

# THE CORPORATION OF THE MUNICIPALITY OF STRATHROY-CARADOC

## BY-LAW NO. 31-26

### A BY-LAW TO REGULATE SIGNS WITHIN THE MUNICIPALITY OF STRATHROY-CARADOC

**WHEREAS** Section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "Act"), provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate;

**AND WHEREAS** Subsection 8(3) of the Act provides that a by-law passed under section 11 respecting a matter may regulate or prohibit and, as part of the power to regulate or prohibit respecting the matter, may require a Person to do things respecting the matter, or may provide for a system of licences respecting the matter;

**AND WHEREAS** Section 9 of the Act affirms that a municipality has the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under this Act;

**AND WHEREAS** Subsection 11(2) of the Act provides that a Municipality may pass by-laws respecting matters for purposes related to the health, safety, and well-being of the Municipality;

**AND WHEREAS** Subsection 11(3) paragraph 7 of the Act empowers municipalities to regulate structures, including fences and signs;

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

**AND WHEREAS** Section 425 of the Act provides that a municipality may pass by-laws providing that a person who contravenes a by-law of a municipality passed under the Act and a director or officer of a corporation who knowingly concurs in the contravention of a by-law passed under the Act is guilty of an offence;

**AND WHEREAS** Section 429 of the Act grants the municipality the authority to establish a system of fines for offences under a by-law of the municipality passed under the Act;

**AND WHEREAS** Section 431 of the Act allows, upon a conviction, a court of competent jurisdiction to make an order that the offence not be continued or repeated;

**AND WHEREAS** Section 435 of the Act authorizes an employee, officer or agent of a municipality or a member of the police service of the municipality to enter upon a

property without a warrant, to be accompanied by a person under their direction and that they provide, upon request, proper identification;

**AND WHEREAS** Subsection 436(1) of the Act grant the municipality the authority to enter properties for inspection purposes, ensuring compliance with a by-law passed under the Act, a direction or order of a municipality made under the Act or a by-law of a municipality made under the Act, a condition of a licence issued under a by-law of a municipality made under the Act or an order made under section 431 of the Act;

**AND WHEREAS** Subsection 436(2) of the Act provides that a by-law passed under subsection 436(1) of the Act may provide for the powers of inspection of the municipality that can be exercised for the purposes of an inspection;

**AND WHEREAS** Section 444 of the Act provides that a municipality may issue an order to discontinue a contravention of a by-law passed under the Act;

**AND WHEREAS** Section 445 of the Act provides that a municipality that is satisfied that a contravention of a by-law of the municipality passed under the Act has occurred, the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention, or the owner or occupier of land on which the contravention occurred to do work to correct the contravention;

**AND WHEREAS** Section 446 of the Act authorizes a municipality to require a person to do a matter or thing and, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the owners expense, the cost of which may be recovered by adding the cost to the tax roll, and the municipality may enter upon land at any reasonable time for the purpose of doing the matter or thing;

**AND WHEREAS** It is deemed necessary and desirable by the Council of the Corporation of the Municipality of Strathroy-Caradoc to establish specific regulations concerning signs to enhance safety, maintain aesthetic standards, and ensure compliance with municipal standards;

**NOW, THEREFORE,** The Council of the Corporation of the Municipality of Strathroy Caradoc enacts as follows:

## **1. TITLE AND SCOPE**

1.1 This By-law shall be known as the "Sign By-law".

1.2 The provisions of this by-law shall apply to all Signs and Wind Activated Attention Devices located within the geographic area of the Municipality.

1.3 Where other by-laws in force in the Municipality, or statutes or regulations prescribe standards of maintenance, the provisions that establish the higher standard shall prevail.

1.4 Nothing in this by-law shall serve to relieve any Person from the obligation to comply with all other applicable by-laws, statutes and regulations.

1.5 Unless expressly permitted by a provision of this by-law, all Signs and Wind Activated Attention Devices are prohibited save and except those Signs and Wind Activated Attention Devices approved by the Municipality or the Corporation of the County of Middlesex.

## 2. DEFINITIONS

2.1 For the purpose of this By-law:

**"Abandoned or Obsolete Sign"** means a Sign that no longer identifies or advertises a business, group, activity, product, service or a specific subject matter, or identifies or advertises a business, group, activity, product, service or a specific subject matter which is no longer conducted or available on the premises advertised on the Sign or on which the Sign is located. It also includes a Sign that pertains to a time, event or purpose which no longer applies;

**"Act"** means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;

**"Alter"** means to change one or more dimensions of a Sign;

**"Awning"** means a retractable, collapsible or moveable shelter, hood or cover that projects from the exterior wall of a building, usually over a window or door, and provides shade or protection from weather;

**"Awning Sign"** means a Sign painted on or affixed to the surface of an Awning that does not extend beyond the limits of the Awning;

**"Bed and Breakfast"** has the same meaning as it does in the Zoning By-law;

**"Billboard Sign"** means any Sign other than a Real Estate Sign, measuring more than 3 m<sup>2</sup> in Sign Face, that directs attention to products, goods and services, activities or facilities not provided on the premises on which the Sign is located. In calculating the Sign Face of the billboard sign, only one face of a double face or back-to-back 'vee' sign shall be used;

**"Boulevard"** means that portion of a Street located between the curb or edge of the roadway and the adjacent Property line, which may include sidewalks, grassed areas, trees, utilities, or other municipal infrastructure, but does not include the roadway;

