30) consecutive days. No more than three (3) permits shall be issued for a single business on the property on which the sign is to be displayed, in a calendar year.
- (g) No business shall be issued a permit to erect or display an inflatable sign unless a minimum of twenty-one (21) consecutive days has passed since the expiry date endorsed on a previous inflatable sign permit issued on the same property.
- (h) Sign permits for inflatable signs shall be issued only for businesses or uses currently on the property on which the sign is to be displayed.
- (i) All inflatable signs shall be properly secured to the satisfaction of the Chief Building Official.
- (j) Before being issued a sign permit for an inflatable sign, the applicant shall provide confirmation to the Municipality that a minimum of \$2,000,000.00 of valid comprehensive general insurance is in effect.

#### **20.9 Subdivision Signs**

- (a) A subdivision sign shall not exceed 10 m<sup>2</sup> in area.
- (b) The location of subdivision signs shall be determined by the Municipality through a subdivision agreement.
- (c) Subdivision signs shall contain the following information:
  - i) the plan of subdivision as registered, including street patterns, and the proposed use of each parcel of land therein; and
  - ii) the name and address of the owner.

#### **21.0 Penalties and Enforcement**

- a) Every person who contravenes any provisions of this By-law is guilty of an offence. Pursuant to the provisions of *the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended*, upon conviction a person is liable to a fine of not more than \$5,000.00 exclusive of costs.
- b) Where a sign is erected or displayed in contravention of this By-law, the Chief Building Official or his or her designate may immediately pull down or remove any sign that the Chief Building Official or his or her designate determines constitutes a safety hazard or a concern. Such removal is to be at the expense of the owner or the occupant and the expense therefore may be collected in like manner as municipal taxes.
- c) Where any sign does not comply with this By-law, the Director of Community Services and Development or his or her designate may forward a notice by first class pre-paid mail to the owner. Such notice shall outline the nature of the contravention and the section of the By-law so contravened and may require that the owner of the sign to:
  - repair the sign;
  - pull down or remove the sign; or
  - make the sign comply with the provisions of this By-law,

not later than the date and time stipulated in the notice. The notice may advise that if the sign is not so removed or made to comply within the specified period of time, then the Municipality may pull down and remove the sign without any further notice.

- d) If the notice as set out in Section 21.0 (c) is not complied with within the specified period of time, the Director of Community Services and Development may direct Municipality forces or an independent contractor to enter upon the land or premises to pull down and remove the sign. Such removal is to be at the expense of the owner or the occupant and the expense therefore may be collected in like manner as municipal taxes.
- e) Notwithstanding subsections a), b), c) and d) of this section, portable signs, sidewalk signs, real estate signs, construction site signs, garage sale signs, open house directional and inflatable signs that are erected or displayed contrary to this By-law shall be removed by the owner thereof within two days after service of a notice from the Municipality advising that such sign or other advertising device is in contravention of this By-law. Such notice shall be served in the manner provided in subsection c) of this section. Such notice shall outline the nature of the contravention and the section of the By-law so contravened.

If such sign or other advertising device has not been removed by the owner as required herein, the Director of Community Services and Development or his or her designate may cause such sign to be removed at the expense of the owner of the sign and any costs incurred by the Municipality may be recovered in like manner as municipal taxes on the property where the sign was located or may be recovered by action pursuant to section 427 of the *Municipal Act 2001, S.O. 2001, c.25*. The remedies provided for hereby may be proceeded with prior to and notwithstanding that no prosecution and conviction has been obtained under section 21 of this By-law.

- f) Any sign removed as provided for in this section shall be stored by the Municipality or an independent contractor for a period of not less than thirty (30) days. During this time the sign owner or his or her agent is entitled to redeem such sign, upon completing a signed acknowledgement and release on the prescribed form and upon making payment satisfactory to the Municipality of the amounts noted below:
  - (i) the sum of \$200.00 or the Municipality's actual cost of removing the sign, whichever is greater; and
  - (ii) a storage charge of \$20.00 per day or part thereof, or \$2.00 per m<sup>2</sup> of sign face per day or part thereof, whichever is greater.
- g) Where the Municipality has removed a sign and stored it for a period of thirty (30) days and the sign has not been redeemed, the Municipality may then destroy or otherwise dispose of the sign without notice or compensation to the owner of the sign or his or her agent.
- h) Any banner installed without the approval of the Municipality will be removed by the Municipality without notice; and further, may be destroyed or otherwise disposed of without further notice or compensation to the owner of the banner or his or her agent.
- i) Notwithstanding subsections a), b), c), d), f), and g) of this Section, the removal of election signs and/or signs in contravention of section 4.2 (xiv) shall be as follows:
  - (i) the Director of Community Services and Development or his or her designate is authorized to take down or remove or cause to be removed immediately without notice and at the risk of its owner, an election sign and/or any sign in contravention of Section 4.2 (xiv) that is placed in contravention of this By-law;

