

By-Law Number 2012-24

Corporation of the Municipality of Brockton

BEING A BY-LAW TO PROHIBIT OR TO REGULATE THE ERECTION OF SIGNS AND OTHER ADVERTISING DEVICES AND AWNINGS, MARQUEES IN THE MUNICIPALITY OF BROCKTON.

WHEREAS, Section 11 (1) of the Municipal Act 2001, S.O. 2001, c.25, as amended, provides that the Council of a Municipality may pass By-laws

AND WHEREAS 11 (3) of the Municipal Act 2001, S.O. 2001, c.25, as amended, provides that the Council of a Municipality may pass By-laws within certain spheres of jurisdiction; and more specifically under Subsection 7 – “Structures- including fences and signs”

AND WHEREAS Section 99 of the Municipal Act 2001, S.O. 2001, c.25, as amended establishes rules which apply to a by-law of a Municipality respecting advertising devices, including signs;

AND WHEREAS the Provincial Offences Act, R.S.O. 1990, c.p.33, s.61 provides a penalty for persons who contravene any of the provisions of a municipal by-law;

AND WHEREAS Council of the Corporation of the Municipality of Brockton deems it expedient to establish a By-law to prohibit or regulate the erection of signs and other advertising devices and awnings, marquees in the Municipality of Brockton.

NOW THEREFORE the Municipal Council of the Corporation of the Municipality of Brockton enacts as follows:

This By-law is divided into the following parts relating to the following subjects:

Part 1	Administration
Part 2	Definitions
Part 3	General Provisions
Part 4	Construction and Maintenance
Part 5	Special Regulations
Part 6	Permits
Schedule “A”	Sign Permit Fees
Schedule “B”	Application Form

PART 1 - Administration

1.1 Short Title

This By-law may be cited as “The Sign By-law of the Municipality of Brockton”

1.2 Scope of this By-law

- a) All lands within the corporate limits of the Municipality of Brockton are subject to the provisions of this By-law.
- b) No sign or its structure, whether temporary or permanent, shall be erected or enlarged or placed for any purpose within the Municipality of Brockton except as permitted by this By-law, Zoning documents for the Municipality of Brockton and in conformity with the applicable provisions of the Ontario Building Code.
- c) Historic Walkerton District shall be defined as shown on Schedule “A” to the Walkerton Community Official Plan as amended.

1.3 Effect of this By-law

- a) Nothing in this By-law shall relieve any person from complying with all other applicable statutes and by-laws including any requirement of the Ontario Ministry of Transportation and Communications and the County of Bruce that may apply to any sign or other advertising device.
- b) No person shall erect any sign or other advertising device or any class or classes thereof or any notice on buildings or vacant lots or erect an awning, marquee except in accordance with the provisions of this By-law.

1.4 Responsibility

- a) The provisions of this By-law shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning any sign or other advertising device pursuant to this By-law for personal injury or property damage resulting from negligence or wilful acts of such person, his agents or employees, in the erection, maintenance, or removal of any sign or other advertising device erected in accordance with a permit issued by the Corporation of the Municipality of Brockton under this By-law, nor can it be construed as imposing upon the Municipality of Brockton or its officials any responsibility or liability by reason of the approval of any sign or other advertising device under the provisions of this By-law.

1.5 Violations, Penalties, Remedies and Enforcement

- a) This By-law shall be administered and enforced by the Chief Building Official of the Municipality of

Brockton.

- b) Every person who contravenes this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990 c.P.33, as amended or re-enacted from time to time.
- c) For purposes of this By-law, each and every day that a contravention of this By-law continues constitutes a separate and distinct offence under this By-law.
- d) In addition to any other remedy provided for in law, the Corporation of the Municipality of Brockton, upon the giving of notice to the owner of land by registered mail or personal service at the address as shown in the last revised assessment roll or at the discretion of the Chief Building Official, may remove or pull down any sign or other advertising device that is erected in contravention of this By-law, that is abandoned, or that is unsafe and poses a danger to the public, and any expenses incurred by the Municipality, in so doing may be collected by action or in like manner as municipal taxes.

1.6 Severability

If for any reason, any part, section, clause or provision of this By-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part which was declared to be invalid.

