

TOWN OF WASAGA BEACH

BY-LAW NO. 96-10

A BY-LAW TO PROHIBIT OR REGULATE SIGNS  
AND OTHER ADVERTISING DEVICES  
AND THE POSTING OF NOTICES  
WITHIN THE TOWN OF WASAGA BEACH

WHEREAS the provisions of Section 210, ss 146 of The Municipal Act, R.S.O. 1990, provides that a council of a municipality may pass by-laws for the prohibition or regulation of the erection of signs and other advertising devices and the posting of notices within a municipality;

AND WHEREAS By-law 78-21, being a By-law to prohibit or regulate signs and other advertising devices within the Town of Wasaga Beach, was passed by Council on the 27th day of June, 1978;

AND WHEREAS Council has deemed it advisable to rescind By-law 78-21 and pass a new by-law to prohibit or regulate signs and other advertising devices within the Town of Wasaga Beach;

NOW THEREFORE, the Council of the Corporation of the Town of Wasaga Beach enacts as follows:

SECTION 1: TITLE, SCOPE AND CONFORMITY REQUIREMENTS

- 1.1 This By-law may be cited as the "Private, Property Sign By-law".
- 1.2 No sign or its structure, whether temporary or permanent, shall be erected or enlarged or placed for any purpose within the Town of Wasaga Beach, 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* means 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.

- 2.2 *AGRICULTURAL SIGN* means a sign accessory to the permitted agricultural use.
- 2.3 *ALTERATION (ALTERED)* means 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.
- 2.4 *AREA OF SIGN* means 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.
- 2.5 *BANNER SIGN* shall mean a sign composed of light-weight (combustible) material, either enclosed or unenclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere.
- 2.6 *BILLBOARD SIGN* means 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 bulletins normally mounted on a building wall or free-standing structure with advertising copy in the form of pasted paper.
  - (b) Painted bulletins, where the advertiser's message is painted directly on the background of a wall-mounted or free-standing display area.
- 2.7 *BUILDING FACADE* shall mean the area of the one side of a building exterior facing onto a street as defined in the Highway Traffic Act of Ontario.
- 2.8 *BUILDING IDENTIFICATION SIGN* means 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 or services.
- 2.9 *CHIEF BUILDING OFFICIAL* means the Chief Building Official for the Town of Wasaga Beach and/or his designated representative.

- 2.10 *COMMERCIAL SIGN* means a sign accessory to the permitted main commercial use.
- 2.11 *COMPREHENSIVE DESIGN PLANS* means a building design and signs integrated into one architectural plan, the comprehensive plan being complete in all other building, structural and electrical requirements.
- 2.12 *CONSTRUCTION SIGN* means a sign identifying a proposed development or a construction project where work is in progress.
- 2.13 *CORPORATION* means the Corporation of the Town of Wasaga Beach.
- 2.14 *COUNCIL* means the Council of the Corporation of the Town of Wasaga Beach.
- 2.15 *DIRECTIONAL INFORMATION SIGN* means a sign indicating the direction with regard to pedestrian and/or vehicular movement.
- 2.16 *DISPLAY SURFACE* means the surface made available by the structure, either for direct mounting of letters and decorations or for the mounting of facing material intended to carry the entire advertising message.
- 2.17 *ELECTION SIGN* means any sign temporarily advertising or promoting the election of candidates.
- 2.18 *ERECTED* means attached, altered, built, constructed, reconstructed, enlarged or moved, including the painting of wall signs, but not including copy changes on any signs.
- 2.19 *EXEMPT SIGN* means signs exempted from normal permit requirements, i.e., Federal, Provincial and/or Municipal sign requirements
- 2.20 *FACIA SIGN* means 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, however, shall not include any sign erected above a roof line.

