

**THE CORPORATION OF THE TOWN OF DESERONTO  
BY-LAW NO. 01-10**

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ENTITLED a By-law to regulate signs and other advertising devices in the Town of Deseronto

WHEREAS the Municipal Act 2001, s.o. 2001, c. 25, Section 11(3), as amended, provides that Councils of lower tier municipalities may pass by-laws respecting matters pertaining to structures, including fences and signs;

AND WHEREAS the Council of the Corporation of the Town of Deseronto is desirous of establishing a by-law to regulate signs and other advertising devices throughout the Municipality;

AND WHEREAS this by-law is intended to establish consistent regulations with respect to signs and other advertising devices in the Town of Deseronto;

AND WHEREAS this by-law is also intended to establish regulations with respect to signs and other advertising devices on properties designated under Part IV and Part V of the Ontario Heritage Act, R.S.O. 1990, c. 0.18, as amended, hereinafter referred to as the Ontario Heritage Act.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF DESERONTO HEREBY ENACTS AS FOLLOWS:**

**1. SHORT TITLE**

This by-law shall be cited as the "Sign By-law".

**2. DEFINITIONS**

In this By-law:

- 2.1 "Alteration" means any change, alteration or repair to a sign structure or sign face but does not include a change in the message displayed by a sign or other advertising device or the replacement of a part with a similar part for maintenance purposes.
- 2.2 "Awning" shall mean a retractable or fixed roof cover, made of canvas or other suitable material, extending over a doorway or window.
- 2.3 "Building Code" means Building Code Act, 1992, S.O. 1992, Chapter 23, as amended, and includes the regulations made thereunder.
- 2.4 "Clerk" means the Clerk- of the Town of Deseronto or his/ her designate.
- 2.5 "Clear Height" means the distance between the highest elevation of the ground beneath a sign or awning and the lowest point of the sign or awning exclusive.
- 2.6 "Commercial Message" means any sign wording, logo or other representation that, directly or indirectly names, advertises or calls attention to a business, product, service or other commercial activity.
- 2.7 "Corner Lot" means a lot situated at the intersection of, and abutting, two street, or parts of the same street, the adjacent sides of which street or streets (or in the case of a curved corner, the tangents of which) contain an angle of not more than 135 degrees.

- 2.8 "Council" means the Council of the Corporation of the Town of Deseronto.
- 2.9 "Day Light Triangle" means a triangle area formed within a corner lot by the intersecting street lines or the projections thereof and a straight line connecting them 6.0 metres from their point of intersection.
- 2.10 "Erected" means attached, built, constructed, re-constructed, enlarged, placed or moved.
- 2.11 "Lot" means a parcel of land which is distinct from the ownership of adjoining lots or parcels of land, whether such parcel is described in a registered deed or shown as a lot or block on a registered plan of subdivision.
- 2.12 "Lot Line" means the line formed by the boundary of any lot.
- 2.13 "Owner" means the registered owner of the lot upon which a sign is, or is to be, erected. When used in context with a sign, Owner shall mean the owner of the sign.
- 2.14 "Parapet" means an extension of a wall of a building above the roof level of the building.
- 2.15 "Person" means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee and any heirs, executors, successors assigns or other legal representatives of a person to whom a contract can apply according to law.
- 2.16 "Plaque" means a commemorative or identifying inscribed tablet, which does not bear any advertising for any commercial purpose.
- 2.17 "Poster" means a sign made out of paper or other lightweight material having a thickness of 0.5 millimeters or less.
- 2.18 "Sign" means any advertising device or display on which there is printed, projected or attached any announcement, declaration, or insignia, used for direction, information, identification, advertisement, business promotion or promotion of products, or availability of services, whether intended to be permanent or temporary capable of being readily moved or relocated and shall include the sign structure and the sign face, but shall not include flags or other embellishments to a lot or building that are strictly for design or architectural purposes. Without limiting the generality of the above, the definition of sign includes, but is not limited to the following types of signs:
- a) "Abandoned Sign" means a sign which formerly identified but no longer correctly identifies the business, commodity, service, or use presently conducted, sold or offered.
  - b) "Address Sign" means a fascia or ground sign that contains no commercial information, and is intended only to indicate the municipal street address of the lot upon which it is located.
  - c) "Banner Sign" means a sign of light weight fabric or similar material, displaying a message in words or symbols, but shall not include an awning sign, canopy sign or window sign.
  - d) "Billboard Sign" means a self supporting structure with a face

area of 6.5 square metres or greater to which advertising copy is fastened in such a manner so as to permit its periodic replacement and which displays goods, products or services or facilities that are not available at the location of the sign and for which directs or invites a person to a location different from that on which the sign is located.

