

# **CORPORATION OF VILLAGE OF CASSELMAN**

## **BY-LAW NO. 2017-076**

**BEING** a By- Law to regulate the erection of Permanent signs, Temporary signs and Billboards within the boundaries of the Village of Casselman.

**WHEREAS**, the Municipal Act, 2001, Chapter 25, Section 99 provides that municipalities may pass by-laws respecting advertising Devices, including Signs;

**AND WHEREAS**, the Council of the Corporation of The Village of Casselman considers it reasonable and necessary to regulate the erection, display and maintenance of Signs and other Advertising Devices within the boundaries of the Corporation of The Village of Casselman.

**NOW THEREFORE**, the Council of the Corporation of The Village of Casselman enacts as follows:

### **1. SHORT TITLE**

This By-Law may be cited as the "Sign By-Law".

### **2. DEFINITIONS**

In this By-Law, except where a contrary intention appears:

**"Advertising Device"** means any device or object designed to attract attention to any business, activity or service, which is located on or attached to a property. This definition includes Signs, Billboards and any other object intended for said purposes.

**"Alteration"** means any change to a Sign Structure or Sign Face excepting the changing of Copy in compliance with this By-Law or the replacement of similar parts for maintenance purposes.

**"Awning"** means a shelter that protrudes from the exterior wall of a building, is constructed of non-rigid materials and is supported by a retractable frame or Sign Structure.

**"Canopy"** means a permanent Sign Structure that protrudes from the exterior wall of a building and is supported by a rigid frame or Sign Structure or a permanent Sign Structure that is separate from the building and supported entirely from the ground.

**"Community Information Sign"** means a sign of a design approved by the Municipality which informs the public of non- profit community services or programs such as service clubs, block parents, neighborhood watch, adopt a road or park, and may provide identification of or directional information to community facilities such as churches, schools, libraries, sports or other community facility.

**"Community Special Event Sign"** means a sign of a design approved by the Municipality which informs the public of non-profit community sponsored special events designed to promote involvement in community celebrations and other activities primarily by the local population of the Municipality or any group of communities within the Municipality.

**"Copy"** means the wording and symbols on a sign.

**"Council"** means the Council of the Corporation of The Village of Casselman.

**"County Road"** means those county roads under the jurisdiction of the United Counties of Prescott-Russell.

**“Erected”** means attached, built, constructed, re-constructed, enlarged, placed or moved.

**“Face Area”** means the area of that portion of a sign, excluding any part of the Sign Structure, that is open to view and which may be used for the display of any advertising or other message or communication.

**“Front Wall”** means the building’s main wall which is facing the public road.

**“Grade”** means the average elevation of the ground directly beneath the sign.

**“Height”** means the vertical distance from the base at Grade to the top of the highest attached component of the Sign Structure but excludes ancillary lighting fixtures.

**“Lot”** means a parcel of land described as a single parcel of land with definite boundaries in a Registered Plan of Subdivision or as a single parcel of land with definite boundaries described in a deed or transfer registered in the Land Registry Offices of the Counties of Prescott and Russell pursuant to the Registry Act and which may be legally conveyed by the owner thereof.

**“Lot Line”** means the line formed by the boundary of any Lot.

**“Major Special Event Sign”** means a sign of a design approved by the Municipality, which informs the public of a special event designed to attract the local population and tourism to the Municipality and which is attended by crowds of one thousand (1,000) persons or more.

**“Municipal Roads”** means any road located on the territory of the Municipality, other than a County Road or highway.

**“Municipality”** means the Corporation of The Village of Casselman.

**“Officer”** means a Municipal Law Enforcement Officer appointed by the Corporation of the Village of Casselman.

**“Person”** shall include any association, partnership, and corporation, Municipal Corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

**“Sign”** means any identification, description, illustration or device which directs attention to, or advertises, any Person, business, commodity, service or use. A Sign shall include **“Face Area”** and

**“Sign Structure”** and shall be considered a structure for the purposes of this By-Law. Without limiting the generality of the above, the definition of Sign includes, but is not limited to, the following types of Signs:

**“Abandoned Sign”** means a Sign which formerly identified, but no longer correctly identifies, the business, commodity, service or use presently conducted, sold or offered. A Sign shall be deemed to be abandoned 90 days after such activity is discontinued.

**“Agro-tourism Enterprise Sign”** means a temporary Sign that is used to designate the location of or direction to an agro-tourism activity of short duration.

**“Animated Sign”** means a Permanent Sign or Advertising Device which depicts an action or motion, pivots on a spindle or contains an intermittent or flashing light source; or for which the action or motion is the result of animation or an external light source. This definition includes balloons, pennants and light bulbs arranged in series or otherwise.

**“Awning Sign”** means a Permanent Sign that is painted on or affixed to the surface of an awning, and that does not extend, horizontally or vertically beyond the limits of the awning.

**“Banner Sign”** means a temporary Sign that is constructed from lightweight, non-rigid materials, such as cloth or plastic, and that is attached with ropes, screws or hooks. A Banner Sign must be resistant to weather conditions.

**“Base Sign”** means a single or double-faced Permanent Sign that is affixed to the ground by a foundation of masonry, stone or concrete and is located along a public road.

**“Billboard Sign” or “Billboard”** means a Sign, including an Illuminated Sign which uses either permanent Copy, or poster panels or other similar surfaces to which temporary or permanent Copy is attached, with a single or double Face Area of three (3) square meters (32.3 square feet) or more used to identify or advertise any business, activity, service or Person, or any goods, commodities or products which are not located in, conducted on, sold on, produced on or displayed on the Lot upon which the Sign is located, but does not include Wall Sign as defined herein.

**“Business Sign”** means a Sign that attracts attention to a business, occupation, product, service or amusement which is exploited, operated, sold or offered on the same property where the Sign is located.

