

Township of Clearview

Sign By-law 20-43

Table of Contents

SECTION 1:	TITLE, SCOPE AND CONFORMITY REQUIREMENTS	2
SECTION 2:	DEFINITIONS.....	2
SECTION 3:	APPLICATION FOR SIGN PERMIT	8
SECTION 4:	BY-LAW EXEMPTIONS	10
SECTION 5:	GENERAL REGULATIONS.....	10
SECTION 6:	PROHIBITED SIGNS	12
SECTION 7:	REAL ESTATE SIGNS.....	13
SECTION 8:	RESIDENTIAL HOME OCCUPATION AND HOME INDUSTRY SIGNS .	14
SECTION 9:	COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL SIGNS	14
SECTION 10:	AGRICULTURAL SIGNS AND RURAL SIGNS	18
SECTION 11:	BILLBOARD SIGNS	18
SECTION 12:	TEMPORARY AND PORTABLE SIGNS.....	20
SECTION 13:	ELECTION SIGNS	23
SECTION 14:	SIGN VARIANCE.....	24
SECTION 15:	NON-CONFORMING AND UNLAWFUL SIGNS AND REMOVAL OF SIGNS AND COSTS FOR SAME.....	24
SECTION 16:	CONFLICT	26
SECTION 17:	SEVERABILITY	26
SECTION 18:	ENFORCEMENT.....	26
SECTION 19:	PENALTY	27
SECTION 20:	REPEAL BY-LAW	28

THE CORPORATION OF THE TOWNSHIP OF CLEARVIEW

BY-LAW NO. 20-43

A By-law to prohibit or regulate signs and other advertising devices within the Township of Clearview and to repeal By-law 08-49.

WHEREAS the Municipal Act, S.O. 2001, c.25, Section 8, PROVIDES THAT THE Act shall be interpreted broadly so as to confer board authority on municipalities to enable municipalities to govern their affairs as they consider appropriate and enhance their ability to respond to municipal issues;

AND WHEREAS the Municipal Act, S.O. 2001, c.25, Section 9, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

AND WHEREAS the Municipal Act, S.O. 2001, c.25, Section 11, provides that a lower-tier municipalities may pass by-laws respecting matters of jurisdiction set out therein, *inter alia*; structures including signs;

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

AND WHEREAS the Municipal Act, S.O. 2001, c.25, Section 425 establishes that any person who contravenes any by-law of the municipality, may be, passed under the Act, is guilty of an offence;

AND WHEREAS Council deemed it advisable to pass a by-law to prohibit or regulate signs and other advertising devices with the Township of Clearview;

NOW THEREFORE, the Corporation of the Township of Clearview enacts as follows:

SECTION 1: TITLE, SCOPE AND CONFORMITY REQUIREMENTS

- 1.1 This By-law may be cited as the "Sign By-law".
- 1.2 No sign or its structure, whether temporary, portable or permanent, shall be erected or enlarged or placed for any purpose within the Township of Clearview, except as permitted by this By-law and in conformity with the applicable provisions of the Ontario Building Code.

SECTION 2: DEFINITIONS

- 2.1 **ABANDONED SIGN** – shall mean a sign which no longer correctly directs or advertises a bona-fide business, lessor, owner, product or activity conducted, or product produced on the premises upon which the sign is displayed or is no longer maintained in good condition.
- 2.2 **A-FRAME SIGN** – shall mean a hinged, two-sided, triangular free standing sign intended for daily use.
- 2.3 **AGRICULTURAL SIGN** – shall mean a sign accessory to the permitted agricultural use.

- 2.4 **ALTER** – shall mean to change the name on a sign of a business or occupancy, the size or area of a sign, the relocation of a sign, or a structural material sign. A change in the message displayed by a sign or other advertising device does not in itself constitute an alteration.
- 2.5 **AREA, SIGN** – shall mean the number of square metres on the surface of a sign, including the border and frame, and where there is no border, shall include all the area of the surface lying within the extremities of the sign.
- 2.6 **AWNING SIGN** – shall mean a sign incorporated into an awning being a fixed frame structure covered with fabric, vinyl, plastic, aluminum or some similar material.
- 2.7 **BACK LIT SIGN** – shall mean any sign designed to provide artificial light through transparent or translucent material from a light source within the sign.
- 2.8 **BANNER SIGN** – shall mean a sign, other than a flag sign, composed of light-weight material, either enclosed or unenclosed in a rigid frame, secured or mounted that may allow movement of the sign caused by movement of the atmosphere.
- 2.9 **BILLBOARD SIGN** – shall mean an advertising sign, symbol or structure, maintained by a person, firm, corporation, business, service, commercial or industrial enterprise, engaged in the sale or rental of space thereon to a clientele, upon which space therein is displayed advertising copy describing one or more products or services which are not necessarily made, produced, assembled, sold or stored from the lot or premise upon which the sign is displayed. A billboard sign may include:
- (a) Poster Panels or signs normally mounted on a building wall or free-standing structure with advertising copy in the form of pasted paper.
 - (b) Painted signs, where the advertiser's message is painted directly on the background of a wall-mounted or free-standing display surface.
 - (c) Poster sign with advertising copy in the form of pasted cardboard, plastic fiberboard, paper or similar flexible material on the one display surface.
- 2.10 **BUILDING IDENTIFICATION SIGN** – shall mean a sign attached to or part of a building, lettered to give the name of a building itself as opposed to the name of occupants, business or services.
- 2.11 **BY-LAW ENFORCEMENT OFFICER** – shall mean the By-law Enforcement Officer of the Corporation of the Township of Clearview and/or his/her designated representative.
- 2.12 **CHIEF BUILDING OFFICIAL** – shall mean the Chief Building Official for the Corporation of the Township of Clearview and/or his/her designated representative.

- 2.13 **COMMERCIAL** – shall mean the use of lands, buildings, or structures for the purpose of buying and selling commodities, or supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction, and other similar uses as legally permitted by the Comprehensive Zoning By-law.
- 2.14 **COMPREHENSIVE DESIGN PLANS** – shall mean a building design and signs integrated into one architectural plan, the comprehensive plan being complete in all other building, structural and electrical requirements.
- 2.15 **COUNCIL** – shall mean the Council of the Corporation of the Township of Clearview.
- 2.16 **DIGITAL SIGNS** - shall mean signs that have an electronic display including high intensity displays (HID), light-emitting diode (LED), liquid crystal display (LCD), plasma display (PDP) and Digital Light Processing (DLP), surface-conduction electron-emitter display (SED)' field emission display (FED) and similar signs.
- 2.17 **DIRECTIONAL SIGN** – shall mean a sign indicating the direction with regard to pedestrian and/or vehicular movement, such as signs used for drive-through businesses.
- 2.18 **DIRECTOR OF PLANNING AND DEVELOPMENT** – shall mean the Director of Planning and Development or the Director of Community Services, for the Township of Clearview and/or his/her designated representative.
- 2.19 **DISPLAY SURFACE** – shall mean the surface made available by the structure, either for direct mounting of characters, letters, numbers or illustration or for the mounting of facing material intended to carry the entire advertising message.
- 2.20 **ELECTION SIGN** – shall mean signs advertising or promoting a candidate in a federal, provincial or municipal election, including an election of a local board or commission; or a sign intended to influence persons to vote for or against any candidate or any question or by-law submitted to the electors under Section 8 of the Municipal Elections Act, 1996, or it's successors.
- 2.21 **ERECT** – shall mean to attach, alter, build, construct, reconstruct, enlarge or move, including the painting of wall signs, but not including copy changes on any signs.
- 2.22 **EXEMPT SIGN** – shall mean signs that are exempt from normal permit requirements, i.e., Federal, Provincial and/or Municipal sign requirements.
- 2.23 **FAÇADE** – shall mean the exterior face of a building hosting the building's principal entrance, often distinguished from other faces by the elaboration of prominent architectural features.
- 2.24 **FLAG SIGN** – shall mean a sign composed of light-weight material, and shall include temporary teardrop signs, feather signs or other ground signs that include a pole or rigid frame

that supports it, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere, but does not include a banner sign.

