

THE CORPORATION OF THE TOWN OF EAST GWILLIMBURY  
BY-LAW NO. 99-44

TO REGULATE THE ERECTION, POSTING AND MAINTENANCE OF SIGNS.

**WHEREAS** the Municipal Act R.S.O. 1990, c.M.45, as amended, provides municipal councils with the authority to pass by-laws regulating the erection and maintenance of signs.

**NOW THEREFORE** the Council of the Corporation of the Town of East Gwillimbury ENACTS AS FOLLOWS:

PART 1 DEFINITIONS

1. (a) **ADVERTISING DEVICE** means any designed device and includes letters, illustrations, symbols, figures, insignia and other devices mounted on the display surface or surfaces, facing or facings to illustrate the message of the sign and intended to be erected or located or affixed on any property. It also includes, flags, banners, pennants, lights, inflatable devices, or any object intended for advertising purposes.
- (b) **APPROVED PLASTICS** means combustible sign face material as described and regulated in the Ontario Building Code.
- (c) **BUSINESS** means a commercial, industrial, institutional or agricultural activity or a legal home occupation, as permitted by the zoning by-law.
- (d) **CHARITABLE ORGANIZATION** means a charity registered in accordance with the provisions of the *Federal Income Tax Act* and which has provided proof of such registration to the Chief Building Official.
- (e) **CHIEF BUILDING OFFICIAL** means the Chief Building Official for the Town of East Gwillimbury.
- (f) **COMBUSTIBLE MATERIAL** means combustible material as described in the Ontario Building Code.
- (g) **HOME OCCUPATION** means a legal home occupation as defined in the zoning by-law.
- (h) **INSPECTOR** means any employee of the Town designated by the Chief Building Official for the purpose of administering and carrying out duties and powers pursuant to this by-law.
- (i) **LEGAL NON-CONFORMING USE** means a use which does not comply with the applicable provisions of the zoning by-law but is legal by virtue of sub-section 34 (9) (a) of the Planning Act 1990 c.P. 13, as amended.

- (j) NON-PROFIT ORGANIZATION means a charity registered in accordance with the Public Trustees Act and which has provided proof of such registration to the Chief Building Official.
- (k) ORDER TO COMPLY means a direction ordering compliance with this by-law issued by the Chief Building Official or any inspector.
- (l) OWNER means the owner, lessee or occupier of the lands or structure upon which a sign or advertising device is erected.
- (m) PARKING LOT means a lot or portion thereof provided for the parking of motor vehicles accessory or incidental to uses in commercial, institutional or industrial zones.
- (n) PERSON or persons means an individual, corporation, partnership, charitable organization or sole proprietorship.
- (o) PREMISES means a specific building or buildings or part thereof and/or a specific lot or part thereof, in either private or public ownership. In a multiple occupancy building or lot, all units in a premises shall be considered one premises.
- (p) ROADS
  - (i) PROVINCIAL HIGHWAYS AND MAJOR ARTERIALS means roads which serve inter-regional and regional travel demands including movements of heavy trucks.
  - (ii) COLLECTOR ROADS means roads which serve local travel demands and connect to arterial and local roads.
  - (iii) LOCAL ROADS means roads which serve residential neighbourhood and employment area travel demands and connect individual properties to collectors and arterials.
- (q) SHOPPING CENTRE means a group of commercial establishments, whether or not under one ownership, having a common parking area.
- (r) SIGN means any advertising device, structure, device, light or natural object including the ground itself, or any part thereof, or any device attached thereto, or painted or represented thereon, which is used to identify, advertise, or attract attention to any object, product, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry, or business, and includes any letter, word, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction, or advertisement, that is intended to be seen from off the premises or from a parking lot. Sign also includes the following:
  - (i) DEVELOPMENT SIGN means a sign advertising the sale of lots within a plan of subdivision;