**“Canopy Sign”** means a Permanent Sign that is painted on or affixed to the surface of a Canopy and that does not extend, vertically or horizontally beyond the limits of the Canopy.

**“Collective Sign”** means a Sign with a message or a group of messages that is common to many businesses located in the same building.

**“Community Sign”** means any Sign that attracts attention to a community service, attraction or activity and that is installed and maintained by the Municipality or a non-profit organization.

**“Directional Sign”** means a temporary Sign that is used to designate the location of or direction to a community or commercial activity of short duration.

**“Easel Sign”** means a temporary Sign that is free standing and removable, and has no more than two (2) facets joined to form an “A” shaped Sign Structure.

**“Election Sign”** means a temporary Sign that is used to advertise or promote the public election of candidates seeking a mandate.

**“Electronic Message Display Sign”** means a Sign which is electronically controlled and which displays information in a pre-arranged sequence and on which the intensity of illumination is constant.

**“Identification Sign”** means a Sign indicating the name, address, occupation or trade of the building occupant with its business logo or the Lot number within a residential subdivision, or simply the name and address of the building itself, without mention of a product for sale. An identification Sign shall not be illuminated.

**“Illuminated Sign”** means a Sign illuminated by artificial light.

**“Inflatable Sign”** means a temporary Sign that is inflated with air or gas and is used for promotional purposes.

**“Mobile Sign”** means a temporary Sign that is not secured to the ground or mounted on the wall of a building or other structure and that is intended mainly to be Erected on a trailer that can be moved, transported or relocated elsewhere. Normally, a Mobile Sign consists of a screen used to display letters and numbers.

**“Permanent Sign”** means a Business Sign that is supported by a Sign Structure, anchored to the ground or affixed to the wall of a building and is usually located where the business operates.

**“Post Sign”** means a single or double-faced Sign that is supported by one or more posts, poles, columns or pillars and that is anchored to a foundation in the ground.

**“Real Estate Sign”** means a temporary Sign advertising the sale of real estate, or the opportunity to rent or lease a dwelling or building on the premises where the Sign is located.

**“Temporary Sign”** means a Sign that is not permanently installed or affixed to a structure or building.

**“Wall Sign”** means a Permanent Sign that is affixed to the wall or fascia of a building. This type of Sign does not include Awning Signs, Canopy Signs or Signs of a similar structure. A Wall Sign may consist of one panel or more, each with specific messages.

**“Window Sign”** means a Permanent Sign where a message is painted directly on the interior or exterior window (glass surface) of a business.

**“Sign Area”** means the area of the Sign Face.

**“Sign Face”** means that portion of the Sign, excluding the supporting Sign Structure, where Copy can be placed.

**“Sign Structure”** means a structure which is intended to support, or be capable of supporting, any Sign, and which in turn is supported by the ground, a building or a structure which is not an integral part of the Sign.

### **3. INTERPRETATION**

- 3.1 In this By-Law, unless the contrary intention appears, words importing the singular number or the masculine gender only shall include more Persons, parties or things of the same kind than one, and females as well as males.
- 3.2 In this By-Law, the word “shall” is construed as being mandatory and not discretionary.
- 3.3 The headings contained in this By-Law are for the purposes of convenience and reference only, and do not form part of this By-Law.

### **4. APPLICATION FOR PERMIT**

- 4.1 Any Person wishing to erect, alter, enlarge or use a Permanent or Temporary Sign within the limits of the Municipality shall first obtain a “Sign Permit” issued by the By-Law Enforcement Department. The application for the Sign Permit shall be in the form prescribed in Schedule “B” of this By-Law.
- 4.2 The application shall be accompanied by the fee prescribed in section 25 of this By-Law or as set out in the Fees and Charges By-Law amended from time to time. The most recent By-law will apply.
- 4.3 The By-Law Enforcement Department may impose all required conditions so as to ensure that any Permanent or Temporary Sign complies with standards of safety, aesthetics and design.
- 4.4 In addition to a “Sign Permit”, the installation of a Permanent Sign may also require a Building Permit and the approval of all Sign plans by an architect or engineer if any one of the following criteria apply:
  - a) The height of the Permanent Sign exceeds 7.5 meters (24 feet and 7 inches) above Grade;
  - b) The Projecting Sign weighs more than 115 kilograms (254 pounds); or

- c) The Permanent Sign has a Face Area of 10 square meters (107.6 square feet) or more.

## **5. GENERAL PROHIBITION**

- 5.1 No Person shall place a Sign on a highway,
  - a) by excavating, digging, drilling, driving or cutting into asphalt, concrete, bricks or other improved hard surface for the purpose of imbedding a Sign or its support;
  - b) by using nails, rivets, screws, or by drilling into wooden, aluminum or concrete poles or any other highway structure for the purpose of placing a Sign or its support;
  - c) in a location and in a manner which may damage a public utility, and no Sign support shall be driven into the ground to a depth;
    - (i) 0.3 meters (11.8 inches) or more without first obtaining the permission from any public utility having underground utilities within the Municipal Road, County Road or highway;
    - (ii) less than 0.3 meters (11.8 inches) without first obtaining locate information, if necessary, to ensure that no damage occurs to any underground utility.
- 5.2 The location at which a Sign has been placed shall be restored, upon its removal, to a condition satisfactory to the By-Law Enforcement Department and, if it is not, the By-Law Enforcement Department may restore the location and recover costs of doing so from the Sign owner.
- 5.3.1 Except as otherwise permitted in the By-Law, no person shall:
  - a) erect, alter or enlarge a sign without first having obtained a permit;
  - b) erect, alter or enlarge a billboard without first having obtained a permit;
  - c) erect a new sign that is not bilingual in accordance with section 21.3;
  - d) erect, alter or enlarge a home occupation or home business sign without first having obtained a permit;
- 5.4 Except as otherwise permitted in the By-Law, no person shall erect a sign without first having obtained a permit.

