

The Corporation of The Township of Tudor and Cashel

BY-LAW NO.: 2013-10

BEING a By-law to regulate the erection, display, alteration and use of signs within the Municipality of the Township of Tudor and Cashel.

WHEREAS Section 99 of the Municipal Act, 2001 provides that a municipality may pass a By-law respecting advertising devices, including signs;

AND WHEREAS Section 99 of the municipal Act, 2001 sets out the provisions for passing a By-law respecting advertising devices and signs, including the giving of notice of the passing of such By-law;

AND WHEREAS the Council of the Municipality of Tudor and Cashel deems it expedient to pass such By-law and has given public notice of such;

NOW THEREFORE the Council of the Corporation of the Township of Tudor and Cashel hereby enacts as follows:

Section 1: Definitions;

For the purpose of this By-law;

AGREEMENT shall mean the encroachment permit entered into between the Municipality and the Company, which sets out conditions, regulations and requirements to be adhered to.

COMPANY shall mean the person(s), firm or organization to whom the permit is granted.

HOME OCCUPATION shall mean any occupation, which is carried on in accordance with the provisions of this by-law relative thereto, as an accessory use and only by members of the one family residing upon the premises.

MAINTENANCE OR MAINTAIN shall mean the repair or replacement of illegible, damaged, defaced, leaning, or broken signs and their supporting posts.

ROADWAYS shall mean all the township public highways, roadways and/or bridges within the Township of Tudor and Cashel municipal boundaries

SIGN shall include and advertising device bill board, notice poster panel, or any part thereof whether it contain words or not and shall include and device that is used solely to attract attention, identify or convey information, except for signs approved by council of the Township of Tudor and Cashel or signs approved by law (e.g. Highway, Traffic, Election, etc.)

SITE PLAN shall mean the plan produced by the company on which the number, size, type and location of the signs to be located along Municipality's roadways/highways are shown

TOWNSHIP shall hereinafter mean The Corporation of the Township of Tudor and Cashel

PROPERTY shall mean any municipal property and any private property in the Municipality of Tudor and Cashel

DAYLIGHT TRIANGLE shall mean that portion of a corner lot within the triangular space formed by the point on the edge of the travelled portion of two street lines and a straight line drawn from a point in one street line to a point in the other street line, each point being 15 meters (49 feet) measured along each street line from the point of intersection of the street lines.

Section 2: Placement of Signs;

The following provisions for the placement of signs on property shall apply;

1. No sign, shall;
 - a) obstruct pedestrian or vehicular traffic;
 - b) obscure clear visibility of normal approaching pedestrian or vehicular traffic;
 - c) be erected or displayed so as to be, by nature of the colour, shape or location thereof, confused with any traffic control sign, signal or device, or obscure the visibility or effectiveness of any traffic control sign, signal or device;
 - d) be located in the day light triangle as defined herein.
2. Signs displayed on private property for Home occupations shall meet all zoning restrictions set out in 5.39 of the comprehensive zoning by-law, and be set back a minimum distance from lot line of 3 metres (9.8ft)

Section 3: Condition of Signs;

1. The owner of any sign shall at all times keep such sign in good repair and in a proper state of preservation as to safety and appearance.
2. Where in the opinion of Council and/or By-law officer if any sign is in a dangerous or defective condition, the Council/By-law Enforcement Officer shall notify the owner of the sign, if on municipal property, or the owner of the private property of which such sign is located to remove the sign or bring the sign to a proper state of repair.
3. Upon such notice the owner shall proceed to repair or remove such sign; if such sign is not repaired or removed within seven days, the Council/By-law Enforcement Officer shall be permitted to have the sign removed. Any fees incurred during this process could be billed to the owner of the sign, if on municipal property, or the property owner, if on private property.

Section 4: Signs on Municipal Property;

1. No person shall place, post or erect any sign on any property of the Corporation of the Township of Tudor and Cashel, or on any tree, pole or posts situated on any property of the Municipality of Tudor and Cashel or of any local board thereof, without specific authority from the Council of the Township of Tudor and Cashel.
2. Real estate advertising devices/ signs may be displayed along municipal roads provided such signs are not attached to any tree located on municipal property, and these signs, including any auxiliary direction signs, shall be removed once the property is sold.
3. Temporary special events signs, including yard sales and trade advertising, may be displayed along municipal roads, provided such signs are not attached to any tree located on municipal property; such signs shall only be permitted for the duration of the specific event or project, and must be removed from municipal property by the owner of the sign immediately following the event or project.