**"Building By-law"** means the Municipality's Building By-law No. 61-21, as amended;

**"Building Code"** means Ontario Regulation 163/24 made under the *Building Code Act, 1992*, S.O. 1992, c. 23;

**"Building Inspector"** means the individual appointed by the Municipality under the *Building Code Act, 1992*, S.O. 1992, C. 23, as amended, for the enforcement of that Act within the jurisdiction of the Municipality;

**“Chief Building Official”** means the individual appointed by the Municipality under the *Building Code Act, 1992*, S.O. 1992, C. 23, as amended, for the enforcement of that Act within the jurisdiction of the Municipality;

**“Curb Line”** means the curb line, edge of asphalt or any travelled portion of a Street;

**“Digital Sign”** means a sign that displays static, variable, or animated images, text, or video, generated by digital or electronic means, including but not limited to lightemitting diodes (LED), liquid crystal display (LCD), plasma, or similar technology, where the display can be changed remotely or automatically;

**“Election Sign”** shall mean any sign, image, words, picture, device, notice or visual medium, or any combination thereof, including Third Party Advertisements, advertising support or opposition for a candidate, a political party, or a “yes” or “no” answer to a question on the ballot in a municipal, school board, provincial or federal election;

**“Erect”** includes, but is not limited to, attach, install, hang, place, suspend, post or affix or to build, construct, reconstruct, Alter, enlarge or relocate;

**“Fascia Sign”** means a Sign located in such a manner that the Sign surface is parallel to the main wall of the building to which it is attached;

**“Grade”** means the average elevation of the finished surface of the ground immediately surrounding the Sign;

**“Ground Sign”** means any Sign other than a Real Estate Sign affixed to, supported by or placed directly upon the ground, measuring more than 3 m<sup>2</sup> in Sign Face, that directs attention a business, group, activity, product, service or a specific subject matter or facilities provided on the premises on which the Sign is located;

**“Highway”** means a common and public highway and includes any street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral Property lines thereof;

**“Home Occupation”** has the same meaning as it does in the Zoning By-law;

**“Incidental Sign”** means Signs that are of minor consequences and size whose use is incidental to another use. Incidental Signs shall include, but are not limited to, numerical signs, signs that are integral part of equipment, such as air conditioners, and fire escapes and those which are not advertising in nature or of similar effect;

**“Inflatable Sign”** means a non-rigid Sign supported by or filled with air or another gas which may or may not be under pressure;

**“Lot”** means a parcel of land which can be conveyed as a separate parcel pursuant to the provisions of the *Planning Act*;

**“Lot Line”** means a boundary of a Lot;

**“Maintain”** and **“Maintained”** means to carry out any repairs, reconstruction, refinishing, or replacement of any defective, defaced or broken part or parts of a Sign;

**“Memorial Sign”** means a Sign noting historical information about a building to which it is attached or the site upon which the Sign is Erected;

**“Municipal Clerk”** means the individual employed by the Municipality that works in the Legal and Legislative Services Department who holds that title;

**“Municipality”** means the Municipality of Strathroy-Caradoc, or the geographic area over which that municipality has territorial jurisdiction, as the case may be;

**“Mural”** means any painting, drawing, sketching or other markings, that does not contain text or logo, that appear to be advertising a business, group, activity, product, service or a specific subject matter and that is applied directly to a wall or other integral part of a building or structure;

**“Officer”** means a Person appointed or employed by the Municipality to administer and enforce this By-law, a Police Officer, a Building Inspector or a Chief Building Official;

**“Official Sign”** means a Sign that has been Erected by the Municipality, the Corporation of the County of Middlesex, the Province of Ontario or the federal government;

**“Owner”** means the owner of a Sign and includes the owner of the Property on which the Sign is Erected, and the owner of the business, group, activity, product, service or a specific subject matter being advertised;

**“Pedestal Sign”** means a Sign resting on the ground;

**“Permit”** means a building permit issued by the Municipality in accordance with the Municipality’s Building By-law as amended;

**“Person”** means an individual, owner, corporation, partnership, association, or other entity, and includes the heirs, executors, administrators, or other legal representatives of a person, and where applicable, includes the agents, contractors, or employees thereof;

**“Planning Act”** means the *Planning Act*, R.S.O. 1990 c. P.13, as amended;

**“Portable Sign”** means any Sign not securely anchored to the ground or to a building and includes any and all Signs, constructed so as to be readily moved or transported whether or not the Sign is, mounted on a Vehicle or affixed to a freestanding structure but does not include a Sandwich Board Sign;

**“Post Sign”** means a Sign supported and placed upon one or more posts, poles or standards;

**“Projecting Sign”** means a Sign which projects from a building face so that the Sign face is not parallel with the building wall to which it is attached;

**“Property”** means a separately assessed lot shown on the Municipality’s Assessment Roll and which is capable of legal transfer;

**"Real Estate Sign"** means a temporary Sign including pointer signs indicating that a Property is for sale, rent, lease, or is open for viewing for the purposes of such sales, rent or lease of the Property whether or not the Sign is located on the Property or any part thereof;

**"Registered Third Party"** means a Person or trade union that is registered as a third-party advertiser with the Municipal Clerk during an election period;

**"Road Allowance"** means the full width of land set aside for a public road, including the traveled portion, shoulders, boulevards, sidewalks, ditches, and any other areas within the limits of the surveyed road allowance, whether improved or unimproved, and under the jurisdiction of the Municipality;

**"Roadway"** means a part of a Highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, sidewalk or Boulevard;

**"Roof Line"** means a line formed by the intersection of the exterior walls of a building with the roof of a building and in the case of a pitched roof shall be at the eaves level;