- e) "Canopy Sign" means any sign on a building other than a projecting sign, soffit sign or wall sign. For greater certainty "Canopy Sign" includes signs on awnings and similar projections.
- f) "Residential Construction / Development Sign" means any type of sign advertising construction, reconstruction, repair, renovation and / or development and may include the name of the project, the name and address of the contractors, architects, engineers related to the project (Hereinafter referred to as a "development sign").
- g) "Election Sign" means a temporary sign erected in connection with a Federal, Provincial or Municipal election by or on behalf of a candidate.
- h) "Fascia Sign" means a sign attached to a wall of a building or the sloping portion of a mansard roof.
- i) "Flashing Sign" means a type of sign defined in the By-law that contains lights that vary in intensity at lapsed intervals.
- j) "Ground Sign" means any sign that is supported from the ground and not attached to any part of a building or structure, but shall not mean a Pylon Sign or a Billboard Sign.
- k) "Home Occupation Sign" means a fascia, window or ground sign that only displays the name of the person or small business occupying the property, or describing the occupation of the proprietor.
- l) "Illuminated Sign" means any sign illuminated by any artificial light source.
- m) "Inflatable Sign" means a special event sign designed to be airborne and tethered to the ground.
- n) "Institutional Sign" means a sign indicating the location of or directions to a public institution such as churches, schools or hospital.
- o) "Luminous Sign" means a type of sign as defined in this By-law that is lit by internal lamps, luminous tubes, or reflectorized glowing or radiating lights. This includes signs commonly called "neon" signs.
- p) "Portable Sign" means temporary sign, not including a Private Advocacy Sign, which is specifically designed or intended to be readily moved from one location to another and which does not rely on a building or fixed foundation for its structural support.
- q) "Projecting Sign" means a permanent sign which projects perpendicularly from the wall pole or spar of a building to which the sign is affixed for support.

- r) "Private Advocacy Sign" means a temporary sign erected for the purposes of expressing a thought, belief or opinion in accordance with Section 2 b. of the Canadian Charter of Rights and Freedom.
  - s) "Pylon Sign" means a free standing sign which is anchored in the ground and which has its sign face(s) at least 1.5 metres above grade.
  - t) "Read-o-graph Sign" means a portable sign composed of manually or electronically interchangeable letters intended to convey a temporary message.
  - u) "Real Estate Signs" means a temporary sign erected on a lot or affixed to a building to advertise the availability of the real property for sale, lease or rent.
  - v) "Roof Sign" means a permanent sign, the face of which is above the roof level or parapet of the building upon which the sign is affixed.
  - w) "Sandwich Board Sign" means a sign that is self-supporting on-grade constructed of substantive weather resistant materials, typically forming the shape of an "A" when erected.
  - x) "Special Event Sign" means a sign, flag, banner, decoration or other advertising device advertising a civic celebration or festival or other special event.
  - y) "Soffit Sign" means a sign, mounted to the underside of a projecting canopy or soffit.
  - z) "Wall Sign" means a permanent sign, parallel to the building wall to which it is attached.
    - aa) "Window Sign" means a sign placed inside or upon a window or door facing the outside, and which is intended to be seen from the exterior of the window or door, but does not include "Luminous Signs" or "Posters".
- 2.19 "Sign Clearance" means the vertical distance measured from the grade at the base of the sign structure to the bottom of the sign face or structure that supports the sign face.
- 2.20 "Sign Face" means that portion of the sign where copy information or messages can be placed on display and made visible to the public but does not include the sign structure.
- 2.21 "Sign Height" means the distance measured from height of the ground directly beneath the sign to the highest point of the sign including the sign structure and the sign face.
- 2.22 "Sign Permit" means a written approval issued by the Clerk in accordance with the provisions of this by-law.
- 2.23 "Sign Structure" means the supporting structure and framework that supports the sign face.
- 2.24 "Street Frontage" means the linear distance of the street line of a lot.
- 2.25 "Street Line" means the common lot line that divides a street from a lot.

- 2.26 "Town" means the Corporation of the Town of Deseronto
- 2.27 "Unsafe" means structurally inadequate or faulty or in a condition or location that could be hazardous to any person or property
- 2.28 "Zone" means those specific land use areas which relate to the zoning By-law for the Town and those specifically defined areas identified by the By-law.
- 2.29 "Zoning By-law" means the Town of Deseronto's comprehensive zoning by-law no. 13-93, as amended.

### **3. GENERAL PROVISIONS**

- 3.1 This By-law shall apply to all signs and other advertising devices within the limits of the Town of Deseronto except as otherwise provided in this bylaw.
- 3.2 This By-law shall not apply to:
  - 3.2.1 Signs located in the interior of any building, except for such signs that are placed so as to be visible from the exterior of the building.
  - 3.2.2 Signs having an area less than 0.25 sq. m. that display municipal addresses, 9-1-1 property identifications, building nameplates or directory boards.
  - 3.2.3 Signs installed by or on behalf of the Town of Deseronto, the Province of Ontario or the Government of Canada.
- 3.3 Measurements in the By-law are provided in metric units.
- 3.4 No person shall erect, display, alter, repair or maintain, or cause the same to any sign or other advertising device within the corporate limits of the Town on a lot in any zone except in compliance with:
  - 3.4.1 The applicable number, size and location requirements specified in this By-law.
  - 3.4.2 A sign permit except where exempted under this by-law; and
  - 3.4.3 The applicable regulations set out for that type of sign or relating to that type of property detailed in this by-law.
- 3.5 If any sign legally existing on the date this By-law comes into full force and effect is removed or deemed by the Township to be altered, any replacement or upgrading shall be in accordance with the requirements of this By-law.
- 3.6 No person shall erect any sign upon or attached to any building or other approved support unless such building or structure will carry the additional dead and wind loads due to the erection of such sign or without exceeding the stresses on the respective materials as may be set out in the Ontario Building Code.
- 3.7 Where required by the Town, signs including their supporting structure shall be designed in accordance with the Ontario Building Code.

