

## BY LAW 28-2024

### **BEING A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE FOR PROHIBITING OR REGULATING SIGNS AND OTHER ADVERTISING DEVICES WITHIN THE TOWN.**

**WHEREAS** Subsection 8(3) of the Municipal Act, 2001 provides that a By-law passed under Section 11(1) of the Act may regulate or prohibit respecting the authorized matter, require persons to do things respecting the matter, and provide for a system of licenses respecting the matter;

**AND WHEREAS** Subsection 11(1) of the Municipal Act, 2001 provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

**AND WHEREAS** Subsection 11(3), paragraph 7, of the Municipal Act, 2001 provides that a municipality may pass By-laws respecting structures, including signs;

**AND WHEREAS** Sections 23.1 to 23.5, and 284.1 authorize a municipality to delegate its powers and duties, subject to certain restrictions, and authorize a municipality to provide for a review or appeal of a decision made by a person or body in the exercise of a power or duty delegated to them;

**AND WHEREAS** Section 63 of the Municipal Act, 2001 provides that where a By-law prohibits or regulates the placing or standing of an object on or near a highway, a municipality may provide for the removal and impounding or restraining and immobilizing of any object placed or standing on or near a highway;

**AND WHEREAS** Sections 444 and 445 of the Municipal Act, 2001 provide that a municipality may make an order requiring a person who has contravened a By-law, or who caused or permitted the contravention, or the owner or occupier of land on which the contravention occurred, to do work to correct the contravention;

**AND WHEREAS** Section 446 of the Municipal Act, 2001 provides that where a municipality has the authority to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and that the municipality may recover the costs of doing a matter or thing by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

**AND WHEREAS** Section 434.1 of the Municipal Act, 2001 provides that municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a By-law of the municipality;

**NOW THEREFORE** the Council of the Corporation of the Town of Carleton Place enacts as follows:

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## **PART 1 – ADMINISTRATION AND GENERAL REQUIREMENTS**

### **1. SHORT TITLE**

- 1.1. This By-law may be cited as the “Sign By-law”.

### **2. APPLICATION OF THIS BY-LAW**

- 2.1. This By-law applies to all lands within the boundary of the Town unless otherwise stated in this By-law.
- 2.2. This By-law does not apply to signs or advertising devices on portions of land adjacent to the limit of an upper tier municipality highway where a By-law has been passed by the upper tier municipality and is in effect under Section 59 of the Municipal Act, in relation to prohibiting or regulating signs or advertising devices within that portion of land.
- 2.3. The following signs and adverting devices are not regulated or prohibited by this By-law:
  - 2.3.1. Signs owned or operated by the Town.
  - 2.3.2. Signs located on or over land owned by the upper tier municipality.
  - 2.3.3. Signs advertising a Federal or Provincial government entity, or advertising funding or support by a Federal or Provincial government related project for the duration of the project.
  - 2.3.4. Signs for regulating traffic, or similar devices, legal notices, and warnings, including at railroad and pedestrian crossings.
  - 2.3.5. Small signs no greater than 0.14m<sup>2</sup> (1.5ft<sup>2</sup>) in area displayed only for the direction of the public including signs that identify washrooms, freight entrances, parking spaces, civic address numbers, and such other similar directional signs.
  - 2.3.6. Signs in display windows including writing, representation, painting or lettering directly on the surface of any window or door, or other signs within the building interior, provided they are not a Digital Sign that is visible to the general public from the exterior of the building.
  - 2.3.7. Election signs used during the active period of a Town municipal election, Ontario provincial election, or Canada federal election, and

that relate only to the election and eligible candidates in the election.

- 2.3.8. Signs affixed to any vehicle.
  - 2.3.9. Signs affixed to shopping cart enclosures in Non-Residential parking lots.
  - 2.3.10. Temporary signage not exceeding 1.49m<sup>2</sup> (16ft<sup>2</sup>) in area and not located on Town property, that are used for positive community messaging and congratulatory messaging.
  - 2.3.11. Signs for a home-based business that are regulated by the Development Permit By-law.
- 2.4. All distances, areas, weights, or other measurements in this By-law shall be read and enforced as the specified metric units, and other converted units specified in parentheses are inserted for convenience only.

### 3. GENERAL DEFINITIONS

- 3.1. Words and phrases used in this By-law that are not included in the list of definitions in Sections 3 and 4 of this By-law, and that are not defined within another provision of this By-law, shall have the meanings that are commonly assigned to them in the context in which they are used.
- 3.2. **Advertising or Advertise** means to display messages, writing, or other depictions that offer the use, sale, or conveyance of goods or services from one party to another or to the public, or that attract public attention to any premises, business, enterprise, good, service, facility or event.
- 3.3. **Awning** means a roof covering for protection from sun or rain, constructed of a lightweight supporting structure and covered with canvas or cloth like material, that can be quickly and easily folded or removed from a building as climate and seasons dictate.
- 3.4. **BIA District** means the lands designated by a By-law passed and in effect under Subsection 204(1) of the Municipal Act as an improvement area.
- 3.5. **Building** means a structure consisting of a wall, roof and floor or a structural system serving the function thereof.
- 3.6. **Council** means the Council of the Town of Carleton Place