1.7 Interpretation

- a) In the case of conflict between the provisions of this By-law and provisions of other by-laws and statutes, the most restrictive by-law or statute shall apply.
- b) In this By-law the word 'shall' is mandatory; words in the singular include the plural; words in the plural include the singular; words in the masculine include the feminine; words in the feminine include the masculine.
- c) Regulations in this By-law are expressed in System International (SI) units, which may be expressed in short form. The SI unit and its corresponding short form are as follows:

Metre: m
 Square metre: m²

1.8 Variances

The Council for the Municipality of Brockton, upon application, may authorize variances from the provisions of this By-law in respect to any provision as defined in the By-law, provided that in the opinion of the Council, the general intent and purpose of this By-law and the Municipality of Brockton Official Plan are maintained.

PART 2 - Definitions

For the purposes of this By-law, the following definitions shall apply:

- Abandoned Sign means a sign which no longer correctly directs the public to, or advertises a bona-fide business, leaser, owner, product or activity conducted, or product produced. A sign shall be deemed abandoned 90 days after such activity is discontinued.
- Accessory Sign means a sign that's principle purpose is identifying, advertising or directing attention to a business, profession, commodity, subject, service, or entertainment which is located, conducted, sold or offered at the lot upon which the sign is located, and such sign may incorporate changeable message areas on which accessory or non-accessory messages may be displayed.
- Advertising Device shall include any awning, marquee or hanging sign, whether projecting over a street or not, or portable sign or other feature or structure, that has displayed thereon a message or symbol established for the purpose of conveying a message.
- Animated means any sign which includes action or motion or colour change of any or all of the sign, but does not include a clock or thermometer.
- Awning/Canopy means a retractable or non-retractable roof-like structure (which may have displayed thereon a message) supported by a frame that projects from, is attached to and is supported by a building.
- Banner Sign means a sign composed of light-weight material, either unenclosed or enclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere.
- Billboard Sign means a sign directly supported by the ground without the aid of any other building or structure, other than the sign and its components, that advertises goods, products, services or facilities that are not available at the location of the sign and /or which directs a person to a location different from where the sign is located and includes a Tourism sign.

Building Department	means the Building Department of the Municipality of Brockton and any personnel of that Department.
Business Establishment	means a commercial enterprise utilizing common personnel, facilities and space.
Chief Building Official	means the Chief Building Official for the Municipality of Brockton or his/ her designate.
Clear Height	means the distance between the highest elevation of the ground beneath a sign, awning, marquee or projecting sign and the lowest point of the sign, awning, marquee or projecting sign as the case may be.
Clerk's Office	means the Clerk's Division of the Administration Department of the Municipality of Brockton.
Construct	means to do anything in the erection, installation, extension or material alteration or repair of a sign and includes the installation of a sign unit fabricated or moved from elsewhere and "construction" has a corresponding meaning.
Contractor's Sign	means a single or double faced temporary accessory sign containing the name of the contractor or the name of the product being used for an on- going construction, renovation or maintenance project on a lot.
Developer's Sign	means a single or double faced temporary accessory sign used to identify a development or re-development project on a lot or establishment of a subdivision, with a maximum height of 3.65 m (12') and overall size of 9 m ² (97 sq ²).
Election Signs	Refer to Political Posters.
Fascia Sign	means a single faced accessory sign which is attached directly to the wall of a building and which does not project more than .35m (1'1") from the building.
Farm Gate Sign	means a sign located at the main entrance of a farm and used to identify the farming operation.
Ground Sign	means a single or double faced accessory sign which rests on the ground or is mounted on one or more poles where the sign has a maximum height of 2.4 m (8').
Height of Sign	means the vertical distance measured from the highest point of the sign to the nearest finished grade and includes any support structure.
Identification Sign	means a single or double faced accessory sign that identifies the occupants of a lot.
Inflatable Sign	means a sign or advertising device designed to be airborne and tethered to the ground, a vehicle or any other structure and shall include balloons and any other inflatable advertising device.
Lot	means a parcel or tract of land which is held under separate ownership from adjacent lands according to the registration thereof in the Land Registry or Land Titles Office, or is a whole lot on a registered plan of subdivision constituting a single development parcel.
Lot Corner	means a Lot situated at the intersection of and abutting two or more streets, or parts of the same street, including any reserve area where the inside angle of intersection or projected angle at the tangents of the street lines is less than 135 degrees except for a lot located at the commencement of a cul-de-sac where the angle exceeds 135 degrees.
Marquee	means a non-retractable roof-like structure constructed of metal, wood, plastic, plaster or similar materials projecting from, attached to and supported by a building, upon which there may be one or more sign faces which may be intended to have frequent message changes.
Municipality	means the Municipality of Brockton.
Non-Accessory Sign	means a sign that's principle purpose is identifying, advertising or directing attention to a business, profession, commodity, subject, service or entertainment which is totally or substantially located, conducted, sold or offered elsewhere than at the lot upon which the sign is located.