## **6. SIGN LOCATION**

- 6.1 All Permanent or Temporary Signs shall be erected at a distance of 3 meters (10 feet) or more from a public road easement.
- 6.2 The ground projection for a Base Sign or Post Sign shall be located at a distance of 3 meters (10 feet) or more from a public road easement and a distance of 1.5 meters (5 feet) or more from adjacent property lines.

## **7. PROHIBITED LOCATIONS**

- 7.1 No Person shall erect a Sign on any public road easement or on public property under the jurisdiction of the Municipality.
- 7.2 No Person shall erect or maintain a Sign that could conceal or obstruct the visibility of road Signs, traffic signals or warning devices.
- 7.3 No Person shall erect or maintain a Sign within a sight triangle as defined in the Zoning By-Law, or in any other location where it could obstruct the view of pedestrians or motor vehicle drivers, or could interfere with traffic to the extent that it could create a hazard to people.

- 7.4 No Person shall locate a Sign so as to cause damage to infrastructure or underground services.
- 7.5 No Person shall affix a Sign to hydro electric utility poles or to any other Sign or Sign Structure.
- 7.6 No Person shall erect a Sign so as to obstruct an emergency exit, a fire route or any other access route, or to restrict access by the Municipality's Fire Department to any standpipes or hydrants, or to any part of a building or structure.
- 7.7 No Person shall affix or paint a Sign, graffiti or poster on roof surfaces, fences, rocks, trees or other natural element, or paint a Sign directly on the exterior facing of a building.
- 7.8 No Person shall affix or paint a Sign on a vehicle that is no longer in use, or use a road vehicle as the support structure for a Sign.

## **8. PERMANENT SIGNS**

- 8.1 Unless otherwise noted in this By-Law, Permanent Signs installed on a property shall be permitted for a service or business establishment under the following requirements:
- a) Only one Base Sign or Post Sign is permitted per lot;
  - b) Only two principal signs may be installed on each exterior wall;
  - c) Where a Canopy Sign, Awning Sign, Partially or Rigid Banner is installed, only one principal wall sign shall be permitted on that specific wall;
  - d) At the discretion of the Officer, signs shall not be installed on the building face directly abutting a residential area;
  - e) One projecting wall or overhanging sign is permitted per building except where a building is double fronting, i.e., corner lots or through lots in which two (2) shall be permitted, one for each frontage;
  - f) Signs that are deemed incidental in the opinion of the Officer may be permitted at his discretion.
- 8.2 With regard to a commercial plaza or shopping center, the maximum number of Permanent Signs permitted shall be in accordance with the following requirements:
- a) Only one Base Sign or Post Sign is allowed per commercial plaza or shopping center. This Sign can be a Collective Sign.
  - b) Only two principal signs are permitted to be installed on each exterior wall;
  - c) Where a Canopy Sign, Awning Sign, Partially or Rigid Banner is installed, only one principal wall sign shall be permitted on that specific wall;
  - d) At the discretion of the Officer, signs shall not be installed on the building face directly abutting a residential area;
  - e) One projecting wall or overhanging sign is permitted per building except where a building is double fronting, i.e., corner lots or through lots in which two (2) shall be permitted, one for each frontage;
  - f) Signs that are deemed incidental in the opinion of the Officer may be permitted at his discretion.

- 8.3 With regards to a home occupation or a home-based business, the maximum number of signs permitted shall be in accordance with the following requirements:
- a) Only one sign is permitted to be installed on a property;
  - b) The sign shall be located on the property where such business is being operated
  - c) The sign shall be unlit;
  - d) The maximum height of the sign shall be 1.5 meters;
  - e) The maximum surface area of the sign shall be 1.1 square meter;
  - f) The sign shall be at a minimum of 1.5 meters from the property line and 0.5 meter from a parking area or any type of roadway.

## **9. HEIGHT AND FACE AREA FOR WALL SIGNS, PAINTED SIGNS, PARTIALLY RIGID BANNER AND ENTRANCE SIGNS**

- 9.1 No Wall Sign, Painted Sign or Partially Rigid Banner shall project beyond the roof line of the building or the extremities of the wall of the building to which it is affixed.
- 9.2 No Wall Sign, Painted Sign or Partially Rigid Banner shall project beyond 0.45 meters (18 inches) from the wall of the building to which it is affixed.
- 9.3 Wall Signs, Painted Signs and Partially Rigid Banners are limited to a maximum area of 30% of the Face Area of the exterior front wall or side wall to which the Sign is affixed or as otherwise permitted by the Officer. With regard to a building with multiple business or service establishments, the total area of all Wall Signs, Painted Signs or Partially Rigid Banners shall not exceed 30% of the area of the wall to which the Signs are affixed or as otherwise permitted by the Officer.
- 9.4 Entrance Signs shall have a maximum area of 1.25 square meters (13.4 square feet) and the maximum Height shall be 1.25 meters (4 feet).

## **10. HEIGHT AND FACE AREA FOR BASE SIGNS OR POST SIGNS**

- 10.1 Restrictions on the Height and Face Area for Base or Post Signs are dependent on the district in which the property is situated.
- 10.2 For the purpose of this By-Law, the Municipality territory has been divided into three (3) districts as per Schedule "A" attached to and forming part of this By-Law. These are "**District 1**" which is "**Residential Policy Area & Park and Open Space Policy Area**"; "**District 2**" which is "**Economic Enterprise Policy Area**"; "**District 3**" which is "**Community core Policy Area**".
- 10.3 The Height and Face Area for Base or Post Signs by district shall be as follows:
- a) "**District 1- Residential Policy Area & Park and Open Space Policy Area**"- the maximum Face Area for Base Signs or Post Signs shall be 7 square meters (75 square feet) and the maximum allowable height shall be 5.5 meters (18 feet).
  - b) "**District 2- Economic Enterprise Policy Area**"- the maximum surface area for Base Signs or Post Signs shall be 32 square meters (345 square feet) and the maximum height shall be 33 meters (100 feet).