- 2.21 *FLASHING SIGN* means an illuminated sign, fixed or rotating, upon which the source of artificial light is not stationary or the intensity or colour is not constant, and does not include those electronic displays giving public service information such as, but not limited to, time, date, temperature or weather.
- 2.22 *GRADE* when used in reference to a sign, means 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.
- 2.23 *HEIGHT OF SIGN* means 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.
- 2.24 *HOME OCCUPATION SIGN* means a sign identifying a permitted accessory use.
- 2.25 *HOME OCCUPATION* means a use as defined pursuant to the terms of the Town of Wasaga Beach Restricted Area Zoning By-law as amended.
- 2.26 *IDENTIFICATION SIGN* means a sign which is limited to the name, address and number of a building, institute or person and to the activity carried on in the building or institution, or the occupancy of that person.
- 2.27 *ILLUMINATED SIGN* means 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.
- 2.28 *INDUSTRIAL SIGN* means a sign accessory to a permitted industrial use.
- 2.29 *LENGTH OF SIGN* means 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.

- 2.30 *LOT* means a parcel or tract of land described in a deed or other legal document which is legally capable of conveying title.
- 2.31 *LOT LINE* means the division line between a utility or road right-of-way and a lot, or the division line between two lots.
- 2.32 *MUNICIPAL PLANNER* means the Planner and/or Zoning Administrator for the Town of Wasaga Beach or his/her designated representative.
- 2.33 *OWNER* shall include: (a) owner of a sign; (b) owner of the real property upon which the sign is located; 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.
- 2.34 *PARAPET WALL* means that portion of a building wall that rises above the roof level.
- 2.35 *PERMITTED USE* means a use allowable within a zone pursuant to the applicable restricted area zoning by-law.
- 2.36 *PROJECTING SIGN* means a sign attached and perpendicular to the main wall of the building and shall not include any rotating or swinging parts.
- 2.37 *PORTABLE SIGN* means 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.
- 2.38 *REAL ESTATE SIGN* means 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.
- 2.39 *RESIDENTIAL SIGN* means a sign accessory to the permitted residential use.
- 2.40 *ROAD ALLOWANCE* means that portion of land allowed for road or highways established by any statute, act, by-law or plan.
- 2.41 *ROOF LINE* means the top edge of a roof or the top of a parapet, whichever forms the top line of a building silhouette.

- 2.42            *SETBACK* means the horizontal distance from the lot line to the nearest part or leading edge of any sign.
- 2.43            *SIGN* means a display board, electronic display, screen, cloth or structure having characters, letters 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 or a special happening.
- 2.44            *SIGHT TRIANGLE* means 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 9 metres 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.
- 2.45            *STANDARD SIGN* means a sign not attached to a building but supported by a structure on the ground or placed upon poles or standards, and shall not include any rotating or swinging parts.
- 2.46            *STREET* means an opened (established) public highway which affords the principal means of access to abutting lots.
- 2.47            *STREET LINE* means the dividing line between a lot and a street.
- 2.48            *TEMPORARY SIGN* means a sign conveying a message applicable for a definable and specific limited time or related to an event of specific and short duration.

SECTION 3: APPLICATION FOR PERMIT

- 3.1            No person shall erect, cause to be erected or structurally alter any sign within the Town of Wasaga Beach without first obtaining a sign permit from the Corporation.

3.2 Prior to the issuance of a sign permit, 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.

3.3 Permit Application Requirements

3.3.1 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;

3.3.2 Erection plans indicating the location of the sign on the building relative to vehicle accesses, doors, windows and other existing signs on the site;

3.3.3 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.

3.4 Upon receipt of a completed application, the Corporation shall issue a sign permit, provided the application is in compliance with the regulations contained in this By-law and any other applicable by-laws of the municipality.

3.5 A fee of \$25.00 shall be paid upon application for a sign permit, or the applicable fee as set from time to time by the Council for the Corporation.

3.6 Upon issuance of a sign permit, the majority of the construction of said sign shall be completed within six months of 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: PERMIT EXEMPTIONS

4.1 Any signs identified in this Section do not require a sign permit, however, all other requirements of this By-law shall apply with respect to sign size, location, etc.