- 3.8 Every sign, whether or not a permit is required shall be kept clean, neatly painted, well maintained and in a good state of repair as to safety and appearance.
- 3.9 No person shall permit a sign belonging to that person or that persons tenant to become unsafe
- 3.9.1 Signs permitted by this By-law to project over or to be located on a street are permitted at the pleasure of the Town, and the Council of the Corporation of the Town of Deseronto reserves the right to amend this By-law to prohibit such encroachments, whereupon such encroachments shall be removed.
- 3.9.2 The Town reserves the right to require that an owner of a sign that projects over or is located on a street to enter into an encroachment agreement with the Town and provide any liability insurance to the Town as it may require.
- 3.9.3 No person shall make application for a sign permit who is not the owner or lessee, or the authorized agent of the owner or lessee of the property on which the work is to be performed. No person shall submit false or misleading information or documents or make omissions that may mislead in connection with any application for a sign permit, detail of construction, or revision thereto.

### **3.10 Provision for Signs on and over Streets and Walkways**

- 3.10.1 Except as may otherwise be provided for in this By-law, no person shall erect or otherwise permit any sign erected over a private thoroughfare or portion of a street used for vehicular traffic to be erected or maintained without a minimum clearance under the sign of 4.3 metres.
- 3.10.2 Except as may otherwise be provided for in this by-law, no person shall erect or otherwise permit any sign erected over a sidewalk, walkway or trail without a minimum clearance under the sign of 2.4 metres.
- 3.10.3 Signs permitted by this By-law to project over to be located on a street are permitted at the pleasure of the Town, and the Council of the Corporation of the Town of Deseronto reserves the right to amend this by-law to prohibit such encroachment, whereupon such encroachments shall be removed.
- 3.10.4 The Town reserves the right to require that an owner of a sign that projects over or is located on a street to enter into an encroachment agreement with the Town and provide any liability insurance to the Town as it may require.

### **3.11 Lighting Regulations**

- 3.11.1 Any Illuminated, Luminous, Flashing and Read-o-graph sign otherwise in compliance with this By-law shall not interfere with the enjoyment of neighbouring lands or interfere with visibility on nearby streets.
- 3.11.2 Illuminated signs are not permitted in Residential zones

except for the following:

- a) Home occupations in accordance with the Town of Deseronto's Comprehensive Zoning By-law No. 13-93, as amended.
- b) Bed & Breakfast Establishments in accordance with the Town's Comprehensive Zoning By-law No. 13-93, as amended.

### **3.11 Liability**

The provisions of this By-law shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning any sign for personal injury or property damage resulting from the placing or erecting of such sign or resulting from negligence or willful acts of such person, or of his/her agents or employees in the construction, erection, maintenance, repair or removal of any sign erected in accordance with a sign permit issued, hereunder, nor shall it be construed as imposing upon the Town or its officers or employees any responsibility or liability by reason of the approval of any sign, materials or devices under provisions of this By-law.

## **4. PROHIBITED SIGNS**

- 4.1 No person shall erect, place or display or cause the erection, placement or display of:
  - 4.1.1 Any sign that contravenes any requirement of this By-law, or the Ontario Building Code or any other applicable regulation, as amended from time to time.
  - 4.1.2 Any sign that is declared by the Clerk to be unsafe, or a danger to public safety by reason of its location or inadequate or improper construction or maintenance.
  - 4.1.3 Any sign that is located so as to obstruct the view of any pedestrian or motor vehicle driver so as to cause an unsafe condition.
  - 4.1.4 Any sign that is located so as to obstruct or impede any flue (outlet, chimney, duct, shaft, pipe etc), air intake, fire escape, fire exit, door, window, skylight or exhaust or so as to impede free access by fire fighters to any part of a premise.
  - 4.1.5 Any sign that is attached or secured to a tree, fence post, fence, utility or amenity pole on municipal property unless expressly authorized by this by-law.
  - 4.1.6 Any sign other than a roof sign that is erected upon or supported by a parapet.
  - 4.1.7 Any sign located on an exterior lot that is placed in the triangular space formed by the street lines for a distance of 9 metres from their point of intersection, or any lot q from which the Town has previously obtained a day-lighting triangle.
  - 4.1.8 Any sign that may confuse passing motorists or interfere with the safe movement of traffic, or within four (4) metres of a traffic or municipally owned sign.

- 4.1.9 Any obsolete sign which no longer advertises a business conducted, or a product sold at the sign location.
- 4.1.10 Any sign that obstructs a required parking space and prevents a space from being utilized as such.
- 4.1.11 Any sign painted on the exterior walls of any building, unless approved by the Town of Deseronto.
- 4.1.12 Any luminous, flashing or read-o-graph signs in the designated downtown business district on Main Street from Prince to Mill streets. However, luminous signs pre-dating this by-law can be maintained. Luminous signs that are historically appropriate are exempt from this prohibition. (Backlit business signs with “creeping light” showing (i.e., bleeding out from the sides) is prohibited as this can affect/disturb neighbouring properties)
- 4.1.13 Any sign being mechanically or electronically driven or having any moving parts. This does not include hanging bracket signs.