**"Roof Sign"** means a Sign that is Erected, on or above the roof line of a building and includes an Inflatable Sign;

**"Sandwich Board Sign"** means a Sign consisting of two (2) flat surfaces joined at one (1) end and resting on the ground;

**"Secondary Farm Occupation"** has the same meaning as it does in the Zoning By-law;

**"Setback"** means the shortest distance between a Lot Line and the other object referred to when determining a distance;

**"Sign"** means any surface, including its structure and other component parts, which are used or capable of being used as a visual medium or display to attract attention to a specific subject matter for identification, information or advertising purposes. The means of display may be by painting or printing on the surface letters, numerals or symbols and the display may be attached to any building, structure or independently Erected by a self-supporting system but excludes a Mural;

**"Sign Face"** means the area of the surface of any Sign within the outer edge of the frame or border of a Sign. In the case of two sided or back-to-back Signs, only one face shall be used in computing the area of the sign face;

**"Sight Triangle"** means a triangular area of land formed between the extension of two, intersecting street lines and the diagonal lot line connecting the two extended street lines;

**"Street"** means a common and public Highway, street or road and any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral Property lines thereof. Including the travelled portion, curbs, sidewalks and Boulevards;

**"Temporary Sign"** means a Sign displayed for a limited period of time;

**“Third Party Advertisement”** means an advertisement in any broadcast, print, electronic or related medium for the purpose of promoting or opposing a candidate running in an election for any type of local, municipal, provincial or federal position, or in relation to a “yes” or “no” answer to a question appearing on a ballot;

**“Unclassified Signs”** means any type of Sign or structure not specifically defined or categorized within this by-law shall be considered an unclassified sign and shall be subject to review and approval by the Chief Building Official;

**“Vehicle”** means a motor vehicle, tractor, trailer, truck, camper, boat, motorcycle, motorized snow vehicle, mechanical equipment or any vehicle drawn, propelled or driven by any kind of power;

**“Wind Activated Attention Device”** means any device that is designed to spin, rotate or move in any manner in response to wind and such motion is intended to attract the attention of pedestrians, motorists or any other passerby;

**“Window Sign”** means a Sign placed, painted or affixed upon the interior side of a window facing the outside, and intended to be seen from the exterior of the window used to advertise products or services sold on the premises and whose Sign Face does not exceed 0.25 m<sup>2</sup>;

**“Yard Sale Sign”** or **“Garage Sale Sign”** means a Sign advertising the sale of personal merchandise in the front yard or in a private garage, as the case may be, of a Property in an area Zoned residential in the Zoning By-law;

**“Zone”** means an area delineated on a zoning map and designated by the Zoning By-law for a specific use or;

**“Zoning By-law”** means the Comprehensive Zoning By-law 43-08, as amended.

### **3. GENERAL PROVISIONS**

3.1 The provisions of this section shall apply to all Signs Erected in the Municipality in addition to the specific requirements set forth in this by-law for specific types of Signs.

3.2 Every Owner of a Sign and the Property Owner on which a Sign is located shall Maintain the Sign in a neat and clean manner and free from any loose materials, at all times.

3.3 No Person shall Erect or cause or permit to be Erected any Sign in such a location or of such construction so as to block or interfere with the visibility or operation of any traffic sign, traffic signal or other traffic related appurtenance or that obstructs the view of a Vehicle driver or a pedestrian so as to create an unsafe situation.

3.4 No Person shall Erect or cause or permit to be Erected a Sign that contains words or images that are offensive, obscene, or otherwise contrary to any law.

3.5 No Person shall place an electrical extension cord, providing electricity to any Sign, that passes over a sidewalk, pedestrian walkway, Roadway, driveway, aisle or parking space or any other such object or thing.

3.6 Except as provided for in this by-law, no Person shall Erect or cause or permit to be Erected the following:

- (1) A Roof Sign;
- (2) A Sign within a Sight Triangle.
- (3) A Sign attached to a tree, traffic sign, grating protector, utility pole or light standard;
- (4) A Sign located on or over Property owned by the Municipality, except for an Election Sign;
- (5) A Fascia Sign, Awning Sign or any type of Projecting Sign that projects:
  - a. Horizontally, more than 1.5 m over any Street, sidewalk, private road, private walkway, parking lot; and
  - b. Vertically, not less than 2.4 metres above any pedestrian walkway or sidewalk as measured from the lowest portion of the sign to the surface of the pedestrian walkway or sidewalk.
- (6) A Sign that encroaches upon any vertical or horizontal spatial clearance required by a public utility or the Municipality, including, but not limited to, electrical wires, poles, or light standards.

3.7 No Owner of a Property shall permit or allow a Sign that has become an Abandoned or Obsolete Sign to remain on the Property. The Owner of the Property shall remove the Abandoned or Obsolete Sign within thirty (30) days of the Sign becoming an Abandoned or Obsolete Sign. If a Sign is not removed within thirty (30) days of it becoming an Abandoned or Obsolete Sign, the Municipality or its agents may enter upon the Property at any reasonable time, without a warrant, and carry out the removal of the Sign at the expense of the owner. For greater clarity, the thirty (30) day period begins when the Owner of the Property is notified by the Municipality or an Officer that the Sign has become abandoned, or the time, event or purpose for which the Sign was erected has concluded.

3.8 No Person shall Erect or cause or permit to be Erected a Sign or Wind Activated Attention Device that is externally illuminated unless it conforms to the standards and requirements of Lighting, External in the Zoning By-law.