4.2 Permit Exemptions

4.2.1 Any poster, banner, or sign of a candidate in a Provincial or Federal Election;

4.2.2 Signs of public authority;

- 4.2.3 Signs prescribed by Law;
- 4.2.4 Signs for public safety, such as caution, construction or detour signs;
- 4.2.5 Municipal exhibition or events signs;
- 4.2.7 Real estate signs 0.929 sq.m (10 sq.ft) or less; Refer to Section 5.10 for regulations;
- 4.2.8 "No Trespassing" signs 0.185 sq.m (2 sq.ft) or less;
- 4.2.9 One building identification per frontage to a maximum of two signs provided that the total combined area does not exceed 0.371 sq.m (4 sq.ft.);
- 4.2.10 Temporary sign at a construction project as identified in Section 5.5.

SECTION 5: GENERAL REGULATIONS

- 5.1 Policies:
  - 5.1.1 A high standard of design and visual consistency is to be encouraged;
  - 5.1.2 Attractiveness and aesthetically pleasing displays shall be encouraged;
  - 5.1.3 The use of fluorescent, garish or unnaturally bright colours shall be discouraged.
- 5.2 Lighting:
  - 5.2.1 No sign with green, red or amber lighting shall be located in such a fashion so as to diminish or detract from the effectiveness of any traffic signal or similar warning device, or fall within the vision of motorists in such a manner so as to create a traffic hazard.
  - 5.2.2 No illuminated, flashing or reflecting signs which by its shape or colour might tend to be confused or in conflict with traffic lights shall be erected within 91m (300 ft) of traffic lights.
  - 5.2.3 No flashing sign which might tend to be confused or in conflict with flashing lights used by police cars, ambulances, fire equipment or emergency vehicles, or traffic signals shall be permitted.

5.3 Illuminated Signs:

5.3.1 Illuminated signs shall be located so as to reflect light away from adjacent premises or streets to prevent any glare or blinding spill over effect.

5.3.2 Illuminated signs of an animated and/or flashing nature may be erected only in commercial and industrial zones, provided that they do not interfere with the quiet enjoyment of any adjacent residential uses.

5.4 Location:

5.4.1 No sign shall be located in a sight triangle.

5.5 Temporary Signs:

5.5.1 One temporary sign not exceeding 0.46 sq.m (5 sq.ft) per street frontage may be erected at a construction project, indicating the nature of the project and the developers, contractors, architects, engineers and related personnel or trades involved in the development of the site.

5.6 Removal of Temporary Signs:

5.6.1 All temporary signs shall be removed on or before the date specified in the application for the permit.

5.6.2 The regulations for removal of election signs may be found in Section 5.12 of this By-law.

5.7 Electrical Work:

5.7.1 All electrical work in a sign shall conform with the applicable regulations of the Canadian Standards Association.

5.8 Maintenance:

5.8.1 The owner, lessee or agent of the lands or premises upon which any sign is located shall maintain, or 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.

5.8.2 The Chief Building Official or his representative shall have the authority to order the painting, repair, alteration or removal of signs which become dilapidated or are abandoned.

5.8.3 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.

5.9 Inspection:

5.9.1 Every sign for which a permit is required shall be subject to inspection by the Chief Building Official, when notified by the owner or other person erecting the sign that the work on the sign has been completed.

5.10 Real Estate Signs:

5.10.1 No real estate 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 municipality. Any sign contravening the provisions of this Section shall be removed by the Corporation without notice to and at the expense of the owner;

5.10.2 A maximum of one unlit real estate sign is permitted for each street frontage less than 150 feet in length and a maximum of two unlit real estate signs are permitted for each street frontage over 150 feet in length, provided that such sign is located on the property being sold or leased.

5.10.3 All real estate signs shall be set back in accordance with the provisions of this By-law.

5.10.4 Real estate signs shall be removed within ten days of the closing date and transfer of the property's ownership.

5.11 Banner Signs:

5.11.1 Banner signs may be permitted for non-profit organizations, and require a sign permit, however, are exempt from the sign permit fee.

5.12 Election Signs:

5.12.1 Prior to any municipal election signs being erected within the municipality, a \$100.00 deposit must be submitted to the Town from any candidate wishing to post election signs. These signs must be removed within seven days following the election, and the \$100.00 deposit will be refunded upon satisfactory removal of such signs. The Town Clerk must notify all candidates prior to the close of nomination of the election sign regulations.

