

BY-LAW NO. 65-2008

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE, BEING A BY-LAW FOR PROHIBITING OR REGULATING SIGNS AND OTHER ADVERTISING DEVICES OR ANY CLASS OR CLASSES THEREOF, AND THE POSTING OF NOTICES ON BUILDINGS OR VACANT LOTS WITHIN ANY DEFINED AREA OR AREAS OR ON LAND ABUTTING ON ANY DEFINED HIGHWAY OR PART OF A HIGHWAY.

WHEREAS, pursuant to subsection of Section 99 of *The Municipal Act, 2001*, c. 25 as amended, a municipality may pass by-laws for prohibiting or regulating signs and other advertising devices, may define a class or classes of signs or other advertising devices, and may specify a time period during which signs or other advertising devices in a defined class may stand or be displayed in the municipality, and may require the removal of such signs or other advertising devices which continue to stand or be displayed after such time period has expired;

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

1 SCOPE

- 1.1 Within the Town of Carleton Place, no sign or awning or its structure, temporary or permanent, shall be erected, enlarged, placed or allowed to remain for any purpose except as permitted by this by-law and in conformity with applicable provisions of The Ontario Building Code.

2 DEFINITIONS

- 2.1 In this By-law:

2.1.1 **Alter / alteration** means any change to the sign structure or to the sign face, except for

- a) the rearrangement of numerals, letters or copy applied directly to the face of the sign and specifically designed and intended to be periodically rearranged, and pertains to the business or service already offered at that location, this shall not exempt new business or services moving into that location from being required to obtain a sign permit for the new business/service sign.
- b) maintenance, including replacement by identical components, as required by this bylaw. If maintenance includes replacing the whole sign structure then the structure will be considered new and is subject to all the requirements in this by-law for the erection of a new sign.

2.1.2 **Area of Sign** means the number of square metres on the surface of a sign, including the border and frame, and where there is no border, shall include all of the area of the surface lying within the extremities of the sign. In the case of a sign having more than one face provided the faces are back to back otherwise it shall be the total of all faces.

2.1.4 **Attach** means to place, affix, post or attach, or cause to be placed, posted or attached.

2.1.5 **Awning** means a roof or covering for protection from sun or rain as the season dictates, and that can be quickly and easily folded or removed from a building as climate and seasons dictate. Further, an awning shall be defined as being constructed, except for its supporting structure, of canvas or other cloth-like material having flexibility and being foldable and removable.

- 2.1.6 **Chief Building Official** means the Chief Building Official of the Town of Carleton Place and/or a designated representative.
- 2.1.7 **Corporation** means the Corporation of the Town of Carleton Place.
- 2.1.8 **Council** means the Council of the Corporation of the Town of Carleton Place.
- 2.1.9 **Height of Sign** means the vertical distance from the ground to the highest extremity of the sign including the border or frame, and in the case of a sign without a border or frame, the vertical distance from the ground to the top of a letter, symbol, or other part of the sign that is its highest point from the ground.
- 2.1.10 **Length of Sign** means the distance between the border or frame of the sign measured horizontally and, in the case of a sign without a border or frame, it means the horizontal distance between the first and last extremities of the lettering, symbols or other parts of the sign.
- 2.1.11 **Lot Line** means the actual surveyed line between a right-of-way or roadway and a lot, or part lot as the case may be.
- 2.1.12 **Merchandise Display Cart** means a wheeled or movable cart, wagon, table or other similar device placed on the sidewalk or roadway as a display area for available goods or merchandise.
- 2.1.13 **Permitted Use** is a use allowable within a zone pursuant to the Town's Development Permit By-law and amendments thereto from time to time as given.
- 2.1.14 **Public Property** means any property owned by the Corporation of the Town of Carleton Place or any property owned by any other party and located on any real property owned by the said Corporation.
- 2.1.15 **Sign** 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.

2.2 Types and Styles of Signs

- 2.2.1 **Accessory Sign** means a sign that is permitted as an additional sign to all other permitted signs for that use, location or building. All styles, types and uses are subject to the provisions in this by-law and the current Development Permit By-law for the Town of Carleton Place.
- 2.2.2 **Banner** means a temporary sign composed of a band or strip of material, including plastic, tarp or canvass that displays advertising copy or slogan of a temporary nature normally hung, or fastened on the front of a building or across a sidewalk, roadway or laneway. The examples listed are included in the definition but the definition is not limited to the examples listed above.
- 2.2.3 **Billboard** means an off or on-premises sign which advertises goods, products, services or facilities, or directs persons to a location that may be different from that upon which the sign is located. The sign is erected and maintained by a person engaged in the rental of the sign for advertising purposes.