- 2.25 **FLASHING SIGN** – shall mean an illuminated sign, fixed or rotating, upon which the source of artificial light is not stationary or the intensity or colour is not constant.
- 2.26 **GRADE** – when used in reference to a sign, shall mean the average elevation of the finished surface of the ground where it meets the supports of the sign or the building upon which it is erected, exclusive of any artificial embankment.
- 2.27 **GROUND SIGN** – shall mean a sign not attached to a building but supported by a structure on the ground or placed upon poles or standards.
- 2.28 **HERITAGE PLAQUES** – shall mean a sign identifying a site or building designated or recognized by the Corporation, the Province or the Federal Government as being of architectural or historical value or interest.
- 2.29 **HEIGHT OF SIGN** – shall mean the vertical distance from the ground to the highest extremity of the sign including the border or frame, and in the case of a sign without border or frame, the vertical distance from the ground to the top of the letter, symbol or other part of the sign that is the highest.
- 2.30 **HOME OCCUPATION OR HOME INDUSTRY SIGN** – shall mean a sign identifying a permitted home occupation or home industry as defined pursuant to the Comprehensive Zoning By-law.
- 2.31 **ILLUMINATED SIGN** – shall mean any sign designed to provide artificial light, either through exposed lighting or on the sign face or through transparent or translucent material from a light source within the sign, including digital signs.
- 2.32 **INDUSTRIAL** – shall mean the use of land, buildings, or structures designed for the purpose of manufacturing, assembling, making, inspecting, finishing, altering, repairing, warehousing or storing any goods, substances, articles, or things or any part thereof, and the storage of building and construction equipment and materials, as distinguished from the buying and selling of commodities and the supply of personal services as legally permitted by the Comprehensive Zoning By-law.
- 2.33 **INSTUTUTIONAL** – Shall mean the use of land buildings or structures for social, educational, health care or religious purposes and related accessory uses as legally permitted by the Comprehensive Zoning By-law.
- 2.34 **LENGTH OF SIGN** – shall mean the distance between the border or frame of the sign measured horizontally, and in the case of a sign without border or frame, it means the horizontal distance between the first and last extremities of the lettering, symbols or other parts of the sign.

- 2.35 **LOT** – shall mean a parcel or tract of land, described in a deed or other legal document, which is legally capable of conveying title.
- 2.36 **LOT LINE** – shall mean the division line between a utility or road right-of-way and a lot, or the division line between two lots.
- 2.37 **MOBILE SIGN** – shall mean any mounted sign on a trailer or on a supporting frame which is designed to be transported from one site to another and includes mobile signs with changeable copy and/or illumination.
- 2.38 **NEON SIGN** – shall mean a sign made of a sealed low pressure tube containing an inert gaseous element that glows when electricity is passed through and shall not include a back lit sign unless neon is used for the purpose of back lighting a sign.
- 2.39 **PARAPET WALL** – shall mean that portion of a building wall that rises above the roof level.
- 2.40 **PERMITTED USE** – shall mean a use as permitted pursuant to the Township of Clearview Comprehensive Zoning By-law, as amended.
- 2.41 **PORTABLE SIGN** – shall mean any sign not permanently attached to the ground or building or any other structure, and which may be transported from one site to another and may be illuminated from the interior and have its own source of power, or may be dependent on an exterior source of power. Portable signs shall also include mobile signs, banners, flags, a-frame and wire/picket signs, and any movable structure including any vehicle or trailer which is parked, stored or located on a site that is not either the owner or employee's vehicle or trailer for the business and such vehicle or trailer is being used for the day to day operation of the business for other than signage or advertisement.
- 2.42 **PROJECTING OR OVERHEAD SIGN** – shall mean a sign attached and perpendicular to the main wall of the building and shall not include a banner sign.
- 2.43 **REAL ESTATE SIGN** – shall mean a sign notification advising that a property is to be sold, rented or leased and which may also indicate to whom a person should inquire with regard thereto.
- 2.44 **REAL ESTATE DEVELOPER SIGN** – shall mean a billboard or a-frame sign, owned by a real estate developer, that advertises a subdivision or condominium development and may also provide the developer's contact information.
- 2.45 **RESIDENTIAL** – shall mean the main use of buildings on the land are for human habitation other than those being used as an institutional use.
- 2.46 **RURAL SIGN** – shall mean a sign accessory to the permitted rural use.

- 2.47 **SETBACK** – shall mean the horizontal distance from the lot line to the nearest part or leading edge of any sign.
- 2.48 **SIGN** – shall mean a display board, electronic display, screen, cloth or structure having characters, letters, numbers or illustration applied thereto or displayed thereon in any manner, including signs within a building visible from the street, and shall include the posting or painting or an advertisement or a notice on a building or structure advertising a place of business, product, activity, or a special happening.
- 2.49 **SIGN OWNER** - shall include any of the following:
- a) owner of a sign and/or;
 - b) owner of the real property upon which the sign is located; and/or,
 - c) the person, for the time being, managing or receiving the rent of either the sign or the real property upon which the sign is located.
- 2.50 **SIGHT TRIANGLE** – shall mean the triangular space formed of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 6m from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street line or the intersection of the tangents to the street lines.
- 2.51 **STOREFRONT** – shall mean the portion of the building’s façade that hosts the business or establishment’s principal entrance.
- 2.52 **STREET** – shall mean an opened (established) public highway which affords the principal means of access to abutting lots.
- 2.53 **STREET LINE** – shall mean the dividing line between a lot and a street.
- 2.54 **TEMPORARY SIGN** – shall include: a-frame signs, banner signs, flag signs, mobile signs and wire/picket signs. Temporary signs may also include a sign conveying a message applicable for a definable and specific limited time or related to an event or project short in duration.
- 2.55 **THIRD PARTY SIGN** – shall mean a sign that is advertising, identifies or provides information on goods, products, services or facilities that are not available at the location where the sign is located.
- 2.56 **THIRD PARTY SIGN, REGISTERED** – shall mean any person or entity, including but not limited to a corporation or trade union whom is not a registered candidate, political party or constituency association who incurs expenses with respect to:
- a) a question, law or by-law submitted to the electors;
 - b) an issue associated with a person or political party participating in an election or;

- c) a candidate or political party participating in an election under the Canada Elections Act; the Elections Act or the Municipal Elections Act.

- 2.57 **TOWNSHIP** – shall mean the Corporation of the Township of Clearview.
- 2.58 **TOWNSHIP APPROVED EXHIBITION, FESTIVAL OR EVENT** – shall mean an exhibition, festival or event that is either run by the Township, financially supported by the Township or an event that has obtained a Special Event Permit from the Township.
- 2.59 **WALL SIGN** – shall mean a single faced sign located in such a manner that the sign face is parallel to the main wall of the building to which it is attached and shall also include a sign attached to or constructed in or on a canopy, marquee or awning.
- 2.60 **WINDOW SIGN** – shall mean a sign which is directly affixed to or painted or etched on any window.
- 2.61 **WIRE/PICKET SIGN** – shall mean a sign that is erected directly on the ground by means of a self-supporting wire frame or wooden picket(s).
- 2.62 **COMPREHENSIVE ZONING BY-LAW** – shall mean the Comprehensive Zoning By-law for the Township of Clearview, being By-law 06-54, as amended, or its successor.
- 2.63 **ZONE** - shall mean as zoned within the Comprehensive Zoning By-law of the Corporation of the Township of Clearview and the Comprehensive Zoning By-law of an abutting municipality.