Painted Signs	means a sign painted on a wall or roof of a building and shall be deemed to be a fascia sign if the sign is accessory or a poster panel if the sign is non-accessory.
Parapet	means a wall serving as a guard at the edge of a roof, terrace, bridge, etc. and that part of an exterior wall, party wall or fire wall extending above the roof line.
Person	means any human being, association, chartered organization, firm, partnership, corporation, agent or trustee, and their heirs, executors or other legal representatives of a person to whom the context can apply according to law.
Political Posters / Election Signs	means a single or double faced sign that is capable of being readily moved or removed, where the duration of the display is in accordance with Part 5 and the purpose is to promote an individual or political party upon the calling of a provincial, federal or municipal election.
Portable Sign	means a single or double faced accessory or non-accessory sign which is positioned without a permanent means of anchorage to the ground which shall be permitted only as a "Temporary sign".
Poster Panel	means a single or double faced sign which is used for the (Billboard) display of a message produced on paper, cardboard, plastic, fibreboard or similar flexible material or painted directly onto the sign face, and may be attached to a structure, building or post.
Private Directional Sign	means a single or double faced accessory sign that indicates points of entrance, exit, traffic circulation, restrooms, parking areas or similar information on the lot.
Private Notice Sign	means a single faced accessory sign that directs a notice to the public such as no trespassing, beware of dog, no hunting, Block Parent or similar notice.
Projecting Sign	means a single or double faced accessory sign which is attached to the wall of a building and which projects more than .35m (1'1") from the building or structure to which it is attached, but does not include a canopy sign or a marquee sign.
Pylon (Pillar) Sign	means a sign, illuminated or not, having one or more sign faces mounted on one or more poles where the sign has a minimum clear height of 4.25m (13'11") and does not project more than 11m (36'1") above the ground immediately below the pylon sign.
Real Estate Sign	means a single or double faced accessory sign used to advertise that the lot, building or structure is for sale or for lease or has been sold or leased.
Roads Department	means the Roads Department of the Municipality of Brockton.
Roof Sign	means a single or double faced sign located upon and attached to the roof of a building and shall be deemed to be a poster panel if the sign is non-accessory. If the sign is painted directly on the roof it shall be deemed to be a wall/painted sign.
Sandwich	means a free standing single or double faced temporary accessory sign having a maximum signage area of .75m ² (8.0 sq ft) for each sign face.
Sign	means a device or surface on which is displayed a message directing attention to a business, profession, commodity, subject, service or entertainment. A single faced sign means a sign containing only one sign face, and a double faced sign means a sign containing two sign faces opposite each other.
Sign Face	means that portion of a sign on which a message is intended to be displayed.
Sign Area	means the area of a sign face, excluding supports, frames, and other incidentals to the sign, except on a double faced sign where only the larger of the two sign faces shall be calculated as sign area. Where letters, figures or symbols are affixed to a wall separately to constitute a sign, the sign area shall be deemed to be the area of the smallest rectangle, triangle, circle or combination thereof which will enclose each sign message that conveys separate thought.
Street	means a common and public road allowance or any part thereof, and includes a roadway, boulevard, curb, sidewalk, laneway, or any part thereof.
Street Frontage	means the linear distance of all street lines on a lot. Where a lot does not abut a street, street frontage means the linear distance of the lot line closest to a street to which the lot has direct access.