3.9 No Person shall Erect or cause or permit to be Erected a Sign or Wind Activated Attention Device that is internally illuminated unless the Sign or Wind Activated Attention Device has been approved by the Chief Building Official before it is Erected.

3.10 Except where permitted within this by-law, no Person shall Erect or cause or permit to be Erected more than one (1) Ground Sign or Post Sign on any Property except as follows:

- (1) Where there is more than one (1) building on the Property or the Property exceeds 60 m in frontage, one (1) additional Ground Sign or Post Sign may be Erected for every 60 m of frontage; or

(2) Where the Property fronts on more than one (1) Street, additional Ground Signs or Post Signs on each Street shall be permitted based upon the calculation set out in subsection 3.12(1) of this by-law.

3.11 No Person shall Erect or cause or permit to be Erected a Sign that is visible from a Highway under provincial jurisdiction unless approval has first been obtained from the Ontario Ministry of Transportation. All such Signs must comply with the requirements of this by-law and any applicable provincial legislation.

3.12 Any Sign Erected pursuant to the conditions and requirements of this by-law does not require a Permit from the Municipality.

#### **4. EXEMPTIONS**

4.1 The following Signs and other things mentioned below are exempt from the requirements of this By-law:

- (1) a Memorial Sign;
- (2) a Sign Erected by the Municipality, the County of Middlesex; the Province of Ontario or the Government of Canada;
- (3) a Sign Erected by an electrical, gas or oil transmission company or by a telecommunications company except those for the purpose of advertising;
- (4) Window Signs in or on display windows that are in plain view to the public including writing, representation, painting or lettering directly on the surface of any window or door;
- (5) Small Signs displayed for the direction of the public including, but not limited to,
  - a. Signs that identify rest rooms, freight entrances, hours of operation, open and closed Signs, exit Signs which do not have a Sign Face exceeding 0.19 m<sup>2</sup>;
- (6) Murals painted directly on a building;
- (7) Signs for public safety, including, but not limited to, caution or detour Signs;
- (8) Incidental Signs Erected for use on a construction site which are temporary in nature and do not have a Sign Face that exceeds 3 m<sup>2</sup>;
- (9) Municipally approved exhibition, festivals or event Signs;
- (10) no trespassing Signs that have a Sign Face of 0.19 m<sup>2</sup> or less;
- (11) heritage plaques that are municipal, provincial or federal in nature;
- (12) yard sale and garage sale Signs provided such Signs are Erected no earlier than 3 days before the sale commences and removed within 3 days after the sale concludes; and Incidental Signs.

4.2 Notwithstanding any other provision of this by-law, a Sign that is Erected or constructed as required by a registered agreement or agreements entered into with the Municipality pursuant to Sections 41, 45, 51 or 53, of the *Planning Act* or any plans approved by the Municipality in accordance to any of those sections shall be deemed not to contravene the provisions of this By-law.

## **5. LEGAL NON-CONFORMING USES: *Continuation of Existing Signs***

5.1 Any Sign that lawfully existed prior to the enactment of this by-law and which does not conform to the provisions herein may continue to be used, provided that:

- (1) The Sign was Erected in compliance with the by-law in force at the time of its installation, if any;
- (2) The Sign is maintained in a safe and structurally sound condition; and
- (3) There is no alteration, enlargement, or relocation of the Sign except as may be permitted herein.

### *Alteration or Replacement of Non-Conforming Signs*

5.2 A legal non-conforming Sign may be altered or replaced only if:

- (1) The Sign does not increase the extent of the non-conformity; and
- (2) The Sign is damaged or destroyed by causes beyond the owner's control and a replacement is Erected within one year of the date of the damage. The alteration or replacement must comply with all other provisions of this by-law to the extent possible subject to the approval of the Chief Building Official.

### *Loss of Legal Non-Conforming Status*

5.3 A legal non-conforming Sign shall lose its status and be required to conform to this by-law if:

- (1) The Sign is removed and not replaced within one year;
- (2) The Sign is altered in a manner that increases its non-conformity; or
- (3) The Sign has been discontinued for a period of more than one year.

## **6. BED AND BREAKFAST, HOME OCCUPATION, SECONDARY FARM OCCUPATION**

6.1 The requirements of this section shall apply to all Signs in any Residential or Agricultural Zone in which a Bed and Breakfast, Home Occupation or Secondary Farm Occupation are permitted as per the Zoning By-law.

6.2 No Person shall Erect or cause or permit to be Erected more than one (1) Ground Sign, Fascia Sign or Post Sign identifying a Home Occupation, Bed and Breakfast or a Secondary Farm Occupation and any such Sign shall comply with the following:

- (1) In the case of:
  - a. A Home Occupation, the name of the Home Occupation and the name of the Person conducting the Home Occupation;
  - b. A Bed and Breakfast, the name of the Bed and Breakfast; or
  - c. A Secondary Farm Occupation, the name of the Secondary Farm Occupation and the name of the Person conducting the Secondary Farm Occupation; and
  - d. The operating hours of the Home Occupation, Bed and Breakfast, or Secondary Farm Occupation;

- (2) Does not have a Sign Face that exceeds 0.5 m<sup>2</sup>;
- (3) Is not illuminated externally or internally, flashing or animated;
- (4) Has a Setback of not less than 3 m; and
- (5) If located in:
  - a. a Residential Zone, does not exceed 1.2 m in height from Grade to the top of the Sign; or,
  - b. an Agricultural Zone, does not exceed 1.8 m in height from Grade to the top of the Sign.