- 3.7. **Development Permit By-law** means the Development Permit By-law that has been passed and is in effect by the Town under the Planning Act and related regulations made under the Planning Act.
- 3.8. **Double Sided** means Advertising that can be seen from both oncoming directions by way of its placement on horizontally opposing sides of the sign.
- 3.9. **Downtown BIA** means the board of management of the Downtown Carleton Place Business Improvement Area that has been established to oversee the improvement, beautification, and maintenance of land, buildings, and structures, and to promote business or shopping, within the lands designated as the BIA District as shown in Schedule A.
- 3.10. **Fees By-law** means the By-law prescribing fees that has been passed and is in effect by the Town under the Municipal Act.
- 3.11. **For Profit** means corporations, organizations or individuals that provide products or services to generate income, financial gain and/or profit for the benefit of an Owner, a board, a group, or other entity.
- 3.12. **Highway** means a common and public highway which is intended for or used by the public or for the passage of vehicles, and includes roads, streets, avenues, boulevards, lanes, driving aisles in parking lots accessible to the public, parkways, county highways, provincial highways, and appurtenant public sidewalks and pathways.
- 3.13. **Highway Commercial Zone** means Non-Residential Uses that are located within areas as shown in Schedule A.
- 3.14. **Height**, when referring to a sign, means the vertically measured distance from the established existing grade to the lower or upper most physical extremity of the sign, when referenced in this By-law, and when referring to a Sign Face means the vertically measured distance of the Sign Face.
- 3.15. **House** means a detached house, semi-detached house or row house containing not more than two dwelling units.
- 3.16. **Home Based Business** means a business operated within a private residential dwelling unit, that is subsidiary and accessory to the dwelling unit, and that is operated only by one or more occupants of the dwelling unit.
- 3.17. **Illuminated** means a sign that is illuminated by an external lighting source.

- 3.18. **Install (Installation, Installed)** means to do anything in the erection, installation, placement, construction, extension or material alteration of a sign or advertising device.
- 3.19. **Width**, when referring to a sign, means the horizontal measured distance of the sign from the furthest physical extremity of each side of the sign, including framework and bezels that are incorporated into the structure of the sign.
- 3.20. **Lot** means a defined parcel of property with either a PIN#, Roll #, and Legal Description (or all of them).
- 3.21. **Luminous** means a sign that has a light source from within and is not provided with any external lighting source and includes a digital sign.
- 3.22. **Ministry of Transportation Influence Area** means all portions of land abutting the King's highway where signage is regulated by the Ministry of Transportation under the Public Transportation and Highway Improvement Act.
- 3.23. **Mixed Use** means a lot that contains both a residential use and a non-residential use.
- 3.24. **Non-Residential Use** means any use on a lot or within a building on a lot that is not a residential use.
- 3.25. **Not For Profit** means corporations, organizations, or individuals that provide products or services that are intended to improve or benefit a community, and does not generate income, financial gain and/or profit for the benefit of an Owner, a board, a group, or other entity.
- 3.26. **Officer** means a Municipal Law Enforcement Officer appointed by Council to enforce the By-laws of the municipality, and who has been assigned by the Town the responsibility of administering and enforcing this By-law.
- 3.27. **Offsite Advertising** means a sign that is advertising goods and/or services that are not being offered on the lot where the sign is located and includes signs on Town property.
- 3.28. **Ontario Building Code** means the most current version of the Ontario Building Code regulation, enacted under the Building Code Act.

- 3.29. **Ontario Fire Code** means the most current version of the Fire Code regulation, enacted under the Fire Protection and Prevention Act of Ontario.
- 3.30. **Owner** means the registered owner of a lot, herein referred to as the property owner, the proprietor operating a business on lot, herein referred to as the business owner, or the person apparently in possession of a sign, herein referred to as the sign owner.
- 3.31. **Public Event** means local area events and attractions that are not for profit or are for enjoyment by general society and include but are not limited to fairs, fundraisers, parades, church events, car bingo, farmers markets.
- 3.32. **Residential Use** means a use or occupancy on a lot or within a building on a lot in which sleeping accommodation is provided in a building to residents who are not harboured for the purpose of receiving special care or treatment and are not involuntarily detained and includes an occupancy in which sleeping accommodation is provided to residents of a retirement home.
- 3.33. **Sign (signs, signage)** includes an advertising device or notice and means any medium including its structure and other component parts which is used or capable of being used to attract attention to a specific subject matter. See Schedule B for examples of sign types.
- 3.34. **Sign Area** means the area of the surface of a sign, including the border and frame, and where there is no border, shall include all the area of the surface lying within the extremities of the sign.
- 3.35. **Sight Triangle** means the defined site triangle contained in the Development Permit By-law.
- 3.36. **Sign Face** means a surface of a sign that contains advertising.
- 3.37. **Town** means the Corporation of the Town of Carleton Place.
- 3.38. **Unmaintained or Not Maintained** means a state of disrepair, degradation or dilapidation which may include but is not limited to excessive paint loss, rusting and oxidization, sign structure with removed, faded or damaged sign face, sign structures that are broken, fractured, rotting, or broken in any manner (includes but is not limited to legs, struts, braces, frames, of wood, steel or other materials, etc.), signs that contain broken or damaged mounting hardware of integral frames that support the sign face, or any other such condition that will create an unkept appearance, create a potential hazard in the immediate or extended area around the sign, or render the sign

advertising ability as ineffective or illegible.

3.39. **Vehicle** means a thing used for transporting people or goods, especially on land, such as a car, truck, seasonal food truck, trailer, or other similar thing.

3.40. **Wall Area** means the area of any one exterior wall that is permitted to contain advertising but does not include any glazed openings.

#### 4. DEFINITIONS OF SIGN TYPES

4.1. **Banner Sign** means a temporary sign composed of a band or strip of material, including plastic, tarp, canvas, or other similar light-weight flexible material, that displays advertising of a temporary nature, that is normally hung or fastened to a building or structure, or across a sidewalk, highway, or other similar thoroughfare.

4.2. **Development Signage** means signs located within the boundary of any phase of an approved plan of subdivision that is under construction or has been approved by Development Permit, and that pertains to that development, including but not limited to any signs that are related to the sale or rental of housing stock, special offers for housing stock, sales office advertising, site office locations, and all temporary safety and directional signs.

4.3. **Digital Sign** means a portion of a sign face or projector advertising that incorporates a technology or method allowing the information displayed on the sign or the surface to be changed without physically or mechanically replacing the display surface or its components.

