

The Corporation of the County of Peterborough

Sign By-law

By-law No. 2020 - XX

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Being a By-law prohibiting and regulating the placing and erecting of signs, notices and advertising devices upon or adjacent to County of Peterborough roads

Whereas Section 11(3) of the Municipal Act, 2001, as amended (the “Act”) permits an upper-tier municipality to pass by-laws, subject to the rules set out in subsection (4), respecting structures, including fences and signs;

And Whereas Sections 9, 10 and 23.1 to 23.5, and 284.1 of the Act authorize a municipality to delegate its powers and duties, subject to certain restrictions, and authorize a municipality to provide for a review or appeal of a decision made by a person or body in the exercise of power or duty delegated to him, her or it;

And Whereas Section 59 of the Act provides that, without limiting sections 9, 10 and 11, an upper-tier municipality may prohibit or regulate the placing and erecting of any sign, notice or advertising device within 400 metres of any limit of an upper-tier highway;

And Whereas Section 63 of the Act provides that a by-law may prohibit or regulate the placing or standing of an object on or near a highway, and may provide for the removal and impounding or restraining and immobilizing of any object placed or standing on or near a highway;

And Whereas Section 391(1) of the Act, as amended, provides that without limiting Sections 9, 10 and 11, those Sections authorize a municipality to impose fees or charges on persons:

- a) for services or activities provided or done by or on behalf of it;
- b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and
- c) for the use of its property including property under its control;

And Whereas Section 445 of the Act provides that a municipality may make an order requiring a person who has contravened a by-law or who caused or permitted the contravention, or the owner or occupier of land on which the contravention occurred to do work to correction the contravention;

And Whereas Section 446 (1) of the Act provides that where a municipality has the authority to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done by the person directed or required to do it, the matter or thing shall be done at the person’s expense.

And Whereas Section 446 (2) of the Act provides for the purposes of Section 446 (1) the municipality may enter upon land at any reasonable time;

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And Whereas in the opinion of Council, the power being delegated to authorize sign variances is of a minor nature, having regard to the number of people, the size of the geographic area and the time period affected by an exercise of the power;

And Whereas the Council of the Corporation of the County of Peterborough desires to regulate the placing and erecting of signs, notices and advertising devices upon or adjacent to County roads

Now Therefore the Council of The Corporation of the County of Peterborough hereby enacts as follows:

1. Short Title

1.1 This By-law may be cited as the “Sign By-law”.

2. Definitions

2.1 In this By-law:

2.1.1 “Applicant” means a Person applying for a Sign Permit.

2.1.2 “Building” means a roofed and walled structure built for permanent or temporary use.

2.1.3 “Building Code” means the Ontario Building Code Act, as amended, and includes any regulations thereunder.

2.1.4 “Bush Country Road” means a County Road as identified in Schedule “A” attached hereto to this By-law.

2.1.5 “Council” means the Council of The Corporation of the County of Peterborough.

2.1.6 “County” means The Corporation of the County of Peterborough.

2.1.7 “Director” means the Director, Infrastructure Services for the Corporation of the County of Peterborough.

2.1.8 “Electrical Safety Code” means the electrical safety regulation for the Province of Ontario. This code protects electrical workers and the general public by regulating electrical equipment installations and by placing a

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certain level of standards that help prevent electrical accidents caused from electric shock and fire hazards.

- 2.1.9 “Encroachment Agreement” is a legally binding document signed by neighboring property owners when a property encroachment is found to exist. It states the agreed-upon resolution to the encroachment, which shall become binding between the two properties.
- 2.1.10 “First Nation” means either Alderville First Nation, Beausoleil First Nation, Chippewas of Rama First Nation, Curve Lake First Nation, Georgina Island First Nation, Hiawatha First Nation or Mississaugas of Scugog Island First Nation.
- 2.1.11 “Lower Tier Municipality” means any of the Corporations of the Township of Asphodel-Norwood, Township of Cavan Monaghan, Township of Douro-Dummer, Township of Havelock-Belmont-Methuen, Township of North Kawartha, Township of Otonabee-South Monaghan, Township of Selwyn and the Municipality of Trent Lakes.
- 2.1.12 “Municipal Freedom of Information and Protection of Privacy Act” means that regulation that provides the right of the public to access municipal records, subject to certain limitations and exemptions and also provides the right to access one’s own personal information and to correct it.
- 2.1.13 “Occupational Health and Safety Act” means the Ontario law that protects workers from health and safety hazards at work.
- 2.1.14 “Ontario Building Code” means a regulation made under the *Building Code Act, 1992* and sets out technical requirements for the construction (including renovation) and demolition of buildings, the change of use where the change would result in an increase in hazard and the maintenance and operation of on-site sewage systems.
- 2.1.15 “Ontario Traffic Manual” means those publications that provide information and guidance to transportation practitioners and to promote the uniformity of treatment in the design, application and operation of traffic control devices and systems across Ontario.
- 2.1.16 “Owner” means any person described on the Sign and/or Sign Permit, or whose name or address or telephone number appears on the Sign, or who installed the Sign, or who is in lawful control of the Sign, or who benefits from the message on the Sign, and for the purposes of this By-law there may be more than one Owner of a Sign.

