

**THE CORPORATION OF THE TOWNSHIP OF TARBUTT
BY-LAW 2022 - 15**

A BY-LAW for the control and regulation of signs or other advertising devices, and the posting of notices.

WHEREAS Section 10 (2) of the *Municipal Act*, S.O. 2001, c 25, as amended, provides that a single-tier municipality may pass by-laws respecting structures, including fences and signs; and

WHEREAS it is considered advisable to pass a By-law to regulate and control signs and other advertising devices and the posting of notices within The Township of Tarbutt to ensure they are appropriate in size, number and location; are compatible with their surroundings; are consistent with the planning objectives of the Township; and to ensure that they do not create a visual distraction or safety hazard for pedestrians or motorists; and

WHEREAS the power of the Council of the Corporation of The Township of Tarbutt shall be exercised by By-Law; and

WHEREAS Section 99 (2) of the *Municipal Act*, as amended, provides that all costs and charges incurred by a municipality for the removal, care and storage of an advertising device that is erected or displayed in contravention of a by-law of the municipality are a lien on the advertising device that may be enforced by the municipality under the *Repair and Storage Liens Act*;

NOW THEREFORE BE IT RESOLVED THAT the Council of The Corporation of The Township of Tarbutt enacts as follows:

1. DEFINITIONS

“A Frame”, also known as a Sandwich board, Sidewalk Sign or Portable Sign, means a free standing sign located on but not anchored to the ground, or any sign which is specifically designed or intended to be moved from one location to another and which does not rely on a building or fixed foundation for its support.

“Advertising Device” means any device or object intended to be located on any property or affixed on a building, including signs, flags, banners, pennants, lights, or any object intended for advertising or promotional purposes, and which may be permanent or temporary.

“Billboard” means a poster panel or back light sign that advertises goods, products or services not sold on the lot or premises where the sign is located.

“Clear Zone” means the total roadside border area starting at the edge of the asphalt available for safe use by errant or horse drawn vehicles. The desired width may consist of a shoulder, or a recoverable or non-recoverable slope, the desired width of which is dependent on the class of road and the speed limit.

“Council” means the Council of The Township of Tarbutt.

“Daylighting Triangle” means property sight triangles provided at intersections and other critical areas that provide the traffic with a visible interval, property signs triangles are measured as 15m minimum along the property lines of the intersecting roads.

“Directional Signage” means a fingerboard type sign affixed on a post to provide direction to motorists, and which has been installed by the Township.

“Home Occupation” means a sign which promotes the accessory occupation or use of a residence.

“Permanent Sign” means an affixed advertising device or notice which is used to attract attention to a specific subject matter, and which may be illuminated or non-illuminated.

“Permit” means a Sign Permit issued by The Township of Tarbutt for one or a series of signs to be posted for a specified period of time.

“Portable Sign” means any sign device specifically designed to be moved from one location to another, and which does not rely on a building or fixed foundation for support, commonly known as magnetic signs, A Frame or sandwich board signs.

“Temporary Sign” means any portable or mobile sign which is free standing or mounted on wheels so as to make it transportable, and which is intended for use on a short term basis. Temporary signs may be illuminated or non-illuminated.

2. GENERAL PROVISIONS

- a. This By-law shall be administered by The Township of Tarbutt’s employees and officers. Any Township employee may take action to remove incorrectly or illegally placed devices, or devices for which a permit has not been issued.
- b. No sign or advertising device shall be placed on public lands or within the road allowance of a municipally maintained road, placed in the ground or posted to a tree, pole or other structure within The Township of Tarbutt unless a permit has been issued.
- c. Signs exceeding 5 ft (1.5 m) x 8 ft (2.4 m) require approval from the Building Department.
- d. No sign or advertising device shall be placed on private lands within The Township of Tarbutt without the written consent of the registered property owner.
- e. No sign or advertising device shall be affixed to any tree, post, pole or other temporary location without a permit. Any such device shall be removed.
- f. Permits will be issued from the Township office upon submission of the Sign Application Form, attached hereto as Schedule “A”.