5.12.2 No municipal election signs sign be located within 30.48m (100ft) of any polling station.

SECTION 6: RESIDENTIAL SIGNS

6.1 One decorative identification sign not exceeding 0.185 sq.m (2 sq.ft) in area is permitted to be located on a residential lot;

6.2. Home Occupation Signs:

6.2.1 A home occupation sign may be erected for identification purposes at the front entrance of the premises provided that said sign is not greater than 0.185 sq.m (2 sq.ft) in area.

6.2.2 There shall be only one home occupation sign permitted per residential lot.

6.3 Real estate signs are permitted in a residential zone, subject to the provisions of Section 5.10 of this By-law.

6.4 Signs located on a property having a residential subdivision or dwelling sales office shall meet the requirements of Section 7, Commercial Signs, of this By-law.

SECTION 7: COMMERCIAL SIGNS

7.1 General Conditions:

7.1.1 One standard sign may be erected for each commercial building on one lot or in the case of one commercial building on a corner lot, for each frontage; and, either one fascia or one projecting sign may be erected for each place of business or store front, and in the case of a corner lot, for each frontage, in a commercial area; provided that such sign(s) conform to the conditions in the categories listed below:

7.1.2 In addition to the above, gas stations may use the facade of a canopy located over gas pumps as a sign.

7.2 Facia Sign:

7.2.1 A fascia sign shall be attached to and parallel with the main wall of the building;

7.2.2 A fascia sign shall be a minimum of 8 feet above the finished sidewalk or mall grade and no longer than the horizontal measurement of the wall or building facade to which it is attached;

7.2.3 A fascia sign shall not project more than .30m (1 ft) from the main wall of the building.

7.2.4 The fascia sign shall not carry advertising copy on its ends;

7.2.5 If fronting onto a lane, the fascia sign shall be a minimum of 4.26m (14 ft) measured vertically from the surface of the lane.

7.2.6 The maximum display surface for fascia signs shall be 10% of the area of the building facade, dedicated to a particular business. Where possible, the sign shall be harmoniously incorporated into the architectural facade of the building. Facia signs shall not project more than 0.30m (1 ft) from the building face and only one fascia sign per building frontage shall be permitted.

7.3 Projecting Signs:

7.3.1 One vertical projecting sign may be erected on a place of business or store front having a frontage of 7.62m (25 ft) or more;

- 7.3.2 The maximum projection of the sign from the face of the wall shall not be greater than 1.21m (4 ft);
- 7.3.3 No part of the sign shall be closer than 3.35m (11 ft) from finished grade;
- 7.3.4 The sign shall be located as close as possible to the horizontal center of the building, except in the case of a building on a corner lot, in which case a projecting sign may be located at the corner of the building in lieu of one sign on each frontage.
- 7.3.5 When the minimum distance to finished grade is 7.62m (25 ft) or more, the sign may project a maximum of 1.82m (6 ft) from the face of the main wall;
- 7.3.6 There shall be no overhanging structures or wires from the roof of any building where a projecting sign is permitted;
- 7.3.7 Projecting signs shall not exceed 10.2 sq.m. (110 sq.ft) in total area.
- 7.3.8 If required by the Chief Building Official, projecting signs shall be designed by a Professional Engineer or Architect.
- 7.4 Standard Signs:
- 7.4.1 The height of the sign shall not exceed a maximum of 8.23m (27 ft);
- 7.4.2 The display surface of the sign shall not exceed 10 % of the area of the building facade facing an improved street as defined under the Highway Traffic Act. This calculation shall include the area of any directional information signs.
- 7.4.3 The distance between any standard signs shall not be less than 7.62m (25 ft);
- 7.4.4 The minimum setback for a standard sign shall be 3.04m (10ft).
- 7.5 Directional Information Signs:
- 7.5.1 The maximum height of a directional information sign shall be 2.13m (7 ft);

- 7.5.2 The maximum area of a directional information sign shall be 0.55 sq/m (6 sq.ft) each and shall be included in the maximum area of a standard sign 10 % of the area of the building facade calculation for standard signs, whichever is more restrictive;

SECTION 8: INDUSTRIAL SIGNS

- 8.1 The requirements of Section 7 (Commercial Signs) of this By-law shall apply.