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- 2.1.17 "Person" includes an individual, association, firm, partnership, corporation, trust, organization, trustee or agent, and their heirs, executors or legal representatives.
- 2.1.18 "Professional Engineer" means an individual, who is currently registered and has fulfilled education and experience requirements and passed rigorous exams that permits them to offer engineering services directly to the public, in accordance with the Ontario Professional Engineers Act.
- 2.1.19 "Road Allowance" means a County road allowance and includes all lands and structures contained within the outer limits of the allowance including grassed areas, ditches, curbs, gutters, sidewalks and other structures and includes a "Highway" as defined under the Ontario Highway Traffic Act which is under the jurisdiction of the County;
- 2.1.20 "Settlement Area" means land areas designated and identified in the County Official Plan that can accommodate property development and population growth through an appropriate range and mix of employment opportunities, housing, commercial, industrial, institutional and other land uses.
- 2.1.21 "Sight Triangle" means the triangular area within a property formed by the intersection of two streets, a street and a driveway or a street and a railway level crossing and may include projections thereof on the Road Allowance.
- 2.1.22 "Sign" means any device or display upon which there is printed, projected or attached any announcement, declaration or insignia used for direction, information, advertisement or business promotion of products or availability of services whether intended to be permanent or temporary, capable of being readily moved or relocated and includes inflatable devices, banners and immobile vehicles or trailers used strictly as advertising devices, including Sign Structure, Sign Face or other component parts, which is used or is capable of being used to attract attention to a specific subject matter for identification, information or advertising purposes but does not include window displays; flags or emblems of patriotic, civic, educational, religious organizations or private clubs; and shall not include Signs installed on Buildings.
- 2.1.23 "Sign Area" means the area of the copy surface for a singular Sign Face.

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- 2.1.24 “Sign Face” means that portion of a Sign on which a message is intended to be displayed.
- 2.1.25 “Sign Structure” means those parts of a Sign consisting of the supports or framework for the support of a Sign whether embedded into or mounted directly on the ground but not including a Building.
- 2.1.26 “Sign Permit” means any permit prepared and issued as a separate form by the Director pursuant to this By-law.
- 2.1.27 “Sign Type” means the category of types of Signs that are to be considered under this By-law, including:
- a. “Abandoned Sign” means a Sign located within a County Road Allowance or on private property which becomes vacant and unoccupied for a period of ninety (90) days or more, or any Sign which pertains to a time, event or purpose seven (7) days after which it no longer applies;
 - b. “Animated Sign” meaning a Sign whose Sign Face moves in whole or in part and includes a flashing or moving electronic display, chase lighting or rotating electronic message which is stagnant for twenty (20) seconds or more but does not include a clock, time, date or temperature display;
 - c. “Banner Sign” means a Sign made of vinyl, cloth, canvas or other like material;
 - d. “Billboard Sign” means a Sign and Sign Structure (e.g. pylon or other engineered support structure including ground mounted) to which advertising copy is fastened in such a manner as to permit its periodic replacement through Sign Permit approval and which displays information concerning goods, products, services or facilities that are not available at the location of the sign and which directs or invites a person to a location different from which the Sign is located;
 - e. “Bush Country Sign” means a Sign erected within a designated County Road Allowance by a third-party owner or Person under the authority of a Sign Permit that is intended to function as a Billboard Sign to advertise a business, profession, goods, products, services or facilities conducted at another location (reference Schedule “A”);

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- f. "Civic Address Sign" means a standardized Sign supplied by a municipality which is installed at or near the property limit of the Road Allowance";
- g. "Contractor's Sign" means a single or double faced Sign containing the name of a contractor or the name of a product being used in an on-going construction, renovation or maintenance project on a private property where such a Sign shall be removed upon completion of the project.
- h. "Developer's Sign" means single or double faced Sign used to identify a development or redevelopment project on a private property, site or subdivision where such a Sign shall be removed upon completion of the project and shall be subject to the same requirements as an "Own-Premises Billboard Sign".
- i. "Directional Sign" means a Sign that may be acquired from the County by an Owner for a set fee and contains only the name of a business, its logo and an arrow or other form of directional indicator, which Sign shall not exceed 0.74 square metres (7.96 square feet) in size (alternatively referenced as a "Brown & White" Sign);
- j. "Double Faced Sign" means a Sign having two (2) Sign Faces of equal area and proportions as identified in this By-law which are located exactly opposite each other on the Sign Structure;
- k. "Election Sign" means a Sign erected in connection with a Federal, Provincial or Municipal election or referendum;
- l. "Farm Produce Sign" means a Sign erected in a rural area to advertise the sale of fresh farm products.
- m. "Inflatable Signs" means a Sign designed to be airborne and tethered to the ground, a vehicle or any other structure and shall include balloons and any other inflatable Signs;
- n. "Mobile Sign" means a Sign that is specifically designated or intended to be readily moved, relocated or towed from one location to another, designed to accommodate changeable letters or graphics and that does not rely on a Building, Sign Structure or fixed foundation for its structural support but does not include a "Vehicle or Towable Trailer Mounted Sign";

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- o. "Official Sign" means a Sign required by or erected under any statute, regulation, By-law or directive of any Federal, Provincial or Municipal government or agency, board or commission;
- p. "Off-Premises Billboard Sign" means a Sign and Sign Structure erected on privately owned property to which advertising copy is fastened in such a manner as to permit its periodic replacement with Sign Permit approval and which displays or advertises a business, profession, goods, products, services or facilities that are not available on the property at the location of the sign and/or which directs or invites a Person to a location different from which the Sign is located;
- q. "Own-Premises Billboard Sign" means a Sign and Sign Structure Erected on privately owned property to which advertising copy is fastened in such a manner as to permit its periodic replacement with Sign Permit approval and which displays or advertises a business, profession, goods, products, services or facilities that are available on the property at the location of the sign and/or which directs or invites a Person to enter the location at which the Sign is located;
- r. "Private Warning Sign" means a single face Sign located on privately owned property that directs a warning to the public such as no trespassing, beware of dog, no hunting or other such warning;
- s. "Programmable Reader Board Sign" means an electronic Sign with a rotating electronic text message that is stagnant for a prearranged sequence of not less than the twenty (20) seconds;
- t. "Public Information Sign" means a Sign which is intended to advertise a community event or civic project or promote patriotic, religious or charitable event;
- u. "Real Estate Sign" means a Sign Erected on of a private property to advertise the sale, rent or lease of a lot, building or structure located thereon;
- v. "Single Faced Sign" means a Sign having one (1) Sign Face of area and proportion as identified in this By-law;
- w. "Temporary Sign" means a Sign used in conjunction with a special event sponsored by a municipal, charitable, service club or community