Street Line	means the limit of the street allowance and is the dividing line between a lot and a street.
Temporary Sign	means a single or double faced accessory or non-accessory sign which is capable of being readily moved or removed where the duration of the display time is intended to be limited as indicated on the sign permit issued in accordance with this By-law or as otherwise stipulated by this By-law.
Tourist Home	includes a Bed and Breakfast establishment.
Wall Sign	includes every sign painted, pasted or otherwise affixed to or inscribed directly upon any wall or other integral part of a building or structure, but does not include a wall mural unless such mural contains advertisements.
Zone	means a zone as defined by the zoning documents for the Municipality of Brockton as amended.

PART 3 - General Provisions

This By-law shall apply as follows:

- 3.1 This By-law shall not apply to any sign, which immediately prior to the coming into force of this By-law, was in all respects a lawful sign PROVIDED that neither the position or structure thereof shall hereafter be altered or replaced except in conformity with the relevant provisions of this By-law. A message may be changed provided the owners of the sign are the same owners as at the effective date of this By-law, otherwise the sign must be in conformity with the relevant provisions of this By-law.
- 3.2 This By-law shall not apply to any sign advertising a proposed amendment under the Ontario Planning Act.
- 3.3 No person shall erect any sign or other advertising device that resembles any traffic control signal or sign in a manner which may confuse motorists, or which attempts to direct the movement of traffic on a street.
- 3.4 No person shall erect any sign or other advertising device which hides from view any traffic control signal or sign, or which directs a glare of light towards a street which would have the effect of impeding a motorist's visibility.
- 3.5 No person shall erect any sign or other advertising device that obstructs visibility to and from any vehicular entrance or exit point onto a street.
- 3.6 Except as may otherwise be permitted under this By-law, no person shall erect any sign or other advertising device on or over a street, attached to public lamp or utility poles, trees, bridge piers, hydrants or any other structures or features located on any street unless approval for such sign or other advertising device is granted by the Council of the Corporation of the Municipality of Brockton as well as where applicable, the owner of any structure or feature on which such sign or other advertising device is to be erected.
- 3.7 No person shall erect any sign or other advertising device in proximity to any fire alarm, telephone or other wire, cable or conduit carrying electrical current such that a hazard would be created, nor shall any person erect a sign or other advertising device that blocks any entrance or exit, window or ventilation system of a building.
- 3.8 No person shall erect any lighted sign or other advertising device, or any lights to illuminate any sign or other advertising device, which will direct glare onto any street or neighbouring lot, and any sign or other advertising device incorporating flashing lights shall be at least 30.0m (98.5') from any other lot.
- 3.9 There shall be no signs allowed within a site triangle. A site triangle is determined by a line connecting two points equidistant 10m (32.8ft) along each lot line from the point of intersection of the said lot lines. Where the point of intersection of the said streets constitutes an arc, the point of intersection shall be determined in accordance with the definition of 'lot corner' in this By-law. The sign portion of a pylon sign may overhang a sight triangle provided the support pole(s) are located outside of the sight triangle and the clear minimum height below the sign portion is 4.25m (13'11").
- 3.10 No person shall erect any sign on Municipal Property without the approval of the Municipality of Brockton and receive a permit to do so.
- 3.11 Abandoned Signs are not permitted anywhere in the Municipality.

PART 4 - Construction and Maintenance

- 4.1 All signs shall be in a safe condition and in a good state of repair. Where any sign or other advertising device is not maintained in a safe condition or in a good state of repair in the sole opinion of the Chief Building Official or designate, the owner of such sign or other advertising device shall forthwith upgrade the said sign or other advertising device to a safe condition or good state of repair or otherwise remove the said sign or other advertising device.

- 4.2 All signs requiring a building permit shall meet the requirements of the Ontario Building Code
- 4.3 Cables and turnbuckles used or required for the support of a sign shall be of corrosion-resistant material.

PART 5 - Special Regulations

5.1 Fascia Signs

Fascia Signs shall be subject to the following regulations:

- a) No *Fascia Sign* shall be displayed on or from any premises zoned Residential as designated by the Zoning By-law for the Municipality of Brockton, unless a Zoning Amendment or Minor Variance is granted. Permitted Home Occupation uses are exempt from this provision provided the sign does not exceed 0.4 square metres.
- b) For all non-residential uses one fascia sign per wall is allowed with a maximum sign area of 20% coverage of the wall on which the sign is located.
- c) There shall be a clear height of 2.4m (7'10") measured from grade to the underside of the sign or fastenings and supports thereof.
- d) On buildings having more than one storey in building height, fascia signs shall have a maximum height of 4.25m (14') to the top of the sign from grade.