- 2.2.4 **Business Sign** means a sign, symbol, trademark, structure or similar device used to identify the main permitted use pursued by the person, firm, corporation, business, service, commercial or industrial enterprise which is displayed upon the lot or premises occupied by such an enterprise and the type or business activity in which it is engaged.
- 2.2.5 **Commercial Sign** means a sign indicating the permitted main commercial use in accordance with the Town's Development Permit By-law.
- 2.2.6 **Development Sign** means a sign advertising new developments within the Municipality that have lots or property available to the public for purchase, lease or rent but does not necessarily limit itself to one particular lot or piece of property.
- 2.2.7 **Direction Sign** means a sign indicating a direction to be followed to attain a certain destination with only the destination and/or distance identified.
- 2.2.8 **Double Faced Sign** means a sign having two sign faces, each face being equal in area and identical proportions to the other, and with each face located on the sign structure so as to be exactly opposite the other.
- 2.2.9 **Election Sign** means any sign advertising or promoting the election of a candidate or candidates.
- 2.2.10 **Fascia Sign** means a single-faced sign located in such a manner that the sign face is attached above the ground floor window level and is parallel to the main wall of the building to which it is attached.
- 2.2.11 **Flag** may also mean an advertising device made of material hung from a pole and may read 'sale', 'open', etc.
- 2.2.12 **Flashing Sign** means an illuminated sign, fixed or rotating, upon which the source of artificial light is not stationary or the intensity or colour is not constant, but does not include luminous signs indicating time or temperature.
- 2.2.13 **Ground Sign** means any sign directly supported by the ground without the aid of any other building or structure, other than the sign structure.
- 2.2.14 **Home Based Business Sign** means a sign identifying a permitted accessory use in accordance with the Town's Development Permit By-law.
- 2.2.15 **Illuminated Sign** means a sign that is lighted by an external source.
- 2.2.16 **Luminous Sign** means a sign lighted by an internal source and does not include neon signs that are lighted by a luminous gas in tubes.
- 2.2.17 **Mobile Signs** means a temporary sign and shall be described as being transportable on wheels, or otherwise easily moved, and being capable of being located on the ground and may be supplied with electrical power for illumination from another source on site or self-contained.
- 2.2.18 **Multiple Faced Signs** means any sign that has more than one face side with advertisements.

- 2.2.20 **Mural** means any painting, drawing or other graphic/visual external display applied to the exterior wall of any building or structure whether done by hand, photo reproduction, decal or transfer.
- 2.2.21 **Plastic Corrugated Sign** means a temporary sign made of plastic that is similar in appearance to corrugated cardboard, which may have writing, pictures or other like items related to advertising, which is capable of being attached, mounted or hung from a building.
- 2.2.22 **Portable Sign** means any sign or advertising device that is not permanently attached to the ground, building or structure, or any sign located upon any movable device.
- 2.2.23 **Poster** means any bill, notice, sign or poster, which contains direction, information, identification or advertisement, but does not include any material related to a court order or a court process.
- 2.2.24 **Project Announcement Sign** means a sign conveying a message applicable for a definable and specific limited time or related to an event of specific and short duration that is announcing a development project related to construction.
- 2.2.25 **Projecting Sign** means a sign attached to but not parallel to the main wall of the building.
- 2.2.26 **Pylon Sign** means a sign supported and placed upon pole(s) or standard(s).
- 2.2.27 **Real Estate Sign** means an on-premises sign advising that a property is to be sold, rented or leased and which may also indicate to whom one should enquire with regard thereto.
- 2.2.28 **Residential Sign** means a sign indicating the permitted main residential use in accordance with the Town's Development Permit By-law.
- 2.2.29 **Sandwich Board Sign** means a portable sign having two separately hinged faces of equal size being self-supporting when open in a manner of an A-frame, being square or rectangular.
- 2.2.30 **Standard Sign** means a sign supported and placed upon pole(s) or standard(s).
- 2.2.31 **Shopping Centre Sign** means a sign for a multiple occupancy building whose parking requirements, in accordance with the Development Permit By-law of the Corporation of the Town of Carleton Place, exceeds fifty (50) cars.
- 2.2.32 **Swing Sign** means a sign mounted on a building or other structure in such a manner as to allow movement due to wind.
- 2.2.33 **Temporary Sign** means a sign which is not permanently installed or affixed to any structure or to any building, and shall only be used for a limited period of time as specified within this by-law. This definition shall include banners and plastic corrugated signs. The sign may be fastened to a building but is not made of materials that would generally be considered durable.

2.2.34 **Wall Sign** means a sign, which is erected against the wall of any building, the display area of which is parallel to the face of and supported by such wall and which does not project more than 0.2 metres from such wall.

3 APPLICATION FOR PERMIT

- 3.1 Prior to the issuance of a sign permit, an application for a permit shall be submitted to the Chief Building Official's office in order that the proposed sign and/or alteration may be examined for conformity to this By-law.
- 3.2. The application for a permit shall be accompanied by the following information, filed with the application:
- 3.2.1 completed drawings and specifications of what is to be erected or structurally altered, including, where applicable, details of supporting framework (including lighting and materials used);
- 3.2.2 erection plans indicating the location of the sign on the building relative to vehicle access, doors, windows, and other existing signs on the site, and
- 3.2.3 site plans to scale indicating location on the site, street line and other boundaries of the property, and the location of the building thereon and location of trees, hydro poles, streetlights and other like objects.
- 3.3 On receipt of a completed application, the Chief Building Official shall issue a sign permit provided the sign proposed in the application is in compliance with regulations contained in this By-law, and if applicable, with sign requirements contained in the *Ontario Building Code*.
- 3.4 Fees to be paid upon application for sign permits shall be as set out in schedule 'A'.

4 PERMIT EXEMPTIONS

- 4.1 No permit shall be required for:
- 4.1.1 Any poster, banner or sign of a candidate in a municipal, provincial or federal election;
- 4.1.2 Signs of any public authority;
- 4.1.3 Signs prescribed by law;
- 4.1.4 Signs for public convenience and direction (such as delivery, caution, entrance, construction, detour signs and the like as approved by the Chief Building Official);
- 4.1.5 Project Announcement Signs, upon approval by the Chief Building Official;
- 4.1.6 Municipal exhibition or municipal event signs;
- 4.1.7 Real estate signs 1.0m² or less that are in accordance with the provisions of this By-law, and
- 4.1.8 Temporary parking control signs erected by the local Police Force or Works Department of the Town of Carleton Place;

4.1.9 Temporary banners and flags on private property;

4.1.10 Temporary Signs.

5 APPLICATION TO EXISTING SIGNS

5.1 Except in the event of major repairs, removal, alteration, or replacement, or when the existing sign is no longer relevant to the premises, business or service on which it is located, or when the sign becomes unsafe due to neglect or lack of maintenance and is determined to be a hazard to the public, every sign legally existing in the Town of Carleton Place as of the date of final passage of this By-law, shall be exempt from complying with this By-law.