SECTION 3: APPLICATION FOR SIGN PERMIT

- 3.1 Except for the signs referred to in Section 4, no person shall erect, cause to be erected, display, relocate or structurally alter any sign within the corporate limits of the Township of Clearview without first complying with this Sign By-law and obtaining a Sign Permit.
- 3.2 A Sign Permit may be issued once the Township has been satisfied that:
- a) the application has been received properly and completed and fully executed;
 - b) the required fee has been paid; and,
 - c) all other applicable legislation is complied with including a Building Permit if required.

- 3.3 A sign permit is not required for:
- a) residential home occupation/home industry signs,
 - b) a-frame signs,
 - c) banner signs,
 - d) flag signs,
 - e) wire/picket signs,
- however, the above listed signs do have to comply with all other provisions of this By-law.
- 3.4 A sign permit is not required for real estate signs, however, that does not exempt a real estate sign from a building permit, if required. Further real estate signs do have to comply with all other provisions of this By-law.
- 3.5 A sign permit shall expire if the work to erect, display or alter the sign is not completed within 180 days from the date of issuance of the sign permit.
- 3.6 A sign needs a building permit when it is over 7.5 m in height; overhanging signs over 115 kg in weight; and, signs with a sign area of over 10 m², or as per the requirements of the Ontario Building Code.
- 3.7 Prior to issuance of a building permit for a sign, an application for a permit shall be submitted to the Corporation to be checked for conformity with this By-law and any other applicable by-laws of the Corporation.
- 3.8 A building permit application for a sign shall require the following:
- 3.8.1 Completed drawings and specifications of what is to be erected or structurally altered, including where applicable, details of supporting framework, description of sign materials and lighting;
 - 3.8.2 Erection plans indicating the location of the sign on the lot relative to any buildings, vehicle accesses, doors, windows, and other existing signs on the site; and,
 - 3.8.3 Site plans to scale indicating location on the site, setbacks, street lines and other boundaries of the property, and the location of the building thereon.
- 3.9 Upon review and approval of a completed application, the Chief Building Official shall issue a building permit for a sign, provided the application is in compliance with the regulations contained in this By-law and any other applicable by-laws of the Township and applicable legislation.
- 3.10 A fee, as set out by the Fee By-law for the Corporation, shall be paid upon application of a building permit for a sign.

- 3.11 Upon issuance of a building permit for a sign, the majority of the construction of said sign shall be completed within six months from the date of issuance, and completion of construction of the sign shall be within one year of the date of issuance of the permit.

SECTION 4: BY-LAW EXEMPTIONS

- 4.1 The following signs are exempt from the requirements of this By-law:
- 4.1.1 Signs for regulating traffic or similar devices, legal notices or warnings at railroad crossings;
- 4.1.2 Signs for public safety, such as caution, construction or detour signs;
- 4.1.3 Signs owned by the Corporation of the Township of Clearview, the County of Simcoe, Provincial and Federal Government owned signs;
- 4.1.4 Township approved exhibition, festivals or events signs;
- 4.1.5 "No Trespassing" signs 0.19 sq. m or less;
- 4.1.6 Signs interior to a building provided such signs are not clearly visible or designed such that they are to be read from outside the building.
- 4.1.7 Heritage plaques that are municipal, provincial or federal;
- 4.1.8 One building identification sign per frontage to a maximum of two signs provided that the total combined display surface does not exceed 0.38 sq. m;
- 4.1.9 Signs displayed that identify rest rooms, freight entrances, hours of operation, open and closed signs and such other similar signs not exceeding 0.19 sq.m.
- 4.1.10 Yard/Garage Sale Signs are permitted provided such signs are erected no earlier than 3 days before the sale and removed within 3 days after the sale.
- 4.1.11 Incidental signs that are of minor consequence and size whose use is incidental to another use. Incidental signs shall include numerical street signs, signs that are an integral part of the equipment, such as air conditioners and fire escapes and those which are not advertising and similar.

SECTION 5: GENERAL REGULATIONS

- 5.1 No sign owner shall erect or maintain, or cause to be erected or maintained, a sign which does not comply with the provisions of this By-law.
- 5.2 Any fees related to signage shall be set by the Township's Fee By-law.

- 5.3 A high standard of design and visual consistency is to be encouraged.
- 5.4 Attractiveness and aesthetically pleasing displays shall be encouraged.
- 5.5 The use of reflective, luminous or similar paint or fluorescent, garish or unnaturally bright colours or Day-Glo shall not be permitted except for traffic control purposes by the Township, the County or the Province of Ontario.
- 5.6 Signs shall not be permitted on a building that are located on the roof or project above the eaves or above the parapet or cornice of the building.
- 5.7 Signs on the same building should have a consistent location, size, and overall pattern and be compatible with one another.
- 5.8 Lighting, Illuminated Signs and Digital Signs**
- 5.8.1 Illuminated and digital signs shall be located so as to reflect light away from adjacent premises or streets to prevent any glare or blinding spillover effect or nuisance to neighbouring properties, pedestrians or drivers of vehicles.
- 5.8.2 No back lit sign, digital sign, animated, flashing or scrolling sign shall be permitted within the area defined as the Historic Downtown Commercial Core of Stayner and Creemore as identified in the Comprehensive Zoning By-law.
- 5.8.3 Illuminated and digital signs of an animated or flashing nature or having a message that scrolls on the sign face are prohibited.
- 5.8.4 Digital signs shall only be permitted for Institutional uses and shall only message events specific to the site.
- 5.8.5 Digital signs shall not exceed a display surface of 1.8 square metres and no billboard sign shall be digital.
- 5.8.6 Notwithstanding the provisions for digital signs to the contrary, the separate use of digital numbers for gasoline and diesel prices is permitted, provided all other provisions of the By-law are complied with.
- 5.8.7 Where digital signs are permitted, the total message shall be static and not change any more frequent than 10 seconds and there shall be no transition between the changing messages.
- 5.8.8 The intensity of an illumination of the digital signs shall be maintained at a constant level and depict only static images that do not contain any motion, animation, flashing or scrolling;
- 5.8.9 Digital signs must be equipped with functioning automatic dimming technology which will automatically adjust the intensity of the illumination in direct correlation with the ambient light conditions.

- 5.8.10 The intensity of an illumination of a digital sign shall not exceed 6,000 nits during the period between sunrise and sunset and further shall not exceed 500 nits during the period between sunset and sunrise, as provided by industry standards and may be amended from time to time.

5.9 Location

- 5.9.1 No sign shall be in a sight triangle.
- 5.9.2 Signs shall be setback in accordance with this By-law.
- 5.9.3 No sign shall be attached to a tree, or to a Hydro or Township pole or support, or on municipal or public property without permission of the Township.

5.10 Electrical Work

- 5.10.1 All electrical components in a sign shall be Canadian Standards Association (CSA) certified.
- 5.10.2 Electrical transformer boxes, conduit and raceways should be concealed from public view.

5.11 Maintenance

- 5.11.1 No sign owner shall fail to maintain, or fail to cause such sign to be maintained, in a proper state of repair, so that such sign does not become unsafe or unsightly and so that such sign shall be completely operative at all times.
- 5.11.2 It shall be the duty and responsibility of the owner or lessee of any sign to maintain the immediate premises occupied by the sign in a neat and tidy condition.