## **7. AGRICULTURAL**

7.1 The requirements of Section 7 shall apply to properties located within an Agricultural Zone where the Zoning By-law permits commercial, industrial or institutional uses.

7.2 In addition to the Sign referred in Subsection 6.2, no Person shall Erect or cause or permit to be Erected more than one (1) additional Ground Sign, Post Sign or Fascia Sign for the purpose of advertising a farming business, and the Sign shall:

- (1) Not exceed 4.5 m<sup>2</sup> in Sign Face;
- (2) If a Ground Sign or Post Sign, not exceed 2.4 m in height from Grade to the top of the Sign; and
- (3) Have a Setback of not less than 3 m.

## **8. COMMERCIAL, INDUSTRIAL, INSTITUTIONAL AND OPEN SPACE ZONES**

8.1 The requirements of this section shall apply to all Signs in any Commercial, Industrial, Institutional or Open Space Zone.

8.2 No Person shall Erect or cause or permit to be Erected in a Commercial, Industrial, Institutional or Open Space Zone a Sign other than a Fascia Sign, Post Sign or Ground Sign as set out in this section.

*Fascia Sign: Commercial, Institutional or Open Space Zone*

8.3 A Fascia Sign Erected in a Commercial, Institutional or Open Space Zone shall be Erected in accordance with the following:

- (1) The maximum permissible Sign Face is 1 m<sup>2</sup> per linear metre of building frontage on a Street;
- (2) For buildings fronting on more than one Street, one Fascia Sign is permitted on each building frontage as per subsection 8.3(1).
  - a. For greater clarity, the permissible Sign Face for each of the permitted Fascia Signs in subsection 8.3(2) may not be combined to be used as the Sign Face for one, larger Fascia Sign.
- (3) Where letters, symbols, or numbers are used as a Sign, then the Sign Face shall be deemed to be the area contained within a line surrounding all the letters, symbols or numbers forming a quadrilateral. The quadrilateral shall be determined by using the leftmost edge of the leftmost letter, symbol or

number, the topmost edge of the largest, letter, symbol or number, the rightmost edge of the rightmost letter, symbol or number and the bottom edge of the largest letter, symbol or number.

*Fascia Zone: Industrial Zone*

8.4 No Person shall Erect or cause or permit to be Erected a Fascia Sign in an Industrial Zone unless it complies with the provisions of subsection 8.3 of this by-law except that the maximum permitted Sign Face will be 1.5 m<sup>2</sup> for each linear metre of building frontage.

*Post and Ground Sign: Commercial, Industrial, Institutional or Open Space Zone*

8.5 No Person shall Erect or cause or permit to be Erected a Post Sign or Ground Sign in a Commercial, Industrial, Institutional or Open Space Zone unless in accordance with the following:

- (1) Shall Not exceed 8.0 m in height from Grade to the top of the Sign;
- (2) Shall have a Setback of:
  - a. At least 3.0 m; or
  - b. 0.3 metres provided that its height from Grade to the top of the Sign does not exceed 3 m;
- (3) Shall Have a Sign Face of:
  - a. Up to 25 m<sup>2</sup> if the Sign is located within 60 m of the Street,
  - b. Up to 35 m<sup>2</sup> if the Sign is greater than 60 m but less than or equal to 150 m from the Street, or
  - c. Up to 55 m<sup>2</sup> if the Sign is greater than 150 m from the Street.

8.6 Notwithstanding subsection 3.7, an Awning Sign, Fascia Sign or any type of Projecting Sign may extend horizontally over Municipal Property in a Commercial Zone a maximum distance of 1.5 m as measured from the external wall on which the Projecting Sign is Erected to its furthest edge from that wall provided that:

- (1) No Portion of the Sign is closer than 1 m from a parking lot or the travelled portion of a Street;
- (2) No Portion of the Sign obstructs the view of pedestrians or motorists at any intersection; and
- (3) The vertical distance between the lowest portion of the Sign to the surface of a sidewalk or pedestrian walkway is at least 3 m.

## **9. PORTABLE SIGNS**

9.1 The requirements of this section shall apply to all Portable Signs.

9.2 No Person shall Erect or cause or permit to be Erected more than one (1) Portable Sign per Property. Where a Property has frontage exceeding 150 m, one (1) additional Portable Sign shall be permitted.

9.3 A Portable Sign shall be Erected in accordance with the following:

- (1) Shall not have a Sign Face greater than 6.0 m<sup>2</sup>;

- (2) Shall have a Setback of not less than 0.3 m;
- (3) Shall Not occupy any space required for off-street parking required by the Zoning By-law;
- (4) Shall not be Erected in a Residential Zone;
- (5) Shall have on it or permanently affixed to it, in a visually prominent location, the name and phone number of the Sign Owner; and
- (6) In the case where more than one Portable Sign is permitted pursuant to subsection 9.2 of this by-law, no Portable Sign shall be Erected less than 75 m from any other permitted Portable Sign.

## **10. SANDWICH BOARD, PEDESTAL SIGNS AND WIND ACTIVATED DEVICES**

10.1 The requirements of this section shall apply to all Sandwich Board Signs, Pedestal Signs and Wind Activated Attention Devices.

10.2 No Person shall Erect or cause or permit to be Erected more than one (1) Sandwich Board Sign, Pedestal Sign or Wind Activated Attention Device on property for each business.

- (1) Where a Property has two or more businesses, the Property shall not have more than two (2), in total, of Sandwich Board Signs, Pedestal Signs, Wind Activated Attention Devices or any combination of them.