4.4. **Ground Sign** means a sign that has its structure supported by way of a foundation system that is installed below the surface of the ground to provide anchorage and ballast for the structure that is out of the ground. This does not include signs installed with driven stakes or pins into the ground.

4.5. **Message Board Sign** means a mobile sign that is placed on a ballast foundation on the ground, on wheels with anchorage, or on a frame with legs, that exhibits or displays a message that may be interchangeable. Examples of such signs include but are not limited to wheeled rental signs, rented message board signs for temporary events, and large event signs with temporary on ground ballast anchorage.

4.6. **Mobile Sign** means a sign that is temporary and moveable in nature, and installed on the surface of the ground, anchored by way of small metal pins,



or wood stake(s) and has the specific characteristic of being easily removed and relocated and includes but is not limited to small pin and stake signs, fabric stake sign, sandwich board signs, and message board signs.

- 4.7. **Mural Sign** means a sign that is painted or adhered directly upon the exterior of a building for the purposes of advertising.
- 4.8. **Projecting Sign** means a single- or double-sided sign that projects at nominally perpendicular angle from the wall of the building or from the underside of an eave that it serves and has a sign that may or may not be susceptible to movement under normal atmospheric conditions.
- 4.9. **Real Estate Sign** means a sign that is erected for the sale, lease, or rental of a specific property.
- 4.10. **Residential Home Signs** means a sign that is located on private property of a residential use that advertises a name and/or address of the property owner.
- 4.11. **Sandwich Board Sign** is a specific type of mobile sign that shall be double sided in design and specifically has an “A” frame build style.
- 4.12. **Wall Sign** means a sign that is affixed in a parallel manner to the exterior wall of a building, or on the fascia surface of a roof canopy.

## 5. EXISTING SIGNS AND LEGAL NON-CONFORMING STATUS

- 5.1. Except as provided in Subsection 5.7 of this By-law, all signs in existence on the date of the enactment of this By-law that were legally installed in compliance with a previous sign By-law, or a previous Municipal permit or approval, but that are otherwise non-complaint with this By-law, are deemed to have legal non-conforming status.
- 5.2. A sign with legal non-conforming status referred to in Subsection 5.1 of this By-law shall be maintained in good repair and in the same or similar manner in which it was previously installed.
- 5.3. A sign with legal non-conforming status referred to in Subsection 5.1 of this By-law may have its appearance altered, including rebranding of an existing business, or change to a new business, where such alteration does not change the size, area, or location of the existing sign, and if located within the BIA District, the sign conforms to any policies established in accordance with Subsection 6.6 of this By-law.

- 5.4. Where a sign with legal non-conforming status referred to in Subsection 5.1 of this By-law has been unmaintained, either the sign shall be maintained as required by Subsection 5.2 of this By-law, the sign shall be altered and maintained to be compliant with the provisions of this By-law, or the sign shall be removed.
- 5.5. Where a sign with legal non-conforming status referred to in Subsection 5.1 of this By-law has been altered to differ from the manner in which it was previously installed, or where more than 50% of the sign has been removed, either the sign shall be altered to be compliant with the provisions of this By-law, or the sign shall be removed.
- 5.6. Where a sign in existence on the date of the enactment of this By-law was not installed in compliance with a previous sign By-law, or that was installed without a permit or approval contrary to a previous sign By-law, the sign shall be completely removed where the sign is not compliant with the provisions of this By-law or shall be altered and maintained to be compliant with the provisions of this By-law.
- 5.7. All signs installed on or over land owned by the Town in existence on the date of the enactment of this By-law, whether or not they are compliant with this By-law or have legal non-conforming status referred to in Subsection 5.1, shall conform to the requirements of Section 8 of this By-law.
- 5.8. Signage issued under a previous municipal permit which has an expiry date shall not have legal non-conforming status under this Section and shall comply with the requirements of this By-law upon expiry of the previous permit.

## **6. INSTALLATION, PERMITS AND APPROVALS**

- 6.1. No person shall install a sign except in compliance with this By-law.
- 6.2. Every Owner shall ensure that a new sign or an alteration to an existing sign complies with this By-law prior to the installation or alteration of the sign.
- 6.3. Except where otherwise required by this By-law, or otherwise required by another By-law, act, or regulation, a sign that is compliant with this By-law shall not require a permit or approval from the Town.
- 6.4. For the purposes of the applicability of Division B, Section 3.15. of the Ontario Building Code, a sign that is regulated or prohibited by this By-law is deemed to be a “sign subject to municipal approval” within the exception in

Division B, Clause 3.15.1.2.(1)(e) of the Ontario Building Code and deemed to not be subject to the provisions of, or regulated by Division B, Section 3.15. of the Ontario Building Code.

- 6.5. Signs located within the Ministry of Transportation Influence Area shall comply with the regulations, standards, and permitting requirements of the Ministry of Transportation, in addition to the requirements of this By-law.
- 6.6. The Downtown BIA may establish policies to prohibit, regulate, require an approval, or require a consultation process, for any sign located within the BIA District as it relates to the aesthetic, lighting and lighting times, digital signage, and material standards of the sign, and the size of the sign where permitted by this By-law.
- 6.7. Where the Downtown BIA has established any policies under Subsection 6.6 of this By-law, every owner shall ensure that a new sign or an alteration to an existing sign within the BIA District complies with any policies established under Subsection 6.6 prior to the installation or alteration of the sign.
- 6.8. Signs located on land, buildings, structures, or property that are designated under the Ontario Heritage Act, and that are likely to affect the heritage attributes of the land, buildings, structures, or property, shall require approval under the Ontario Heritage Act prior to installation of the sign.