- (ii) GROUND SIGN means a sign supported by the ground, which is not attached to any part of a building;
  - (iii) ILLUMINATED SIGN means a sign that provides artificial light directly, or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light focused on or chiefly directed at the surface of the sign;
  - (iv) INFLATABLE SIGN means a sign or advertising device that is inflated;
  - (v) OFF-SITE TOWN BUSINESS SIGN means a sign advertising a Town business where the sign is located on premises other than those upon which the business is located;
  - (vi) PORTABLE SIGN means an illuminated or non-illuminated sign which is designed to be readily moved from one location to another, is not permanently installed or affixed to the ground and which does not rely on any building or fixed foundation for its structural support and is commonly known as a trailer or mobile sign, but does not include a sign attached to a vehicle where the principal use of the vehicle is the transportation of people, goods or other material;
  - (vii) REAL ESTATE SIGN means a sign advertising the sale, rental or lease of the single lot or premises upon which the sign is erected;
  - (viii) SANDWICH BOARD SIGN means an A-frame sign that is self supported on the ground, or a tee framed sign with the base of the tee self supporting on the ground;
  - (ix) SPECIAL EVENT SIGN means a sign used for the sole purpose of advertising a special event but does not include a special event for a municipal legal business.
  - (x) SIGN FACING means the surface of the sign, upon, against or through which the message of the sign is exhibited;
  - (xi) SIGN, SINGLE SIDED means the area of the entire sign when the angle at the rear exceeds 90 degrees;
  - (xii) WALL SIGN means a sign which is parallel to or perpendicular and projects out not more than 25 cm (10 inches) from the face of the building wall to which it is attached.
- (s) SITE TRIANGLE means the area of a corner lot which is formed by measuring to a projected point of the intersection of the two street property lines (or railroad right-of-way) abutting front and exterior side lot lines at a distance as described in Schedule "B" to this by-law for the class of road set out therein.

- (t) TOWN means the Town of East Gwillimbury.
- (u) ZONE means designated areas of land use shown on the schedules to the Town's zoning by-laws.
- (v) ZONING BY-LAW means zoning by-law 97-50 of the Town of East Gwillimbury, as amended from time to time.

## **PART 2 GENERAL**

- 2.1 Except for signs permitted in part 3 herein, no person shall erect, install, post display, keep or maintain on any premises within the Town any sign or advertising device unless a permit is obtained in accordance with the provisions of this by-law. Sign permits will only be issued for legal uses in accordance with the Town's zoning by-law;
- 2.2 A change in the message displayed by an existing sign or other existing advertising device does not in itself constitute an alteration so as to require a permit.
- 2.3 No person shall make an application for a sign permit who is not the owner or lessee, or the authorized agent of the owner or lessee of the property on which the sign is to be erected, nor shall any person submit false or misleading information or documents or make omissions that may mislead in connection with any application for a sign permit, detail of construction or revision thereto.
- 2.4 Except for signs permitted in part 3 herein, signs shall be located on the lands of the business, unless otherwise provided in this by-law.
- 2.5 The sign area is calculated by the area of the single face of the sign.

## **PART 3 SIGNS NOT REQUIRING PERMITS**

- 3.1 The following signs shall be permitted in all zones in the Town without a permit and shall not be counted when calculating the number of signs permitted for any lot or premises. However, such signs shall comply with the provisions specified in this part:
  - (a) no trespassing signs or other signs regulating the use of a premises which do not individually exceed .186 square metres (2 sq. ft) in sign area;
  - (b) real estate signs not exceeding .557 square metres (6 sq. ft.) in sign area in a residential zone and 2.97 square metres (32 sq. ft) in other zones provided they are for an active listing. Such real estate signs shall be removed within 10 days after the lot or premises advertised has been sold, rented or leased;
  - (c) signs regulating on-premises traffic, parking or other directions such as lavatory facilities or telephones and signs denoting other sections of a building, such as shipping or offices, which do not exceed .557 square

metres (6 sq. ft.) in area and which do not include any commercial advertising;

- (d) signs erected by or under the direction of the Town or any other government body such as traffic signs, railroad crossing signs, and safety signs but which do not include any commercial advertising;
- (e) memorial signs, tablets or other signs denoting the date of erection of buildings attached to the wall of a building or structure, which do not exceed .465 square metres (5 sq. ft.) in sign area;
- (f) a maximum of one sign which does not exceed .557 square metres (6 sq. ft.) in area and which is associated with building construction such as renovation, installation of windows, paving and/or installation of interlocking driveways. Any such sign shall be located on the premises upon which the building construction is occurring and shall not be erected prior to commencement of construction and must be removed when construction is completed or if construction is discontinued for a period exceeding thirty (30) days;
- (g) all signs, including printed advertisements, placards, posters or banners having reference to the election of any candidate for public office. Such signs shall be removed within 72 hours after the completion of the election for which the signs have been erected;
- (h) temporary signs for the sale of edible farm products and/or silvacultural products which are grown and produced on the same property as those upon which the signs are located. Such temporary signs shall not exceed 1.49 square metres (16 sq. ft.) in sign area and shall be permitted for a maximum of 4 months in a calendar year and must be removed forthwith after the availability of the farm and/or silvacultural products has ceased;
- (i) a sign denoting the name of an estate or property owner not exceeding .465 square meters (5 sq. ft.) in sign area.

3.2 The provisions of parts 5,6,7,8 and 9 of this by-law do not apply to regulate the erection, installation, posting, keeping or maintaining of any of the signs described and regulated under part 3 of this by-law.