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group or non-profit organization, which Sign shall be removed within seven (7) days of the conclusion of the special event;

- x. "Temporary Posted Sign" means a Sign having no permanent attachment to a building or the ground and is affixed by a person to a utility pole, light standard, fence post, tree, bridge, structure or painted or pasted onto a rock surface.
 - y. "Traffic Guiding Sign" means a Sign guiding traffic to enter or exit a private property but bearing no advertising or third-party information (example: "entrance", "exit", "one way", "open", "closed").
 - z. "Vehicle or Towable Trailer Mounted Sign" means a Sign as erected or painted on a vehicle or trailer, where the principal use of the vehicle is the transportation of people, goods and other material and where the vehicle or towable trailer is not in daily operation and is parked in a manner on private property so as to make the Sign visible from a Road Allowance for the purpose of functioning as an identification, information or advertising Sign;
 - aa. "Wayfinding Sign" means a sign designed and installed as a component of a system of official signs for the purpose of identifying directions to major public destinations and functioning as directional signage to guide visitors to attractions within the County.
- 2.1.28 "Sign Variance" means a minor change to this By-law for a specific property.
- 2.1.29 "TODS" means Tourism-Oriented Directional Signing intended to provide directional information to a broad range of tourist operators, food, fuel and accommodation services and may include Wayfinding Signs.
- 2.1.30 "Traffic Control Sign" means any Sign used to indicate or reinforce traffic laws, regulations or requirements which apply either at all times or at specified times or places upon a street or highway, the disregard of which may constitute a violation, or Signs in general that regulate public behavior in places open to the public.
- 2.1.31 "Traffic Control Signal" means any power operated traffic control device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

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3. General Provisions

3.1 Scope

3.1.1 Unless otherwise specifically exempted, all Road Allowances owned and operated by the Corporation of the County of Peterborough and all lands located within a distance of 400 metres (1,312 feet) adjacent to Road Allowances owned and operated by the Corporation of the County of Peterborough and within the geographic limits of the County of Peterborough, shall be subject to the provisions of this By-law but shall not include Buildings.

3.1.2 This By-law does not apply to Official Signs.

3.2 Administration

This By-law shall be administered by the Director or their designate.

3.3 Interpretation

3.3.1 Words importing the singular number only include more persons, parties or things of the same kind than one.

3.3.2 The requirements of this by-law are provided in metric units.

3.3.3 Where a distance is used in this by-law, as part of a sign location regulation, such distance shall be measured in a straight horizontal line parallel to the ground; and

(a) where the specified distance is referenced from an intersection, shall be measured from the projection of the closest curb line of the intersecting highway, to the nearest part of the said sign; and

(b) where the specified distance is referenced from a street line, property line, or other sign, object, structure, or property, shall be measured from the nearest part of the said reference to the nearest part of any sign, in all directions.

3.3 Enforcement

This By-law shall be enforced by that Person, persons, agency or authority appointed by the Council of the Corporation of the County of Peterborough, including:

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- a) the Director;
- b) each person from time to time appointed as a municipal law enforcement officer to enforce any or all of the County's by-laws;
- c) a police officer employed by the Peterborough Police Service, the Ontario Provincial Police or the Royal Canadian Mounted Police.

3.4 Sign Permit

3.4.1 An Applicant seeking a Sign Permit shall submit an application in writing on an acceptable form to the Director or their designate in their discretion, together with the following information:

- a) Plan showing the general layout of the proposed Sign design showing sufficient information and details of the proposed design;
- b) Type, dimension, size, colours, minimum and maximum clear height and weight of the Sign;
- c) Message and wording to be displayed on the Sign;
- d) Method, type and operation of any form of illumination that will satisfy the requirements of Section 8 of this Bylaw, if any;
- e) Means of support of the Sign Structure and manner of erection of the Sign or the mobile conveyance which is to support a Mobile Sign;
- f) Other information as determined by the Director or their designate in their discretion.

3.4. 2 An Applicant seeking a Sign Permit shall submit plans or details depicting:

- a) A site plan showing the general location of the property upon which the proposed Sign is to be located containing sufficient information and details of relevant features and fixtures;
- b) The shape and dimensions of the lands on which the proposed Sign is to be erected;

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- c) The location of the proposed Sign relative to the property line and any buildings or structures situated on said lands;
- d) The position, height, dimensions, location and information of any other Signs located on the land on which the proposed Sign is to be located;
- e) Signs and Sign Structures exceeding 1.8 metres in height will require the certification of a licenced Professional Engineer to be provided by the Applicant;
- f) Signs and Sign Structures exceeding 7.5 metres in height will require the issuance of a Building Permit by the applicable Lower Tier Municipality with a copy to be provided by the Applicant;
- g) Reflectivity of any Sign shall not exceed the specification for Engineer Grade Reflective Sheeting typically meeting ASTM D4956 Type 1 standards at a maximum coverage of 20% of the measured area of a Sign;
- h) Existing zoning of the property;
- i) Municipal address;
- j) Name, address and contact information and authorization of the property Owner and Owner of the Sign if different from the property Owner including the Sign Permit number as issued by the County;
- k) Name, address and contact information of the erector of the sign;
- l) Signs shall show thereon the name of either the person or owner of the Sign responsible for the erection and maintenance thereof and for the payment of fees.
- m) The Owner of the Sign and/or the Owner of the lands on which the Sign will be situated shall hold harmless and indemnify the Corporation of the County of Peterborough from any and all claims arising from negligence in or nuisance caused by the erection or maintenance of the Sign;
- n) Other information as determined by the Director or their designate in their discretion.