## **7. APPROVAL OF COUNCIL**

- 7.1. Where this By-law requires that a sign receive the approval of Council, the following process shall apply.
  - 7.1.1. All requests related to relief, variance, or other approval for a sign or a condition of sign installation that is not in compliance with this By-law shall be made in writing to Council and be provided to the Town Clerk who will then request comments from all pertinent Town departments.
  - 7.1.2. Requests shall outline the reason for the sign request, a site plan showing the proposed location of the sign(s), or other plans and elevations showing the design of the sign(s) and be accompanied by the required fee as outlined in the Fees By-law.
  - 7.1.3. Input from all relevant Town departments will be provided and reviewed prior to Council making any decision of relief or variance.

- 7.1.4. All decisions by Council after for approval or denial are final including any conditions imposed and deemed necessary by Council.
- 7.1.5. Signs approved by the Council by way of an approved Development Permit or approved under Subsection 6.8 of this By-law are deemed to be Council approval under this section.
- 7.1.6. Signs approved by the Council under this Section that are installed on or over land owned by the Town shall comply with Subsection 8.2 of this By-law unless approval by council specifically exempts or specifies otherwise.

## **8. SIGNAGE ON TOWN OWNED LAND**

- 8.1. The following types of signs are permitted to be installed on or over land owned by the Town in accordance with the applicable provisions of this By-law for the sign type:
  - 8.1.1. Sandwich Board signs installed in compliance with Section 18 of this By-law.
  - 8.1.2. Projecting signs installed in compliance with Section 16 of this By-law.
  - 8.1.3. Advertising on an Awning installed in compliance with Section 11 of this By-law.
  - 8.1.4. A wall sign that is installed in accordance with Section 19 of this By-law.
  - 8.1.5. Sandwich Board Signs installed in accordance with Section 18, and Pin and stake style Mobile signs installed in accordance with Section 15 of this By-law, that are used for Public Events, and that are not installed more than seven (7) business days prior to the event and removed not more than 48 hours after the event.
  - 8.1.6. Real-estate signs for the purpose of advertising an open house installed in accordance with Article 17.1.3. of this By-law.
  - 8.1.7. Digital projector advertising displayed in accordance with Subsection 13.3. of this By-law.

- 8.1.8. Any other type of sign that has received the approval of Council under Section 7 of this By-law.
- 8.2. Except for signs indicated in Article 8.1.5. of this By-law, every Sign Owner installing a sign permitted in Subsection 8.1 of this By-law shall maintain an active commercial general liability insurance policy, with the Corporation of the Town of Carleton Place as an additional insured party on the policy, and with a policy minimum coverage level of \$5,000,000.00, for the entire duration that a sign is installed on or over Town owned land.
- 8.3. Except for signs described in Articles 8.1.5. and 8.1.6., all signage installed on Town Property that is considered Offsite Advertising shall only be located on the portion of Town property that is directly adjacent to a wall of the building to which the advertisement applies.
- 8.4. Signs installed on or over land owned by the Town that are not of a sign type permitted by Subsection 8.1, or that do not comply with Subsections 8.2 and 8.3 shall be removed.

## **9. PROHIBITED SIGN TYPES AND LOCATIONS**

- 9.1. The following signs and advertising devices are prohibited by this By-law unless approved by Council under Section 7 of this By-law:
  - 9.1.1. Signs supported on the roof surface of a building, except for on the surface of an awning sign in conformance with Section 11.
  - 9.1.2. Signs supported on or projecting from the roof parapet of a building.
  - 9.1.3. New Mural signs.
  - 9.1.4. Signs installed within or obstructing the use of any required fire access route required by the Ontario Building Code or the Ontario Fire Code, or a drive aisle or parking space that is required by the Development Permit By-law.
  - 9.1.5. Offsite Advertising of any type, except where expressly permitted elsewhere in this By-law.
  - 9.1.6. Signs installed on or over land owned by the Town that do not comply with Section 8 of this By-law.

- 9.1.7. Advertising posters that are not in compliance with Article 20.1.1 of this By-law.
- 9.1.8. Signs on Vacant Land other than a real estate sign for the sale of the land on which the sign is installed.
- 9.1.9. Any sign advertising a use, business, or occupancy type that is prohibited by the Building Code Act, Municipal Act, Planning Act or any By-law or regulation enacted under these Acts.
- 9.1.10. Any other sign type or other advertising device that is not specifically described or defined by this By-law.

## **PART 2 – REQUIREMENTS FOR SIGNS**

### **GENERAL REQUIREMENTS FOR ALL SIGNS**

- 9.2. The following requirements shall apply to all signs:
  - 9.2.1. No person shall install a sign within a Sight Triangle.
  - 9.2.2. All signs shall be maintained, and no person shall allow a sign to be unmaintained.
  - 9.2.3. Any person installing a sign with electrical components shall acquire proper permits from the Electrical Safety Authority prior to installation in accordance with the applicable legislation.
  - 9.2.4. A sign shall not be located in proximity to existing above ground electrical conductors unless the sign meets the clearance requirements of Subsection 3.1.19 of the Ontario Building Code or any other setbacks regulated by any relevant Act.
  - 9.2.5. No portion of any sign shall be installed where it may damage or interfere with infrastructure including but not limited to sewers, water supply, electrical, communication wires, and gas services.
  - 9.2.6. Signs on a building that advertise a business that is no longer in existence shall have all their sign faces removed and replaced with a blank weather resistant face by no later than 30 days after the discontinuation of the business. If no new advertising is installed within 120 days from the discontinuance of the previous advertisement, the Owner shall remove the entire sign including its structure.