Section 5: Signs on Private Property;

1. The placement of any sign on private property shall be in accordance with section 5.39 of comprehensive zoning by-law for the Municipality of Tudor and Cashel
2. The home occupation or home industry being advertised must be located on the property displaying the advertising, or the business, must be in direct relation to the property owner.

Section 6: Permits of Signs;

1. Any person wishing to erect a sign on municipal property shall submit an application on the appropriate form to the Clerk-Treasurer of the Municipality of the Township of Tudor and Cashel at the municipal office.
2. Upon receipt of an application for a sign on municipal property, the Clerk-Treasurer shall provide a report to the Council of the Municipality of the Township of Tudor and Cashel who shall decide on the granting of permission for such signs
3. Consideration of issuance of sign permits will take into account the inherent nature of the property and its congruity with the surrounding properties.
4. Applications will have an establishment fee, to cover the inspection and approval of such plans, defined in schedule A.

5. There will be an annual renewal fee due Jan. 1st of each year as defined in schedule A.

Section 7: Enforcement of By-Law;

The following provisions for enforcement of this By-law shall apply:

1. Any municipal resident or land owner who is requesting enforcement of this By-law shall file a signed, written complaint with the Clerk-Treasurer of the Municipality of the Township of Tudor and Cashel at the municipal office.
2. Upon receipt of a written complaint the Clerk-Treasurer shall inform Council following which, if the authority for such sign or signs has not been provided, notice in writing will be given to any person(s) and /or company to remove such sign or signs within seven days.
3. If such sign or signs are not removed within seven days of the above notice the Municipality of the Township of Tudor and Cashel Council/By-Law Enforcement Officer shall be permitted to have the sign dismantled and removed with all fees or costs incurred being billed to the owner of the sign.
4. The Council/By-law Enforcement Officer for the municipality of the Township of Tudor and Cashel may initiate enforcement of the By-law if, during the normal course of their duties, he or she becomes aware of any sign not in compliance with the provisions of the By-law.

Section 8: General Information;

1. Section 6 of this By-law does not apply to a sign that was lawfully erected on or prior to the date this by-law comes into force, provided that sign is not altered or attached to any tree located on municipal property.
2. Failure on the part of the company to fulfill its obligations in accordance with the terms of this by-law will result in the termination of any agreement which may be in effect.
3. Posting signs in the Municipality of The Township of Tudor and Cashel shall be restricted to rate paying residents or tenants of the Township of Tudor and Cashel.
4. Existing signs that do not comply shall be removed by the municipality.

Section 8: Offences and Fines;

1. The Municipality has the authority to remove or have removed unauthorized signs and have the cost of removal applied to the tax roll of the person wrongfully erecting the sign, or invoicing to the responsible non-property owner.

Any other By-laws, resolution or actions of the Council that are inconsistent with the provisions of this By-law are hereby repealed and rescinded.

PASSED this 05th day of March, 2013.

CLERK: BERNICE CROCKER

REEVE: WANDA DONALDSON

Schedule "A"

By-law 2013-10

Respecting Permit Fees Regulating Signs

Site Inspection	\$25.00
Initial Permit Fee	\$100.00
Annual Fee for renewals	\$50.00

By-law 2013-10
Application For Sign Permit
Permit No. _____

Complete only those parts of this form that apply to the type of sign you wish to erect.
A separate application is required for each sign unit.

Application is made for:

Number	Type	Cost
1.	A permit to erect a sign	\$100.00
2.	Annual Renewal Fee	\$50.00
3.	Site Inspection Fee	\$25.00

Please make all cheques payable to the Township of Tudor and Cashel.

Enclose sketch or picture to properly describe sign, location on property

Description of Sign:

On Property of: _____
Lot # and Concession
Township/Ward
County/District

Road Name: _____ Facing _____
(N.S.E.W)

On the _____ Side About _____ Km/Miles _____ of _____
(N.S.E.W)
(distance)
(N.S.E.W)
(Nearest intersection)

*The applicant understands that: (1) all work will be performed at expense of the applicant. (2) Work must not begin before a permit is issued. (3) The issuance of the permit does not relieve the applicant of the responsibility of complying with relevant municipal By-laws. (4) If a permit is issued it relates only to the sign as described in the permit. By signing this application the owner gives the Municipality permission to enter on the land to remove and sign that is altered or is not maintained in good repair according to Municipal requirements.