6 GENERAL REGULATIONS

6.1 No person shall erect, place or cause to be erected or alter any sign existing or new within the Town of Carleton Place without first obtaining a sign permit from the Chief Building Official.

6.2 Commercial Designations

6.2.1 For each place of business in a commercial designation, only one permanent type sign/structure of the following awning, fascia, ground, multiple faced type signs, standard/pylon sign, wall sign, mural, or projecting overhead sign may be erected for every 7.5 metres of continuous property, or fraction thereof.

6.2.2 Signs listed in Section 6.2.1 must conform to the conditions prescribed in the appropriate categories of this by-law.

6.2.3 Applications for all signs within the Carleton Place Improvement Area (BIA) are subject to review in accordance with Schedule 'E' of this by-law. The BIA area is shown on Schedule 'B' of this By-law. Failure to meet the requirements of the BIA area requirements as prescribed in Schedule 'E' will result in the refusal of the application.

6.3 No sign shall be erected within one hundred and fifty three (153) metres of a provincial or county highway unless it complies with provincial or county requirements as well as the requirements of this by-law. Approval from the county or province must be obtained first and submitted with the Town of Carleton Place's sign permit application.

6.4 Unless specifically identified and authorized by this By-law, no sign or advertising device shall be permitted in the Town of Carleton Place without a development permit being granted by Council as long as the general intent and purpose of the by-law are maintained.

6.4.1 All development permit applications shall be in accordance with the procedures and fees as prescribed by the Planning and Development Department and the Planning Act.

6.5 No sign or advertising device shall be placed upon the roof of any building.

6.6 No sign or advertising device shall be attached to or placed upon any building in such a manner as to obstruct any fire escape, fire exit, or to interfere in any way with the work of the fire department, in case of fire.

6.7 **Banners**

- 6.7.1 No banner shall be suspended across any public street unless located on the banner posts provided by the Town of Carleton Place on Bridge Street.
- 6.7.2 Only banners promoting community events shall be permitted on the banner posts provided by the Town of Carleton Place on Bridge Street.
- 6.7.3 Upon receipt of application, the Town shall review the materials the banner is comprised of, the length of time it shall be erected for, and ensure the Hold Harmless Agreement requirements are met in accordance with subsection 6.15 of the By-law and guidelines for banners shall be as set out in Schedule "G" of this By-law.
- 6.7.4 All banners, to be installed on the Town's banner posts, shall be considered temporary signs and allowed for no more than 14 calendar days of any calendar year; and will be taken down within 3 business days following the event. The permit and installation charge will apply to the approved organization or individual every time a banner is hung and taken down. NOTE: Permit installation charges shall be paid upon issuance of permit. Requests for extensions to the 14 days may be permitted. All requests for extensions shall be made in writing and state why an extension is required.
- 6.7.5 All banners shall be erected and removed by the Town or agent acting on behalf of the Town of Carleton Place or agent acting on behalf of the applicant.

6.8 No vending machine, scale, newsstand, or other such obstruction shall be placed on any street, square, footway, sidewalk or boulevard, unless permitted by Section 7.8

6.9 No person shall paint, print or impress any notice or advertisement on any sidewalk on any street without having authority of Council to do so.

6.10 No person shall affix any handbill or notice of advertisement on or to any pole or tree on any street.

6.11 No sign or merchandise display of any description shall be placed in the sight triangle as described in the Development Permit By-law of the Corporation of the Town of Carleton Place.

6.12 No sign with red, amber or green lighting shall be located in such a fashion as to:

6.12.1 Diminish or detract from the effectiveness of any traffic signal or similar safety warning device, or

6.12.2 Fall within the vision of motorists in such a manner so as to create a traffic hazard.

6.13 Luminous and illuminated signs unless otherwise specified in this by-law, shall be located so as to reflect light away from adjacent premises or streets to prevent any glare or blinding spill over.

6.14 **Residential Designations**

6.14.1 No luminous or illuminated signs shall be erected in any residential designation.

6.14.2 One decorative residential sign, not exceeding the dimensions of a home based business sign, indicating the permitted use as per the current Town's Development Permit By-law, shall be permitted.

6.14.3 Awnings, fascia, ground, murals, projecting overhead, and walls signs shall be permitted sign types or styles.

6.15 Hold Harmless Agreement and Liability Coverage

6.15.1 The owner or person in control of any awning, sign, flag or banner extending into a street or sidewalk more than 0.5 metres beyond the building line shall execute a "Hold Harmless Agreement" indemnifying the municipality against all loss, cost, damage or expense, incurred or sustained by or recovered against the municipality and shall provide certified proof of liability coverage.

6.15.2 The "Hold Harmless Agreement" and the "Insurance Certification" referred to shall be in the form prescribed by Council and as set out in Schedule 'C' and Schedule 'D' respectively attached to this By-law.

6.16 Electrical Work

6.16.1 All electrical work for a sign shall conform to the applicable regulations of the Canadian Standards Association.

6.17 Maintenance

6.17.1 Every sign shall be kept in good repair and in a safe and secure condition so as not to endanger the public at any time.

6.17.2 Every sign shall be maintained in a clean and painted condition.

6.17.3 It shall be the duty and responsibility of the owner or lessee of any sign to maintain the immediate premises occupied by the sign in a neat and tidy condition.