- 9.2.7. All persons undertaking the installation of a sign shall ensure that the installation of the sign incorporates good engineering practices (such as Part 4 of the Ontario Building Code) for the anchorage, installation, and construction of the sign, including but not limited to the frames, boxes, foundations, and general structure. The sign shall be installed in a manner that will withstand all reasonable loads placed upon it, including but not limited to, atmospheric (rain, snow, ice, and wind), and seismic loading.
  - 9.2.8. Design and general review shall be provided by an Architect and/or a Professional Engineer where required by their respective Acts.
  - 9.2.9. No sign shall be installed in a manner that will obstruct a fire access route, a required exit, access to exit, or means of egress from a building, cover any windows, doors, vent openings, or other openings on building faces that are required for the safe use and operation of the building.
  - 9.2.10. No sign that projects or overhangs more than 50mm over a sidewalk or other pedestrian walkway shall have a vertical distance, measured from the bottom of the sign to the surface of the sidewalk that is less than 2.4m (8ft).
  - 9.2.11. In no case shall a sign obstruct pedestrian flow or accessibility of a sidewalk, municipal snow removal operations, and in no case a sign shall be installed within 600mm of vehicular traffic of a highway.
  - 9.2.12. No sign shall be installed in a manner that will obstruct a required barrier-free path of travel in accordance with the Ontario Building Code, or public pathway or sidewalk requiring a minimum 1.5m clear unobstructed width in accordance with the Accessibility for Ontarians with Disabilities Act.
  - 9.2.13. Signs constructed of plastic and installed on a building shall exhibit characteristics of fire resistance, such as those described in Subsection 3.15.4. of the Ontario Building Code, having regard to the required combustibility of the cladding of the building, size of the sign face, and the overall fire safety of the building.
- 9.3. Except for real estate signs, where a sign meets the definition and description of more than one sign type, the requirements of the less restricted

sign type may be applied.

- 9.4. Signs associated with a temporary or mobile business, that are not located on a vehicle, or a building, shall only be a mobile sign.

## **10. AWNING SIGNS**

- 10.1. The following requirements shall apply to all awning signs in addition to Section 10:

- 10.1.1. Advertising shall only be printed or painted directly on, and integral to the fabric of the awning.

- 10.1.2. Advertising is not permitted on an awning that is located above the first storey of a building.

- 10.1.3. Fabrics used as part of an awning that is attached to a building of any type of construction shall conform to CAN/ULC-S109, "Flame Tests of Flame-Resistant Fabrics and Films".

- 10.1.4. Awning sign advertising shall not be permitted for a residential use.

## **11. BANNER SIGNS**

- 11.1. Banner signs shall not be permitted unless approved under Section 7 of this By-law.

## **12. DIGITAL SIGNS**

- 12.1. The following requirements shall apply to all digital signs in addition to Section 10, except as provided in Subsection 13.2. and 13.3.:

- 12.1.1. Digital signs shall not be permitted for residential use.

- 12.1.2. Digital signs shall only be permitted as a component of a non-residential wall sign or a ground sign adhering to the relevant sections of those sign types, and the digital component of the sign shall not exceed 50% of the total area of the sign face.

- 12.1.3. Digital signs shall not be placed within 91.4m (300ft) of a signalized intersection where it is visible from that intersection.



- 12.1.4. Digital signs shall not be installed within 30.48 m (100ft) of windows serving a Residential Use.
- 12.1.5. Animation that consists of moving text or live action when transitioning between each different static messages or visualizations shall not exceed three (3) seconds of animation time.
- 12.1.6. Digital signs shall have a minimum of 15 seconds between each different static message or visualization.
- 12.1.7. Digital signs shall not be placed within 2.44m (8ft) of the property line.
- 12.2. Digital signs displayed in a window of a non-residential use on the inside of the building shall not exceed 0.14m<sup>2</sup> (1.5ft<sup>2</sup>) in sign face area and shall only advertise limited information such as the status of the open and closed status, hours, and lottery ticket information.
- 12.3. Digital projector advertising for a non-residential use, displayed from a projector onto a sidewalk immediately adjacent to the wall that contains the business interior are permitted to be displayed in accordance with the following conditions:
  - 12.3.1. Shall only be displayed during operating hours of the business.
  - 12.3.2. Shall be limited to a maximum of one display per business.
  - 12.3.3. Shall only be directed downwards and shall not create a hazard for pedestrian or vehicular traffic.

### **13. GROUND SIGNS**

- 13.1. The following requirements shall apply to all ground signs in addition to Section 10:
  - 13.1.1. Not more than one (1) ground sign shall be permitted per lot fronting on a highway, except that not more than two (2) ground signs shall be permitted per lot fronting on two (2) or more highways.
  - 13.1.2. The limit of the number of ground signs in Article 14.1.1. shall apply regardless the number of buildings, tenancies, and business on the

lot.

13.1.3. No ground sign shall be located closer than 2.44m (8ft) m to a property line.

13.2. The following additional requirements shall apply to ground signs installed for a residential use or for a mixed-use:

13.2.1. Except as permitted by Article 20.1.4., ground signs shall not be installed for a House, or a Residential use building with less than four (4) dwelling units.

13.2.2. Residential Ground signs shall not contain a digital sign component.

13.2.3. Residential Ground signs shall not contain more than two (2) sides that contain advertising.

13.2.4. Residential Ground signs shall adhere to the following table requirements:

| <b># of Stories Above Grade of the Building the Sign serves</b> | <b>Clear Space Requirement from Grade</b> | <b>Maximum sign Width</b> | <b>Maximum sign Height</b> |
|---|---|---------------------------|----------------------------|
| 1-2   | n/a                                       | 1.22m (4ft)               | Max 1.22m (4ft)            |
| 3+  | n/a                                       | 2.44m (8ft)               | Max 2.44m (8ft)            |

13.3. Non-residential ground signs shall adhere to the requirements of the following table:

| <b>Sign Location</b>             | <b>Measurement from closest part of sign to Traveled Portion of Highway</b> | <b>Minimum required clear space from grade to bottom of Sign.</b> | <b>Maximum sign Width</b> | <b>Maximum sign Height</b> |
|----------------------------------|---|---|---------------------------|----------------------------|
| Within a Highway Commercial Zone | < 7.5m (24.5ft)   | 2.44m (8ft)   | 2.44m (8ft)               | 7.5m (24.5ft)              |

|                 |                 |             |             |              |
|-----------------|-----------------|-------------|-------------|--------------|
| All other areas | < 7.5m (24.5ft) | 2.44m (8ft) | 2.44m (8ft) | 4.57m (15ft) |
|-----------------|-----------------|-------------|-------------|--------------|

## 14. MOBILE SIGNS

14.1. This section applies to Mobile signs except for mobile real estate signs under Section 17 and mobile sandwich board signs under Section 18.