SECTION 9: AGRICULTURAL SIGNS

9.1 Residential Signs:

- 9.1.1 The requirements of Section 6 of this By-law shall apply.

9.2 Commercial Signs:

- 9.2.1 The requirements of Section 7 of this By-law shall apply.

9.3 Industrial Signs:

- 9.3.1 The requirements of Section 7 (Commercial Signs) of this By-law shall apply.

SECTION 10: BILLBOARD SIGNS

10.1 Types of Billboard Signs:

- 10.1.1 Poster panels with advertising copy in the form of pasted paper;

- 10.1.2 Poster sign (same as above) and alternating advertising messages on the one display area;

- 10.1.3 Painted bulletins where the advertiser's message is painted directly onto the display area.

10.2 Permitted Billboard Sign Locations:

- 10.2.1 Industrial areas;

- 10.2.2 Agricultural areas;

- 10.2.3 Railroad and public utility rights-of-way.

10.3 Non-Conforming Signs:

10.3.1 Any billboard sign legally in existence on the effective date of this By-law which does not comply with the provisions of this By-law may continue to be in existence, subject to Section 13 of this By-law.

10.4 Billboard signs shall not be established at any location having principal frontage on any street within 30.48m (100 ft) of any property used for public parks, public schools, churches, courthouse or public facilities that has principal frontage on the same street.

10.5 No billboard sign shall be established closer to the street than the building setback line of the particular zone in which the billboard sign is located.

10.6 All billboard signs shall be maintained in good and safe structural condition. The painted portion of billboard signs shall be periodically repainted and kept in good condition.

10.7 All billboard signs shall be constructed in accordance with all municipal regulations.

10.8 The general area of the vicinity of any billboard sign on undeveloped property must be kept free and clear of sign material, weeds, debris, trash and other refuse.

10.9 Display Surface:

10.9.1 The maximum display surface per billboard sign shall be 22.3 sq.m (240 sq.ft), including border and trim, but excluding the base or apron, supports or other structural members.

10.9.2 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.

10.10 Spacing of Billboard Sign:

10.10.1 No billboard sign may be established within a 152.4m (500 ft) radius of any other billboard sign, on all streets and highways within the jurisdiction of this By-law.

- 10.10.2 Any other sign as permitted in this By-law, as well as any other sign which does not constitute a billboard sign as defined herein, and structures that are not lawfully maintained, shall not be counted, nor shall measurements be made from them for the purpose of determining compliance with the spacing requirements.
- 10.11 Lighting:
- 10.11.1 Billboard Signs which contain, include or are illuminated by any flashing, intermittent or moving light or lights are prohibited except those electronic information displays giving public service information such as, but not limited to, time, date, temperature or weather.
- 10.11.2 Billboard signs which are not effectively shielded as to prevent beams or rays from being directed at any portion of a travelled roadway and are of such intensity or brilliance to cause glare or impair the vision of the driver or any motor vehicle are prohibited.
- 10.11.3 No billboard sign shall be so illuminated that it interferes with the effectiveness or obscures an official traffic signal, device or sign.

SECTION 11: PORTABLE SIGNS

- 11.1 Portable signs shall not be permitted. However, should a portable sign be modified in such a way as to become a standard sign, the requirements of Section 7.4 (Commercial Signs, Standard Signs) of this By-law shall apply.

SECTION 12: APPEAL FOR A SIGN VARIANCE

- 12.1 If a sign does not conform with the provisions of this By-law, or if an application for a sign permit has been refused by the Municipality, the applicant may appeal to Council, which may authorize the issuance of a permit. Any such decisions shall be final and conclusive. Application for such appeal shall include details as outlined in Section 3.3.1, 3.3.2, 3.3.3 and a sign variance application fee of \$200.00.

- 12.2 Notice of the proposed by-law amendment and notice of the Council meeting at which time the proposed by-law amendment is to be discussed, shall be mailed to all property owners within 60.96m (200 ft) of the property upon which the sign is to be located at least 14 days prior to the Council meeting date indicated in the notice.