6.18 Inspection of Signs

6.18.1 Every sign for which a permit is required shall be subject to inspection by the Chief Building Official, and

6.18.2 The owner or other person erecting the sign shall notify the Chief Building Official that the work on the sign has been completed and an inspection is now required.

7 DETAILS FOR SIGN TYPES AND STYLES

7.1 Awnings

7.1.1 All awnings shall be constructed and maintained in a condition satisfactory to the Chief Building Official.

7.1.2 No part of a non-retractable awning shall be closer to the surface of any sidewalk than 2.4 metres or extend more than 1.2 metres over any sidewalk.

- 7.1.3 No part of any retractable awning shall extend more than 1.5 metres from the front of the building to which it is attached, and in no case beyond the curb line nor be closer than 2.4 metres to the surface of any sidewalk.
- 7.1.4 Awnings of any type shall not have advertising printed on or attached in any manner to the fringe.
- 7.1.5 Awnings shall be treated with a flame retardant in accordance with the Ontario Building Code requirements for control of flame spread.

7.2 Billboard signs

7.2.1 No billboard signs shall be allowed within the Town of Carleton Place, except under review by Staff and approved by the Planning and Development Committee.

7.2.2 Billboard signs shall be subject to a Development Permit.

7.2.3 Billboard signs shall only be permitted in an Employment designation or a Highway Commercial designation as defined in the Development Permit By-law.

7.2.4 Billboard signs shall be designed in accordance with the following:

<u>Maximum size</u>	<u>Minimum lot frontage</u>
23 square metres	15 metres
46 square metres	30 metres
69 square metres	60 metres

7.2.5 No billboard sign shall be closer to the property line than;

- a) the established building line in accordance with the provisions of the Town's Development Permit By-law,
- b) 4 metres when the area of the sign is less than 10 square metres, or
- c) 8 metres when the area of the sign is greater than 10 square metres.

7.2.6 Billboard signs shall be located a minimum of 100 metres distance to the nearest adjacent sign.

7.2.7 No more than 3 signs facing any one direction shall be permitted on any one property.

7.2.8 No billboard shall exceed a height of 7.3 metres, measured from the top of the sign to the surface of the adjacent street.

7.2.9 No billboard sign shall be located adjacent to a church, hospital or school.

7.2.10 No billboard sign shall be so located that the rear part of the sign, if it is not double sided, is or will be exposed to any street.

7.3 Fascia Sign

7.3.1 A fascia sign shall:

7.3.1.1 be attached to and be parallel with the main wall of the building;

7.3.1.2 be a minimum of 2.0 metres above the finished sidewalk or mall grade;

7.3.1.3 be no longer than the horizontal measurement of the wall or building facade to which it is attached, except for a sign on a building located on a corner.

a) For a building located on the corner, the end of the sign may not stick out past the corner of the building or when the sign wraps around the corner, the structure must be within the allowable projection of a sign as stated in Part 7.3.1.4.

7.3.1.4 not project more than 30 cm from the main wall of the building;

7.3.1.5 not carry advertising copy on its ends;

7.3.1.6 be located a minimum of 4.5 metres measured vertically from the surface of the lane, if the face of the building abuts on a lane;

7.3.1.7 not exceed the distance from the ground floor window lintel to the second floor windowsill;

7.3.1.8 be compatible, visually and architecturally with the building and adjoining properties, and

7.3.1.9 be subject to the BIA requirements set out in Schedule 'E', within the BIA area shown on Schedule 'B'.

7.4 Ground Signs

7.4.1 One ground sign per frontage may be erected between the building and lot line, provided that:

a) the maximum height is not more than 2.2 metres;

b) the maximum sign area is not more than 4.5m², and

c) no part of the sign or its structural components is closer than 1 metre from any lot line. In the case of a corner lot/property, no part of the sign or its structural components may be located closer than 3 metres to the side/or corner lot line.

7.5 Home Based Business Sign

7.5.1 Only one sign shall be allowed to advertise a Home Base Business.

7.5.2 The size of the sign shall be no larger than 0.3 square metres.

7.5.3 The sign shall not be luminous or illuminated in nature as per Section 6.15.1 of this by-law.

7.5.4 Awning, fascia, ground, mural, projecting overhead and wall signs are permitted types of signs to be used for a Home Based business.

7.6 **Mobile Signs, Illuminated or Non-Illuminated**

7.6.1 Shall be allowed as an accessory sign, and shall be allowed for a period of not more than one calendar year, upon application and payment of fees.

7.6.2 Mobile signs shall not be placed on municipal property and shall be subject to setback and location requirements for ground signs as provided for in this by-law and any other applicable law. Whichever requirement is more restrictive for the designation in which they are being placed shall take precedence.

7.6.3 Mobile signs shall not be placed in any residential designation for any purpose.

7.7 **Murals**

7.7.1 Murals shall be allowed only after review and approval by the Planning and Development Committee.

7.7.2 A rendering of the proposed mural shall be submitted with an application for review before a permit may be granted.

7.7.3 Council shall have the right to refuse any application for a mural permit if it is deemed that the mural would not be appropriate for its surroundings or the municipality in general.

7.8 **Portable signs, Sandwich Board signs and Merchandise Displays**

7.8.1 No portable signs, Sandwich board signs or merchandise displays shall be located on, over or encroach on Public property, streets, sidewalks, highways, except as permitted by the provisions of this Section.

7.8.2. A fully completed application for approval shall be made to the Corporation of the Town of Carleton Place at least fifteen (15) business days prior to the intended use, and such application shall be in the form prescribed in Schedule 'F' to this By-law.

7.8.3. One Portable sign, Sandwich board sign or Merchandise display may be allowed as an accessory sign for the permitted use of that location.