10.3 Any Sandwich Board Sign, Pedestal Sign or Wind Activated Attention Device shall be Erected in accordance with the following:

- (1) Shall not have a Sign Face greater than 1.0 m<sup>2</sup>;
- (2) Shall not have a height exceeding 1.2 m;
- (3) Shall not be closer than 0.3 m to the Curb Line;
- (4) Shall not be placed on a public sidewalk or walkway, unless there is a minimum;
- (5) 1.5 m wide unobstructed space for pedestrian passage;
- (6) Shall not be placed in a location that will interfere with parking spaces, parking meters, crosswalks, landscape planters, street furniture, trees, utility poles, fire hydrants or any other such thing;
- (7) Shall not create an obstruction to vehicular or pedestrian traffic or create or pose a hazard to public safety; and
- (8) Shall only be displayed when the business is open to the public.

## **11. INFLATABLE SIGNS**

11.1 The requirements of this section shall apply to all Inflatable Signs.

11.2 No Person shall Erect or cause or permit to be Erected more than one (1) inflatable Sign per Property.

- (1) Where a Property has a frontage exceeding 90 m, an additional Inflatable Sign shall be permitted.

11.3 If there is a Portable Sign or Portable Signs Erected on a Property pursuant to Section 9 of this by-law, no Person shall Erect or cause or permit to be Erected more than one (1) Inflatable Sign on that Property irrespective of the frontage.

11.4 No Person shall Erect or cause or permit to be Erected an Inflatable Sign unless it is located on the Property to which the Sign refers.

11.5 No Person shall Erect or cause or permit to be Erected an Inflatable Sign unless in accordance with the following:

- (1) Shall not be placed closer than 3.0 m to a public sidewalk;
- (2) In the case where there is no public sidewalk, an Inflatable Sign shall not be located within the public right-of-way;
- (3) Shall not occupy any space required for off-street parking required by the Zoning By-law;
- (4) Shall not create an obstruction to vehicular or pedestrian traffic or create or pose a hazard to public safety; and
- (5) In the case where more than one Inflatable Sign is permitted pursuant to subsection 11.2 of this by-law, no Inflatable Sign shall be Erected less than 75 m from any other permitted Inflatable Sign or Portable Sign.

## **12. ELECTION SIGNS**

12.1 No Person shall Erect or cause or permit to be Erected an Election Sign except in accordance with the following:

- (1) Shall not be Erected prior to the set nomination day in an election or by-election;
- (2) Shall not be located on Municipal Property of any type including, but not limited to, fire halls, administration buildings, arenas, parks and community centres, excluding municipal road allowances;
- (3) Shall not include the logo or crest of the Municipality;
- (4) Shall not include words such as “stop”, “yield”, “look”, or “one-way”;
- (5) Shall not obstruct the visibility of pedestrians, vehicular traffic, traffic control devices or other regulatory signage;
- (6) Shall not be attached or otherwise affixed to a public utility pole, light standard, any Official Sign or Official Sign structure, utility box, public bus shelter, planter, bench, waste receptacle, newspaper box, or mailbox.

12.2 No Person shall permit or allow an Election Sign to remain Erected more than 72 hours following voting day in an election or by-election

12.3 Further to subsections 12.1 and 12.2, and the general provisions found in Section 3 of this by-law, no Person shall Erect or cause or permit to be Erected an Election Sign which is located on private Property without the permission of the Owner.

12.4 Nothing in this section prohibits the display of an Election Sign on any other Sign that is permitted under this By-law.

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

13.1 The requirements of this section shall apply to all Real Estate Signs.

13.2 No Person shall Erect or cause or permit to be Erected a Real Estate Sign unless in accordance with the following:

- (1) Shall have a Setback no less than 0.3 m;
- (2) Shall not create an obstruction to vehicular or pedestrian traffic or create or pose a hazard to public safety;
- (3) Shall have no pointer signs at any intersection or corner pointing to the property for sale.

### **14. BILLBOARD SIGNS**

14.1 The requirements of this section shall apply to all Billboard Signs.

14.2 No Person shall Erect or cause or permit to be Erected more than one (1) Billboard Sign on any Property in an Agricultural Zone, Industrial Zone or a Highway Commercial Zone except in accordance with the following:

- (1) Shall not be closer to the Road Allowance than the Setback requirements for the Zone in which the Billboard Sign is situated; (b) Shall have a Sign Face;
  - a. If the Sign is situated at the Setback as described in the applicable Zone, not greater than 18.6 m<sup>2</sup>;
  - b. If the distance from the Sign to the centerline of an adjacent Roadway is 46 m and this is greater than the prescribed Setback, not greater than 30.19 m<sup>2</sup>;
- (2) If the distance from the Sign to the centerline of an adjacent Roadway is 84 m and this is greater than the prescribed Setback, not greater than 60.39 m<sup>2</sup>;  
or
- (3) If the distance from the Sign to the centerline of an adjacent Roadway is 400 m or more and this is greater than the prescribed Setback, not greater than 157 m<sup>2</sup>.
- (4) Shall not be located within 200 m of another Billboard Sign; and
- (5) Shall not be located within 100 m of a Property zoned Residential as per the Zoning By-law.

### **15. UNCLASSIFIED SIGNS**

15.1 The Chief Building Official shall have the discretion to determine the appropriate classification, location, size, and other requirements based on the intent and principles of this by-law and may impose such terms and conditions as are deemed necessary to ensure compliance with the public interest, safety, and community standards.