- (ii) an election sign and/or any sign in contravention of Section 4.2 (xiv) removed pursuant to this By-law shall be stored by the Municipality for a period of thirty (30) days during which time the owner or agent may retrieve the sign; and
  - (iii) where an election sign and/or any sign in contravention of section 4.2 (xiv) has been removed by the Municipality and stored for a period of 30 days and such sign has not been retrieved, the sign may be destroyed or otherwise disposed of by the Municipality without any notice or compensation to the owner of the sign or his or her agent.
- j) None of the foregoing shall limit the Municipality from enforcing the provisions of this By-law by any other action or remedy permitted in law.

## **22.0 Variances**

- a) An application for variance shall be made on the appropriate form to the Director of Community Services and Development and shall be accompanied by the appropriate fee, as set out in Schedule "A"
- b) The Director of Community Services and Development shall prepare a report for the consideration of the Municipal Council, setting out the reasons for the variance and a recommendation.
- c) The Clerk's Department shall notify the applicant once a hearing date before the Council has been set and if the applicant does not attend at the appointed time and place, the Council may proceed in the absence of the applicant and the applicant will not be entitled to further notice in the proceeding.
- d) The Council may authorize for variances from the provisions of this By-law, if the general intent and purpose of the By-law are maintained.
- e) In considering an application for a variance, the Director of Community Services and Development and Council, shall have regard for:
  - (i) Special circumstances or conditions applying to the land, building or use referred to in the application;
  - (ii) Whether strict application of the provisions of this By-law in the context of the special circumstances applying to the land, building, or use, would result in practical difficulties or unnecessary and unusual hardship for the applicant, inconsistent with the general intent and purpose of this By-law;
  - (iii) Whether the special circumstances or conditions are preexisting and not created by the owner or the applicant; and
  - (iv) Whether the sign that is the subject of the variance will alter the essential character of the area.
- f) Council may make any decision and the applicant shall not be entitled to a further hearing on the matter before Council and the decision of Council shall be final.

## **23.0 Existing Signs**

- i) Notwithstanding Section 10.0, this By-law does not apply to any permanent sign or permanent advertising device that is lawfully erected or displayed on the day this By-law comes into force, if the sign or advertising device is not substantially altered.
- ii) The maintenance and repair of the sign or advertising device or a change in the message displayed shall not be deemed in itself to constitute an alteration.

**24.0 Validity**

If a Court of competent jurisdiction declares any section or part of a section of this By-law invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force.

**25.0 Schedules**

Schedule "A", and Schedule "B" attached hereto form part of this By-law.

**26.0 Effect**

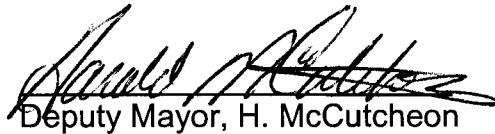
This By-law comes into effect upon its final passing thereof.

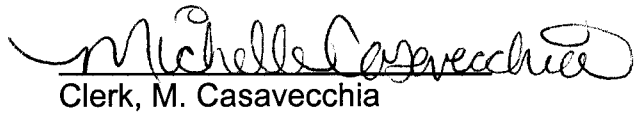
**27.0 Repeal**

Upon this By-law coming into force and effect, By-law No. 48-90 and all amendments thereto, and any other amendments and any other By-laws inconsistent with this By-law, are hereby repealed in their entirety.

**READ a FIRST and SECOND** time this 9<sup>th</sup> day of August, 2006.

**READ a THIRD** time and **FINALLY PASSED** this 9<sup>th</sup> day of August, 2006.

  
Deputy Mayor, H. McCutcheon

  
Clerk, M. Casavecchia

**SCHEDULE "A"**  
**TO**  
**BY-LAW NO. 60-2006**

**SCHEDULE OF FEES**

Sign Permit Fee	\$150.00
Sign By-law Variance Application Fee	\$200.00
Portable Sign Permit Fee	\$ 75.00



**SCHEDULE "B"**  
**TO**  
**BY-LAW NO. 60-2006**

# Municipality of **THAMES CENTRE**