14.2. The following requirements shall apply to all pin and stake style mobile signs and fabric stake signs in addition to Section 10:

| Sign Type           | Max Height of sign | Max Width of sign | Max # of sign Sides          |
|---------------------|--------------------|-------------------|------------------------------|
| Pin and Stake Signs | 0.914m (3ft)       | 0.610m (2ft)      | Single or double sided only. |
| Fabric Stake Signs  | 2.44m (8ft)        | 0.610m (2ft)      | Single or double sided only. |

14.3. The maximum number of Mobile signs (excluding message board and sandwich board signs) shall not exceed two (2) per lot where within 30.48m (100ft) of a property line abutting a highway and shall not exceed five (5) signs per lot total.

14.4. The following requirements shall apply to all message board signs in addition to Section 10:

| Max # of Message Board signs   | Max Height of sign | Max Width of sign | Max # of sign Sides          |
|--|--------------------|-------------------|------------------------------|
| Maximum of one (1) per business with a minimum of 9.14m (30ft) of spacing between each sign. | 1.52m (5ft)        | 3.05m (10ft)      | Single or double sided only. |

14.5. Mobile signage shall not be permitted to be illuminated or luminous in nature or contain a digital component.

14.6. Message board signs shall not be located closer than 2.44m (8ft) to a property line.

14.7. Mobile signs shall not be permitted for a residential use, including a home-based business, except as permitted by Section 20.

14.8. Not more than one (1) message board sign shall be permitted per lot fronting on a highway, except that not more than two (2) message board signs shall be permitted per lot fronting on two (2) or more highways.

14.9. Where a message board sign is not displaying advertising, the message board sign structure shall be removed from the property in its entirety.

## **15. PROJECTING SIGNS**

15.1. The following requirements shall apply to all projecting signs in addition to Section 10:

15.1.1. Projecting signs shall only be permitted for a non-residential use.

15.1.2. Projecting signs shall not be installed upon a parapet wall.

15.1.3. Projecting signs shall not exceed 115kg (253.5lb) in weight.

15.1.4. Projecting signs shall not project greater than 1.22m (4ft) from the face of the building.

15.1.5. Projecting signs shall not project closer than 0.610m (2ft) from any point of the travelled portion of a Highway including the area for parking.

15.1.6. A projecting sign shall only be located on a portion of an exterior wall that has frontage on a highway and that contains the business it advertises.

15.1.7. Projecting signs shall not be installed above the eave of a roof.

15.1.8. Projecting signs on buildings greater than one (1) storey shall not be installed above the sill of the 2<sup>nd</sup> storey windows.

15.1.9. Projecting signs shall be installed in compliance with the following chart:

| <b>Max # of signs Per Business</b> | <b>Max Width of sign Face</b> | <b>Max Height of sign Face</b> | <b>Max sign Area</b>                   |
|------------------------------------|-------------------------------|--------------------------------|--|
| One (1) sign for each business.    | 0.914m (3ft)                  | 0.610m (2ft)                   | 0.56m <sup>2</sup> (6ft <sup>2</sup> ) |

## 16. REAL ESTATE SIGNS

16.1. The following requirements shall apply to all real estate signs in addition to Section 10:

- 16.1.1. Real estate signs shall be removed within two (2) weeks after the closing of the sale or lease of a property.
- 16.1.2. Real estate signs shall only be placed on the lot where the sale is being proposed, and no offsite advertising is permitted except for open house signage permitted in Sections 8 and 17.1.3.
- 16.1.3. Real estate signs for the purpose of advertising an open house, shall not exceed a sign face area of 0.28m<sup>2</sup> (3ft<sup>2</sup>), and are permitted to be installed 48 hours preceding an open house, during an open house, and shall be removed immediately after the end of the event.
- 16.1.4. Not more than one (1) mobile sign (excluding message board signs) and one (1) wall Sign shall be permitted per lot fronting on a highway, except that not more than two (2) mobile sign (excluding message board signs) and two (2) wall signs shall be permitted per lot fronting on two (2) or more highways
- 16.1.5. Real estate signs shall not exceed the design requirements contained in the following chart:

| <b>Lot Type</b> | <b>Max sign Face Width</b> | <b>Max sign Face Height</b> | <b>Maximum sign Face Area</b>           | <b>Maximum sign Height</b> | <b>Permitted sign Types</b> |
|-----------------|----------------------------|-----------------------------|---|----------------------------|-----------------------------|
| Residential     | 0.914m (3ft)               | 0.610m (2ft)                | 0.56m <sup>2</sup> (6ft <sup>2</sup> )  | 1.22m (4ft)                | Stake/Pin/Wall              |
| Non-Residential | 1.52m (5ft)                | 0.914m (3ft)                | 1.49m <sup>2</sup> (16ft <sup>2</sup> ) | 1.83m (6ft)                | Stake/Pin/Wall              |