## **5. PERMIT EXEMPTIONS**

5.1 The following signs are permitted in any zone without a permit from the Town of Deseronto, provided the sign complies with all the provisions stipulated in the by-law for that sign classification:

- 5.1.1 Address Signs;
- 5.1.2 Banner Signs;
- 5.1.3 Contractor's Signs;
- 5.1.4 Developer's Signs;
- 5.1.5 Directional Signs;
- 5.1.6 Election Signs;
- 5.1.7 Inflatable Signs;
- 5.1.8 Institutional Signs
- 5.1.9 No Trespassing / Warning Signs;
- 5.1.10 Posters
- 5.1.11 Private Advocacy Signs
- 5.1.12 Public Information Signs
- 5.1.13 Real Estate Signs
- 5.1.14 Signs advertising Yard Sales, Garage Sales, Auctions and/or Open Houses;
- 5.1.15 Signs Identifying Crops and Advertising Farm, Produce;
- 5.1.16 Special Event Signs;



5.1.17 Traffic Control Signs;

5.1.18 Window Signs;

## **6. SIGNS PERMITTED BY ZONE CATEGORY**

Signs shall only be permitted to be located in zones as setout in Table 1, as follows:

**Table 1**  
**SIGNS PERMITTED BY ZONE CATEGORY (subject to regulations)**

Type of Sign	Commercial / Industrial	Residential	Open Space	Community Facility	Permit Required	Section
Address Sign	X	X	X	X	NO	7.1
Banner Sign	X		X	X	NO	
Billboard Sign					N/A	7.2
Canopy Sign	X		X	X	YES	7.3
Contractors/ Developers Sign	X	X	X	X	NO	7.4 / 7.5
Election Sign	X	X	X		NO	7.6
Fascia Sign	X	X	X	X	YES	7.7
Ground Sign	X		X	X	YES	7.8
Home Occupation Sign		X			YES	7.8.4
Illuminated Sign	X			X	YES	
Inflatable Sign	X		X	X	NO	
Institutional Sign	X	X	X	X	YES	
Portable and/or Read-o-graph Sign (prohibited in Business district.)	X		X	X	YES	7.9
Projecting Sign	X	X	X	X	YES	7.10
Private Advocacy Sign	X	X	X	X	NO	7.11
Pylon Sign	X				YES	7.12
Real Estate Sign	X	X	X	X	NO	7.13
Roof Sign	X		X		YES	7.14
Sandwich Board Sign	X	X	X	X	YES	7.15
Special Event Sign	X	X	X	X	NO	7.17
Wall Sign	X	X	X	X	YES	7.19
Window Sign	X		X	X	YES	7.14

## **7. REGULATIONS BY SIGN TYPE**

### **7.1 Address Signs**

No person shall erect or place an address sign that contains commercial information or that has a maximum face greater than 0.2 square metres.

### **7.2 Billboard Signs**

7.2.1 The erection of Billboard signs in the Town of Deseronto is prohibited.

### **7.3 Canopy Signs**

- 7.3.1 No person shall erect a Canopy Sign, except where permitted pursuant to Table 1 of this By-law and in accordance with the following provisions:
- a) Maximum of two (2) signs per building façade. However, if appropriate to the configuration of the building more than 2 canopy signs may be considered, but with approval from the Clerk prior to installation;
  - b) minimum of 2.4 metres from grade to base of sign;
  - c) maximum size shall be 15% of the building facade in a commercial zone and an open space zone;
  - d) maximum size shall be 4.5 square metres in an industrial zone.
- 7.3.2 The maximum sign face of any Canopy sign affixed to any single building facade shall be 15% of the total area of the building facade to which the Canopy Sign is affixed.
- 7.3.3 For premises in Deseronto, retractable awnings to fit the storefront are permitted and may have the shop identification and address on its valance.
- 7.3.4 Awnings shall be covered with canvas or a material replicating canvas in appearance.

### **7.4 Contractors Signs**

- 7.4.1 A Contractor's sign is permitted in any zone on a lot where there is active and ongoing construction by the business or person so indicated on the sign.
- 7.4.2 A Contractor's Sign shall be removed upon completion of construction.
- 7.4.3 A Contractor's Sign shall not have a sign area exceeding 1.0 square metre.

### **7.5 Developer's Signs**

- 7.5.1 A Developer's Sign may be permitted in any Zone on a lot that is subject to a current or proposed development or redevelopment project.
- 7.5.2 A maximum of 2 Developer's Sign may be permitted on a lot for each separate street onto which the lot subject to the development project fronts.
- 7.5.3 A Developer's Sign shall be removed within 21 days from the date of completion of the development or redevelopment project.
- 7.5.4 A Developer's Sign shall have a minimum setback of 1.2 metres from the property line.
- 7.5.5 The maximum sign area for each Developer's Sign shall not exceed 14 square metres in area.

- 7.5.6 The maximum sign height for a Developer's Sign shall be 5 metres.
- 7.5.7 Developer's Signs are prohibited on public property or Municipal road allowances unless the Developer provides proof of third party liability insurance coverage with respect to the Developer's Sign in an amount of at least 2 million dollars.
- 7.5.8 A Developer's Sign may be placed on a Municipal road allowance between Friday at 6 a.m. and the following Sunday at 6 p.m. except for the following portions of road allowances:
- a) the travelled portions of road allowances;
  - b) within 1.5 metres of the travelled portions of road allowances; and,
  - c) within 15.0 metres of any intersection.

## **7.6 Election Signs**

- 7.6.1 Election signs are prohibited on public property, but are permitted on Town road allowances except:
- a) on the travelled portions of road allowances;
  - b) within 1.5 metres of the travelled portions of road allowances; and
  - c) within 3.5 metres from any part of an intersection.
- 7.6.2 Election signs are permitted in any Zone following declaration of a Provincial or Federal election or within 8 weeks prior to the date of an election.
- 7.6.3 Election signs shall not be erected on private property without the owners consent.
- 7.6.4 Election signs on public property shall be affixed to the ground and shall not be nailed or fastened in any way to a utility pole, traffic control sign or device, or tree.
- 7.6.5 Election signs shall not exceed 3.0 square metres in surface area.