- c) **“District 3- Community core Policy area”**- the maximum Face Area for Base Signs or Post Signs is 16 square meters (172 square feet) and the maximum allowable height shall be 7 meters (23 feet).

## **11. FACE AREA FOR AWNING SIGNS, CANOPY SIGNS AND WINDOW SIGNS**

- 11.1 The maximum Face Area for Awning Signs or Canopy Signs shall be 4 square meters (43 square feet). The maximum area for Window Signs shall be 75% of all glazing of that building face , without exceeding 6 square meters (43 square feet) or as otherwise permitted by the Officer.
- 11.2 A permit is not required for any window sign.

## **12. TEMPORARY SIGNS**

- 12.1 Only one Temporary Sign shall be permitted for each business establishment in addition to a Permanent Sign.
- 12.2 A Temporary Sign is permitted for a maximum of 15days, whether consecutive or not, within a 6-month period from the first day the Temporary Sign is erected, except for Easel Signs, Real Estate Sign, Signs relating to a social event and for Garage Sale Signs.
- 12.3 The posting area for double faced Temporary Mobile Signs shall not exceed 4.64 square meters (50 square feet) on each face.
- 12.4 The maximum Face Area for Temporary Signs of a banner type, pennant-type or balloon-type shall be 15 square meters (161 square feet).
- 12.5 The maximum Face Area for an Easel Sign shall be 0.75 square meters (8 square feet) for each face, and the maximum allowable height shall be 1.2 meters (4 feet) above grade. Easel Signs shall be permitted between May 1<sup>st</sup> and November 1<sup>st</sup> of each year.
- 12.6 The maximum Face Area for a Temporary Sign announcing a garage sale shall be .28 square meters (3 square feet). This type of Sign shall be posted for a maximum period of ten (10) days.
- 12.7 No more than three (3) Temporary Signs relating to a cultural, sporting, community or religious event, or any other common event, shall be installed for a maximum period of thirty (15) days. The Sign shall be removed within five (5) days following the holding of the event. The maximum Face Area permitted for this type of Sign shall be 3 square meters (32 square feet). The erection of this type of Sign on Municipal property requires permission.
- 12.8 No more than three (3) Directional Signs shall be installed for a maximum period of thirty (15) days. The Signs shall be removed within five (5) days following the holding of the event. The maximum Face Area for this type of Sign shall be 1.5 square meters (16 square feet). The erection of this type of Sign on Municipal property requires permission.
- 12.9 No more than twelve ( 12 )Directional Agro-Tourism Enterprise Signs shall be installed for a maximum period of ninety (90) days. The Signs shall be removed within five (5) days following the end of the advertised activity/event. The maximum Face Area of this type of Sign shall be 1.5 square meters (16 square feet).
- 12.10 A permit is not required for a temporary sign.
- 12.11 This By-Law shall not apply to election signs.



### **13. REAL ESTATE SIGNS**

- 13.1 Signs announcing the upcoming construction of a project consisting of **LESS THAN 25 LOTS** shall be permitted on the future site of the project as well as along roads and streets, in accordance with the following provisions:
- a) One (1) Real Estate Sign with a maximum Face Area of 12 square meters (129.2 square feet) shall be permitted on the site of the subdivision or building complex;
  - b) Two (2) Real Estate Signs with a maximum Face Area of 8 square meters (86.1 square feet) each shall be permitted along County Roads; and
  - c) Three (3) Real Estate Signs with a maximum Face Area of 1.5 square meters (16.1 square feet) each shall be permitted along Municipal Roads.
  - d) Real Estate Signs announcing the upcoming construction of a building complex or subdivision must be removed as soon as all building units have been sold.
- 13.2 Signs announcing the upcoming construction of a project consisting of **25 LOTS OR MORE** shall be permitted on the future site of the project, as well as along roads and streets, in accordance with the following provisions:
- a) One (1) Real Estate Sign with a maximum Face Area of 24 square meters (258 square feet) shall be permitted on the site of the subdivision or building complex;
  - b) Two (2) Real Estate Signs with a maximum Face Area of 24 square meters (258 square feet) each shall be permitted along designated County Roads. The Sign shall be set back at least 15 meters from the road allowance and must be at least 75 meters apart from all other Signs along the County Road; and
  - c) Three (3) Real Estate Signs with a maximum Face Area of 3 square meters (32 square feet) each shall be permitted along Municipal Roads.
  - d) Real Estate Signs announcing the upcoming construction of a building complex or subdivision shall be removed as soon as 90% of all building units have been sold. Applications for an extension to that period will be accepted by the By-Law Enforcement Department if the Signs are still in conformity with this By-Law.

### **14. AUTOMOBILE DEALERS**

With regard to an automobile dealer, the number of Permanent Signs, excluding Entrance Signs, as well as the number and type of Temporary Signs specifically permitted for this type of use are as follows or as otherwise permitted by the Officer:

- a) the maximum number of Wall Signs permitted is two (2) per each building face;
- b) the maximum number of partially rigid banners permitted is two (2);
- c) the maximum number of Post Signs permitted is one (1); and
- d) the maximum number of banners permitted is six (6).

### **15. SERVICE STATIONS**

With regard to a service station, the number and type of Permanent Signs, excluding Entrance Signs, as well as the number and type of Temporary Signs specifically permitted for this type of use are as follows or as otherwise permitted by the Officer:

- a) the maximum number of Wall Signs permitted is two (2) per wall face
- b) the maximum number of Post Signs permitted is one (1);
- c) the maximum number of banners permitted is one (1); and
- d) the maximum number of Canopy Signs permitted is three (3).