5.12 Signs On and Over Municipal Lands

- 5.12.1 When any sign is located over or on municipal lands, a minimum of 2 Million liability insurance is in effect and the Township is included as an additional name insured.
- 5.12.2 When any sign is located on or over a municipal sidewalk, a Sidewalk Permit shall be obtained from the Township.

5.13 Minimum Standards and Site Plan Approval

- 5.13.1 The standards contained in this By-law are minimum standards only and in no way reduce the more stringent standards which may be contained in any Site Plan Agreement executed in accordance with the provisions of the Planning Act.

SECTION 6: PROHIBITED SIGNS

- 6.1 The use of signs that are designed to revolve, roll, spin, turn, twist or twirl or similar motion shall not be permitted. Notwithstanding this provision, historic red, white and blue barber signs are permitted to spin.

- 6.2 No sign shall utilize any wording or characters that could be considered offensive, profane, obscene, for unlawful activity or contain nudity or partial nudity of any person.
- 6.3 No sign shall display the cannabis/marijuana leaf.
- 6.4 No sign shall be painted directly onto the exterior of a building.
- 6.5 No third-party signs are permitted, other than on a billboard or a real estate or real estate developer a-frame sign, as permitted in this By-law.
- 6.6 No person shall, for the primary purpose of displaying said sign or advertisement, attach, affix or display any sign or advertisement on a vehicle or trailer which is parked, stored or located on a site, that is not either the owner or employees vehicle or trailer for the business and such vehicle or trailer is being used for the day to day operation of the business for other than signage or advertisement.
- 6.7 No sign shall interfere with any electrical light, power or other utility wires or their supports.
- 6.8 No sign shall obstruct emergency services or emergency escapes or exits or interfere in any way with the free use of any fire hydrant, fire escape, fire exit, door, window, scuttle skylight flue, air intake or exhaust or parking space.
- 6.9 No sign shall by reason of size, location, movement, message, colouring, manner, reflectiveness or illumination may be confused with or constructed as an official traffic control device or the light of an emergency or road equipment vehicle or which hides from view any traffic or street sign or traffic device or by illumination or reflection, results in a hazard to traffic or a nuisance to adjacent uses.
- 6.10 Signs that are air blown inflatable or balloon in nature are prohibited.
- 6.11 No sign shall be affixed to any tree, utility pole or municipal standard or be erected or placed on municipal or public property without the express permission of the Township.
- 6.12 Signs painted on, attached to, or supported by a tree, stone or other natural object are prohibited.
- 6.13 Signs not erected by a public authority which make use of words such as "STOP", "LOOK", "ONE WAY", "DANGER", "YIELD" or any similar words, phrases, symbols, lights, or characteristics in such a manner as to tend to interfere with, mislead, or confuse traffic are prohibited.

SECTION 7: REAL ESTATE SIGNS

- 7.1 Section 7 applies to real estate signs.
- 7.2 Real estate signs shall only be permitted on the property being sold or leased.

- 7.3 A maximum of one unlit single or double sided real estate sign is permitted for each street frontage less than 30m in length and a maximum of two unlit single or double faced real estate signs are permitted for each street frontage over 30m in length;
- 7.4 For residential properties, other than real estate developer signs, real estate signs shall not exceed a display surface of 0.5 sq. m
- 7.5 For properties other than residential, real estate signs shall not exceed a display surface of 3 sq. m. per side.
- 7.6 No real estate sign shall be located within 1.5 metres of any property line.
- 7.7 No sign owner shall fail to remove a real estate sign within 30 days of the closing date and transfer of the property's ownership.
- 7.8 A real estate "Open House" sign may be placed on a shoulder or boulevard showing direction to an open house during the hours the house is on display.

SECTION 8: RESIDENTIAL HOME OCCUPATION AND HOME INDUSTRY SIGNS

- 8.1 Section 8 applies to residential home industry and home occupation signs.
- 8.2 One (1) residential home industry or home occupation sign not exceeding 0.39 sq. m in sign area is permitted to be located on a residential lot. Such sign can be either a ground sign or a wall sign.
- 8.3 The height of the sign shall not exceed a maximum of 1.8 metres;
- 8.4 No sign shall be located within 1.5 metres of an adjoining property line.
- 8.5 No residential sign shall project over the street or Township lands without the express written permission of the Township.

SECTION 9: COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL SIGNS

9.1 Creemore Business Improvement Area

- 9.1.1 The specific requirements for signs in the Creemore Business Improvement Area are located within Schedule "A" of this By-law. For all other areas in the Township, the provisions of Section 9 apply.

9.2 General Conditions

- 9.2.1 Section 9 applies to signs for commercial and industrial businesses and institutional uses, other than for the Creemore Business Improvement Area.

9.2.2 No sign located on a property advertising the commercial or industrial business or institutional use shall have alpha numeric characters higher than 0.76 metres.

9.2.3 Gas stations may use all sides of the vertical face of a canopy located over gas pumps as a sign, provided that the sign is no larger than 50% of the shortest vertical face of the canopy.

9.3 Wall Signs

9.3.1 A maximum of one (1) primary wall sign may be erected for each store front. A secondary wall sign shall be permitted for back and side entrances to the business.

9.3.2 A wall sign shall be attached to and parallel with the main wall of the building where the building faces the street or in the case that a storefront does not face a street and is the primary access to the businesses, the wall sign shall be attached to and parallel with the main wall of the storefront.

9.3.3 Wall signs shall not cover up or hang below windows or cover decorative features of buildings.

9.3.4 Wall signs shall not extend below storefront openings and shall be located within sign panels or sign bands and where no sign panel or band exists, no wall sign or part thereof shall be located above the main storey.

9.3.5 No wall sign shall be permitted at a height greater than the main floor facade of the building with the exception of a wall sign attached to a parapet wall or cupola that may extend above the roof line provided that such sign does not extend above the limited of the parapet wall or cupola.

9.3.6 A primary wall sign shall be a minimum of 2.44 m above the finished sidewalk or mall grade and no longer than the horizontal measurement of the wall or building façade to which it is attached.

9.3.7 A secondary wall sign shall be no larger than 0.19 sq. m in area and may be attached to the door of the wall beside the side or rear entrance to a business.

9.3.8 A wall sign shall not project more than 0.30 m from the building face.

9.3.9 A wall sign shall not carry advertising copy on its ends.

9.3.10 The display surface for wall signs shall be calculated by determining the width of the building frontage and multiplying by a factor of three metres (3 m) and shall not exceed 10% of the area of the business or storefront façade dedicated to a particular business. Where possible, the sign shall be harmoniously incorporated into the architectural façade of the building.

9.3.11 The wall sign shall not extend beyond the limits of the building façade.

- 9.3.12 No wall sign shall be located on the wall of a building that faces lands zoned residential unless such residential zone is separated by a street, unless the primary access of the storefront does not face a street.

9.4 Window Signs

- 9.4.1 The display surface of a window sign shall not exceed 0.47 sq. m.
- 9.4.2 Notwithstanding paragraph 9.3.1 where a business does not utilize a wall sign, a window sign may be used as a substitute provided the window sign does not occupy more than 25% of the window area.
- 9.4.3 Each window sign shall contain its entire advertising message.
- 9.4.4 All of a business or storefront's window signs shall be arranged so as to permit a clear, unrestricted line of sight from the street to the inside of the building.