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3.4.3 Where a proposed Sign conforms in all respects with the provisions of this By-law, the Ontario Building Code and all other applicable By-laws and legislation, the County shall issue a Sign Permit.

3.5 Inspection

3.5.1 Upon receipt of a Sign Permit application, the Director or his/her designate shall inspect the location and property upon which the proposed Sign is to be erected, displayed, altered or repaired and make their determination as to the conformity of the proposed Sign and location with the provisions of this By-law and for issuance of a Sign Permit.

3.5.2 Upon completion of the erection, display, alteration or repair of a Sign authorized to be installed under an appropriate Sign Permit, the Director or their designate shall inspect the Sign and property within thirty (30) days from the date of receipt of notice to ensure that the Sign has been erected, displayed, altered or repaired in accordance with the Sign Permit as issued.

3.5.3 If, upon inspection, it is apparent that a Person:

- a) has erected, displayed, altered or displayed a Sign without first having obtained a Sign Permit to do so; or
- b) has erected, displayed, altered or displayed a Sign that does not conform in all respects with the Sign Permit application and supporting material furnished in order to obtain a Sign Permit; or
- c) has erected, displayed, altered or displayed a Sign that constitutes a danger to the public or that interferes with vehicular traffic; or
- d) has erected, displayed, altered or displayed a Sign that fails to conform to the provisions of this By-law, the Ontario Building Code and all other applicable By-laws and legislation, the County may:
 - i) require such person to make such alterations to the Sign or to its Sign Structure or to the mobile conveyance to which this Sign is attached as are required to bring the Sign into conformity with the application, applicable By-laws and applicable legislation; or
 - ii) give written notice to such Persons requiring such person to remove such Sign within a period of seven (7) days; or
 - iii) authorize the Sign to be dismantled and removed at such Person's expense.

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e) Removal shall be conducted in accordance with Section 12 of this By-law.

3.5.4 Where any approved Sign is to be moved from one location to another or altered, a Sign Permit shall be obtained for the new proposed location and the Applicant for the Sign Permit shall comply with the provisions of this By-law.

3.6 Fee

An Applicant for a Sign Permit shall pay the fee as prescribed in the County's Tariff of Fees By-law, as amended.

4. Prohibitions

4.1 Notwithstanding any other provisions of this By-law, no Person shall erect, install, post, display, maintain, alter or keep a Sign, with the exception of those Signs specifically stated as permitted under Section 5 of this By-law or as exempt as provided under Section 6 of this By-law:

4.1.1 Within the Road Allowance of any Bush Country Road without first obtaining a Sign Permit from the Director as provided in Schedule "A" of this By-law;

4.1.2 Within 400 metres (1,312 feet) of any limit of the Road Allowance of any County Road without first obtaining a Sign Permit from the Director as provided in Schedule "B" of this By-law;

4.1.3 Within the Road Allowance of any County Road except as specifically set out in this By-law by:

- a) Creating a safety hazard;
- b) Impeding or obstructing maintenance or construction operations;
- c) Impeding access to or obstructing a fire hydrant;
- d) Impeding or obstructing vehicular traffic or the passage of pedestrians where they are reasonably expected to walk;
- e) Impairing or obstructing the visibility of vehicular or pedestrian traffic or within 30 metres (100 feet) of a public trail, driveway, entranceway, railway level crossing;

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- f) Sign interfering with or obstructing the view of or obscuring or detracting from the visibility or effectiveness an authorized Traffic Control Sign, Traffic Control Signal or an Official Sign or any Sign capable of being confused with such authorized Traffic Control Sign, Traffic Control Signal or an Official Sign;
 - g) Located so as to obstruct the view of any pedestrian or motor vehicle operator so as to cause an unsafe condition;
 - h) Obstructing the flow of water in a drain, ditch or watercourse;
 - i) Located in a Sight Triangle;
- 4.1.4 That obstructs or interferes with any maintenance or construction operations provided by the County or a Lower Tier Municipality or First Nation;
- 4.1.5 That interferes with or may damage any above or below ground municipal or utility services which have been lawfully placed at the location;
- 4.1.6 That overhangs the road allowance of a County Road allowance except as specifically set out in this By-law;
- 4.1.7 Any Sign or part of a Sign on or within a County Road Allowance (unless authorized through an Encroachment Agreement), public park or municipally owned property;
- 4.1.8 Having obtained a Sign Permit,
- a) between the edge of the pavement and the centre line of the ditch or in such manner as to not impede, in the Director's sole opinion, drainage within the Road Allowance; or
 - b) fail to erect the Sign as close to the limit of the road allowance or fence line as possible.
- 4.1.9 For which a Sign Permit has been issued except as in accordance with this By-law;
- 4.1.10 That resembles an Official Sign or a Traffic Control Sign or device in colour, shape, wording, content or location;