## **7.7 Fascia Signs**

- 7.7.1 No person shall erect a Fascia Sign except where permitted pursuant to Table 1 of this by-law and in accordance with the following provisions:
- a) The maximum projection from any wall to which the sign is attached shall be 0.35 metres;
  - b) The minimum sign clearance shall be:
    - i) nil when projecting over an area not used for pedestrian or vehicular traffic;

- ii) 2.4 metres when projecting over an area used for pedestrian traffic;
  - iii) 5.0 metres when within 0.6 metres of an area used for vehicular traffic;
  - iv) Notwithstanding part iii) above, a fascia sign having a face area no greater than the width of the service bay doors.
- c) The aggregate sign Face Area shall not exceed 40% of the area of the wall on which the sign is attached, and shall not be greater than 250 square metres.
  - d) Notwithstanding the above, in all Residential or Open Space Zones, fascia signs accessory to a multiple residential or a nonresidential use legally established on the lot, shall have an aggregate Face Area which shall not exceed 10% of the area of that portion of the wall on which the sign is located, and shall not be greater than 9.0 square metres.
  - e) In all Residential or Open Space Zones, a maximum of one (1) sign is permitted (either fascia or ground), when accessory to a multiple residential or non-residential use legally established on the lot.

## **7.8 Ground Signs**

- 7.8.1 No person shall erect a Ground Sign except where permitted pursuant to Table 1 of this by-law and in accordance with the following provisions:
- a) Maximum number of signs permitted shall be one (1) per interior lot and two (2) per exterior lot in an Open Space zone, a Community Facility zone, a Commercial and an Industrial zone;
  - b) maximum number of signs permitted in a Residential zone shall be one (1);
  - c) maximum height in an Open Space zone, a Community Facility zone, a Commercial zone and an Industrial zone shall be 6.0 metres;
  - d) maximum height in a Residential zone shall be 2.0 metres;
  - e) maximum size in an Open Space zone, a Community Facility zone, a Commercial zone and an Industrial zone shall be 6.0 square metres;
  - f) maximum size in a Residential zone shall be 0.5 metres.
- 7.8.2 Where more than one ground sign is permitted in accordance with Section 7.8.1 a) above, a minimum separation distance of 76.2 metres between the signs shall be provided.
- 7.8.3 The maximum number of ground signs shall be two (2) per lot.

7.8.4 A Ground Sign advertising a Home Occupation is permitted in any residential zone in accordance with the provisions of Section 7.8.1 b) and d) above.

## **7.9 Portable Signs and / or Read-o-graph Signs**

7.9.1 No person shall erect a Portable and / or Read-o-graph Sign except where permitted pursuant to Table 1 and in accordance with the provisions of this section or by written exemption by Town Council.

7.9.2 No sign permit shall be issued for a Portable and / or Read-o-graph Sign more than 30 days in advance of when the Portable and / or Read-o-graph Sign for which the permit has been requested is to be erected.

7.9.3 The maximum number of days that a Portable and/or Read-O-Graph Sign may be erected on a lot within any one calendar year (January 1st to December 31st) shall be 30 days unless by written approval of the Clerk is obtained for a longer period.

7.9.4 No person shall permit a portable sign to be erected or displayed beyond the effective period of the sign permit issued for the portable and/or Read-o-graph sign.

7.9.5 A Portable Sign shall be located entirely on a lot and shall not be located on or encroach onto a street.

7.9.6 A Portable and/or Read-o-graph Sign shall not be located within:

- a) 30 metres from any other Portable and/or Read-o-graph Sign;
- b) 4.5 metres from a driveway exiting onto a street;
- c) 1.2 metres from any lot line other than a street line;
- d) 3 metres from a public sidewalk; and,
- e) 4.5 metres from any curb line or edge of the travelled portion of a street.

7.9.7 Except as may otherwise be provided:

- a) No Portable and/or Read-o-graph Sign shall have a sign height exceeding 2.5 metres; and,
- b) the maximum sign area of a Portable and/or Read-o-graph Sign shall be 4.5 square metres.

7.9.8 Portable and/or Read-o-graph signs shall be anchored, pinned, weighted, tied, or shall possess sufficient integral weight, so as to prevent overturning in heavy winds.

7.9.9 A Portable and / or Read-o-graph Sign shall not be located within the Downtown Business District as defined (Main St – Prince St to Mill St.).

## **7.10 Projecting Signs**

- 7.10.1 No person shall erect a Projecting Sign except where permitted pursuant to Table 1 of this By-law and in accordance with the following provisions:
- a) maximum number of signs permitted shall be 1 per business or building facade in an Open Space zone, a Community Facility zone, a Commercial zone and an Industrial zone;
  - b) maximum number of signs permitted shall be 1 per lot in a residential zone;
  - c) maximum height restrictions shall be 2.4 metres in all zones shown on Table 1;
  - d) maximum size in an Open Space zone, a Community Facility zone, a Commercial zone and an Industrial zone shall be one square metre;
  - e) maximum size in a Residential zone shall be 0.5 square metres.
- 7.10.2 Projecting Signs affixed to such buildings shall not be more than 0.45 metres over the street line.

#### **7.11 Private Advocacy Signs**

- 7.11.1 A Private Advocacy Sign is permitted in any zone, provided the sign is not located on public property.
- 7.11.2 The number of Private Advocacy Signs on a private property or lot shall not exceed two (2).
- 7.11.3 A Private Advocacy Sign shall not exceed 2.0 metres in height.
- 7.11.4 A Private Advocacy Sign shall not have an area in excess of 0.5 square metres.