9.5 Awning Signs

- 9.5.1 Awning signs shall only be permitted on awnings that are traditional slope, shed or triangular shaped awnings fixed or crank awnings. Awnings are not permitted on rounded, dome, circular, convex, waterfall, bubble or sign box type or features.
- 9.5.2 No sign on an awning shall exceed a coverage of 35% of the awning area.
- 9.5.3 Awning signs shall be attached parallel to the wall of the building and shall not project vertically from the building as in a walkway or canopy awning.
- 9.5.4 No awning sign shall be permitted at a height greater than the main floor façade of the building.
- 9.5.5 No awning sign shall be lower than 2.4 m to finished grade.
- 9.5.6 No awning sign shall be backlit.
- 9.5.7 No awning sign shall be located on the wall of a building that faces lands zoned residential unless such residential zone is separated by a street, unless such storefront has its primary access not facing a street.

9.6 Projecting or Overhead Signs

- 9.6.1 One vertical projecting sign may be erected on a storefront having a width of 7.62 m or more.
- 9.6.2 The maximum projection of the projecting sign from the building facade shall not be greater than 1.3 m.
- 9.6.3 Projecting signs shall not exceed a width or a height of 0.9 m.

- 9.6.4 No part of the projecting sign shall be lower than 2.4 m and no higher than the ceiling of the first floor of the building or 3.4 m from finished grade.
- 9.6.5 There shall be no overhanging structures or wires from the roof of any building where a projecting sign is permitted.
- 9.6.6 No projecting sign shall be located on the wall of a building that faces lands zoned residential unless such residential zone is separated by a street, unless the storefront has a primary access that does not face a street.

9.7 Ground Signs

- 9.7.1 One ground sign may be erected for each main commercial or industrial or institutional building on a lot. Said ground sign shall be located on the same lot as the lot on which the said commercial, industrial or institutional building is located.
- 9.7.2 The height of the ground sign shall not exceed a maximum of 4.5m;
- 9.7.3 The display surface of the ground sign shall be calculated by determining the width of the building frontage and multiplying by a factor of three metres (3 m) and shall not exceed 10% of the area of the business or storefront façade dedicated to a particular business or a maximum of area of 15 square metres, whichever is more restrictive.
- 9.7.4 Ground signs shall not be located closer than:
a) 1.5 m from any lot line;
b) 1.5 m from any driveway, aisle or walkway or parking space;
c) 7.62 m from any other ground sign; and,
d) 7.62 m from any lot being used primarily for a residential use.
- 9.7.5 No ground sign shall project over the street or Township lands without the express written permission of the Township.
- 9.7.6 Ground signs shall include soft landscape treatment at the base of the sign or supporting structure. The boundaries of such shall be defined by a line measuring a minimum of 1m from all sides of the sign or supporting structure.

9.8 Directional Signs

- 9.8.1 Directional signs may be permitted to direct vehicular traffic.
- 9.8.2 The maximum height of a directional sign shall be 1.4m;
- 9.8.3 The maximum display surface of a directional sign shall be 0.19 sq. m.
- 9.8.4 Directional signs shall be located in a parking lot or at a driveway entrance and shall be located within a landscaped island protected with concrete curbs and a minimum of 1.5 metres from a property line.

- 9.8.5 The maximum number of directional signs directing traffic for a building on a lot shall be four (4) unless agreed to by the Township in a site plan control agreement pursuant to the Planning Act.

9.9 Business Directional Signs on Street Sign Posts

- 9.9.1 No new business directional signs are permitted.
- 9.9.2 Existing business directional signs will not be replaced.

SECTION 10: AGRICULTURAL SIGNS AND RURAL SIGNS

- 10.1 Section 10 applies to agricultural and rural signs.
- 10.2 One agricultural or rural sign, not exceeding 3 sq. m in display surface, advertising a permitted use, may be erected on a lot zoned Agricultural or Rural or whereby a legally established agricultural or rural use is operating in a Development Area zone.
- 10.3 For properties zoned Agriculturally Related Commercial or Agriculturally Related Industrial, as permitted by the Comprehensive Zoning By-law, the requirements of the Commercial, Industrial and Institutional Sign in Section 9 applies.
- 10.4 The height of an agricultural or a rural sign shall not exceed a maximum of 1.8 m;
- 10.5 No agricultural or rural sign shall be located within 3.0 metres of an adjoining property line.
- 10.6 No agricultural or rural sign, other than a permitted a-frame sign, shall project over the public right-of-way.
- 10.7 Where an agricultural or rural sign is located on a lot, no billboard sign shall be permitted.

SECTION 11: BILLBOARD SIGNS

- 11.0 Section 11 applies to billboard signs.
- ### **11.1 Permitted Billboard Sign Locations**
- 11.1.1 Billboard signs shall only be permitted in a Rural or Agricultural Zoned property as identified in the Comprehensive Zoning By-law for the Township and only on a lot where an Agricultural, Rural or any other ground sign does not exist.
- 11.1.2 Billboard signs shall not be located in a settlement area as defined by the Township's Official Plan;
- 11.1.3 Billboard signs shall only be permitted on County of Simcoe or Provincial roads.

11.1.5 The general area of the vicinity of any billboard sign must be kept free and clear of sign material, debris, and trash and other refuse.

11.1.6 The maximum height of any billboard sign shall not exceed 7.5 metres.

11.2 Display Surface

11.2.1 The maximum display surface per billboard sign shall be 22.3 sq. m, including border and trim, but excluding the base or apron, supports or other structural members.

11.2.2 The maximum size limitation shall apply to each sign face of a billboard sign structure, and signs may be placed back-to-back, in line, or in a "V" type construction. Notwithstanding the foregoing, only two sign faces shall be permitted in any one billboard structure.

11.3 Minimum Setbacks for Billboard Signs

11.3.1 No billboard sign shall be located less than:

- a) 30 m from any lot line abutting a street and 15 metres from all other lot lines;
- b) 3 m from any driveway;
- c) 100 m from any lot being used primarily for a residential use;
- d) 100 m from any residential dwelling;
- e) 200 m of any property used for public parks, public schools, churches, courthouse, or public facilities having frontage on the same street; and,
- f) 2000 m from any other billboard sign.

11.4 Lighting

11.4.1 Billboard signs which are not effectively shielded as to prevent beams or rays from being directed at any portion of a traveled roadway and are of such intensity or brilliance to cause glare, distract or impair the vision of the driver or any motor vehicle are prohibited.

11.4.2 No billboard sign shall be so illuminated that it interferes with the effectiveness or obscures an official traffic signal, device or sign.

11.4.3 No billboard sign shall be digital.

11.5 Real Estate Developer Signs

11.5.1 Where a developer does not have a sales office on the lands to be developed, a real estate developer sign is permitted on the development site provided that:

- a) the developer has obtained draft plan approval or site plan approval;
- b) the sign is not illuminated;
- c) the sign is not wider than 5 m and is no larger than 15 sq m; and,

- d) the sign is setback a minimum of 3 m from all lot lines.
- 11.5.2 When advertising a residential development, real estate developer signs can be located in any zone.
- 11.5.3 Where a real estate developer has an approved sales office, the provisions of Section 9, Commercial, Industrial and Institutional Signs, applies to the sales office itself, and no ground sign shall be back lit or be located closer than 3 m from an adjoining lot line.
- 11.5.4 Real estate developer signs shall not be located closer than:
- a) 50 m radius of any billboard sign;
 - b) 3.0 metres from all lot lines; and,
 - c) 200 metres from any other sign advertising the same development with the exception of signs located on the property subject to the development.
- 11.5.5 In addition to any signage off site and in addition to an a-frame sign on site, no more than one real estate developer sign per frontage shall be permitted on the development site.
- 11.5.6 No real estate developer sign shall be located any closer to any other real estate developer sign than 75 m including their own signs.
- 11.5.7 No sign owner shall fail to remove their real estate developer sign on or before the date that all of the units in the approved phase are built.
- 11.5.8 As an option, the regulations of Section 7, Real Estate Signs, can be used by a real estate developer.
- 11.5.9 In addition to the provisions of this Section, the provisions of Section 12.2 also apply to real estate developer a-frame signs with the exception of 12.2.1, as these signs are permitted on lands zoned residential.
- 11.5.10 Any real estate developer a-frame sign must be removed to an indoor location during the hours which the model home or sales office is not open for business.
- 11.5.11 No real estate developer sign for developments outside of the Township of Clearview are permitted.

