

THE CORPORATION OF THE TOWNSHIP OF ST. JOSEPH

BY-LAW 2011 - 54

A By-law to regulate Signs or other Advertising Devices and Notices, and to repeal By-law 1132.

WHEREAS Section 11 (3) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, authorizes Councils to pass by-laws with respect to structures, including fences and signs; and

WHEREAS the Council of The Township of St. Joseph deems it expedient to provide regulations for certain signs throughout the Township; and

WHEREAS Section 99 (2) of the *Municipal Act* provides Councils with the authority to enact such by-laws, including the recovery of all costs and charges incurred by a municipality for the removal, care and storage of an advertising device that is erected or displayed in contravention of a by-law;

NOW THEREFORE BE IT RESOLVED THAT the Council of The Township of St. Joseph does hereby enact as follows:

1. DEFINITIONS

“Clerk Administrator” means the Clerk Administrator of The Township of St. Joseph as appointed by Council.

“Council” shall mean the Council of The Corporation of The Township of St. Joseph.

“Daylighting Triangle” constitutes property sight triangles provided at intersections and other critical areas that provide traffic with a visible interval, measured as 15 metres minimum along the property lines of intersecting roads.

“Directional Sign” shall mean a permanent fingerboard type sign measuring no more than three (3) feet in length and six (6) inches deep on a 4” x 4” post.

“Home Occupation” means a sign accessory to a permitted residential use.

“Permanent Sign” means permanent advertising devices and their structure used or capable of being used to attract attention to a specific item.

“Permit” means a Sign Permit issued by the Municipality at a cost of \$25.00. This fee is payable prior to the issuance of the permit and the erection of the sign.

“Portable or Temporary Sign” means any free standing sign intended to be moved from one location to another, including mobile magnetic signs, A-Frame or ground signs supported by a pole or post.

“Provincial Highway” shall mean Highway 548 and the controlled area within 400m of Highway 548, as set out in the *MTO Corridor Signing Policy*.

“Sign” shall mean any design, object or advertising device intended for commercial purposes or advertising purposes, intended to be erected, located or affixed on any property, including signs, flags, banners, pennants or lights.

2. EXCEPTIONS

- a. A sign required by federal or provincial statute or any government agency, or which is provided for under a municipal by-law is exempt.

- b. Real estate signs are exempt from the provisions of this By-law so long as they comply with the minimum distance requirements and do not exceed .55 sq. m (1.8 sf).
- c. Election signs are subject to the provisions of The Township of St. Joseph Election Sign Policy EL-01.

3. REGULATIONS

- a. No sign shall be erected until a sign permit has been issued.
- b. No sign shall be affixed or attached to any tree, utility or streetlight pole, guide rail, utility standard, post or fence on any Township owned road allowance, right of way, daylighting triangle or any municipally owned property.
- c. Council may, from time to time, permit the temporary installation of community notice boards or banners for businesses, community groups or associations for the purpose of advertising limited time events.
- d. No person shall erect any sign or device in a location which obstructs or interferes with the normal flow of vehicular or pedestrian traffic or roads maintenance.
- e. No sign shall be affixed on any property without the written consent of the owner.
- f. No sign shall be posted or erected on the traveled or untraveled portion of any highway, and must be a minimum of one (1) metre (3.28 ft) within the property line.
- g. Any sign or notice regarding a one time function, garage sale or like event may be posted without a permit, but must be removed within five (5) days of the event.
- h. Signs exceeding 1.5m (5 ft) x 2.4m (8 ft) require approval from the Chief Building Official.
- i. Directional Signage may be permitted by businesses or organizations under the following conditions:
 - No directional sign shall be placed on a post containing a street name sign or traffic sign;
 - Approval of the Superintendent of Works, Ministry of Transportation, Algoma Power Inc., Bell Canada or other utilities may be required.
- j. Home Occupation signs may be permitted under the following conditions:
 - Home occupation signs may be permitted in any rural or residential zone where a Home Occupation is a permitted use under the Township's Zoning By-law.
 - Home Occupation signs shall not exceed .92 m (3 ft) x 1.5 m (5 ft) and may not be less than 1 m (3.28 ft) from any property line.
 - Temporary signs are not permitted as Home Occupation signs.
- k. Any sign which is to be in place more than one year is considered a Permanent sign.
- l. No sign shall be placed in, or block, any designated parking space or obstruct any accessible entrance or parking space.
- m. Signs placed within 400 metres of a provincial highway right-of-way require a permit issued by the Ministry of Transportation in accordance with the Corridor Signing Policy.

4. FORCE AND EFFECT

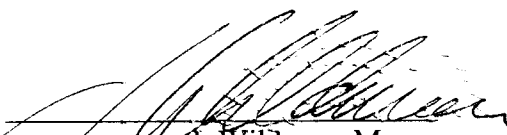
- a. Any Township official may remove incorrectly placed signs or signs for which a permit has not been obtained. Such sign may be reclaimed by the owner at the owner's expense within 30 days of removal. If the sign is not claimed within 30 days the sign may be destroyed.
- b. The Clerk Administrator or designate shall be responsible for the issuance of Sign Permits and notices pursuant to this by-law and collection of the applicable fee.
- c. The Township's Fees and Charges By-law includes a fee for the recovery of expenses incurred by the Township in the enforcement of this By-law.

5. GENERAL PROVISIONS


- a. This By-law shall be hereby called the Sign By-law.
- b. The Application for Sign Permit is hereby attached as Schedule "A" to this By-law.
- c. Should any section, subsection, clause, paragraph or provision of this By-law be declared by a court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of any other provision of this by-law or the by-law as a whole.
- d. That any by-law or portion thereof previously approved by Council which conflicts with this By-law shall be hereby repealed.
- e. That By-law 1132 is hereby repealed.
- f. That this By-law shall take effect on the day of passing.

READ A FIRST AND SECOND TIME this First Day of June, 2011;

READ A THIRD TIME and finally passed in open Council this Twenty First day of December, 2011.



J. Wildman, Mayor



Carol Trainor, Clerk

SCHEDULE "A"
To By-law 2011 - __

APPLICATION FOR SIGN PERMIT

Applicant Name: _____

Business Name: _____

Business Address: _____

Telephone: _____ Fax: _____ e-mail: _____

Type of Sign: Permanent _____ Home Business ____ Temporary ____ Other _____

Location of Sign: _____
(A diagram or photo of the area may be required)

Lot and Conc: _____ Zoning: _____

If Sign is temporary, how long is it required: _____

Dimensions: Height: _____ Width: _____ Depth: _____

Conditions of Approval: _____

Locates required: Algoma Power _____ Bell _____ MTO _____ Other: _____

Property Owner Name: _____ Signature: _____
(if different from applicant)

Property Owner Mailing Address: _____

For office use only:

Date of Issue: _____ Expiry Date: _____

Permit Number: _____ Fee Paid: \$25.00 _____

Staff Initial: _____

cc: Works Superintendent