#### **7.12 Pylon Signs**

- 7.12.1 One pylon sign shall be permitted for each business or use located on the lot upon which the pylon sign is located.
- 7.12.2 Pylon signs are prohibited within 10.0 metres of another pylon sign or ground sign on the same lot, and are prohibited within 3.0 metres of any side or rear lot line.
- 7.12.3 When any part of the pylon sign is located within 0.6 metres of an area intended for vehicular traffic the sign clearance shall be at least 5.0 metres.
- 7.12.4 No pylon sign shall be erected or placed with a sign face that is less than 1.5 metres above grade.
- 7.12.5 Maximum pylon height 13.0 metres.

#### **7.13 Real Estate Signs**

- 7.13.1 Real Estate signs are permitted in any Zone on a lot which is for sale. All real estates may be accompanied by one (1) additional directional sign (not to be installed on

Municipal property without approval).

7.13.2 Real Estate signs shall be removed no later than the date on which the sale of the said lot closes.

7.13.3 Real Estate signs shall not have a sign area:

- a) exceeding 1.0 square metre on any lot within a Residential Zone or on a lot containing a residential use; or,
- b) exceeding 14.0 square metres in any other zone.

7.13.4 The number of Real Estate signs permitted on any lot shall be:

- a) a maximum of 1 sign for each 61 metres or part thereof of street frontage; or,
- b) a maximum of 1 sign for each separate street frontage on an exterior lot; whichever is the greater

#### **7.14 Roof Signs**

7.14.1 No person shall erect a Roof Sign, except where permitted pursuant to Table 1 of this By-law and in accordance with the provisions of this section.

7.14.2 Where permitted on Table 1 of this By-law, no more than 1 Roof Sign that may have either 1 or 2 sign faces shall be permitted.

7.14.3 No Roof sign shall extend more than 1.52 metres above the maximum height of the roof upon which the Roof sign is erected.

7.14.4 No single sign face of a Roof sign shall exceed 5 square metres in area.

7.14.5 Roof signs shall be secured to the building structure to the satisfaction of the Town.

7.14.6 The sign structure of a Roof sign shall be free of any extra bracing, angle iron, guy wires, cables, or similar; the supports for a Roof sign shall be an architectural and integral part of the sign.

7.14.7 Materials for the purposes of constructing Roof Signs shall be non- decomposing.

#### **7.15 Sandwich Board Signs**

7.15.1 No person shall erect a Sandwich Board Sign on a street which is under the jurisdiction of the Town of Deseronto or on private property, except where permitted pursuant to the provisions of Table 1 of this By-law, and in accordance with other applicable sections of the By-law.

7.15.2 Where permitted on Table 1 to this By-law, no more than 1 Sandwich Board Sign that may have either 1 or 2 sign faces shall be permitted per property.

- 7.15.3 Sandwich Board signs shall have a maximum height of 1.25 metres and a maximum width of 0.61 metres.
- 7.15.4 Where located on a lot, Sandwich Board signs may be located adjacent to any lot line including a street line.
- 7.15.5 Sandwich Board signs shall not be located on any street except where the front yard setback of the building is less than 0.6 metres, provide that:
- a) the sandwich board sign shall be placed either on the sidewalk or boulevard immediately in front of or adjacent to the business advertised on the sign, so as not to impede the safe movement of pedestrians; and,
  - b) the sandwich board sign shall only be placed on the street during the hours when the business advertised on the sign is open.

7.16 Sandwich Board signs shall be anchored in place through weight or other support so as to prevent incidental movement of the sign through the impacts of wind.

- 7.16.1 A permit for Sandwich Board sign expires December 31" of the year in which the permit was issued. For Sandwich Board signs to be located on Town property including streets or sidewalks, proof of third party liability insurance coverage with respect to the Sandwich Board sign in an amount of at least 2 million dollars is a requirement including all fees and drawings and other requirements prescribed by this By-law.
- 7.16.2 The renewal of any Sandwich Board Sign permit is subject to the provisions of this By-law and provided the applicable fee is paid in accordance with this By-law.
- 7.16.3 A Sandwich Board Sign advertising a Home Occupation is permitted in any residential zone in accordance with the provisions of Table 1 and all other provisions of this By-law.
- 7.16.4 Any business having a current sign permit is entitled to one fee exempt Sandwich Board Sign.

#### **7.17 Special Event Signs**

- 7.17.1 A Special Event sign shall not be erected more than 30 days prior the commencement of the event and shall be removed within 72 hours following the completion of the advertised event.
- 7.17.2 A Special Event sign located on or over a public street or other town property shall not be erected without the prior written approval of the Clerk of the Town of Deseronto.
- 7.17.3 The installation of a Special Event sign over a public street is permitted subject to the following requirements:
- a) the sign shall not exceed 1.0 metre in height and 7.3 metres in length;
  - b) the sign shall have grommets along the top and bottom,



spaced not more than 0.6 metres apart; and,

- c) air holes shall be incorporated throughout the sign to minimize wind resistance.

### **7.18 Soffit Signs**

7.18.1 Soffit Signs shall not be permitted.

### **7.19 Wall Signs**

7.19.1 No person shall erect a Wall Sign, except where permitted pursuant to the Table 1 of the By-law and in accordance with other applicable sections of this By-law. These provisions do not apply to a mural or historical/artistic signs. The design of all new mural or historical/artistic signage shall require approval from the Clerk prior to installation.

7.19.2 The maximum size of a wall sign shall be 15% of the building facade in an Open Space zone, a Community Facility zone, a Commercial zone and an Industrial zone.