### **16. SIDEWALKS SIGNS**

The following regulations shall apply to sidewalk signs:

- a) a maximum of one (1) sidewalk sign shall be permitted for any business or use and shall be located on the same lot as the business to which the sign is accessory;
- b) a sidewalk sign shall not be illuminated or lighted;
- c) the maximum height of a sidewalk sign shall be 1.22 meters (4ft) and the maximum width shall be 1 meter (3.28ft);

Where it is impossible to locate the sign entirely on the same lot, the sign may be placed on an abutting Village sidewalk provided that:

- d) the sign is placed as close to the face of the building as is possible and a minimum unobstructed sidewalk width of 1.5 meter (4.92ft.) can be maintained;
- e) signs located on Village sidewalks shall not require Village approval, but shall be relocated or removed if requested by the Officer.

## **17. BILLBOARDS**

- 17.1 Billboards are only permitted to be located along County Roads.
- 17.2 Billboards may be located on a property located in a commercial, industrial or rural area, however, no Billboard shall be erected within 60 meters (200 feet) of a residential area or an isolated dwelling unit.
- 17.3 Billboards shall have a minimum Face Area of 3 square meters (32 square feet).
- 17.4 Billboards shall have a maximum Face Area of 33.5 square meters (360 square feet) and a maximum Height of 9 meters (30 feet).
- 17.5 Billboards shall be located at a distance of 25 meters (82 feet) or more from a County Road easement.
- 17.6 The distance between two Billboards located one after the other on the same side of the road shall be a minimum of 300 meters (984 feet).
- 17.7 Placing two Billboards together is prohibited.

## **18. CONSTRUCTION AND STRUCTURES**

- 18.1 All materials used to build a Sign and Sign Structure shall comply with the most recent provisions of the Ontario Building Code and any other regulation or applicable law in force.
- 18.2 No Sign shall be affixed to a building, parapet wall or any other structure or part thereof, unless the said building or structure is able to support the load of the Sign.
- 18.3 No Permanent Sign or Advertising Device shall be supported by wires, ropes, chains or other similar devices. As well, no Permanent Sign or Advertising Device shall constitute a potential danger to public safety.
- 18.4 All electrical wiring to service a Sign shall originate from the related building, be installed in accordance with all applicable laws and be properly concealed.
- 18.5 The applicant is responsible to contact the By-Law department to conduct an inspection once the installation is complete.

## **19. LIGHTING**

- 19.1 No Sign shall be illuminated by or contain flashing, intermittent, rotating or variable light, beam or beacon Electronic Advertising Devices conveying continuous messages with light patterns that form letters, numbers or illustrations shall be permitted within the Sign Face.
- 19.2 Signs shall be illuminated either by an indirect lighting source within the Sign or by an external light source directed towards the Sign provided that no light or reflection thereof is directed toward any public road, pedestrian pathway, adjacent structure or residential property. No external light source shall be positioned or directed towards the horizon or up to the sky.

## **20. MAINTENANCE**

- 20.1 All Signs shall be maintained in good operating condition. Any Sign that has been defaced, damaged or destroyed shall immediately be restored to its original state by the owner or occupant of the establishment, or shall otherwise be removed from the premises.

## **21. AESTHETICS, DESIGN AND LANGUAGE**

- 21.1 Standards of aesthetics to be followed for any Permanent or Temporary Sign shall be as follows:
- a) Signs depicting bad taste such as skeletons, skulls and crossbones or any other gruesome picture are prohibited;
  - b) Signs depicting a nude human body or parts of a nude human body, erotic scenes or pornographic scenes are prohibited;
  - c) Signs illustrating shapes or colors that could be mistaken for traffic lights or traffic Signs are prohibited.
  - d) Wording or graphics used on signs shall not defame, discriminate or castigate against any person, organization, religious, ethnic or racial group.
  - e) Profanity and sexual language in any form is prohibited
  - f) Image or graphics which have a connotation or portray violence are prohibited from use on a sign.
- 21.2 Design standards to be followed for any Permanent or Temporary Sign shall be as follows:
- a) Signs shaped in the form of skeletons, skulls or any other gruesome form are prohibited;
  - b) Signs shaped in the form depicting a nude human body, parts of a nude human body, erotic scene or pornographic scene are prohibited.
- 21.3 The message or content of NEW commercial, industrial, institutional, development and residential Signs shall be bilingual. The lettering of a commercial Sign (dimension and style) shall be identical in English and French. However, the name of a business may be unilingual.
22. **LEGAL NON-CONFORMING SIGNS AND BILLBOARDS**
- 22.1 Any Sign which does not conform to the terms of this By-Law but that has been lawfully erected or displayed on the day this By-Law comes into force shall be considered a legal non-conforming Sign provided the Sign is not substantially altered. The maintenance or minor repair of the Sign or a change in the message displayed shall be deemed not in itself to constitute a substantial alteration.
- 22.2 A commercial establishment may maintain a non-conforming Billboard, provided that it has been lawfully erected or displayed prior to this By-Law coming into force and provided the Billboard has not been substantially altered. The maintenance or repair of the Billboard or a change in the message or contents displayed shall be deemed not in itself to constitute a substantial alteration.

## **23. TERMINATION OF USE**

- 23.1 All Signs belonging to a business establishment shall be removed within six (6) months following termination of the business use.
- 23.2 Any Sign Structure used to support or hold a Sign shall be removed as soon as it is no longer used for that purpose.