SECTION 13: NON-CONFORMING AND UNLAWFUL SIGNS AND REMOVAL OF SIGNS AND COSTS FOR SAME

13.1 Existing Signs:

Any sign, which is and continues to be in good repair and is permanently attached to or affixed to the ground, building or structure, lawfully in existence on the day this By-law comes into effect, and which does not comply with this By-law, will be allowed to remain for a period not exceeding ten (10) years from the date of passing of this by-law, and may be repaired to a safe condition within the ten (10) year period, provided that the repair is only to that portion of the structure that is unsafe. In addition, the sign may not be rebuilt, or relocated unless to conform to this By-law.

13.2 New Signs:

- 13.2.1 Any sign erected after the day this By-law comes into force shall comply with this By-law and any other applicable By-laws of the Corporation.

13.3 Unlawful Signs:

- 13.3.1 Any person who has caused a sign or other advertising device to be erected, displayed, altered or relocated without first obtaining a permit to do so, or having obtained a permit has caused a sign or other advertising device to be erected, displayed, altered or relocated contrary to the approved plans in respect of which the permit was issued, shall make such sign or other advertising device comply with the provisions of this By-law or remove such signs within 48 hours of receiving written notice of violation.

- 13.4 When a sign no longer correctly advertises a bona fide business, lessor, owner, product or activity conducted or product available, on the premises where such a sign is displayed, the owner shall remove the sign within 10 days from the date of receipt of notice of such removal from the Chief Building Official, Municipal Planner or his/her representative.
- 13.5 Whenever the Municipality, after inspecting a sign, finds such sign to be in contravention with the provisions of this By-law, he or she shall notify the owner of the property and the owner of the sign, in writing, requiring either of them to repair, alter or change or remove such sign within 10 days from the receipt of such notice in writing.
- 13.6 If any sign is in an unsafe or defective condition, the Chief Building Official may give written notice to the owner of such sign to repair or remove said sign within a period of 48 hours. It shall be the duty of such owner to repair or remove such sign in accordance with said notice. If the notice is not adhered to, or if the owner of the sign cannot be located, the Chief Building Official may have the offending sign removed.
- 13.7 If, in the opinion of the Chief Building Official, any sign is in such condition as to constitute a physical hazard to public safety, the Chief Building Official may give notice in writing to the owner of such sign to remove same within 24 hours. It shall be the duty of such owner to remove such sign in accordance with said notice. If the owner of the sign cannot be located, or if he refuses to comply with the order, the Chief Building Official may have the offending sign removed.
- 13.8 Where removal is appropriate, and upon notification the offending sign has not been removed within the specified time period, the Municipality may remove the sign at the expense of the owner.
- 13.9 The cost of such repair, removal, transportation and storage of such sign shall be a debt due and recoverable from the owner, or where appropriate, the tenant, and in the case of non-payment, such costs shall be recoverable in the same manner as municipal taxes.

- 13.10 The Town 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 Town, its servants or agents or sub-contractors.
- 13.11 Where removal is appropriate, such notice as provided in the above subsections shall terminate the relevant sign permit.
- 13.12 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 the 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 permit issued hereunder. Nor can it be construed as imposing upon the municipality 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.
- 13.13 A change in the message displayed by a sign or other advertising device does not in itself constitute an alteration.

SECTION 14: ABANDONMENT

- 14.1 Neither the granting of a permit nor the approval of the plans and specifications, nor inspections made by the Town shall in any way relieve the owner or any other person from full responsibility for carrying out work or having the work carried out in complete accordance with this By-law or any other applicable by-law thereto.
- 14.2 An application for a permit for any work shall be deemed to be abandoned six months after the date of filing, unless such application has been diligently pursued or a permit has been issued.

14.3 Every permit shall expire by limitation and become null and void under the provisions of this By-law, if the work authorized by such permit is not commenced within six months of the date of the permit issuance, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of six months, or the sign has been removed.