- g. No fee shall be charged for the sign permit, however a deposit of \$30 per sign shall be collected at the time the permit is issued to ensure that the signs are removed at the end of the term of issue.
- h. The deposit shall be refunded to the applicant in full once the signs or advertising devices are collected as agreed.
- i. Temporary signs regarding a neighbourhood function, garage sale or like event may be posted without a permit, but must be removed within five (5) days of the event. Failure to remove the sign may result in administrative charges to the property owner.
- j. The Township shall retain the deposit to recoup the cost of collecting and disposing of the signs if the signs or devices are not collected as agreed.
- k. Election signs for federal, provincial or municipal elections shall be exempt from the provisions of this By-law, but shall fall under the requirements of Township of Tarbutt Election Sign Policy.
- l. Directional signage is permitted by business owners to direct the motoring public to their location under the following conditions:
 - The sign or post must not interfere with road maintenance operations or obscure visibility at an intersection, including driveways;
 - No directional sign shall be placed above a street name sign on the same post.
 - Locates will be required prior to the installation of all sign posts;
- m. Home occupation signs shall not exceed 1.8 ft (0.55m) in width and 3.94 ft (1.2m) in height. No part of any sign is to be closer than 3.28 ft (1m) from any property line.
- n. Light from any illuminated sign is to be deflected away from an adjacent residential lot and the path or vehicular traffic.
- o. Signs posted under the *Planning Act* are exempt from the provisions contained herein.
- p. Billboard signs are not permitted on Township roads. Billboards posted on private property must be a minimum of 75.5 ft (23m) from the road allowance. MTO approval is required for the installation of billboard signs along Highway 17 or 548.

3. LEGACY CLAUSE

- a. Any sign or advertising device that was in place prior to the passing of this by-law shall be exempt from the requirement to obtain a permit.
- b. Notwithstanding the above clause, any device which is moved, relocated, revised or changes in size, height or dimensions shall be required to have a permit.

4. APPLICATION REQUIREMENTS

The applicant applying for a permit for a permanent sign shall file the following documents with the municipality:

- A site plan detailing the proposed site with all measurements included;
 - Completed drawings or photos detailing the proposed sign and construction;
 - Any forms and permits issued by other agencies, where applicable;
 - An application for sign permit, duly completed and signed by the property owner.
5. THAT any previous by-law or resolution, or any section, clause or policy which conflicts with this by-law be and is hereby repealed.
 6. THAT the Clerk shall have the authority and direction to execute administrative amendments as may be required without amending the context of the by-law.
 7. THAT this Agreement shall come into force and take effect as of June 15, 2022.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME and finally passed this Fifteenth day of June, 2022.



Lennie Smith, Mayor



Carol O. Trainor, Clerk

**THE TOWNSHIP OF TARBUTT
APPENDIX "A" TO BY-LAW 2022 -15
SIGN PERMIT APPLICATION**

Property Owner: _____

Primary Residence Address: _____

Postal Code: _____

Telephone: _____ e-mail: _____

Proposed Sign Location: Lot: _____ Plan/Conc #: _____

Owner of subject lands (if not the applicant): _____

Time period signs will be posted: From: _____ Until: _____

Dimensions: Height: _____ Width: _____ Distance from grade: _____

A Site Plan of the property must be attached to this application showing the following:

- Property shape and dimensions (see sample on reverse)
- The position and location of the sign on the site including setbacks from all property lines, distance from other buildings, distance from the township or provincial roads, fencing and any water courses on the property. Minimum setbacks apply to all structures.

By signing this application, I _____, the owner of the above noted property do hereby agree to abide by the provisions and conditions set out in By-law 2022 - __.

I understand that the issuance of a permit shall not be deemed a waiver of the provisions of any By-laws or other regulation included in or omitted from the plans or other material provided in support of this application. Any departure from the plans, specification or locations proposed in the application is prohibited, and such departure may result in the permit being revoked and the signs shall be removed. I further acknowledge that, in the event the permit is revoked for any cause of irregularity or nonconformity, there shall be no right of claim whatsoever against the Township, or any official thereof and any such claim is hereby expressly waived.

Signature: _____ Date: _____

FOR OFFICE USE ONLY: Year of application: _____ Fee Paid: \$ _____

Comments / Conditions: _____

Authorized Signature: _____ Date: _____

Personal information contained on this form is collected pursuant to the Municipal Act, 2001, and will be used only for the purposes stated herein. Questions with respect to the collection of personal information should be addressed to the Freedom of Information and Privacy Coordinator, The Township of Tarbutt, 27 Barr Rd, S., Desbarats, Ontario P0R 1E0