7.8.4 If an application falls within the BIA area and is in accordance with the provisions as set out in Schedule 'E' of this by-law;

- a) It shall be for a specific period of time not to exceed 12 months, and
- b) All approvals longer than 14 days will have an expiry date of no later than January 1st of the year following the year of issue,
- c) When renewal of the application is required, a new application must be submitted.

- 7.8.5 That property set out or displayed and governed by this Section of the By-law be done so only during business hours, and that all property including signs, racks, tables, merchandise or other property used to display or contain merchandise will not be left on Public property, other than during business hours.
- 7.8.6 The applicant's business and its owners, or in the case of a corporation, the corporation shall be required to execute a Hold Harmless Agreement in the form prescribed in Schedule 'C' attached, agreeing to hold and save harmless and to indemnify the Corporation of the Town of Carleton Place for any injury or damage arising from the erection or placement of portable signs sandwich board signs or merchandise displays. And further, to provide evidence in the form prescribed in Schedule 'D' attached to this By-law that a minimum of one million dollars (\$1,000,000.00) of liability insurance is in full force and to acknowledge this agreement. A copy of the insurance certification shall be provided by the applicant to the Chief Building Official.
- 7.8.7 Wherever a portable sign, sandwich board sign or merchandise display is in violation of this By-law, then the Chief Building Official shall notify the owner of the sign or display, and the property owner if said owner of the sign is not the property owner by causing a written order to comply to be delivered to such owners and requiring them to remove such signs or displays within one (1) day from receipt of such order.
- 7.8.8 Refusal to comply with an order to comply issued in accordance with this subsection shall permit the Corporation of the Town of Carleton Place to remove and dispose of the offending portable sign, sandwich board sign or merchandise display at the owner's expense.
- 7.8.9 With respect to merchandise displays, the following criteria shall apply:
- a) Merchandise displays shall not impede the free flow of pedestrians and a minimum unobstructed continuous width of 1.5 m of sidewalk shall be maintained. The parking of vehicles, the view of motorists at intersections, and snow removal shall not be impeded by the placement of such displays.
- 7.8.10 With respect to portable signs, the following criteria shall apply:
- a) The sign shall not have more than two (2) faces;
 - b) Sign area shall not exceed 0.75 square metres per side;
 - c) Width shall not exceed 0.76 metres;
 - d) Height shall not exceed 1.5 metres or be less than 0.92 metres;
 - e) The sign shall be of sandwich board design;
 - f) The sign shall be square or rectangular;
 - g) The sign shall have its edges smooth and rounded;
 - h) The sign shall be secured with cross bracing, and
 - l) the sign shall be designed to stay in place during strong winds.

- 7.8.11 Portable signs, which are to be displayed for more than 14 business days shall be built from rigid material (i.e. plywood, masonite, etc.).
- 7.8.12 All portable signs shall be maintained by the applicant in good repair.
- 7.8.13 Portable signs shall not be displayed during high winds, snowstorms, at time of snow removal, placed on snow banks, or in any manner, which might cause danger to persons or property.
- 7.8.14 The locations of portable signs, sandwich board signs and merchandise displays are to be noted on the application and shall be subject to approval of the Chief Building Official.
- 7.8.15 Portable sign placement shall not impede the free flow of pedestrians on the sidewalk where a minimum width of 1.5 m is to be maintained. The parking of vehicles, access to parking metres, the view of motorists at intersections or snow removal shall not adversely be affected by the placement of such signs.
- 7.8.16 No portable sign shall be constructed of glass or any other like material that could result in injury to pedestrians in the event of being broken or shattered7.8.17. An application to erect a sandwich board sign on Public property by a merchant not located with frontage abutting the sign location may be approved if the requirements of this By-law are met, and the application is deemed acceptable by the Chief Building Official.
- 7.8.18 If more than one request is made to place a sandwich board sign on the same corner, then all parties concerned must collaborate on a single sign which fulfils the conditions of this By-law
- 7.8.19 Furthermore, if the signs or merchandise display carts become or are deemed by the Chief Building Official to be a hazard to motorists and pedestrians, or in the event of an accident or near accident, then the Chief Building Official, on informing Council of its intention, shall discontinue the use of corners as a site for sandwich board signs to all street merchants.

7.9 Posters

- 7.9.1 No person shall attach a poster to any public property like poles or trees located along the roadway, street, lane or sidewalk. Windows and display boards available for poster posting with the owners authorization are exempt.
- 7.9.2 No person shall attach a poster in a permitted location, which exceeds 0.28 metres by 0.43 metres in dimensions.
- 7.9.3 No person shall attach a poster in a permitted location, which does not clearly indicate the date upon which the poster is attached.
- 7.9.4 No person shall, having attached a poster in a permitted location, permit the poster to remain attached after the later of:
- a) the completion of the advertised event, if any; or

- b) the expiration of fifteen (15) days from the date upon which the poster is attached and or displayed.

7.9.5 Any poster which is attached, or remains attached, to any public property in a manner contrary to the provisions of this By-law, may be removed by the Chief Building Official or designate, or any officer of the local Police Force, without consultation with the owner.

7.10 Projecting Overhead Signs and Flags

7.10.1 The sign area shall be limited to not less than 0.15 square metres and not more than 1.0 square metre.

7.10.2 The bottom of the sign or flag shall not be closer than 2.6 metres from the finished grade. The top of the sign shall not exceed 4.5 metres from the grade.

7.10.3 The sign or flag shall not project more than 1.4 metres from the face of the building.

7.10.4 The sign shall be constructed of wood, metal or similar acceptable material to the Chief Building Official.

7.10.5 The applicant shall execute a "Hold Harmless Agreement" and insurance certificate in accordance with schedule "C" when the proposed sign or flag encroaches on or over Public property.