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- 4.1.11 That, so illuminated, interferes with the effectiveness of or obscures a Traffic Control Sign or Traffic Control Signal;
- 4.1.12 No person shall attach or display any Temporary Posted Sign within a County road allowance on a utility pole, light standard, fence post, tree, bridge, structure, Official Sign or painted or pasted onto a rock surface, except for a Sign erected by a government or municipal agency or body pertaining to public safety;
- 4.1.13 Any Mobile Sign or Temporary Posted Sign located on any property not under the control of a Sign Owner without the prior written authorization of the Owner of the property;
- 4.1.14 Which does not comply with the provisions of the Ontario Building Code, Electrical Safety Code or the Occupational Health and Safety Act;
- 4.1.15 Exceeding 1.8 metres in height without the certification of a licenced Professional Engineer;
- 4.1.16 That contains or is accompanied with a device that creates noise or that resembles a Traffic Control Sign or Traffic Control Signal which is not used for its purpose of controlling the traffic or for the safety of workers;
- 4.1.17 That is obsolete and advertises an event that is concluded, a business or enterprise that is no longer conducted, or an activity, product, service or facility is no longer provided;
- 4.1.18 Any Sign or Sign structure in a state of disrepair or in an unsafe, damaged or hazardous condition;
- 4.1.19 Sign Structure anchored with any hazardous objects;
- 4.1.20 Any Sign that obstructs or interferes with a fire escape plan, fire exit, fire hydrant or standpipe;
- 4.1.21 Any Sign placed in the County Road Allowance and found to be in violation of this By-law shall be subject to seizure by the County and such seized sign shall be stored for up to seven (7) days after the date of removal by the County. The Owner may retrieve a Sign stored by the

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County but, after a period of seven (7) days the County may and without notice or compensation to any Person, destroy or otherwise dispose of any Sign that has not been retrieved within the aforementioned period.

4.1.22 Which does not comply with this By-law or with any applicable By-law of the Lower Tier Municipality or First Nation in which the Sign is located, and;

4.1.23 That in the Director's sole opinion, interferes with the safe movement of traffic, including but not limited to the obstruction of sight lines at intersections where road alignment or grade changes, or the impediment of snow removal operations.

4.2 The prohibitions hereinbefore contained shall not extend to or affect the right of the County to erect or remove Signs within the Road Allowance or within 400 metres of the Road Allowance of any County Road or Bush Country Road.

5. Permitted Signs

This By-law applies to the Erection of the following Signs except as specifically set out in this section. Signs expressly permitted by this By-law through the issuance of a Sign Permit by the Director are, without limiting the generality of the foregoing, as follows:

- a) Billboard Sign – as subject to the requirements of Schedule “B” of this By-law;
- b) Bush Country Sign – as subject to the requirements of Schedule “A” of this By-law;
- c) Developer's Sign – as subject to the requirements of Schedule “B” of this By-law;
- d) Mobile Sign – subject to the requirements of Schedule “B” of this By-law;
- e) Off-Premises Billboard Sign – subject to the requirements of Schedule “B” of this By-law;
- f) On-Premises Billboard Sign – subject to the requirements of Schedule “B” of this By-law;
- g) Programmable Reader Board Sign – subject to the requirements of Section 8 of this By-law;

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- h) Public Information Sign - provided Sign does not exceed 0.5574 square metres (6 square feet) in total area;
- i) Real Estate Sign – subject to the requirements of Schedule “B” for Signs exceeding 0.554 square metres (6 square feet) of this By-law;
- j) Temporary Sign - provided Sign does not exceed 0.5574 square metres (6 square feet) in total area used in conjunction with a special event sponsored by a municipal, charitable, service club or community group or non-profit organization, which Sign shall be removed within seven (7) days of the conclusion of the special event;

6. Exempted Signs

6.1 This By-law does not apply to the Erection of the following Signs except as specifically set out in this section. The following Signs are exempted from the fees, Permit and set back provisions of this By-law unless otherwise noted.

- a) Contractor’s Sign – a maximum number of two (2) Signs may be installed not exceeding a total area of 0.5574 square metres (6 square feet), installed on private property and not within the Road Allowance;
- b) Directional Sign – being a Sign that may be acquired from the County for a set fee, for installation at a location within the Road Allowance as subject to the approval of the Director and subject to the requirements of the County’s Tariff of Fees By-law;
- c) Farm Produce Sign - provided that a maximum number of two (2) Signs are installed, not exceeding a total area of 1.5 square metres (16 square feet) in total area and not installed between the edge of pavement and the centreline of ditch;
- d) Official Sign - as erected or approved by the County, a Federal, Provincial or Municipal government or agency, board or commission for the regulation, safety or guidance of traffic or to provide public information which contain no advertising, such as street name and number Signs, street or Civic address Signs, 911 emergency response addresses, mailbox numbers, estate names and/or occupants’ names, such as Traffic Control Signs and Traffic Control Signals, radar speed Signs and other types of Signs used as a traffic calming device, wildlife crossing Signs, railroad crossing Signs, safety Signs, commemorative Signs or tablets, Neighbourhood Watch Signs, trail and trail

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- crossing Signs, government agency permit Signs, Signs for the purpose of providing information concerning any public proceeding including a Sign that advertises Planning Act applications on a temporary basis;
- e) Signs and Signs identifying schools and other government operated public facilities and for the promotion of recreation and tourism and includes TODS or Wayfinding Signs;
 - f) Private Warning Signs - provided Sign does not exceed 0.3716 square metres (4 square feet) in total area;
 - g) Real Estate Sign - a maximum number of two (2) Signs may be installed, Signs does not exceed 0.5574 square metres (6 square feet) in total area and is erected on private property to advertise the sale, rent or lease of the private property, installed on private property and not within the Road Allowance;
 - h) Traffic Guiding Signs - a maximum number of two (2) Signs may be installed provided a Sign does not exceed 0.3716 square metres (4 square feet) in total area, does not include any information other than the name of the business and a directional or some other form of pointer and a distance measure, are not erected nearer than 45 metres (150 feet) to and any farther than 100 metres (328 feet) from the entrance to the business and do not impact public safety or obstruct of sight lines at an intersection, public trail, driveway, entranceway or railway crossing;
 - i) Signs to be erected on private property within a designated Settlement Area as defined in the County's Official Plan are exempt from the provisions of this By-law, save and except the following:
 - i. Signs, including Mobile Signs, erected on private property adjacent to any County Road Allowance shall be in compliance with the By-laws, policies and site plan approval of a Lower Tier Municipality or First Nation;
 - ii. Applicants requesting a County Sign Permit to be located within a Settlement Area shall make application to a Lower Tier Municipality or First Nation for a permission to erect a Sign;
 - iii. The Owner of any Sign overhanging or encroaching onto a County road allowance in a Settlement Area shall enter into an appropriate encroachment agreement with the County and agree to save and hold the County harmless from all actions arising from the use of said Sign;