5.2 Sandwich Signs

Sandwich signs shall be subject to the following regulations:

- a) No *Sandwich Signs* shall be displayed in any Residential Zone except garage /yard sale signs shall be permitted, and only for the duration of the event.
- b) *Sandwich signs* advertising a special events may be displayed by Charitable Organizations, Churches, Non Profit Organizations, Service Clubs and Municipal Committees, for a maximum of one week prior to the duration of the event.
- c) *Sandwich Signs* shall be located only in front of the place of business unless permission is obtained (in writing) from the owner of the property on which the sign is located.
- c) In all non-residential zones, one *Sandwich Sign* per property is allowed. Permission from the Municipality of Brockton is required for additional *Sandwich Signs*.
- d) *Sandwich Signs* shall not interfere with the movement of pedestrian traffic, snow removal, or be located within 3m (10 feet) of a fire hydrant.

5.3 Projecting Signs

Projecting Signs shall be subject to the following regulations:

- a) *Projecting Signs* shall not exceed 1sq.m (10.75sq ft) in area with no dimension greater than m (39").
- b) The *Projecting Sign* shall have two faces in a parallel plane to each other and the distance not further than 7.62cm (3") from one another, and shall only have graphics on parallel faces.
- c) The maximum height of a *Projecting Sign* shall be no higher than 3.65m (12') nor lower 2.4m (7'6") vertically distant above the surface of the ground immediately thereunder.
- d) When Projecting Signs are placed on a building, no other types of signs other than fascia signs will be permitted on that building advertising the same business.
- e) Any *Projecting Sign* that is erected shall be installed in a safe and secure manner; an Engineered Design per the Ontario Building Code may be required.
- f) No projecting sign shall be erected if it encroaches on municipal property until an Encroachment Agreement is approved by Council of the Municipality of Brockton.
- g) No projecting Sign shall be internally illuminated.

5.4 Wall/Painted Signs

Wall / Painted Signs shall be subject to the following regulations:

- a) No *Wall / Painted Sign* shall be displayed on or from any residence.
- b) The Message area of a *Wall / Painted Sign* shall not exceed 25% of the area of the wall or roof on which it is displayed. For the purpose of this regulation the area of a wall shall be deemed to include the area of any and all windows, doors, and other apertures therein.
- c) No wall sign shall be displayed on the wall or wall of a parapet above a visible abutting prominent roof.

5.5 Awnings Over a Street

No person shall erect any awning over a street unless in accordance with the following regulations:

- a) Awning Signs shall be permitted to project over a street from a Commercially Zoned property only
- b) Awning frames and supports shall have a minimum clear height of 2.44m (8'). No part of any awning shall be less than 2m (6.56ft.) above the ground or sidewalk surface, as the case may be, beneath the awning.
- c) Readily retractable awnings may project a maximum of 2.0m (6'6") over a street from the street line, and awnings which are not readily retractable may project a maximum of 1.25m (4') over a street from the street line, but in no case shall an awning project to within 1.0m of the curb face of a travelled street.
- d) Any message displayed on an awning shall be of a permanent nature.

5.6 Pylon/Pillar Signs

Pylon / Pillar Signs shall be permitted in a Commercial or Industrial Zone only, subject to the following regulations:

- a) No *Pillar Signs* shall be displayed on or from any premise in a Residential Zone.
- b) Shall not be erected within 2.0m (6'6") of any street line in a General Commercial Zone and not within 6.0m (20') of any street line in a Highway Commercial Zone or Industrial Zone.
- c) Shall not be located within 3.0m (9'10") of any lot used for a single family dwelling, semi-detached dwelling, duplex dwelling, converted dwelling, or multiple dwelling.
- d) Shall have a minimum clear height of 4.25m (13'11") and does not project more than 11m (36'1") above the ground immediately below the pylon sign.
- e) Design by a Professional Engineer may be required in accordance with the Ontario Building Code.