#### **24. MINOR VARIANCE**

- 24.1 The Municipality may authorize a minor variance from this By-Law by resolution of Council if, in the opinion of the Municipality, the general intent and purpose of the By-Law are maintained.
- 24.2 The applicant shall submit a duly completed minor variance request form to the By-Law Enforcement Department as well as all required documentation and the applicable fee and deposit as provided in Schedule "C" & "D" of this By-Law. The applicant shall provide detailed analysis of the proposal complete with a site plan indicating the setbacks from property lines, intersections, residential areas and other Signs.

#### **25. FEES AND PERFORMANCE DEPOSIT**

- 25.1 An application for a Sign Permit made pursuant to Section 4 of this By-Law shall be accompanied by a fee in the amount provided in Schedule "C" to this By-Law or as per the Fees and Charges By-Law amended from time to time. The most recent By-Law shall apply.
- 25.2 The erection of new commercial Signs requiring a Sign Permit pursuant to Section 4 of this By-Law shall also be subject to a performance bond payable to the Municipality upon the issuing of the Sign Permit. The performance bond shall be charged and refunded in accordance with Schedule "D" attached to and forming part of this By-Law

#### **26. ADMINISTRATION AND ENFORCEMENT**

- 26.1 This By-Law shall be administered by the Building or By-Law department of the Municipality.
- 26.2 The enforcement of this By-Law is the responsibility of the By-Law Enforcement Department of the Municipality.

#### **27. REMOVAL OF ADVERTISING DEVICES**

The Municipality may access a property to remove an Advertising Device, at the cost to the owner of the Advertising Device, if it is installed or displayed in contravention of the provisions of this By-Law.

#### **28. REMOVAL AND FEES FOR REMOVAL AND RETRIEVAL**

The following provisions shall apply to the removal of Signs:

- a) no Person shall remove or cause to be removed any lawfully placed Sign, other than Persons authorized by this By-Law or the owner of the Sign;
- b) the Municipality may remove or cause to be removed immediately, without notice and at the expense and risk of its owner, a Sign that is placed or operated in contravention of this By-Law;
- c) a Sign removed pursuant to this section shall be stored by the Municipality for at least thirty (30) days during which the owner of the Sign may retrieve the Sign upon payment of Hundred Dollars (\$100.00) to the Municipality for each Sign;
- d) where the Sign is so large or so placed that the cost of taking it down and removing it exceeds the amount provided in sub-paragraph (c) above, sub-paragraph (c) above is not applicable and the owner of the Sign shall pay the Municipality an amount equal to the aggregate of (i) the

- e) cost incurred by the Municipality for removing and storing the Sign and (ii) thirty percent (30%) of the cost incurred by the Municipality for removing and storing the Sign; where a Sign has been stored for a period of at least thirty (30) days, the Sign may be destroyed at the sole discretion of the Municipality without further notice and without compensation to its owner;
- f) the Municipality shall not be liable for any damage to or loss of a Sign that was removed pursuant to the provisions of this By-Law;
- g) the Municipality shall not be liable for any loss of revenue resulting from the removal of a Sign pursuant to the provisions of this By-Law;
- h) without limitation to the generality of the foregoing, a public utility performing maintenance on a utility pole may take down or remove or cause to be removed immediately without notice, and at the risk of its owner, a Sign that interferes with the public utility's maintenance function.

## **29. LIABILITY**

The owner and any Persons placing, erecting or maintaining a Sign shall be liable and responsible for such Sign. The Municipality is hereby indemnified and saved harmless from and against all manner of claims for damages, loss, expense or otherwise arising from the placement, erection, maintenance, removal or falling of such Sign or part thereof.

## **30. INFRACTIONS AND PENALTIES**

- 30.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O 1990, c.P.33, as amended.
- 30.2 Where a Person has been convicted of an offence under this By-Law, the Ontario Court of Justice or any court of competent jurisdiction thereafter, may, in addition to any other penalty imposed on the Person convicted, issue an order prohibiting the continuation or repetition of the offence.
- 30.3 No person shall hinder or obstruct, or attempt to hinder or obstruct an Officer in the exercise of a power or the performance of a duty under or this By-Law

## **31. EXEMPTIONS**

Sections 4, 6 and 25 of this By-Law shall not apply to:

- a) Signs identifying the entrance to and exit from a parking area or drive-through counter, provided that the Sign Area does not exceed 0.33 square meters (3.5 square feet).
- b) Signs with a Sign Area of 0.28 square meters (3.0 square feet) or less.
- c) Real Estate Signs with a Sign Area of 0.75 square meters (8 square feet) or less that is used or maintained on a residential property and that is not illuminated.
- d) Real Estate Signs with a Sign Area of 6 square meters (65 square feet) or less that is erected, used or maintained on a commercial or industrial property and that is not illuminated.
- e) Signs installed on behalf of, or a Sign sponsored by the Municipality, the United Counties of Prescott-Russell, the province of Ontario or the Government of Canada.
- f) Signs located inside a building.
- g) Flags, oriflammes, pennants or emblems of political, civic, philanthropic, educational or religious organizations.
- h) Historical inscriptions, commemorative plaques and other non-promotional insignia.
- i) Boards indicating the schedule of religious celebrations located at the place of worship.
- j) Farm Signs other than those advertising the sale of commercial products.
- k) Community Information Signs.
- l) Temporary Special Event Signs.
- m) Temporary Major Special Event Signs.

- n) Temporary Signs relating to a cultural, sporting, community or religious event, or any other common, con-commercial event.
- o) Temporary Signs promoting a garage sale
- p) Non-luminous Directional Sign.
- q) Internal signs inside a building or structure
- r) Any Signs that are lawfully erected or displayed on the day this By-Law comes into force if the Sign is not substantially altered. The maintenance and repair of the Sign or a change in the message displayed shall be deemed not in itself to constitute an alteration, as provided in Section 22 of this By-Law.