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- iv. An application for an encroachment agreement shall be made to the Director.
- v. An application for an encroachment agreement shall not represent approval by the County nor shall it obligate the County to issue approval of an encroachment agreement.
- j) Signs to be erected on a Building, Building face, fascia or roof shall make application to a Lower Tier Municipality or First Nation for a permission to erect a Sign.

7. Prohibited Signs

7.1 Any Sign not expressly permitted by this By-law through the issuance of a Sign Permit by the Director is prohibited and, without limiting the generality of the foregoing, the following Signs are specifically prohibited:

- a) Abandoned Sign;
- b) Animated Sign;
- c) Banner Sign;
- d) Election Sign - as provided in Schedule "C" of this By-law;
- e) Inflatable Sign;
- f) Temporary Posted Sign;
- g) Vehicle or Towable Trailer Mounted Sign;
- h) Any Sign that does not comply with the provisions of this By-law.

8. Prohibitions – Illumination

8.1 Notwithstanding any other provisions of this By-law, no Person shall install, post, display, maintain or keep a Sign, with the exception of those Signs specifically stated as exempt as provided under Section 6 of this By-law:

- 8.1.1 That is Illuminated without first obtaining a Sign Permit;

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- 8.1.2 Illumination shall be limited to spot lights or back lighting;
- 8.1.3 Illuminated Sign brightness shall not exceed a maximum illumination level of seven hundred (700) cd/m² or Nits;
- 8.1.4 Flashing, moving or chase lighting shall be prohibited for use on any Sign;
- 8.1.5 Electronic and mechanical signs shall be prohibited from being installed in the County road allowance including Programmable Reader Board Signs without first obtaining written approval from the Director;
- 8.1.6 Moving messages for Programmable Reader Board Signs shall be static in appearance for a duration of not less than twenty (20) seconds, shall be of a constant intensity of illumination during a message cycle and shall be equipped with automatic dimming technology that adjusts the Sign's brightness in direct correlation with ambient light conditions.

9. Content of Signs

- 9.1 The message, logos, graphics displayed on any Sign shall not promote violence, hatred and discrimination in any form or manner.
- 9.2 The message, logos, graphics displayed on any Sign shall not be disrespectful and shall not contain any profanity, obscenity or promote an unlawful activity.

10. Maintenance and Condition of Signs

- 10.1 All Signs which are permitted by this By-law shall, at all times, be maintained by the Sign Owner in a state of good repair.
- 10.2 No Person having Erected a Sign shall fail to maintain the Sign in good structural and legible condition.
- 10.3 Where, in the Director's sole opinion, a Person fails to maintain a Sign that is permitted by this By-law, the Director may require the immediate repair or removal of a Sign by that Person, at their expense.

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11. Sign Variance

- 11.1 Any Person wishing to Erect a Sign not permitted by this By-law may apply for a Sign Variance.
- 11.2 An application for a Sign Variance shall be made in writing to the Director who may prescribe any information to be given therein and other necessary documentation to be completed or submitted by the applicant in conjunction with the application.
- 11.3 Every Sign Variance application shall be submitted to the Director and be accompanied by:
 - (a) the appropriate non-refundable fee as set out in Tariff of Fees By-law, as amended;
 - (b) if the Applicant is a corporation, a copy of the incorporating document and a copy of the last annual information filed or, if a registered partnership, a copy of the registered declaration of partnership and a copy of the business name registration; and
 - (c) plans detailing the Sign proposed to be erected to the satisfaction of the Director;
- 11.4 Where, in the Director's opinion, the requested Sign Variance is minor, satisfies the intention of this By-law and is appropriate, the Director shall issue a Sign Permit for the Sign.

12. Offences

- 12.1 Each Person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine of:
 - a) not less than \$250 for a first conviction of a offence;
 - b) not less than \$500 for a second conviction of the same offence; and
 - c) not less than \$1,000 for a third or subsequent conviction of the same offence.
- 12.2 Prosecution under this By-law shall not preclude any other legal actions required to recover damages required to repair, replace or restore damaged real or personal property as the case may be.

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13. Sign Permit Revocation and Sign Removal

- 13.1 The Director may revoke a Sign Permit where, in their sole opinion, the Applicant is not complying with the provisions of this By-law.
- 13.2 Where the Director revokes a Sign Permit, the Applicant shall immediately remove the Sign within seven (7) days notice from the Director.
- 13.3 Where the Director revokes a Sign Permit and the Applicant fails to remove the Sign after having been notified in writing by the Director, the County may remove the Sign.
- 13.4 Where a Sign has been removed by the County, the County shall charge a fee for the cost of the removal of the Sign pursuant to Tariff of Fees By-law.
- 13.5 Where a Sign Permit is revoked, the applicant shall not be entitled to a return of any fee paid to obtain the Sign Permit.
- 13.6 Notwithstanding, where a Sign Permit is revoked, the Applicant may apply for a new Sign Permit.
- 13.7 Where a Sign that does not comply with this By-law is erected on, over, partly, on or partly over property owned by or under the jurisdiction of the County, the Sign may be removed immediately by the County without notice or compensation to the Owner of the Sign.
- 13.8 The Director, in their sole opinion, shall determine whether any Sign is in compliance with this By-law and where the Owner is not complying with the provisions of this By-law.
- 13.9 The County shall not be liable for any damages or loss to the Owner of any Sign whether or not that Sign was displayed in accordance with this By-law or that was removed by the County pursuant to the provisions of this By-law.