14.4 If a permit has been abandoned pursuant to subsection 14.2 hereof, before such work can be commenced, the original permit shall first be renewed upon payment of the prescribed fee and upon the Municipality being furnished with satisfactory proof that the plans and specifications conform with the requirements of this By-law at the time of the application for renewal.

SECTION 15: CONFLICT

15.1 Notwithstanding the provisions of any other by-law to the contrary, in the event of a conflict between the provisions of this By-law and any other by-law, the By-law containing the more restrictive provisions shall prevail.

SECTION 16: SEVERABILITY

16.1 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 declared to be invalid.

SECTION 17: PENALTY

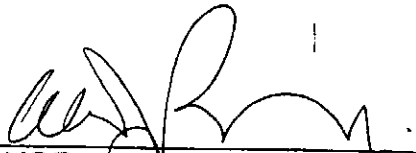
17.1 Any person violating any of the provisions of this By-law upon conviction thereof, shall forfeit and pay a penalty not exceeding, exclusive of costs, the sum of \$5,000.00 and being not less than \$300.00 for each offence. Each day such violation is committed or permitted to continue, shall constitute a separate offence and shall be punishable as such hereunder.

SECTION 18: BY-LAW 78-21

18.1 By-law 78-21, being a By-law to prohibit or regulate signs and other advertising devices within the Town of Wasaga Beach, passed on the 27th day of June, 1978, is hereby rescinded.


SECTION 19: ENACTMENT

Read a first and second time  
this 27th day of February  
1996.

  
MAYOR

  
CLERK-TREASURER/ADMINISTRATOR

Read a third time and finally  
passed this 12th day of  
March 1996.

  
MAYOR

  
CLERK-TREASURER/ADMINISTRATOR

**A BY-LAW TO AMEND BY-LAW #96-10,  
THE SIGN BY-LAW, AS IT RELATES TO  
ELECTION SIGNS**

**WHEREAS** pursuant to Section 210 of The Municipal Act, R.S.O., 1990, Council passed a By-Law to prohibit and regulate the signs and other advertising devices, and the posting of notices within the Municipality;

**AND WHEREAS** this Council deems it necessary and expedient to amend the said By-Law to include the regulation of Election Signs for Federal, Provincial and Municipal Elections;

**NOW THEREFORE** this Council of the Corporation of the Town of Wasaga Beach hereby enacts as follows:-

1. **THAT** Section 5.12 of By-Law #96-10 be and is hereby amended by adding the following sections:-
  - 5.12.3 No election sign shall be erected prior eight (8) weeks before Election Day, in any Election Year.
  - 5.12.4 Signs may not be erected on private property without the owner's consent.
  - 5.12.5 No sign shall be placed upon any tree, post pole or fence on any municipal property and shall not obstruct visibility of a highway or an intersection, or any regulatory or street name signs, traffic control devices or hydrants.
2. **THAT** all other provisions of By-Law #96-10 shall remain in force and effect.
3. **THAT** this By-Law shall come into force and be effective upon third and final reading hereof.

Read a first and second time this  
23rd day of September 1997.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
DEPUTY-CLERK

Read a third time and finally passed  
this 23rd day of September 1997.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
DEPUTY-CLERK

TOWN OF WASAGA BEACH

BY-LAW NO. 96-24

A BY-LAW TO AMEND BY-LAW 96-10  
BEING A BY-LAW TO PROHIBIT OR REGULATE SIGNS

WHEREAS By-law 96-10 is the By-law to prohibit and regulate signs and other advertising devices and the posting of notices within the Town of Wasaga Beach;

AND WHEREAS the provisions of Section 210, ss 146 of The Municipal Act, R.S.O. 1990, provides that a council of a municipality may pass by-laws for the prohibition or regulation of the erection of signs and other advertising devices and the posting of notices within a municipality;

AND WHEREAS Council has deemed it advisable to amend By-law 96-10;

NOW THEREFORE, the Council of the Corporation of the Town of Wasaga Beach enacts the following:

1.0 That By-law 96-10 is hereby amended as follows:

1.1 That Subsection 10.2 "Billboard Signs - Permitted Billboard Sign Locations" be deleted in its entirety and be replaced with the following:

"10.2 Permitted Billboard Sign Locations:

10.2.1 Industrial zones as identified in the Comprehensive Zoning By-law for the Town of Wasaga Beach.

10.2.2 Rural zones as identified in the Comprehensive Zoning By-law for the Town of Wasaga Beach.

1.2 That Subsection 10.10.1 "BILLBOARD SIGNS - Spacing of Billboard Sign be amended by the deletion of the text "152.4m (500 ft)" and by replacing that text with the following text "609.6m (2000 ft)".