## 32. OTHER LAWS

- 32.1 Nothing in this By-Law shall be interpreted in such a manner as relieve a Person of the responsibility to comply with any requirements or applicable laws that may be in force from time to time with the Municipality.
- 32.2 Nothing in this By-Law relieves a Person of the responsibility for adhering to other applicable laws which regulate Signs, or for obtaining the approval of the Federal or Provincial governments or agencies thereof as required, or for obtaining the approval of the property owner or owner of a utility pole or other Sign Structure on which a Sign is located. For instance, the erection of any sign within 400 m of any limit of a provincial highway may require a permit authorization from the Ministry of Transportation of Ontario (MTO).

Contact information for MTO

OTTAWA

347 Preston Street, 4th Floor  
Ottawa, ON K1S 3J4  
613-745-6841 ph  
613-748-5297 fax  
1-888-362-1770 toll free

## 33. VALIDITY


If a court of competent jurisdiction declares any provision or part thereof of this By-Law to be invalid or of no force and effect, it is the intention of the Council in enacting this By-Law, that each and every other provision of this By-Law be applied and enforced in accordance with its terms to the extent possible according to law.

34. By-Law no. 2001-033, 2005-156, and 2006-169 are hereby repealed.

35. This By-law shall come into force upon the date of passing by Council.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY ADOPTED THIS *MO* *November 14th* ~~SEPTEMBER 12<sup>TH</sup>~~, 2017.

  
Conrad Lamadeleine, Mayor

  
Marielle Dupuis, Clerk

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## Schedule "B" By-Law 2017-076 - Permanent Sign Application

<b>A. Property Address</b>		
Municipal Address		
Company Name on Sign	Building Unit No.	
<b>B. Type of Sign &amp; Number of Signs</b>		
WALL SIGN <input type="checkbox"/> NO. OF SIGNS _____ SIZE: _____	PYLON SIGN <input type="checkbox"/> NO. OF SIGNS _____ SIZE: _____	CANOPY SIGN <input type="checkbox"/> NO. OF SIGNS _____ SIZE: _____
GROUND SIGN <input type="checkbox"/> NO. OF SIGNS _____ SIZE: _____	BILLBOARD <input type="checkbox"/> SIGNS _____ SIZE: _____	OTHER NO. OF SIGNS _____ SIZE: _____
<b>C. Building Contractor Information</b>		
Company Name	Phone Number	
Street Address, City, Province & Postal Code		
<b>D. Declaration by Applicant</b>		
<p>I acknowledge that in the event that a permit is issued, any departure from the plans, specifications or locations proposed in the application is prohibited and such could result in the permit being revoked. I/We further acknowledge that in the event that the permit is revoked for any cause or irregularity or non-conformity with the by-Laws or regulations, there shall be no right of claim whatsoever against the municipal corporation or any official thereof and any such claim is hereby expressly waived.</p> <p>I the undersigned, am/are the owner or authorized agent named in the above application and I certify the truth of all statements made herein.</p> <p>I understand that the issuance of a Sign Permit shall not be deemed a waiver of the provisions of any By-Laws or other regulations, notwithstanding anything included in or omitted from the plans or other material files in support of this application.</p> <p><b>Date:</b> _____</p> <p><b>Owner / Agent Name:</b> _____ <b>Signature:</b> _____</p>		
<b>OFFICE USE ONLY</b>		
<b>Approvals Required Prior to Issuance of Permit</b> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Planning Department  <input type="checkbox"/> Building Department </div> <div> <input type="checkbox"/> By-Law Department  <input type="checkbox"/> MTO </div> <div> <input type="checkbox"/> S.N.C </div> </div>		
<b>Fees &amp; Issuance Information</b>		
Permit Fee	Date Issued	
Permit No.	Permit Issued By	





## Application for a Permit to Construct or Demolish

This form is authorized under subsection 8(1.1) of the Building Code Act.

For use by Principal Authority	
Application number:	Permit number (if different):
Date received:	Roll number:

Application submitted to: \_\_\_\_\_  
(Name of municipality, upper-tier municipality, board of health or conservation authority)

A. Project information			
Building number, street name		Unit number	Lot/con.
Municipality	Postal code	Plan number/other description	
Project value est. \$		Area of work (m <sup>2</sup> )	
B. Applicant			
Applicant is: <input type="checkbox"/> Owner or <input type="checkbox"/> Authorized agent of owner			
Last name	First name	Corporation or partnership	
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number ( )	Fax ( )	Cell number ( )	
C. Owner (if different from applicant)			
Last name	First name	Corporation or partnership	
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number ( )	Fax ( )	Cell number ( )	
D. Builder (optional)			
Last name	First name	Corporation or partnership (if applicable)	
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number ( )	Fax ( )	Cell number ( )	
E. Purpose of application			
<input type="checkbox"/> New construction	<input type="checkbox"/> Addition to an existing building	<input type="checkbox"/> Alteration/repair	<input type="checkbox"/> Demolition <input type="checkbox"/> Conditional Permit
Proposed use of building		Current use of building	
Description of proposed work			
F. Tarion Warranty Corporation (Ontario New Home Warranty Program)			
i. Is proposed construction for a new home as defined in the <i>Ontario New Home Warranties Plan Act</i> ? If no, go to section G.		<input type="checkbox"/> Yes	<input type="checkbox"/> No
ii. Is registration required under the <i>Ontario New Home Warranties Plan Act</i> ?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
iii. If yes to (ii) provide registration number(s): _____			

### G. Attachments

- i. Attach documents establishing compliance with applicable law as set out in Article 1.4.1.3. of Division A.
- ii. Attach Schedule 1 for each individual who reviews and takes responsibility for design activities.
- iii. Attach Schedule 2 where application is to construct on-site, install or repair a sewage system.
- iv. Attach types and quantities of plans and specifications for the proposed construction or demolition that are prescribed by the by-law, resolution, or regulation of the municipality, upper-tier municipality, board of health or conservation authority to which this application is made.