14. Conflict

- 14.1 This By-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the County or by any governmental authority having jurisdiction to make such restrictions or regulations.

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- 14.2 If there is a conflict between a provision of this By-law and a provision of any other County By-law, the provision that establishes the higher standard to protect the health and safety of the public and to maintain a clean and tidy condition on land shall apply.

15. Severability

- 15.1 If any provision or part of a provision of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in certain circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

16. Applicability

- 16.1 Any Sign that is lawfully erected or displayed on or before the day this By-law comes into force, but does not comply with this By-law, shall be allowed to remain in place until January 1, 2023, so long as it is not in any way substantially altered, provided that the maintenance and repair of the Sign or a minor change in the message displayed shall not constitute an alteration.
- 16.2 Where, in the Director's opinion, a Sign that is lawfully erected or displayed on or before the day this By-law comes into force, is determined to be non-compliant with this By-law, that existing Sign shall be brought into compliance with this By-law on or before January 1, 2023.

17. Freedom of Information

- 17.1 Personal information collected pursuant to the Municipal Freedom of Information and Privacy Act will only be used for the purpose of this By-law. Personal information will not be released except in accordance with the Municipal Freedom of Information and Privacy Act.

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18. Effective Date

18.1 This By-law shall come into full force and effect on the day of passage.

18.2 By-law Nos. 2007-55 and 2020-08 be repealed.

Read a first, second and third time and passed in Open Council this _____
day of _____, 2020.

J. Murray Jones, Warden

Lynn Fawn, Clerk

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Schedule “A” – Bush Country Signs

1. Pursuant to Section 4.1 of this By-law, Signs may be erected within the County road allowance of the following roads under the jurisdiction of the County by an Applicant having first obtained an appropriate Sign Permit from the County:

Bush Country Road	Description
36	Provincial Highway 28 to City of Kawartha Lakes Boundary
37	County Road 16 to County Road 23/36
44	County Road 46 to Township of Douro Dummer Boundary
46	County Road 44 to County Road 504
47	County Road 46 to County Road 44
49	City of Kawartha Lakes Boundary to County Road 121
52	County Road 504 to Fire Route 88
54	County Road 620 east to Chandos Lake
56	Provincial Highway 28 to County Road 6
121	County Road 49 to City of Kawartha Lakes Boundary
503	City of Kawartha Lakes Boundary to County of Haliburton Boundary
504	Provincial Highway 28 to County of Hastings Boundary
507	County Road 36 to the County of Haliburton Boundary
620	Provincial Highway 28 to County of Hastings Boundary

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2. A Sign may be erected within the Road Allowance of any road under the jurisdiction of the County identified in this Schedule “A”, subject to the following conditions:
- a) execution of a Sign Permit with the County to the satisfaction of the Director;
 - b) payment of the Sign Permit application fee as prescribed in the Tariff of Fees By-law, as amended;
 - c) submission of required information in accordance with this By-law describing the Sign proposed to be erected;
 - d) Signs within a Settlement Area are subject to Section 6.1 i) of this By-law;
 - e) Signs shall be of a maximum size of 5.9 square metres (64 sq. ft.);
 - f) Signs shall be erected on a firm foundation firmly secured into or on the ground to the satisfaction of the Director;
 - g) support structures for Signs shall be designed and constructed in accordance with a design standard approved by the Director;
 - h) Signs shall not be erected closer than 300 metres (984 ft.) to each other;
 - i) illumination of Bush Country Signs shall not be permitted;
 - j) the location of Signs shall be selected on the basis of mitigating impacts to the natural environment in order to minimize vegetation removal and impacts to other natural features;
 - k) Signs shall be placed as close to the property limit of the Road Allowance as possible;
 - l) no Sign will be allowed to be erected between the edge of the pavement and the centre-line of the ditch or in such a manner as to impede drainage or cause an impact to public safety;
 - m) no Sign will be permitted to be installed along the frontage of properties with less than 100 metres (328 feet) of frontage along a County Road Allowance and within the sight visibility of a residential home, at the sole discretion of the Director of Infrastructure Services or designate;

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- n) only “one-sided” Signs will be permitted to be installed at a maximum 45 degree angle to the on-coming direction of traffic;
 - o) the Applicant acknowledges that issuance of a Sign Permit is for permission the use, occupancy and maintenance of the County property immediately surrounding the Sign;
 - p) proof of commercial general liability insurance in an amount no less than \$5,000,000, naming the County as an additional insured and containing a cross liability clause shall be submitted to the County on an annual basis;
 - q) if the Applicant is a corporation, a copy of the incorporating document and a copy of the last annual information filed or, if a registered partnership, a copy of the registered declaration of partnership and a copy of the business name registration;
 - r) an indemnification and hold harmless undertaking in favour of the County and signed by the Applicant or by a Person having the authority to bind the Applicant, and;
 - s) other such information as the Director may require.
- 3. All other provisions contained in this By-law shall apply to this Schedule “A”.
 - 4. Receipt of an application and/or a fee for a Sign Permit by the County shall not represent approval of the application for the issuance of a Sign Permit nor shall it obligate the County to issue a Sign Permit.
 - 5. No Person shall transfer or assign their Sign Permit.
 - 6. Every Sign shall show thereon the name of either the Person or Owner of the Sign responsible for the erection and maintenance thereof and for the payment of fees.
 - 7. In the event that a Person attempts to transfer or transfers their Sign Permit, the Sign Permit shall be deemed to be void and there shall be no return of any fee paid to the County.
 - 8. Where a Sign Permit has been issued and no activity associated with the installation of said Sign has commenced after ninety (90) days of issuance of a Sign permit, the Sign Permit shall be deemed to be void and cancelled and there shall be no return of any fee paid to the County.