## 17. SANDWICH BOARD SIGNS

17.1. The following requirements shall apply to all sandwich board signs in addition to Section 10:

- 17.1.1. Sandwich board signs shall not be displayed during adverse weather conditions including but not limited to strong wind events, heavy snowfall events, and other such atmospheric events where the sign could cause a hazard as determined by an officer.
- 17.1.2. Sandwich board signs shall only be permitted for non-residential uses and shall not exceed one (1) sign per business.
- 17.1.3. Sandwich board signs are not permitted to be illuminated or luminous in nature or contain a digital sign component.
- 17.1.4. Sandwich board signs shall adhere to the requirements of the following table:

| <b>Max Height of sign</b> | <b>Max Width of sign</b> | <b>Max sign Area</b>                   | <b>Max # of sign Sides</b>  |
|---------------------------|--------------------------|--|-----------------------------|
| 1.22m (4ft)               | 0.610m (2ft)             | 0.56m <sup>2</sup> (6ft <sup>2</sup> ) | Single or Double Sided Only |

## 18. WALL SIGNS

18.1. The following requirements shall apply to all wall signs in addition to Section 10:

- 18.1.1. Wall Signs shall not project greater than 0.3m (1ft) from the building face to which they are attached.
- 18.1.2. The width of Wall Signs shall not exceed the width of the suite that they serve.
- 18.1.3. Wall Signs shall not be installed higher than the upper limit of the building face in which it serves.
- 18.1.4. Wall signs serving a Non-residential building shall only be placed on a wall that contains the business interior and that faces a highway, a parking lot appurtenant to the business, or an open public space adjacent to the lot that is owned by the Town or an

upper tier municipality.

- 18.1.5. The total cumulative area of wall signs located on a building face shall be a maximum of 30% of the permitted wall area specified in 19.1.4. unless lesser size is required by the Downtown BIA under Subsection 6.6 of this By-law.

## **19. OTHER SIGNS**

- 19.1. The following additional sign types shall be permitted by this By-law, and shall adhere Section 10 and the following requirements:
  - 19.1.1. Temporary advertising posters made of paper with dimensions of not more than 0.3m (1ft) by 0.46m (1.5ft) on private property.
  - 19.1.2. Menu boards for drive through restaurants that advertise food and/or drink being provided within the premises and may include luminous or digital signage components unless required otherwise by the Downtown BIA in Subsection 6.6 of this By-law.
  - 19.1.3. Development signage that adheres to the requirements of the applicable sign type, except that development signage is not subject to the quantity limits of the applicable type.
  - 19.1.4. A residential home sign for the purposes of displaying a family name and/or civic address, that is attached to the building or to a ground sign, and that does not exceed 0.28m<sup>2</sup> (3ft<sup>2</sup>) in area.
  - 19.1.5. Temporary snow removal driveway markers not exceeding 0.14m<sup>2</sup> (1.5ft<sup>2</sup>) in area may be installed no earlier than November 1<sup>st</sup> and shall be removed by no later than April 30<sup>th</sup>.
  - 19.1.6. A temporary pin and stake style mobile sign advertising maintenance or construction on a site may be installed and displayed on the site where the work is being undertaken, during the duration of the work, and up to a maximum of two (2) weeks after completion of the work, and shall not exceed 0.75m<sup>2</sup> (8ft<sup>2</sup>) in area.

## **PART 3 – ENFORCEMENT, SEVERABILITY, REPEAL, AND ENACTMENT**

### **20. ENFORCEMENT**

- 20.1. This By-law shall be enforced by an Officer.

- 20.2. Any Property Owner who provides rental tenancy in a private building on a private lot is deemed to be ultimately responsible for all signage installed on or in conjunction with the business or any of their tenants' businesses. This includes all signs installed off the lot and on adjacent Town owned land which advertise an entity within a building adjacent to the sign.
- 20.3. Any person reporting an alleged contravention of this By-law shall report it to the Town by way of written letter, email, or online submission.
- 20.4. Where the Downtown BIA becomes aware of a contravention of a policy established by the Downtown BIA under Subsection 6.6, the Downtown BIA shall provide notice of the contravention to an Officer.
- 20.5. Every person who fails to comply with any provision of this By-law shall be guilty of an offence and liable to a fine as prescribed by the Provincial Offences Act.
- 20.6. Where a sign is erected or displayed on or over property owned by the Town and not in accordance with the provisions of this By-law, the sign may be removed immediately by the Town without notice or compensation.
- 20.7. Any sign impounded by the Town shall be held for a period of thirty (30) calendar days from the date of the sign being impounded, and at 12:01 a.m. of the 31st day, if the Sign is not released to the Owner upon payment of the expenses incurred by the Town, it may be disposed of in a manner at the discretion of the Officer, without compensation or notice to any person.
- 20.8. The reasonable expense as determined by the Officer for the removal and disposal of any sign removed by the Town shall be the responsibility of the Owner, and such costs (See the Town's most recent Fees and Charges By-law) are recoverable under the authority of the Municipal Act, 2001, as amended, and shall be collected in the same manner as taxes.
- 20.9. Set fines for provincial offenses are prescribed by Schedule – C of this By-law.
- 20.10. This By-law may be enforced through an Administrative Monetary Penalty System (AMPS) in accordance with a By-law passed by Council and in effect under Section 434.1 of the Municipal Act.
- 20.11. An Officer may request from an Owner at any reasonable time the following information:



20.11.1. A copy of the insurance policy required in Section 8 of this By-law in relation to Signage installed on Town owned property.

20.11.2. Information that is relevant to demonstrating compliance with any provision of this By-law.

20.12. Every Owner shall assist an Officer in providing information requested under Subsection 21.11. of this By-law.

20.13. A sign may be removed by an Officer where the Owner fails to provide information requested under Subsection 21.11. of this By-law.