SECTION 12: TEMPORARY AND PORTABLE SIGNS

- 12.0 Section 12 applies to temporary and portable signs.
- 12.1 General Conditions**
- 12.1.1 No temporary or portable sign is permitted on vacant lands unless such sign is promoting an exhibition, festival or event approved by the Township.
- 12.1.2 Temporary or portable signs are only permitted for commercial and industrial businesses and institutional uses as legally permitted in the Comprehensive Zoning By-law.

12.1.3 Notwithstanding the requirement limiting the number ground signs, a temporary or portable sign may be permitted in addition to a permanent ground sign in accordance with this Section.

12.1.4 A business may only use either a banner sign, flag signs, a mobile sign, or an a-frame sign, in any one calendar year pursuant to this Section.

12.2 A-Frame Signs

12.2.1 No more than one a-frame sign is permitted per business entrance onto a street on any lot having commercial or industrial business or institutional use as permitted in the Comprehensive Zoning By-law for the Township.

12.2.2 Notwithstanding anything to the contrary, one a-frame sign in each direction facing traffic, to a maximum of two signs, may be located on a property zoned agricultural or rural, advertising seasonal produce.

12.2.3 Every a-frame sign must be removed to an indoor location no later than the time of closing of the business in the day and not replaced until the opening of the business the next day.

12.2.4 Each a-frame sign shall have a maximum height of 1.0 m above grade and a maximum single sign face area of 0.6 sq. m and a total sign area of 1.2 sq. m;

12.2.5 A-frame signs shall not be permitted within an entrance or planting bed, or in a parking space or aisle, placed on snow banks, planters or street furniture, or in any manner that may impede municipal maintenance.

12.2.6 When located on a sidewalk each a-frame shall be placed in such a way as to allow a minimum clearance of 1.2m to allow pedestrians to pass.

12.2.7 An a-frame sign shall not be placed within 3.0 metres of another a-frame sign or 1.5 metres from a driveway entrance.

12.3 Banner Signs

12.3.1 For a business on a lot, one banner is permitted on a temporary basis for a time period of seven consecutive days, twice per calendar year or 14 consecutive days once per year. Where a lot has more than one business located, the maximum number of time periods for which a banner sign can be displayed is four (4) per calendar year, but no more than 28 days. A banner sign shall only be permitted in a landscaped area or attached to the façade of the building and not located in any required buffer. A banner sign shall be located a minimum of 1.5 metres away from an abutting property line, other than the municipal road allowance.

- 12.3.2 Whether or not attached to a building, the maximum banner sign area shall be calculated by determining the width of the building frontage and multiplying by a factor of three metres (3 m) and shall not exceed 10% of the area of the business or storefront façade dedicated to a particular business. Further, where a banner sign is not attached to a wall, the sign shall not exceed an area of 2.3 m².

12.3 Flag Signs

- 12.3.1 Where a property has a lot frontage exceeding 60 metres, flag signs may be permitted on a temporary basis for a time period of thirty (30) consecutive days, once per calendar year. Where a lot has more than one businesses located, the maximum number of time periods for which a flag sign can be displayed is two (2) per calendar year. No property shall have more than 4 flag signs at any one time and each flag sign shall be spaced 7.5 m apart. Flag signs shall only be permitted in a landscaped area and not located in any required buffer. Flag signs shall be located a minimum of 3 metres away from an abutting property line, other than the municipal road allowance.
- 12.3.2 No flag sign shall exceed a width of 0.6 m and a height of 5.6 m.

12.4 Mobile Signs

- 12.4.1 Mobile signs shall not be permitted in settlement areas.
- 12.4.2 Every mobile sign shall bear, in a visible location on such sign, the name, address, and telephone number of the owner of the sign. In addition, the lettering on every mobile sign shall be limited to a maximum of two colours on a single colour background, provided that all letters within each single word displayed on the mobile sign are of one colour.
- 12.4.3 No more than one mobile sign at a time is permitted to be located on any lot.
- 12.4.5 No mobile sign shall exceed 2.13 m in height measured from the grade level at the base of the sign, nor shall it exceed a single face sign area of 5 sq. m including sign structure;
- 12.4.6 The maximum height of lettering shall be 51 cm.
- 12.4.7 Every mobile sign shall be located entirely on private property; shall not be located in a sight triangle and shall be set back a minimum of:
- a) 15.0 m from any other mobile sign;
 - b) 1.5 m from a driveway, aisle, walkway, or parking space;
 - c) 1.5 m from any lot lines;
 - d) 1.5 m from any other sign;
- 12.4.8 Mobile signs shall be permitted for a time period not exceeding 30 consecutive days in any calendar year. A minimum of 28 days must pass between the expiration of any time period and the beginning of the next following time period.

12.5 Wire/Picket Signs

- 12.5.1 Wire/picket signs are only permitted for municipal, provincial and federal elections pursuant to the regulations of this By-law and for real estate signs, temporary exhibitions, festivals and events approved by the Township and shall be located in installed so as not to create a safety concern or hazard. Such signs shall be removed within 72 hours after the election or event.
- 12.5.2 No wire/picket sign shall exceed 0.6 m by 0.76 m

SECTION 13: ELECTION SIGNS

- 13.1 No candidate, his agent, registered third party or any other person shall affix, erect or otherwise display an election sign except as permitted by this By-law and in accordance with the following additional provisions:
- 13.1.1 Election signs shall not be erected on private property without the owner's consent.
- 13.1.2 Election signs shall not be placed on any Township property containing Township buildings or park facilities.
- 13.1.3 Election signs shall not be erected at a voting place or within a vehicle or trailer parked within 50 metres of a voting place.
- 13.1.4 The candidate to whom the election sign relates shall be responsible for the erection, maintenance or display of the election sign and shall ensure that all requirements of this By-law have been met.
- 13.1.5 No person shall display on any election sign a logo, trademark or official mark, in whole or in part, owned or licensed by the Township.
- 13.1.6 Every election sign shall not be located in a sight triangle and shall be set back a minimum of:
- a) 1.5 m from any other election sign;
 - b) 1.5 m from a driveway, aisle, walkway, or parking space;
 - c) 1.5 m from any lot lines;
 - d) 1.5 m from any other sign;
- 13.1.6 No Election sign shall be larger than 1.22 metres by 1.22 metres and the sign height is no higher than 2.0 metres high, with the exception of wall and ground signs at campaign offices for which the provisions of Section 9 would apply.
- 13.1.7 All election signs must be removed by the candidate or candidate's representative, within 72 hours after the date of the election.