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9. Any Sign placed in the County Road Allowance and found to be in violation of this By-law shall be subject to seizure by the County and such seized sign shall be stored for up to seven (7) days after the date of removal by the County. The Owner may retrieve a Sign stored by the County but, after a period of seven (7) days the County may and without notice or compensation to any Person, destroy or otherwise dispose of any Sign that has not been retrieved within the aforementioned period.
10. The Sign removal fee for costs incurred by the County shall be pursuant to provisions of the Tariff of Fees By-law, as amended.
11. The County reserves the right to remove any offending Sign, any Sign placed within a County Road Allowance that is deemed to be a hazard or otherwise that is in non-compliance with this By-law without notice to any Person and without compensation to the Owner of the Sign.
12. The County shall not be liable for any damages or loss to a Sign that was removed by the County or any Person pursuant to the provisions of this By-law.
13. Issuance of a Sign Permit by the County represents authorization granted to an Owner by the County to occupy an area of land within a County Road Allowance only, subject to the requirements of this By-law. By issuing a Sign Permit, the County does not guarantee to an Owner continued use or occupancy of said land and retains the right to revise, amend, remove, relocate, terminate or otherwise modify the terms and condition under which any Sign Permit may be issued.
14. Payment of any Sign Permit fee as prescribed in Tariff of Fees By-law shall apply only for that calendar year in which it is issued and shall be deemed to have expired as of December 31 in each year. A Sign Permit may be renewed annually by an Owner through the payment of a Sign Permit maintenance fee as prescribed in Tariff of Fees By-law unless the continuation of a Sign Permit is prohibited or discontinued by the County. Fees shall not be pro-rated or refunded.
15. Bush County Sign Permits shall lapse and shall be deemed to have expired immediately upon the date of passage of five (5) years (1825 days) from the date of issuance of the Sign Permit by the County or from the date of passage of this By-law, whichever date is determined to be the applicable date. The Owner of a lapsed Sign Permit may re-apply for a new Sign Permit in accordance with the provisions of this By-law and shall maintain the first right-of-refusal for the current Sign location upon renewal at the end of the period of approval of the Sign Permit as issued by the County.

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Schedule “B” – Signs Erected on Private Property

1. Pursuant to Section 4.1 of this By-law, no Person shall erect, install, post, display, maintain, alter or keep a Sign, within 400 metres (1,312 feet) of any limit of a County Road Allowance without first obtaining a Sign Permit from the Director.
2. Signs to be erected in a Settlement Area are subject to Section 6.1 i) of this By-law.
3. Signs to be erected in an area not designated as a Settlement Area are subject to the provisions of this By-law and including the following:
 - a) The length of a Sign shall not exceed 15 metres (49 ft.) and it shall not be more than 8 metres (26 ft.) high measured from the ground and the bottom shall not be less than 1 metre (3.3 ft.) off the ground.
 - b) Signs greater than 60.39 square metres (650 sq. ft.) will not be permitted within 400 metres (1,312 ft.) of the Road Allowance.
 - c) Own-Premises Billboard Signs and Off-Premises Billboard Signs shall not be erected closer to the property line of the Road Allowance than is shown in the following table:

Sign size	Minimum Height off Ground	Minimum distance from property line
0 to 4 sq. m (0 to 43 sq. ft.)	1 meter (3.3 feet)	0 meter
4.1 to 7.9 sq. m (44 to 85 sq. ft)	1 meter (3.3 feet)	10 meters (32 ft)
8.0 to 11.9 sq. m (86 to 128 sq. ft)	1 meter (3.3 feet)	23 meters (75 feet)
12.0 to 18.6 sq. m (129 to 200 sq. ft)	1 meter (3.3 feet)	30 meters (98 feet)
18.7 to 30.2 sq. m (201 to 325 sq. ft)	1 meter (3.3 feet)	46 meters (150 feet)
30.3 to 60.4 sq. m (326 to 650 sq. ft)	1 meter (3.3 feet)	84 meters (275 feet)

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- d) All signs shall be erected on a firm foundation firmly secured into or on the ground to the satisfaction of the Director, Infrastructure Services.
- e) Signs on property other than Own-Premises Billboard Signs shall not be erected closer than 300 metres (984 ft.) to each other or to Permitted Bush Country Road Signs.
- f) Where existing conditions prevent an Own-Premises Billboard Sign from meeting the spacing requirements set out in this By-Law, an Own-Premises Billboard Sign may be considered for approval by the County, at the sole discretion of the Director of Infrastructure Services or designate.
- g) Single and Double Faced Signs shall be permitted to be installed.
- h) Signs shall not be erected within 91 metres (298 ft.) of the limit of a road or railway that intersects a County Road Allowance.
- i) The maximum number of Mobile Signs that may be Permitted to be installed on a privately owned property shall be one (1) Sign.

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Schedule “C” – Election Signs

1. No candidate, registered third party or their agent or any other Person shall at any time place, affix, install or otherwise display an election Sign to be placed on any property or Road Allowance that is owned, leased, or maintained by the County of Peterborough.