2.0 That all other provisions of By-law 96-10, as amended, shall apply.

3.0 This By-law shall take effect and shall come into force upon third and final reading thereof.

Read a first and second time

this 14th day of May

1996.

Read and third time and finally

passed this 14 day of May

1996.

  
MAYOR

  
CLERK

  
MAYOR

  
CLERK

A BY-LAW TO AMEND BY-LAW #96-10,  
THE SIGN BY-LAW, AS IT RELATES TO  
ELECTION SIGNS

WHEREAS pursuant to Section 210 of The Municipal Act, R.S.O., 1990, Council passed a By-Law to prohibit and regulate the signs and other advertising devices, and the posting of notices within the Municipality;

AND WHEREAS this Council deems it necessary and expedient to amend the said By-Law to include the regulation of Election Signs for Federal, Provincial and Municipal Elections;

NOW THEREFORE this Council of the Corporation of the Town of Wasaga Beach hereby enacts as follows:-

1. THAT Section 5.12 of By-Law #96-10 be and is hereby amended by adding the following sections:-
  - 5.12.3 No election sign shall be erected prior eight (8) weeks before Election Day, in any Election Year.
  - 5.12.4 Signs may not be erected on private property without the owner's consent.
  - 5.12.5 No sign shall be placed upon any tree, post pole or fence on any municipal property and shall not obstruct visibility of a highway or an intersection, or any regulatory or street name signs, traffic control devices or hydrants.
2. THAT all other provisions of By-Law #96-10 shall remain in force and effect.
3. THAT this By-Law shall come into force and be effective upon third and final reading hereof.

Read a first and second time this  
23rd day of September 1997.

  
MAYOR

  
DEPUTY CLERK

Read a third time and finally passed  
this 23rd day of September 1997.

  
MAYOR

  
DEPUTY CLERK

THE CORPORATION OF THE

TOWN OF WASAGA BEACH

BY-LAW #2000-59

A BY-LAW TO AMEND BY-LAW #96-10,  
THE "SIGN BY-LAW" TO REFLECT REQUIRED  
CHANGES AS IT RELATES TO ELECTION SIGNS

WHEREAS pursuant to the provisions of Section 210, ss 146 of The Municipal Act, R.S.O., 1990, the Council of a Municipality may pass By-Laws for the prohibition or regulation of the erection of signs and other advertising devices, and the posting of noticed within a Municipality.

AND WHEREAS pursuant to those Regulations, Council did pass By-Law #96-10 on the 12<sup>th</sup> day of March, 1996.

AND WHEREAS this Council deems it necessary to further amend the said By-Law specifically as it relates to Election Signs.

NOW THEREFORE this Council of the Corporation of the Town of Wasaga Beach, hereby enacts as follows:-

1. THAT By-Law #96-10, Section 5.12, Election Signs, is hereby amended by adding the following Sections:-
  - 5.12.3 THAT the placing of Election Signs be restricted to no earlier than Nomination Day in an Election Year.
  - 5.12.4 THAT the number of Elections Signs be restricted to 20 signs no larger than 24" x 36", and 5, 4' x 8' signs, per Candidate, on Town Property. The Town will provide identification stickers for same. Replacement stickers for lost or damaged signs may be obtained at a price of \$10.00 each.
2. THAT all other Sections of the said By-Law #96-10, shall remain in force and effect.
3. THAT this By-Law shall come into force and be effective upon third and final reading hereof.

Read a first and second time this

12<sup>th</sup> day of September, 2000.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK-TREASURER

Read a third time and finally passed

this 12<sup>th</sup> day of September, 2000.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK-TREASURER