### H. Declaration of applicant

I \_\_\_\_\_ certify that:  
(print name)

1. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.
2. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of applicant

Personal information contained in this form and schedules is collected under the authority of subsection 8(1.1) of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official of the municipality or upper-tier municipality to which this application is being made, or, b) the inspector having the powers and duties of a chief building official in relation to sewage systems or plumbing for an upper-tier municipality, board of health or conservation authority to whom this application is made, or, c) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing 777 Bay St., 2nd Floor. Toronto, M5G 2E5 (416) 585-6666.



## VILLAGE OF CASSELMAN

### BUILDING PERMIT SUBMISSION REQUIREMENTS FOR SIGNS

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#### General Notes:

- The applicant for a permit shall be the owner, the tenant or their authorized agent of the property, building or business on which the sign is to be erected. A written authorization of the owner is required where the applicant is not the owner of the premises where the sign is to be located or erected.
- All sign structures including designated sign structures as defined in the Ontario Building Code, shall be designed in accordance with Part 4, Division B as well as Section 3.15, Division B of the Ontario Building Code.
- A sign structure shall be designed by an Architect or Professional Engineer of the Province of Ontario where:
  - o a ground sign exceeds 7.5m in height above the adjacent finished ground
  - o a projecting sign is attached or fastened in any manner to a parapet wall or weighs more than 115kg
  - o a roof sign has any face that is more than 10m<sup>2</sup>
- Permit drawings will be reviewed to ensure that sign structures within the Village meet standards set out in the Ontario Building Code, the Zoning By-Law and the Sign By-Law for the Village of Casselman and other applicable legislation.

#### Submission Requirements:

The following information is required as a minimum for a building permit application for sign(s):

- 1) Application Form
  - A completed building permit application form.
    - o **Note: Multiple signs on the same property may be applied for concurrently under one building permit application. The number of signs being applied for must be clearly noted.**
- 2) Fees / Deposit
  - Application fee payable at the time of the application shall be in accordance with Schedule "C" & "D"
- 3) Site Plan (two copies drawn to scale)
  - Fully dimensioned to display the location of the sign in relationship to the adjacent building/structure, existing signs, street, and boundary of the property upon which the proposed sign is to be erected.
- 4) Drawings (two copies drawn to scale)
  - Fully dimensioned and shall identify the materials of which the proposed sign is constructed.
  - To include the elevation of the proposed ground sign or of the building for building mounted signs, displaying the building façade, the proposed signs, existing signs and architectural features of the building.
  - For ground and pylon sign – foundation, anchorage and structural details to be included.
  - For building mounted sign – cross-sectional details, wall construction, size/type of sign fasteners and method of connection onto the building support structure to be included.
  - To include other relevant information such as the weight, illumination type and colour(s) of the sign.

#### Required approvals by others:

The applicant is responsible for obtaining approval(s) where applicable, from other agencies prior to the issuance of the permit. This includes, but not limited to the following:

- *Ministry of Transportation - Corridor Management Office*  
347 Preston St., Ottawa, Ontario K1S 3J4  
(613) 613-745-6841 ph. (613) 748-1770 fax.

**Re: signs, structures and advertising located within 400m (¼ mile) of any  
Provincial Highway (Public Transportation and Highway Improvement Act).**

**SCHEDULE “C” TO BY-LAW NO. 2017-076**

<b><u>TYPE OF SIGN</u></b>	<b><u>FEE / UNIT</u></b>
<u>Base Sign</u>	\$150.00
<u>Ground or Pylon Sign</u>	\$250.00
<u>Wall or Fascia Sign</u>	\$60.00
Static Billboard	\$300.00
Digital Billboard	\$400.00
Canopy or Awning sign	\$100.00
Painted Sign	\$50.00
Incidental Signs	\$35.00
Rigid Banner	\$50.00
Drive-Thru Menu	\$75.00
Message Center	\$150.00
Development Sign	\$200.00
Directional Development Sign	\$125.00
Home occupation / Home business	\$30.00
Encroachment Fee	\$100.00
Administration Surcharge (sign installed prior to issuance of sign permit)	\$100% of sign fee
Replacement	30% of standard fee
Minor Variance	\$550.00

**SCHEDULE "D" TO BY-LAW NO. 2017-076**

**PERFORMANCE DEPOSIT**

<b>Value of Work (commercial)</b>	<b>Performance deposit</b>
<b>Less than \$4,999.00</b>	<b>\$100.00</b>
<b>Value Between \$5,000.00 and 14,999.00\$</b>	<b>\$400.00</b>
<b>Value Between 15,000.00 and 29,999.00</b>	<b>\$1000.00</b>
<b>Value equal to or over \$30,000.00</b>	<b>\$2000.00</b>

**NOTES TO SCHEDULE "E"**

- 1) In the event that the applicant abandons their project, the performance deposit shall be refunded in full.
- 2) One hundred percent (100%) of the performance deposit shall be refunded if the sign is fully completed within one (1) year of the date of the issuing of the Sign Permit.
- 3) Seventy-five percent (75%) of the performance deposit shall be refunded if the sign is fully completed within two (2) years of the issuing of the Sign Permit.
- 4) No refund of the performance deposit will be given if the sign is not fully completed within three (3) years of the issuing of the Sign Permit.
- 5) The refund of the whole or part of the performance deposit shall not be deemed a waiver of any provisions of any By-Law or requirements of the Building Code Act or regulations made thereunder. Also, the refund should not be construed as a certification or guarantee that the sign for which a permit was issued meets all the requirements of any By-Law or the Building Code Act or regulations made thereunder.
- 6) At the discretion of the Officer, the performance deposit can be adjusted to reflect the permit fee.