7.19.3 The following provisions shall apply to a Wall Sign in a residential zone:

- a) maximum number of Wall Signs shall be 1 per lot;
- b) height restriction shall be a minimum of 2.4 metres clearance from grade to base of origin;
- c) maximum size shall be 0.5 square metres.

7.19.4 Wall Signs may be erected or displayed on the side of a building facade that is visible from a street, private thoroughfare, or sidewalk, walkway or trail. Where a business is located on a storey other than the first storey, a wall sign may be located on that storey.

7.19.5 No Wall sign shall extend above the building façade.

7.19.6 A Wall Sign advertising a Home Occupation is permitted in any residential zone in accordance with the provisions of Section 7.17.3 and all other provisions of this by-law.

### **7.20 Window Signs**

7.20.1 Window Signs shall be permitted in any Commercial or Industrial Zone.

7.20.2 If a Window Sign is placed on premises designated under Part IV or Part V of the Ontario Heritage Act, it must meet the following specifications:

- a) Window Signs on designated properties shall not exceed 15 per cent of the total glassed-in area, unless historically correct and in accord with the Statement of Reason for Designation; and,
- b) messages on windows of buildings designated under the Ontario Heritage Act must relate to the business within said premises.

- 7.20.3 On premises not designated under Part IV or Part V of the Ontario Heritage Act, a Window Sign shall not exceed more than 30 per cent of the window area in which the Window Sign is located.

## **7.21 Miscellaneous Signs**

- 7.21.1 Signs Advertising Yard Sales, Garage Sales, Auctions

A yard sale, garage sale and auction sign is permitted, provided it is not greater than 1.0 square metre in area and it is erected not more than 1 day prior to the commencement of the event and shall be removed within 12 hours following the completion of the advertised event.

- 7.21.2 Signs Advertising Open Houses

An Open House sign is permitted if not more than 1.0 square metre and removed within 12 hours of the event.

- 7.21.3 Signs Identifying Crops and Advertising Farm Produce

A sign which identifies crops or farm produce grown on the property, is permitted provided such sign is not greater than 1.0 square metre in area. 7.22 Signs for Properties Designated Under the Ontario Heritage Act.

- 7.22.1 The Clerk shall receive and review all Heritage Sign Approval applications for properties designated under Part IV or Part V of the Ontario Heritage Act for the Town of Deseronto. All signage must be in accord with the Statement of Reason for Designation.

- 7.22.2 For those properties designated under Part IV or Part V of the Ontario Heritage Act, the following provisions apply:

- a) Materials used in the construction of signs shall be wood, material that simulates wood or traditional matte finished metals. Sheet plastic, plexiglas, vinyl and other synthetic materials are prohibited unless the proponent can demonstrate, with historical reference, that the material application is appropriate to the age and style of the building.
- b) Lettering shall be subject to the relevant font schedule if present, or the Clerk's approval, unless the proponent can demonstrate with historical reference that the lettering is appropriate to the age and style of the building".
- c) Paint choices shall be subject to the relevant colour schedule if present, Clerk's approval, unless the proponent can demonstrate with historical reference, that the paint choice(s) are appropriate to the age and style of the building.
- d) No sign shall be mechanically or electronically driven or have any moving parts, unless the proponent can demonstrate, with historical reference, that this feature is appropriate to the age and style of the building.

- e) Luminous, Flashing and Read-o-graph Signs are prohibited on all properties designated under Part IV or Part V of the Ontario Heritage Act, unless the proponent can demonstrate, with historical reference, that this feature is appropriate to the age and style of the building.

### **7.23 Posters**

- 7.23.1 Any person who erects or displays a Poster within the limits of a Town road in contravention of this by-law is guilty of an offence.
- 7.23.2 No person shall erect or display or cause to be erected or displayed any Poster on a Town road allowance.
- 7.23.3 No person shall erect or display any poster on municipal light poles, hydro poles, street sign poles or any municipal structures.
- 7.23.4 No Person shall erect or display or cause to be erected or displayed any poster for a period exceeding 30 days.
- 7.23.5 Any Poster found not to be in compliance with this by-law may be removed by the Town.
- 7.23.6 Where a Poster has been removed pursuant to this by-law, the Poster may forthwith be destroyed or otherwise disposed of by the Public Works Department without any notice or compensation to the owner thereof.
- 7.23.7 Window Posters and temporary signs must be professional in nature. Handwritten or poorly constructed signs/posters are not permitted.

## **8. SIGN PERMITS**

- 8.1 No person shall erect any sign without first applying for and obtaining a sign permit for such sign from the Clerk unless the sign is exempt from Sign Permit requirements and is in compliance with all applicable requirements of this By-law.
- 8.2 For those properties not designated under Parts IV or V of the Ontario Heritage Act, no sign permit shall be required for any alterations or repairs to an existing sign if such alterations or repairs involve only a change of the message on the sign or the repainting, cleaning or other normal maintenance and repair of the sign.
- 8.3 For properties designated under Part IV or Part V of the Ontario Heritage Act, a Heritage Sign Approval shall be required for the installation, alteration or relocation of any sign.