## **21. SCHEDULES**

21.1. Schedules contained herein shall be considered forming part of this By-law.

## **22. SEVERABILITY**

22.1. Should any section, subsection, article, clause, or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.

## **23. REPEAL**

23.1. By-law 65-2008 and all subsequent amendments shall be hereby repealed in their entirety.

## **24. EFFECTIVE DATE**

24.1. This By-law shall come into effect on the day it is passed.

**READ A FIRST TIME, SECOND TIME, AND A THIRD TIME, AND FINALLY PASSED THIS 16<sup>TH</sup> DAY OF APRIL, 2024.**

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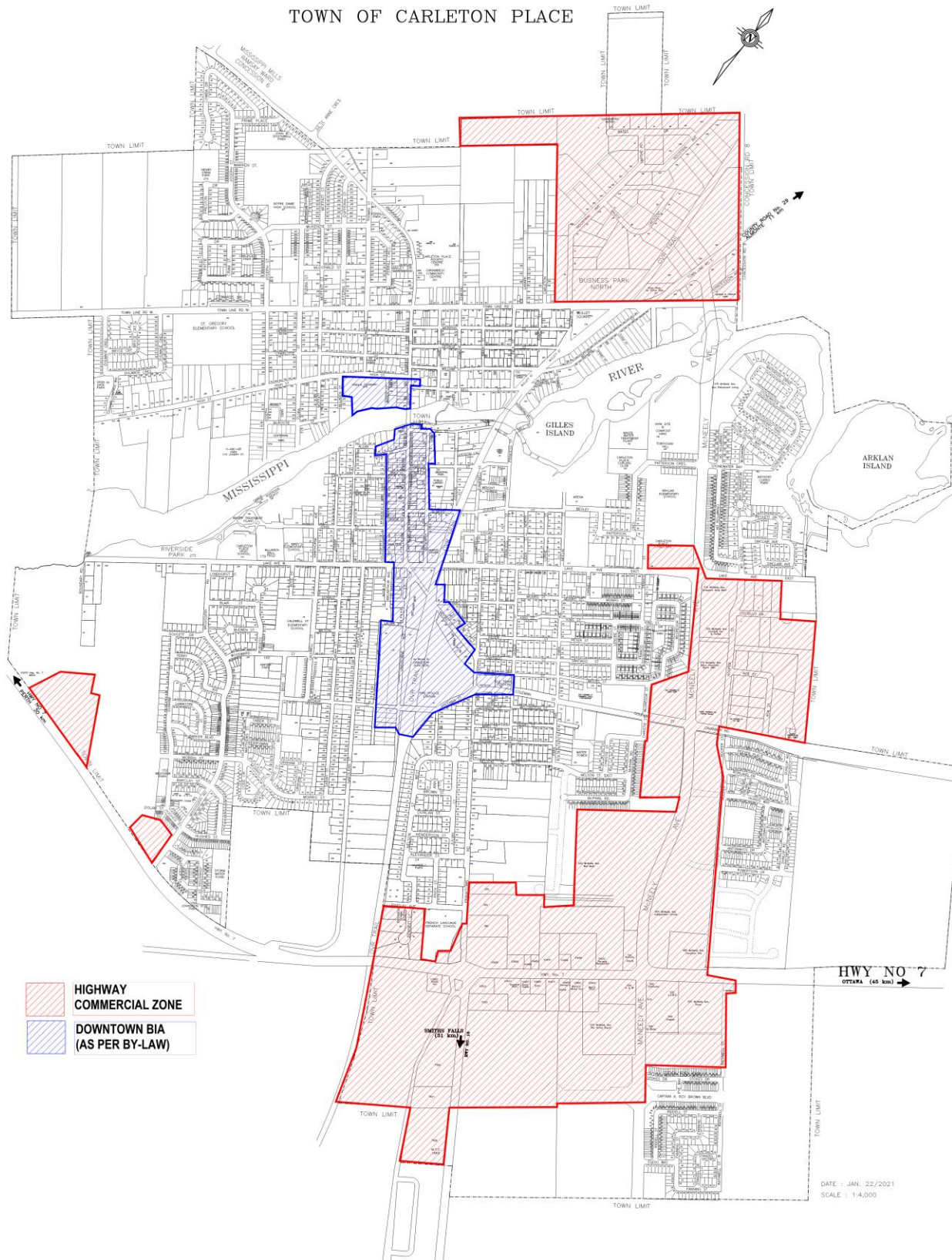
Toby Randell, Mayor

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Stacy Blair, Clerk

# SCHEDULE - A HIGHWAY COMMERCIAL AND DOWNTOWN ZONE MAP

TOWN OF CARLETON PLACE



# SCHEDULE – B

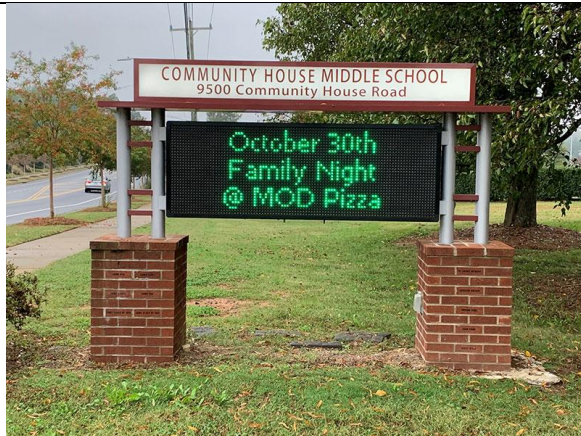
## SIGN TYPES



**Awning Advertising**



**Banner Sign**



**Digital Sign (on ground sign)**



**Ground Sign**



**Mobile Message Board**



**Mobile Pin and Stake Sign**



**Mobile Fabric Stake Sign**



**Projecting Sign**



**Sandwich Board Sign**



**Wall Sign Type 1**



**Wall Sign Type 2**



**Wall Sign Type 3**

**SCHEDULE – C**

**SET FINES**

**RESERVED**