7.10.6 The applicant must submit a detailed sketch of the proposed sign or flag indicating the method of secure attachment, location and material.

7.10.7 The Chief Building Official may reject a proposal on technical grounds.

7.10.8 The proposal shall be appropriate to the style of the building to which it is attached.

7.11 Pylon, Standard and Shopping Centre Signs

7.11.1 One standard or pylon sign may be erected on a place of business having a minimum frontage of 7.5 metres or more provided:

7.11.2 The sign area shall not exceed 1.5 metres squared if located within the BIA area or 20 metres squared if located in areas other than the BIA area;

7.11.3 The bottom of the sign shall not be closer than 2.5 metres from finished grade;

7.11.4 The distance between standard or pylon signs shall not be less than 7.5 metres, and

7.11.5 No portion of the sign shall be closer than 1 metre from any lot line.

7.12 Real Estate Signs

7.12.1 No real estate sign shall be affixed to any trees, utility poles, or municipal standards or be erected or placed on municipal or public property other than the property being sold without the permission of the municipality and proper utility company.

- 7.12.2 There shall be a limit of one double-faced sign per property up to a frontage of 46 metres.
- 7.12.3 Corner lots (lots facing two streets) and lots exceeding 46 metres frontage may carry two double-faced signs.
- 7.12.4 Real estate signs shall only be erected, placed or fastened on property being sold.
- 7.12.5 A real estate sign indicating that a property is sold may appear for a time limit of two weeks from the date of new occupancy of the advertised property, or in the case of vacant land for a period of two weeks after the date of an accepted offer to purchase the said property.
- 7.12.6 A real estate sign's size shall be in accordance with the following chart.

DESIGNATION	SIZE
Residential (R)	1 metre squared - maximum
Central Business Core & Central Business District (CBC & CBD)	1 metre squared - maximum
Community Commercial	1 metre squared - maximum
Highway Commercial (HC)	3 metres squared - maximum
Employment (E)	3 metres squared- maximum
Open Space (OS)	2 metres squared - maximum
Institutional (I)	2 metres squared - maximum
Environmental Constraint	1 metre squared - maximum

7.13 Temporary Project Announcement Signs

- 7.13.1 One (1) temporary project announcement sign, having a maximum sign area of three (3) square metres, announcing a development project may be erected at a proposed development site. Such announcement sign shall be removed within three (3) calendar months of the erection thereof or upon the commencement of construction of the project to which the announcement sign refers, whichever is the lesser period of time. Extensions to the 3-month time frame may be granted by the Chief Building Official subject to an appeal to the Planning and Development Committee.

7.14 Temporary Signs

- 7.14.1 Shall be allowed as a temporary use only, and shall be allowed for a period of time of not more than 7 consecutive calendar days of any calendar year. This includes banners and plastic corrugated signs. Extensions to the 7 days may be granted upon the Chief Building Officials discretion. All requests for extension shall be made in writing and state why an extension is required.
- 7.14.2 Temporary signs shall not be placed on municipal property without the consent of Planning and Development Committee and shall be subject to setback and location

requirements for ground signs, fascia signs, overhanging signs, sandwich board or merchandise displays, which ever sign the temporary sign closely resembles. The Planning and Development Committee may grant extensions to requirements in Section 7.13.1 when said application is made for temporary signs on public property.

7.14.3 Temporary signs shall not be luminous in nature.

7.14.4 Applications for all temporary signs within a Residential Designation shall be subject to review and approval by the Chief Building Official.

7.15 **Wall Signs**

7.15.1 No wall sign shall extend above the level where the roofline or eaves-troughing, soffit and other roof membrane begin.

7.15.2 No wall sign or any part thereof shall project more than 0.2 metres from the wall upon which it is mounted.

7.15.3 No portion of any sign shall be less than 2.0 metres above finished floor level immediately below such sign.

7.15.4 No wall sign shall extend beyond the extremities of the wall to which it is mounted.

7.15.5 No wall sign shall extend around the corners of the wall upon which it is mounted.

8 **REMOVAL OF SIGNS**

8.1 Luminous signs which no longer advertises a bona fide business or service shall be removed within sixty (60) days of termination of such business or service, whether said business is still paying rent, leasing or owns said building. After sixty days, the Corporation of the Town of Carleton Place may remove, upon notification of their intentions, the offending sign at the owner's expense. All other sign types may remain. This clause does not apply to seasonal businesses.

8.1.2 In the case of Luminous Signs already legally in existence within the BIA area, a person may utilize the existing luminous sign structure still attached to the building for advertisement for the new business or service provided the following;

- a) It is within 60 days after termination of the previous business or service that was previously advertised by the existing luminous sign face and its structure or casing as per section 8.1. and,
- b) They are only changing the sign face and not any part of the sign structure or casing.
- c) If the sign casing or structure is removed from the building it shall be deemed a new sign and shall not be reinstated and will not be considered a legally existing luminous sign.