5.7 Marquees Over a Street

Marquees over a street shall be subject to the following regulations:

- a) Marquees that project over a street existing on the effective date of this By-law shall be permitted.
- b) No person shall erect any marquee that projects over a street except where the Council of the Corporation of the Municipality of Brockton has granted permission for a marquee that project over a street, and engineered design has been approved by the CBO

5.8 Temporary Signs

Temporary Signs shall be subject to the following regulations:

- a) In Residential Zones only *Temporary Signs* allowed are: *Real Estate Signs*, *Sandwich Signs* for *Yard/Garage Sale or Special Events*, *Contractor's Signs*, *Political Signs* and *Developer's Signs*.
- b) A *Portable Sign* shall be displayed on or from the same premises for a period of time not greater than six (6) months and for the purposes of this regulation a *Portable Sign* shall be deemed to have been so displayed from the date of issue on the sign permit and are not allowed in a Residential Zone.
- c) *Contractor's Signs*: refer to section (5.16)
- d) *Developer's Signs*: refer to section (5.17)
- e) *Real Estate Signs*: refer to section (5.11)
- f) *Political Signs*: refer to section (5.15)

5.9 Identification Signs

Identification Signs are subject to the following regulations:

- a) In any Residential Zone an *Identification Sign* may not exceed 0.4 sq.m.
- b) Are permitted on accessory buildings only.

5.10 Real Estate Signs

Real Estate Signs are subject to the following regulations:

- a) The maximum number of *Real Estate Signs* shall be two per lot except three shall be permitted on a corner lot.
- b) Shall be located on the property for sale or if displayed on a road allowance have a permit from the appropriate authority.

5.11 Poster (Billboard) Signs

Poster (Billboard) Signs are permitted in Commercial, Industrial, designations only and subject to the following regulations:

- a) Shall not be located within 30 m (98') of any property used for public parks, public schools, churches, or public facilities that has principal frontage on the same street.
- b) Shall not be located within 30m (98') of any lot with a residential dwelling.
- c) Shall be set back 60m (200') from the lot line abutting any road.
- d) The maximum surface per sign shall be 22.3.m² (240 sq ft) including border and trim but excluding the base or apron, supports or other structural members.
- e) The maximum height shall not exceed 6.1 m (20 feet).
- f) The maximum size limitation shall apply to each sign face of a *Billboard Sign* structure and signs may be placed back-to-back. Notwithstanding the foregoing, only two sign faces shall be permitted in any one *Billboard* structure.
- g) Flashing, intermittent or moving light or lights are prohibited except those electronic information displays giving public service information such as, but not limited to, time, date, temperature or weather.
- h) *Billboard Signs* which are not effectively shielded as to prevent beams or rays from being directed at any portion of a travelled roadway and are of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle are prohibited.
- i) No *Billboard Sign* shall be so illuminated that it interferes with the effectiveness or obscures an official traffic signal, device or sign.
- j) No more than one *Poster Panel (Billboard)* structure shall be permitted on any one lot, and no *Poster Panel* shall be located within a 152.4m (500 ft) radius of any other *Poster Panel*.

5.12 Roof Signs

Roof signs are permitted in Commercial and/or Industrial designations only and are subject to the following regulations:

- a) Shall not project more than 3 m (9.84') above the roof immediately below the roof sign.
- b) Illumination shall be located so as to reflect light away from adjacent premises or streets to prevent any glare, nuisance or to interfere with the enjoyment of any adjacent residential uses.
- c) May require be engineering.

5.13 Private Directional Signs

- a) Shall have a maximum sign area of 1.0 m² for each sign.

b) Shall not be located in a sight triangle.

5.14 Private Notice Signs

a) Shall have a maximum sign area of .5 m² for each sign.

5.15 Political Posters

Any number of *Political Posters* may be erected upon the calling of a Provincial, or Federal election, or anytime within seven weeks of a Municipal election, and shall be removed no later than one week following the day of the election and provided such signs:

- a) Have a maximum sign area of 1.5m² (16 sq ft) for each sign.
- b) Have a maximum height of 1.25m (4').
- c) Are mounted on their own support affixed or secured directly to the ground.
- d) Are setback a minimum 2.0m (6'6") from the travelled portion of a municipal roadway (including road shoulder) and setback 0.5m (1'8") from any municipal sidewalk.
- e) Are not erected on any property owned or operated by the Corporation of the Municipality of Brockton, Corporation of the County of Bruce, the Province of Ontario, or the Government of Canada, excluding road allowances where placement does not impede traffic.
- f) Are not erected on any privately owned property or in front of any privately owned property so that it appears the owner is supporting and/or promoting a specific candidate or party unless permission is obtained from the owner of the said lot.
- e) Any signs found to be an obstruction to traffic will be removed.