SECTION 14: SIGN VARIANCE

- 14.1 If a sign does not conform to the provisions of the By-law, the applicant may apply to Council for a variance. Any such decisions shall be final and conclusive and shall not erode or interfere with the integrity of the By-law. Application for such appeal shall include details as outlined in Subsection 3.3 and a sign variance application fee of \$600.00 or as otherwise defined in the Township's Fee By-law, for which the higher amount shall apply.
- 14.2 Council may require notice of the proposed variance and notice of the Council meeting at which time the proposed variance is to be discussed, to be mailed to all property owners within 60 m of the property upon which the proposed sign is to be located at least 14 days prior to the Council meeting date indicated in the notice.
- 14.3 Where a variance is requested within the Creemore Business Improvement Area (CBIA); notice shall also be provided to the CBIA.

SECTION 15: NON-CONFORMING AND UNLAWFUL SIGNS AND REMOVAL OF SIGNS AND COSTS FOR SAME

15.1 Designation of Legal Non-conformity

- 15.1.1 The Municipal Act under which the Sign By-law is approved does not require existing signs be recognized as legal non-conforming to any new Sign By-law. It is Council's intention to bring into conformity certain signs that do not conform to this By-law at Council's discretion.
- 15.1.2 Generally wall and ground signs that have obtained a building permit may be considered legal non-conforming by Council.
- 15.1.3 Legal non-conforming status does not apply to any portable sign.

15.2 Loss of Legal Non-conformity Status

- 15.2.1 A legal non-conforming sign may lose this designation if:
- a) The sign is relocated or replaced; or
 - b) The structure or the size of the sign is altered in any way except towards conformity with this By-law. This does not refer to a change of copy or normal maintenance.

15.4 Unlawful Signs

- 15.4.1 When a sign is erected or displayed in contravention of any provision of this By-law, said sign may be removed immediately by the Township without notice and at the expense of the owner, if located on, over, partly on, or partly over property owned by or under the jurisdiction of the Township.

- 15.4.2 Any person who has caused any sign or other advertising device to be erected, displayed, altered or relocated in contravention of any provision of this By-law, the Township may forward a notice by personal service or regular post, in which case the notice shall be deemed to have been received on the seventh day following the date the notice was mailed, to the applicant, the owner of the sign, the owner of the place at which the sign is located if known, requiring that the illegal sign be permanently removed and thereafter not to be replaced with any sign in contravention of this By-law, or be made to comply with this By-law no later than the time stipulated in the notice.
- 15.4.3 In the event that the notice is sent and the sign indicated in the notice is not removed, repaired or altered to comply with the provisions of this By-law, the Township, its employees or agents may enter upon the property and remove, repair or alter the sign immediately without further notification.
- 15.4.4 Notwithstanding Subsection 15.4.2, any person who has caused any a-frame, banner, flag, and/or wire picket signs to be erected, displayed, altered or relocated in contravention of any provision of this By-law, the Township may immediately remove such sign without notice.
- 15.4.5 When a sign no longer correctly advertises a bonafide business, lessor, owner, product or activity conducted or product available, on the premises where such a sign is displayed, the sign owner shall remove the sign within 10 days from the date of receipt of notice of such removal from the Chief Building Official, Director of Planning and Development or By-law Enforcement Officer or their representatives.
- 15.4.6 Where, in the opinion of the Chief Building Official or a By-law Enforcement Officer, a sign is deemed to be unsafe, defective, offensive, profane, obscene, for unlawful activity, or inappropriate for public display, notice shall be sent by regular mail or delivered in person to the last known address of the owner of the lands upon which the sign is located, or to the owner of the sign, if known, or to the occupants of the premises at which the sign is located, specifying the unsafe nature of the sign and directed that the sign be repaired to the satisfaction of the Chief Building Official or By-law Enforcement Officer or be removed from the lands, and shall include time limits for taking such action.
- 15.4.7 Upon receipt of such notice, the owner of the lands the owner of the sign, or the occupant of the premises at which the sign is located shall either repair the sign in accordance with the notice or remove the sign within the time limit set out in the notice. If the owner of the lands, or the owner of the sign, or the occupant of the premises at which the sign is located fails to comply with the requirement of such notice, then the Chief Building Official or a By-law Enforcement Officer may order the removal or repair to be carried out and the cost of such work may be recovered from the owner of the land in a like manner as municipal taxes.

- 15.4.8 Where any of the matters or things are removed in accordance with this By-law, the matters or things may be immediately disposed of by the By-law Officer. The Township is not required to retain or store any sign that the Township has removed or has had removed.
- 15.4.9 Any costs related to the removal, storage and disposal of any sign, shall be paid by the owner or apparent owner of the sign whether or not the Township at its sole discretion retains the sign and such sign is reclaimed.
- 15.4.10 The Corporation shall not be liable for any damage which may arise, directly or indirectly, by reason of any removal of any sign in contravention of this By-law, provided that the subject matter of such action was not caused intentionally or through gross negligence on the part of the Corporation, its servants or agents or sub-contractors.
- 15.4.11 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 display for personal injury or property damage resulting from the placing of such sign or resulting from negligence or willful acts of such person, his agents or employees, in the construction, erection, maintenance, repair or removal of any sign erected in accordance with a building permit issued hereunder. Nor can it be construed as imposing upon the Township or its officers or employees any responsibility by reason of the approval of any signs, materials or devices under the provisions of this By-law.

SECTION 16: CONFLICT

- 16.1 Notwithstanding the provisions of any other By-law to the contrary, in the event of a conflict between any other By-law of the Corporation, the By-law containing the more restrictive provisions shall prevail.
- 16.2 The regulations set forth by this By-law do not override the need for any other potentially applicable permits governing the erecting or owning of any sign. These may include permits issued by other federal, provincial, and/or county agencies.

SECTION 17: SEVERABILITY

- 17.1 Should any section, clause or provisions of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or in part thereof, other than the part which was to be declared to be invalid.

SECTION 18: ENFORCEMENT

- 18.1 A By-law Enforcement Officer, Chief Building Official, Building Inspector, or other duly appointed individual shall enforce the provisions of this By-law.

- 18.2 A By-law Enforcement Officer, Chief Building Official, Building Inspector, or other duly appointed individual may, at any reasonable time, enter on any lands for the purpose of carrying out an inspection to determine compliance with this bylaw or any other applicable legislation.
- 18.3 No person shall obstruct, hinder, or otherwise interfere with a By-law Enforcement Officer, Chief Building Official, Building Inspector, or other duly appointed individual in the lawful carrying out of their duties and responsibilities under the provisions of this by-law.

SECTION 19: PENALTY

- 19.1 Every person who contravenes any provision of this By-law is guilty of an offence under the provisions of the Provincial Offences Act, R.S.O 1990, c P.33, as amended, and is liable on conviction to a penalty not exceeding \$5,000, exclusive of costs, subject to the provisions of the Act.
- 19.2 Every person who contravenes any provision of this By-law, and every director or officer of a corporation who knowingly concurs in the contravention of this By-law by the corporation, is guilty of an offence under the provisions of the Municipal Act, 2001, S.O. 2001, c. 25 as amended.
- 19.3 Every person who contravenes the provisions of any section of this By-law, and every director or officer of a corporation who knowingly concurs in the contravention of this By-law by the corporation, is guilty of an offence under the provisions of the Municipal Act, 2001, S.O. 2001, c. 25 as amended and is liable on conviction to a penalty where the minimum fine shall not exceed \$500 and a maximum fine shall not exceed \$100,000 exclusive of costs under the provisions of the Municipal Act, 2001, S.O. 2001, c. 25 as amended.
- 19.4 For the purpose of continuous offences, every person who contravenes any provision of this By-law, and every director or officer of a corporation who knowingly concurs in the contravention of this By-law by the corporation, is guilty of an offence and is liable on conviction to a penalty not exceeding \$10,000 per day or part thereof, exclusive of costs, under the provisions of the Municipal Act, 2001, S.O. 2001, c. 25 as amended.
- 19.5 For the purpose of multiple offences, every person who contravenes any provision of this By-law, and every director or officer of a corporation who knowingly concurs in the contravention of this By-law by the corporation, is guilty of an offence and is liable on conviction to a penalty not exceeding \$10,000 per offence, exclusive of costs under the provisions of the Municipal Act, 2001, S.O. 2001, c. 25 as amended.
- 19.6 Notwithstanding Section 5.13.1, and in accordance with the provisions of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, the total of all fines for the continuous offences or multiple offences is not limited to \$100,000.