8.2 All temporary signs shall be removed on or before the date specified on the sign permit application.

- 8.3 Election signs must be removed within one week following the election. If the candidate has not complied with this regulation, the offending signs shall be removed by the Corporation of the Town of Carleton Place at the candidate's expense.
- 8.4 Whenever the Chief Building Official, after inspecting a sign, finds such sign to be in violation of the provisions of this by-law, the Chief Building Official shall notify the owner of the property and tenant, if applicable, in writing by first class prepaid mail or by causing a notice to be delivered personally to such owner and tenant requiring them or either of them to repair, alter, or change, or remove such sign within 14 days from issuance of such notice.
- 8.4.1 In regards to Mobile, Temporary, Real Estate, Portable, Sandwich Board, Merchandise Displays and other similar type signs where they are not permanently affixed to a building or the ground the Chief Building Official, after inspecting a sign, finds such sign to be in violation of the provisions of this by-law the Chief Building Official shall notify the owner of the property and tenant, if applicable, in writing by first class prepaid mail and shall cause a notice to be delivered personally to the person having care and control of the sign requiring them or either of them to repair, alter, change or remove such sign within forty-eight (48) hours from issuance of such notice.
- 8.5 Where the repair, alteration or removal is a matter of extreme urgency, so as to be a danger to the public or motorists or any other situation deemed to be dangerous, the Chief Building Official may give notice verbally and may reduce the period within which, in the Chief Building Official's sole discretion, is adequate taking into account the circumstances at the time the notice was given.
- 8.6 Where removal is appropriate, such notice as required by this by-law shall terminate the relevant sign permit.
- 8.7 Refusal to comply with a written notice will allow the Corporation of the Town of Carleton Place to remove the offending sign at the owner's expense and a \$50.00 dollar administration fee will be added to the invoice.
- 8.8 If the owner or person in control of a property fails to repair, alter or remove a sign or awning or merchandise display, as the case may be, upon the order of the Chief Building Official, the Corporation of the Town of Carleton Place in addition to all other remedies:
- 8.8.1 shall have the right to repair, alter or remove the sign or awning;
- 8.8.2 shall not be liable to compensate the owner, the person in control or any other person having an interest in the property by reason of anything done by or on behalf of the Corporation under the provisions of this By-law, and
- 8.8.3 shall have the right to recover its expenses in carrying out any repair, alteration or removal in accordance with this By-law by action and such expenses shall be invoiced to the owner.

9 RECOVERY OF EXPENSES

- 9.1 A copy of an invoice for any charges for repair, alteration or removal of a sign together with a certificate by the Municipal Clerk shall be sufficient authority to enter the amount of the unpaid balance of the invoice on the Collector's Roll for taxes as provided for under section 446 of the Municipal Act, R.S.O., 1990, Chapter M45 and amendments thereto, where:

9.1.1 the invoice has been sent by registered mail to the owner of the property and the owner of the sign, and

9.1.2 no payment or insufficient payment has been received for the invoice, or

9.1.3 payment of the invoice is overdue.

10 ABANDONMENT

10.1 Neither the granting of a permit, nor the approval of the plans and specifications nor inspections made by the Corporation shall in any way relieve the owner or any other person from full responsibility for carrying out work or having the work carried out in complete accordance with this By-law or any other by-law applicable thereto.

10.2 An application for a sign permit may be deemed to be abandoned six months after the date of filing, unless such application has been diligently pursued or a permit has been issued.

10.3 Every permit shall expire by limitation and become null and void under the provisions of this By-law if the work authorized by such permit is not commenced within six (6) months of the date of the permit issuance, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of six (6) months, or the sign has been removed.

10.4 If a permit has expired before such work can be commenced the original permit shall be first renewed upon payment of the fee prescribed and upon the Chief Building Official being furnished with satisfactory proof that the plans and specifications conform to the requirements of this By-law at the time of application renewal.

11 CONFLICT

11.1 Notwithstanding the provisions of any other by-law to the contrary, in the event of a conflict between the provisions of this By-law and other by-laws, the provisions of the most restrictive by-law shall prevail.

12 PENALTY

12.1 Any person who contravenes any of the provisions of this By-law and the procedures with respect thereto is guilty of an offence and the penalty upon conviction therefore shall be as provided for in *The Provincial Offences Act*, R.S.O. 1990, Chapter P. 33 and amendments thereto.

13 ENFORCEMENT

13.1 This By-law shall be enforced by the Chief Building Official, the Municipal By-law Enforcement Officer and/or an Officer of the local Police Force.

14 SHORT TITLE

14.1 This By-law may be referred to as The Sign, Merchandise Display, and Awning By-law.

15 REPEAL

15.1 By-law Number 42-2003 and amendments thereto are hereby repealed in its entirety.

15.2 That Schedules 'A', 'B', 'C', 'D', 'E', 'F', 'G' and 'H' that are attached are hereby made a part of this By-law fully and to all intents and purposes as though recited in full herein.

READ A FIRST TIME, A SECOND TIME, A THIRD TIME AND FINALLY PASSED THIS 28th DAY OF OCTOBER 2008.

Paul Dulmage, Mayor

D.H. Rogers, Clerk

SCHEDULE 'A'

FEES

SIGN TYPE	FEE	REFUNDABLE AMOUNT IF APPLICABLE
A FRAME, SANDWICH BOARD, MERCHANDISE DISPLAY, OR PORTABLE SIGN	\$ 50.00	N/A
GROUND, FASCIA, PYLON, OR STANDARD SIGN	\$75.00	N/A
MOBILE SIGN	\$100.00	\$50.00 - NO VIOLATIONS OF BY-LAW OCCUR WITHIN THE 1 YEAR TIME SPECIFIED IN SECTION OF BY-LAW
TEMPORARY SIGN	\$0.00	N/A
PROJECT ANNOUNCEMENT SIGN	\$100.00	\$50.00 - NO VIOLATIONS OF BY-LAW OCCUR WITHIN THE 1 YEAR TIME SPECIFIED IN SECTION OF BY-LAW
BILLBOARD SIGN	\$100.00	N/A
PROJECTING OVER HEAD AND SWING SIGN	\$50.00	N/A
BANNERS (SUSPENDED ON DESIGNATED BANNER POSTS)	\$100.00	N/A
FLAGS AND AWNINGS	\$50.00	N/A
MURALS	\$75.00	N/A
ILLUMINATED AND LUMINOUS SIGNS	\$75.00	N/A
ADMINISTRATION FEE	\$50.00	N/A

In the event that two banner applications are submitted for the same time period, consideration will be given on a first come, first served basis.