5.16 Contractor's Signs

Shall be displayed under the following regulations:

- a) *Contractor's Signs* shall have a maximum sign area of 1.5m² (16 sq ft) for each sign.
- b) The premises on or from which the sign is displayed are under construction, alteration or demolition.
- c) Shall be removed no later than one month following completion of the construction, renovation or maintenance project.
- d) The message thereof is confined to the plan of site, floor plan of structure and to the names, addresses and occupations of the contractor, engineer, architect or other persons engaged in such work of construction, alteration, or demolition.

5.17 Developer's Signs

A maximum of one *Developer's Sign* per development, redevelopment or subdivision unless provided otherwise in a Development Agreement and are subject to the following regulations:

- a) Shall have a maximum height of 3.65 m (12') and overall size of 9 m² (97 sq ft).

5.18 Banner Signs

Banner Signs may be permitted for non-profit organizations and require a sign permit, however, are exempt from sign permit fees.

- a) Permitted as a temporary use to advertise a special event.
- b) Shall be removed within one week of the end of the special event advertised by the banner sign.

5.19 Farm Gate Signs

No person shall erect or display or cause to be displayed or permit any sign on a property located in an Agricultural Zone as defined by zoning documents for the Municipality of Brockton or on a property used for agricultural purposes except under the following conditions:

- a) One *Ground Sign* may be located near the entrance of the property, not closer than 6 metres (20 feet) from any lot line, unless greater distance is required by The Ontario Ministry of Transportation or the County of Bruce;
- b) Any such sign if illuminated shall be located so as to reflect light away from adjacent premises or streets, and not cause glare or impair the vision of the driver of any motor vehicle.
- c) Shall be not greater than 3.0 square metres (32sq. ft.) in *Sign Area* and any copy on the *Sign* shall only indicate the name, the owner, and/or the type of agricultural undertaking;

PART 6 - Permits

6.1 The following signs require Sign Permits:

- Awning
- Banner Sign
- Fascia Sign
- Marquee
- Painted Sign
- Portable Sign
- Projecting Sign
- Pylon / Pillar Sign
- Roof Sign
- Sandwich Sign, on municipal property

6.2 The following signs require Comments and Approval from the Building Department prior to the Permit being issued (a Building Permit may also be required):

- Awning Sign
- Banner Sign
- Marquee sign
- Projecting Sign
- Pylon / Pillar Sign
- Roof Sign

Banner Sign - also requires comments and approval from the Roads Department.

- 6.3 The Building Department is responsible for issuing Sign Permits but shall not issue any sign permit for a proposed sign or other advertising device, or a proposed awning, marquee or projecting sign that projects over a street which is contrary to any provision of this By-law, the Ontario Building Code Act, or any other applicable statute.
- 6.4 Upon application for a permit being made to the Building Department as aforesaid and upon ascertaining that the sign in respect of which the application is made conforms in all respects with the provisions of this By-law of the municipality, and other applicable law, and upon payment of the fee hereinafter prescribed, the Building Department shall issue the permit.
- 6.5 Notwithstanding Part 6, Section 6.1 the Chief Building Official may refuse to approve a permit until such time as the applicant therefore has satisfied him/her by the production of a plan duly certified by a Professional Engineer that the structure of the sign and its supports and fastenings are so designed as in all respects to be safe and secure.
- 6.6 The applicant for a sign permit shall supply all information required by drawings or in writing as may be required by the Chief Building Official at his sole discretion, as set out in the sign permit application which is Schedule `B' to this By-law.
- 6.7 If authorized work is not completed within three (3) months after the date of issuance of a sign permit, the sign permit shall be void.
- 6.8 The fees payable for a permit under this By-law shall be set out in Schedule `A' to this By-law.
- 6.9 All signs on Municipal property must have the approval of the Municipality of Brockton and have a valid "Sign Permit for Municipal Property".