15.2 No Person shall Erect or cause or permit to be Erected an Unclassified Sign without first obtaining the permission of the Chief Building Official.

## **16. AWNING SIGNS**

16.1 In addition to the requirements contained in section 3 and set out elsewhere in this by-law, no Person shall Erect or cause or permit to be Erected an Awning Sign unless it is used solely for the identification of the business which is located within the building to which the Awning Sign is Erected and contains no other commercial message.

## **17. TEMPORARY SIGNS**

17.1 Temporary Signs used to identify a subdivision or other development may be Erected on properties other than the subdivision or other development until the subdivision or other development is substantially complete as determined by the Municipality.

17.2 No Person shall Erect or cause or permit to be Erected a Temporary Sign unless:

- (1) the Sign is Setback a minimum of 10 m from a neighboring Property; and
- (2) its Sign Face does not exceed 12 m<sup>2</sup>.

17.3 When the Municipality determines that a Temporary Sign should be taken down and it has not been taken down by the Owner of the Temporary Sign, an Officer may issue a Work Order to the Owner of the Temporary Sign requiring them to remove the Temporary Sign. The Work Order shall:

- (1) Set out the reasonable particulars of the contravention adequate to identify the contravention;
- (2) Identify the location of the Property on which the Temporary Sign is located; and
  - a. The date by which the Temporary Sign must be removed.
  - b. A Work Order referred to in subsection 17.3 may also provide that if the Owner of the Temporary Sign fails to remove the Temporary Sign by the date specified in the Order, the Municipality may do so at the expense of the Owner of the Temporary Sign.
  - c. The Work Order may be served in accordance with the service provisions contained in this by-law.

## **18. MINOR VARIANCE**

18.1 Any Person may apply to the Committee of Adjustment for a minor variance from the requirements of this by-law by submitting an application that includes detailed plans of the proposed Sign, reasons for the variance, an impact assessment on nearby properties, and other relevant supporting documents. The Committee may grant a minor variance if it finds that the variance maintains the general intent and purpose of the Sign By-law. This decision will consider input from both the applicant and Property owners within 60 metres (200 feet), who will be notified by the Municipality about the variance application and given an opportunity to comment within a specified period. The Committee may impose reasonable terms and conditions on the granted variance, and failure to adhere to these terms will render the variance invalid. A decision on the

variance application will be issued within a reasonable timeframe from receipt of a complete application, and all decisions, along with the reasoning, will be communicated in writing to the applicant and any notified Property owners.

## **19. ADMINISTRATION AND ENFORCEMENT**

19.1 The provisions of this by-law may be enforced by an Officer.

19.2 An Officer may, at any reasonable time, without a warrant, enter and inspect any Property to determine whether this by-law, an order under this by-law, a court order made under section 431 of the Act, or an order of a court issued as a result of a conviction under this by-law is being complied with.

19.3 An Officer exercising a power of entry on behalf of the Municipality under this by-law must, on request, display or produce proper identification.

19.4 For the purposes of an inspection under this by-law, an Officer may:

- (1) require the production for inspection of documents or things relevant to the inspection;
- (2) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (3) require information from any person concerning a matter related to the inspection including his or her name and address; and
- (4) alone or in conjunction with a person possessing special or expert knowledge, make examinations or photographs necessary for the purpose of the inspection.

19.5 A receipt shall be provided for any document or thing removed under subsection 19.4(2) of this by-law and the document or thing shall be promptly returned after the copies or extracts are made.

19.6 Copies of or extracts from documents and things removed under this section and certified as being true copies of or extracts from the originals by the Person who made them are admissible in evidence to the same extent as, and have the same evidentiary value as, the originals.

19.7 If a Sign does not meet the provisions of this by-law and immediate action is necessary to address an emergency or safety hazard, an Officer may take appropriate action without providing written notice and, without a warrant, enter on to Land to address the emergency or safety hazard. Once the necessary action has been taken by the Officer to address the emergency or safety hazard, written notice shall be provided to the Property Owner which indicates:

- (1) The location that the action was taken;
- (2) The date and approximate time that the action was taken;
- (3) A brief description of the nature of the emergency or safety hazard that required that immediate action be taken; and
- (4) A brief description of what action was taken to rectify the emergency or safety hazard.

19.8 In all other cases that does not involve an emergency or safety hazard, the Officer may issue a Work Order requiring that the Owner or Person responsible for the Sign to comply with the provisions of this by-law and the Work Order may be served in accordance with the service provisions contained this by-law.

19.9 A Work Order issued under this by-law pursuant to subsection 19.8 shall contain the following:

- (1) Set out the reasonable particulars of the contravention adequate to identify the contravention;
- (2) Identify the location of the Property on which the contravention occurred;
- (3) The work required to be done to bring the matter into compliance; and
- (4) The date by which the work must be completed.

## **20. REBUTTABLE PRESUMPTION**

20.1 In a prosecution for a contravention of this by-law, the Person who is named on or who is the subject of the identification, information or advertising on the Sign or the Owner of the Property on which the contravening Sign is located, shall be presumed to have Erected or caused to have Erected the Sign, which presumption may be rebutted by evidence to the contrary on the balance of probabilities.

## **21. SERVICE**

21.1 An order issued under this by-law may be served personally or served by sending it by regular mail to the last known address of:

- (1) the Person to whom the order is directed;
- (2) the Owner of the Property identified in the order; and (c) the Owner of the Sign.

21.2 Where service of an order is made by regular mail, the service shall be deemed to have been effected on the fifth day after the order is mailed.