### **8.4 Application for Sign Permit and/or Heritage Sign Approval**

- 8.4.1 Where required by this By-law, applications for a sign permit shall be made to the Clerk upon a form to be provided by the Clerk. Signs on properties designated under the Ontario Heritage Act shall not be installed, altered or relocated without obtaining a separate Heritage Sign Approval.
- 8.4.2 A completed application for a sign permit requires the following:

- a) The name and address of the Contractor installing the sign;
- b) The name and address of the owner of the premises upon which the sign is to be located or the name and address of the person in possession of the premises upon which the sign is to be located;
- c) Drawings, plans and specifications showing:
  - i) The location or proposed location of the sign on the premises;
  - ii) The location or proposed location of all other signs on the premises for which a permit is required, and
  - iii) the dimensions, foundations, construction supports, sizes, electrical wiring and components, materials of the sign and method of attachment and character of structural members to which the attachment is made, together with such other engineering data certified by the Chief Building Official as required by the Ontario Building Code, as amended.
  - iv) Where the premises are designated under Part IV or Part V of the Ontario Heritage Act, requirements for Heritage Sign Approval applications include, in addition to those
- d) Proof of possession of all permits as may be required by any other applicable government authority
- e) The required fee.
- f) Other information as may be required by the Clerk to ensure that such sign will comply with the requirements of this By-law, the Ontario Building Code, any other applicable law, and to ensure the sign is not unsafe.
- g) The consent of the person in possession of the lot or premises upon which the sign is to be erected, to permit entry upon the said premises by the Clerk for the purpose of inspecting the sign in accordance with this By-law, but nothing herein shall be construed to limit or restrict the right of the Clerk to enter upon the premises in accordance with the provisions of the Building Code Act, the Provincial Offences Act or any other applicable statutory authority.
- h) In the case of a Portable Sign, the date the sign is to be in place

### **8.5 Fees for Sign Permits**

Each application for a sign permit shall be accompanied by a non-refundable fee of \$10.00 payable to The Corporation of the Town of Deseronto in accordance with the Fees for Services By-law as applicable at the time of application for a sign permit.

### **8.6 Issuance of Sign Permit**

- 8.6.1 The Clerk shall issue a sign permit except where:
- a) the proposed sign or other advertising device will not comply with this By-law or the Ontario Building Code or will contravene any other applicable law; or,
  - b) the application for the sign permit is incomplete or any fees due are unpaid.
- 8.6.2 Any sign permit issued by the Clerk shall attest to the compliance to the provisions of this By-law, but issuance of a sign permit by the Clerk shall not relieve the applicant from obtaining any other permit as may required by any other authority having jurisdiction or any other agency having regulations which may apply.

### **8.7 Notice and Inspection Pursuant to a Sign Permit**

To facilitate inspection of the works, the person to whom a sign permit has been issued shall notify the Clerk of:

- 8.7.1 The readiness to construct the footings for the sign (where footings are required); and,
- 8.7.2 The completion of the erection, display, alteration, or repair of the sign for which the sign permit was issued.

### **8.8 Revocation of Sign Permits**

The Clerk may revoke a sign permit where:

- 8.8.1 The sign permit was issued on mistaken or false information;
- 8.8.2 After 6 months after its issuance, the erection, display, alteration or repair of the sign in respect of which the permit was issued has not, in the opinion of the Clerk been seriously commenced or has been substantially suspended or discontinued or has been substantially suspended or discontinued;
- 8.8.3 A person to whom an order has been given in accordance with Section 8.3 of this By-law has failed or refused to comply with such order; or,
- 8.8.4 A sign permit for a Portable sign has been issued and the Portable sign for which the sign permit has been issued has not been erected within 30 days of the date of issuance of the sign permit.

## **9. ADMINISTRATION AND ENFORCEMENT**

- 9.1 The Clerk shall be responsible for the administration and enforcement of this By-law
- 9.2 The Clerk may assign such persons as necessary to carry out the duties and responsibilities granted to and imposed upon the Clerk by this By-law.

## **10. OFFENCES**

- 10.1 Any person who:

- 10.1.1 Knowingly furnishes false information in any application for a sign permit or any documents or plans accompanying such application for a permit under this By-law; or
- 10.1.2 Fails to comply with any order, notice, direction or other requirement given in accordance with or pursuant to this By-law; or,
- 10.1.3 Contravenes any provision of this By-law;

is guilty of an offence and is liable upon conviction to such penalties prescribed by the Provincial Offences Act, R.S.O. 1990, Chapter P.33 as amended or the Building Code Act S.O. 1992, c.23.

- 10.2 Each day in which a contravention of this By-law is continued or permitted to continue shall constitute a separate offence and shall be punishable as such hereunder.

### **10.3 Minor Variances**

- 10.3.1 Where a person cannot comply with the provisions of this By-law, application may be made to the Council of The Corporation of the Town of Deseronto for a minor variance to the provisions of this By-law.
- 10.3.2 Application to Council for a variance shall clearly set out why the provisions of the By-law can not be met and shall be accompanied by a fee in the amount of \$75.00, which fee shall be non-refundable.
- 10.3.3 Council may, upon receipt of an application for a minor variance from the provisions of this By-law, authorize such minor variances as may be requested provided in the opinion of the Council the general intent and purposes of this By-law are maintained. Council may waive or adjust a minor variance fee if it deems the fee is excessive for the particular variance.

## **11. VALIDITY**

If any section, clause or provision of this By-law is for any reason declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof other than the section, clause or provision so declared to be invalid, and it is hereby declared to be the intention of this By-law that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until rescinded, notwithstanding that one or more provisions thereof may be declared to be invalid.

## **12. RESCIND AND EFFECTIVE DATE**

- 12.1 All by-laws and parts of by-laws of the Town of Deseronto inconsistent with this by-law with the exception of the comprehensive zoning by-law no. 13-93 are hereby repealed.
- 12.2 This By-law shall come into force and take effect immediately upon its final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
12TH DAY OF JANUARY 2010.

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**MAYOR**

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**CLERK**