This By-law shall come into force and effect upon receiving the final passing thereof.

READ A FIRST AND SECOND TIME THIS 12TH DAY OF MARCH, 2012.

DEPUTY MAYOR – Roland Anstett

CLERK – Debra Roth

READ A THIRD AND FINAL TIME THIS _____ DAY OF _____, 2012.

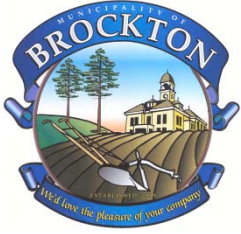
MAYOR – David Inglis

CLERK – Debra Roth

Schedule 'A' to By-Law 2012-24

Sign Permit Fees

1. Temporary Signs
 - 1.1 There shall be no Sign Permit fee for Sandwich Signs on Municipal property and for Portable Signs,.
 - 1.2 There shall be no Sign Permit fee required for Political Posters, Contractor's Signs, Sandwich Signs on private property, Sandwich Signs described under Section 5.2 (b), Real Estate Signs, Developer's Signs, Yard Sale Signs on or signs advertising proposed amendments under the Planning Act.
2. Any Sign Other Than Temporary Signs
 - 2.1 The sign permit fee for *Fascia, Ground, Pylon / Pillar, Roof, Poster (Billboard) and Painted* signs shall be \$100.00 as a one time fee. Any changes to the structure of the sign will require a new Permit and applicable fees.
 - 2.2 There shall be no sign permit fee required for signs that do not require permits.
3. Projecting Signs, Awnings and Marquees that Project Over a Street
 - 3.1 The sign permit fee for a *Projecting Sign, Awning or Marquee* that projects over a street shall be \$100.00 as a onetime fee. Any changes to the structure of the sign will require a new permit and applicable fees.
4. Signs on Municipal Property
 - 4.1 All signs on Municipal Property must have the approval of the Council of the Municipality of Brockton prior to being issued the first Permit and may be subject to review for renewal Permits.
 - 4.2 All signs on Municipal Property must have a "Sign Permit for Municipal Property" and must be renewed annually. All applicable fees shall be paid annually.
 - 4.3 Fees shall be as follows: \$100.00 for all signs except for signs with an applicable monthly fee.
 - 4.4 One year's grace shall be granted for all signs existing at the effective date of this by-law.
5. Annual Review
 - 5.1 The sign permit fees will be reviewed annually and any changes incorporated into the Fees and Charges By Law



By-Law Number By-Law 2012-24
Schedule "B"
Municipality of Brockton
Sign Permit Application Form

Phone 519-881-2223
or toll free 1-877-885-8084
Fax 519-881-2991

Office of the Chief Building Official

Owner: _____

Phone: _____ Email Address: _____

Address: _____

Contractor: _____

Phone: _____

Address: _____

Roll Number: 4104 _____ - _____ - _____

Zoning: _____

Municipal Address: _____

Main Use of Building: _____

Type of Sign: _____

Area of Sign: _____

Height of Sign Above Street: _____

Dimensions: Height _____ Width _____ Depth _____

Set Back _____

Brief Description of Work: _____

Project Cost: \$ _____

Permit Number: _____	Permit Fee: _____
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Declaration

I, the undersigned _____, am the authorized (owner/agent of owner) named in the above application and I certify the truth of all the statements or representations contained therein.

I understand that the issuance of a permit shall not be deemed a waiver of any of the provisions of any requirements of the Municipality of Brockton Sign By-law or regulations made thereunder, notwithstanding anything included in or omitted from the plans or other material filed in support of or in connection with the above application.

I acknowledge that in the event a permit is issued, any departure from plans, specifications or locations proposed in the above application is prohibited and such could result in the permit being revoked.

I further acknowledge that in the event the permit is revoked for any cause or irregularity or non-conformity with the requirements of the Municipality of Brockton Sign By-law or regulations made thereunder, there shall be no right of claim whatsoever against the municipal corporation or any official thereof and any such claim is hereby expressly waived.

Municipality of Brockton, Ontario _____ 20____.

Signature (Owner/Authorized Agent)

Date

Signature (Building Official)