SCHEDULE 'B'
BIA AREA



SCHEDULE 'C'

HOLD HARMLESS AGREEMENT

The undersigned hereby agree to hold and save harmless the Corporation of the Town of Carleton Place, its officer, employees and officials from all claims or cause of action against the Corporation of the Town of Carleton Place, because of injury or damage to property of others arising from the placement of a sign or other property of the undersigned and placed on, into or above property or premises of the Corporation of the Town of Carleton Place.

Name and Title: _____

Address: _____

Witness: _____

Date: _____

If a Corporation, affix Corporate Seal

SCHEDULE 'D'

INSURANCE CERTIFICATION

THE UNDERSIGNED hereby certifies that insurance coverage is in full force and effect for the above-named with the (name of Company) _____ under policy number _____ with liability limits not less than \$1,000,000.00 and covering all business premises and operations. Further, that the Corporation of the Town of Carleton Place will be given fifteen (15) days notice of cancellation or non renewal of this policy of insurance and further, that this policy acknowledges the above agreement. A copy of the insurance certification shall be provided by the applicant to the Chief Building Official when submitting an application for a sign permit.

Date: _____

Signature of Representative: _____

Address: _____

SCHEDULE 'E'
BIA REQUIREMENTS

Signs within the BIA area shall conform to the following guidelines:

- a) The sign shall be constructed of wood, metal or similar material acceptable to the Chief Building Official;
- b) The applicant shall execute a "Hold Harmless Agreement" with the municipality concerning the proposed sign if the said encroaches onto municipal property;
- c) The Chief Building Official may reject a proposal on technical grounds;
- d) The proposal shall be appropriate to the style of the building to which it is attached.
- e) The proposal shall be appropriate to the business image. However, this shall not be misconstrued as a reason for a shoddy and unworkmanlike sign.
- f) The proposal shall be appropriate to the heritage and historical character of the Town.
- g) No backlit or "through illuminated" (Luminous Signs) signs be permitted except in accordance with Section 8.1.2.

SCHEDULE 'F'

**APPLICATION FOR A PERMIT TO PLACE A TEMPORARY SIGN
OR TO DISPLAY MERCHANDISE**

NAME OF BUSINESS: _____

ADDRESS OF BUSINESS: _____

NAME OF BUSINESS OWNERS: _____

ADDRESS OF BUSINESS OWNERS: _____

Period of time for which permit is applied for: _____

TELEPHONE NUMBER OF BUSINESS: _____

If the application is for a sign, attach a photograph or realistic drawing showing height, width, sign area, material of construction with dimensions of material.

In all cases, attach a diagram indicating desired placement on the street or sidewalk with specific mention of sidewalk width, distance to street corner if less than 10 metres, distance from building, building frontage, distance to or from trees, street lights, parking metres, traffic lights and other property (with description) on Public property.

If application is for a merchandise display, indicate depth of merchandise display, height of merchandise display width of merchandise display and type of merchandise.

THE UNDERSIGNED hereby acknowledge that they have received, read, understand and agree to comply with the Corporation of the Town of Carleton Place Sign and Merchandise Display By-law.

Date: _____

Signature: _____

Address: _____

MUNICIPAL APPROVALS:

Date: _____

Committee Review and Approval

Date: _____

Chief Building Official

SCHEDULE 'G'

BANNERS SUSPENDED ON DESIGNATED BANNER POSTS

- a) The proposal shall be appropriate to the nature of the content and event it is advertising.
- b) The proposal shall be appropriate to the heritage and historical character of the town.
- c) The Town shall have the right to refuse any application for a banner if it is deemed to be not appropriate for its surroundings or the municipality in general.
- d) The banner shall be no larger than 1.22 m by 10.98 m (4 feet x 36 feet) in size.
- e) The banner shall be no less than 12.5 ounces vinyl material with slits cut into the fabric to allow air movement through the material.
- f) Applications for banners must be received at least 7 days prior to the individual or organization's desired permit start date.
- g) Each application shall be complete and the exact wording of the proposed banner be provided for the Town's review and that Schedule "A" through "H" of this by-law have been completed.

SCHEDULE 'H'

**CORPORATION OF THE TOWN OF CARLETON PLACE
BANNER APPLICATION**

In accordance with By-law 65-2008, the following information shall be provided to the Town of Carleton Place a minimum of seven days prior to the anticipated erection of the banner. Upon issuance of permit, all fees and charges shall be received. Please read By-law 65-2008 so that you are fully aware of the requirements and provisions for erecting a banner and using the posts provided by the Town of Carleton Place.

Applicant: _____

Is the applicant a non-profit organization? YES NO

Address (including postal code): _____

E-mail: _____ Website: _____

Banner Specifications

Requested Date: _____ Banner material: _____

Lettering on banner: _____

Banner Dimensions: _____ (width) x _____ (length) (specify metres or feet)

Banner Weight: _____ (weight in ounces)

Purposed of Banner (i.e. festival, event, fundraising, etc.): _____

Please attach any specifications or documents that you feel will demonstrate compliance with the requirements of By-law 65-2008.

By providing the above information, you are requesting that the Town of Carleton Place review your application for a banner to be erected using the designated Town of Carleton Place banner posts. By signing below, you are confirming that all information provided to the Town is correct and you are prepared to pay the associated fees and charges related to the banner permit and installation.

Applicant signature

Date