SECTION 20: REPEAL BY-LAW

20.1 That By-law 08-49 is hereby repealed.

By-law Number 20-43 read a first, second and third time and finally passed this 22nd day of June 2020.

Doug Measures, MAYOR

Pamela Fettes, DIRECTOR OF LEGISLATIVE SERVICES/CLERK

Schedule "A" to Sign By-law 20-43

Notwithstanding any regulations to the contrary, the following regulations apply to the area identified as the Creemore Business Improvement Area as designated by By-law of the Township of Clearview. In all other respects, the regulations of this By-law shall apply.

1. Ground Signs:

The following regulations apply to ground signs:

- 1.1 The maximum distance from finished grade to the top of a sign shall be 2.59 m (8.5 ft).
- 1.2 The maximum distance from finished grade to the bottom of the sign shall be 0.92 m (3 ft).
- 1.3 The maximum sign area shall be 1.86 sq.m (20 sq. ft).
- 1.4 The maximum height of a sign shall be 2.44 m (8 ft).
- 1.5 The maximum width of a sign shall be 1.83 m (6 ft).
- 1.6 The minimum setback distance from a property line shall be 1.68 m (5.5 ft).

2. Fascia Signs:

The following regulations apply to fascia signs:

- 2.1 The maximum height of a sign shall be 0.92 m (3 feet).
- 2.2 The maximum length of a sign shall be the width of the face of the building the sign is being attached.
- 2.3 The maximum height of letters and characters shall be 36 cm (14 in).
- 2.4 No sign shall be located above a roof line of a single storey building or above the main floor façade of the building level of the building.
- 2.5 A maximum of one fascia sign is permitted for each storefront business.

3. Painted Wall Signs:

The following regulations apply to a painted wall sign:

- 3.1 The business being advertised is located in the building being used for the painted wall sign.
- 3.2 If the sign is historic or vintage in nature, then the express written permission is required from the Creemore Business Improvement Area.
- 3.3 The maximum height of letters and characters shall be 36 cm (14 in).
- 3.4 The maximum distance from the building corner to the painted wall sign shall be 41 cm (16 in).
- 3.5 No painting shall be permitted directly on the brick of a building.

4. Projecting Signs:

The following regulations apply to projecting signs:

- 4.1 No projecting sign shall be lower than 2.41 m (7.9 ft) to finished grade.
- 4.2 Where the clearance from the finished grade to the projecting sign is between 2.41 m (7.9 ft) and 2.9 m (9.5 ft), the maximum sign projection shall be 1.52 m (5 ft) from the wall of the building.
- 4.3 Where the clearance from the finished grade to the projecting sign is between 2.9 m (9.5 ft) and 3.35 m (11 ft), the maximum sign projection shall be 1.83 m (6 ft) from the wall of the building.
- 4.4 Where the clearance from the finished grade to the projecting sign is between 3.35 m (11 ft) and 3.66 m (12 ft), the maximum sign projection shall be 2.23 m (7 ft) from the wall of the building.
- 4.5 The maximum distance from the building corner to the projecting sign is 40.6 cm (16 in).
- 4.6 A maximum of one projecting sign is permitted for each storefront business.
- 4.7 Where a projecting sign advertises a business located above the first floor the following provisions apply:

- 4.7.1 The projecting sign shall be located at the front entrance of the business;
- 4.7.2 The minimum clearance from finished grade to the projecting sign shall be between 2.41 m (7.9 ft) and 9.5 ft (2.9 m);
- 4.7.3 The maximum sign area shall be 0.56 sq. m (6 sq ft);
- 4.7.4 The maximum sign projection shall be 1.22 m (4 ft) from the wall of the building;
- 4.7.5 All signs for businesses located above the main floor shall be limited to one projecting sign and one nameplate per business; and
- 4.7.6 For signs for businesses located above the main floor that share a main floor entrance, no more than one projecting sign and nameplate is permitted that may display all the businesses using this entrance.

5. Nameplate:

- The following regulations apply to nameplates:
- 5.1 Nameplates shall only be located beside the business entrance.
- 5.2 The clearance of a nameplate from the finished grade to the bottom of the nameplate shall be 1.27 m (4 ft 2 in) and a maximum of 1.52 m (5 ft).
- 5.3 The maximum nameplate size shall be 774 sq.cm (120 sq.in.).
- 5.4 The minimum distance from a door edge to the nameplate shall be 15.2 cm (6 in.) and a maximum of 30.5 cm (12 in.).

6. Awning Signs:

- The following regulations apply to awning signs:
- 6.1 Signs can only be located on the tab area of the awning.
- 6.2 Sign letters and characters shall be a maximum of 32.2 cm (5 in.) in height.
- 6.3 Awning signs shall only be of the type defined within this By-law.

7. Prohibited Signs:

- The following signs are prohibited in the Creemore Business Improvement Area:
- a) Billboard signs;
- b) Flashing signs;
- c) Backlit signs;
- d) Luminous signs or signs that glow;
- e) Neon signs;
- f) Animated and/or revolving signs;
- g) Banner signs, buntings, pennants or flags (other than those of a nation or province larger than 0.4 sq.m (4.3 sq.ft);
- h) Portable signs other than a-frame signs that are permitted subject to Section 12.2 of this By-law;
- i) Wall signs that are erected or displayed on the sides or rear of any building;
- j) Murals other than painted wall signs; and
- k) Any sign with colours that are bright, florescent or Day-Glo.

8. Variance:

- 8.1 If a proposed sign does not conform to the provisions of this Schedule or any other provision of the Sign By-law applicable outside of this Schedule, then the applicant may apply to Council pursuant to Section 13 of this By-law.

**The Corporation of the Township of Clearview Sign By-law 20-43,
being a By-law to prohibit or regulate signs and other
advertising devices.**

Part 1 – Provincial Offenses Act

Item #	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1	Erect or begin to erect a sign without a permit	Section 3.1	\$300.00
2	Display or begin to display a sign without a permit	Section 3.1	\$300.00
3	Structurally alter or being to structurally alter a sign without a permit	Section 3.1	\$300.00
4	Relocate or begin to relocate a sign without a permit	Section 3.1	\$300.00
5	Permit prohibited sign to be erected	Section 6	\$300.00
6	Permit prohibited sign to be displayed	Section 6	\$300.00
7	Permit prohibited sign to be located	Section 6	\$300.00
8	Fail to maintain or fail to cause a sign to be maintained	Section 5.11	\$300.00
9	Fail or refuse to remove sign within the specified time frame in the notice	Section 15.4	\$300.00
10	Fail or refuse to remove a sign or bring it into compliance within the specified time frame in the notice	Section 15.4	\$300.00
11	Erect, place or display a sign on municipal property	Section 15.4	\$300.00
12	Hinder, disturb or obstruct an Inspector	Section 18	\$300.00

NOTE: The penalty provision for these offences indicated above is Section 19 of By-law 20-43, a certified copy of which has been filed.