21.3 In addition to serving an order as per subsection 21.1 of this by-law, an Officer may also place a placard containing the terms of the order in a conspicuous place on the property.

21.4 Where service cannot be carried out under subsection 21.1 of this by-law, the Officer shall place a placard containing the terms of the order in a conspicuous place on the Property where the Sign is located and the placing of the placard shall be deemed to be sufficient service of the order on the Person or Persons to whom the order is directed.

## **22. PENALTY**

22.1 Any Person who contravenes a provision of this by-law or fails to comply with the terms and conditions of a Work Order issued under this by-law or fails to comply with an order of a court is guilty of an offence and is liable, upon conviction, to the penalty as prescribed by the *Provincial Offences Act*, R.S.O. 1990, c. P33, as amended.

22.2 If a corporation has contravened a provision of this by-law, including any order issued under this by-law, or any court order, every director and officer who knowingly concurred in such a contravention is guilty of an offence.

22.3 Every Person who is guilty of an offence under this by-law shall be subject to the following penalties:

- (1) Upon a first conviction, to a fine not less than \$100 and not more than \$50,000;
- (2) Upon a second or subsequent conviction for the same offence, to a fine of not less than \$400 and not more than \$100,000;
- (3) Upon conviction for a continuing offence, to a fine of not less than \$100 and not more than \$10,000 for each day or part of a day that the offence continues. The total of the daily fines may exceed \$100,000.

22.4 If the Person who is guilty of an offence under this By-law is a corporation, the following penalties apply:

- (1) Upon a first conviction, to a fine not less than \$200 and not more than \$60,000;
- (2) Upon a second or subsequent conviction for the same offence, to a fine of not less than \$500 and not more than \$100,000.
- (3) Upon conviction for a continuing offence, to a fine of not less than \$100 and not more than \$10,000 for each day or part of a day that the offence continues. The total of the daily fines may exceed \$100,000.

22.5 For the purposes of this by-law, an offence is a second or subsequent offence if the act giving rise to the offence occurred after a conviction has been entered at an earlier date for the same offence.

22.6 If a Work Order has been issued under this by-law or there has been an order of the court, and the Work Order or order of the court has not been complied with, the contravention of the Work Order or order of the court shall be deemed to be a continuing offence for each day or part of a day that the Work Order or order of the court is not complied with.

22.7 In addition to the foregoing penalty, failure to comply with the provisions of this by-law may result in the Municipality undertaking to complete the work and any costs associated with the work shall be billed to the registered Property owner in a like manner as taxes.

22.8 In the case of an immediate emergency or safety hazard, where the Chief Building Official has been compelled to remove said hazard, the work and any costs associated with the work shall be billed to the registered Property owner in a like manner as taxes.

22.9 Any structure, which contravenes any requirement of this by-law may be removed or altered at the instance of the Municipality, pursuant to the provisions of Section 445 of the Act, as amended.

22.10 Where a conviction is entered under this section, in addition to any other penalty provided by law, the court in which the conviction was entered, and any court of competent jurisdiction, thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

### **23. GENERAL PROVISIONS**

23.1 In this By-law, wherever the singular is used, it is intended to include the plural.

### **24. SEVERABILITY**

24.1 If a court of competent jurisdiction declares any section or subsection of this by-law invalid, the remainder of this by-law shall continue in force unless the court makes an order to the contrary.

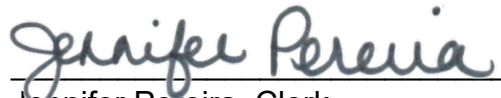
### **25. FORCE AND EFFECT**

25.1 This by-law comes into force and effect on the date of passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED IN OPEN COUNCIL this 20<sup>th</sup> day of April, 2026.**



\_\_\_\_\_  
Colin Grantham, Mayor



\_\_\_\_\_  
Jennifer Pereira, Clerk

**The Corporation of the Municipality of Strathroy-Caradoc**

PART 1 - Provincial Offences Act

*Regulation of Signs within the Municipality of Strathroy-Caradoc – By-law No 31-26*

Schedule “A”

Short Form Wording and Set Fines

<b>Item</b>	<b>Short Form Wording</b>	<b>Provision Creating/Defining Offence</b>	<b>Set Fine</b>
1	Failure to maintain a sign	3.2	500.00
2	Erect sign creating unsafe situation	3.3	750.00
3	Erect offensive/obscene sign	3.4	750.00
4	Place extension cord over hard surface	3.5	500.00
5	Erect a roof sign	3.6(1)	500.00
6	Erect sign in Sight Triangle	3.6(2)	500.00
7	Attach sign to tree, traffic sign, utility pole or light standard	3.6(3)	500.00
8	Erect sign on Municipal property	3.6(4)	500.00
9	Erect a sign that over projects horizontally	3.6(5)(a)	500.00
10	Erect a sign that projects vertically	3.6(5)(b)	500.00
11	Erect a sign that encroaches	3.6(6)	500.00
12	Failure to remove Abandoned or Obsolete Sign	3.7	500.00
13	Erect a Sign or Wind Activated Attention Device that is externally illuminated	3.8	500.00
14	Erect a Sign or Wind Activated Attention Device that is internally illuminated,	3.9	500.00
15	Erect more than one Ground Sign	3.10	500.00
16	Erect a Sign visible from a Highway without provincial authority	3.11	500.00

Note: The penalty provision for these offences indicated above is Section 22.1 of By-law No. 31-26, a certified copy of which has been filed.