#### PART 4 SIGNS PROHIBITED IN ALL ZONES

- 4.1 Notwithstanding any other provision of this by-law, no person shall erect, install, post, display, maintain or keep on any premises any of the following:
- (a) signs which incorporate in any manner any flashing or moving illumination which varies in intensity or which varies in colour, or signs which have any visible moving parts, visible mechanical movement of any description or other apparent movement achieved by electrical pulsations or by actions of normal wind currents, with the exception of signs which indicate time or temperature provided such signs are not prohibited by any other provision of this by-law;

- (b) signs which by reason of size, location, content, colouring or manner of illumination interfere with the safe sight distance or obstruct the vision of motorists or pedestrians or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets and roads;
- (c) signs which make use of words such as STOP, LOOK, ONE WAY, DANGER, YIELD, or any similar words, phrases, symbols, lights or characters which may interfere with, mislead or confuse motorists;
- (d) signs which obstruct or impede any fire escape, fire exit, door, window, scuttle, skylight, flue, air intake or exhaust or prevent or impede access by firefighters to any part of a building;
- (e) signs which advertise a business which is no longer being conducted or a product which is no longer being sold;
- (f) signs on or extending over public streets, public property or public right-of-ways unless erected by a government agency or unless specifically permitted by a government agency;
- (g) signs painted on, attached to, or supported by a tree, stone or other natural object;
- (h) signs which obstruct a parking space or are located within a parking space unless designed for such a purpose;
- (i) signs located on the roof of any building or structure;
- (j) signs not securely anchored to the ground or building, unless otherwise permitted by this by-law, and which are designed to be capable of being moved from place to place. This includes a sign located on a vehicle other than a vehicle necessary for or actively used as a vehicle for the operation of the business. If the vehicle is used for the business as well as an advertising device the time limit allowed for the vehicle to be parked on the property shall be ten (10) consecutive days in a month;
- (k) signs located within a site triangle;
- (l) off-site Town business signs advertising a home occupation;
- (m) signs where content is offensive.

#### PART 5 GENERAL PROVISIONS FOR ALL ZONES

- 5.1 The following provisions and regulations apply to the signs described in this part regardless of the zone in which it is proposed to locate such sign or signs.

## Wall Signs

- 5.2 The following regulations shall apply to all wall signs:
- (a) no wall sign or any part thereof shall project more than 25 cm (10 inches) from the wall upon which it is mounted;
  - (b) no wall sign shall extend beyond the extremities of the wall to which it is attached;
  - (c) no wall sign shall extend around the corners of the wall upon which it is mounted except in the case of a corner premises;
  - (d) no portion of any wall sign shall be less than 2.44 metres (8 feet) above the finished grade or floor level immediately below such sign;

## Ground Signs

- 5.3 The following regulations shall apply to all ground signs:
- (a) no ground sign shall be located at a distance less than 3.05 metres (10 ft.) from any side lot line and 1.52 metres (5 ft.) from any other lot line;
  - (b) a ground sign including any part of its structure shall not be located closer than .914 metres (3 ft.) to any driveway. A curb .15 metres to .2 metres (6 inches to 8 inches) in height shall be constructed around the ground sign and .914 metres (3 ft.) from its base where it is located in a parking area or adjacent to a driveway;
  - (c) no ground sign shall be located within 14.93 metres (49 ft.) of an intersection;
  - (d) where the lot abuts a provincial highway, the approval of the Ministry of Transportation shall be required and such ground sign shall be set back from the lot line abutting the highway the distance required by the Ministry;
  - (e) a separation distance of not less than 48.76 metres (160 ft.) shall be provided between the ground sign and any government sign located on the same side of the roadway;
  - (f) the maximum height of a ground sign shall not exceed 7.5 metres (24 ft. 7in.).

### **Portable Signs**

- 5.4 The following regulations shall apply to all portable signs:
- (a) no portable sign shall be located a distance of less than 3.05 metres (10 ft.) from any side lot line, and 1.52 metres (5 ft.) from the front lot line and it must be located on private property;
  - (b) no portable sign shall be located within 14.93 metres (49 ft.) of a traffic light;
  - (c) a maximum of one portable sign per lot is permitted for a maximum of ninety (90) days within one calendar year;
  - (d) signs shall be kept back 3.04 metres (10 ft.) from the property line where a lot abuts a provincial highway as required by the Ministry of Transportation.

### **Off-Site Town Business Signs**

- 5.5 The following regulations shall apply to all off-site Town business signs:
- (a) the maximum size of any off-site Town business sign shall be 2.97 sq. metres (32 sq. ft.) for the first and second applicant except as per section 5.5 (f);
  - (b) the maximum height of any off-site Town business sign shall be 3.96 metres (13 ft) above ground to the top of the advertising sign;
  - (c) no permit shall be issued for an off-site Town business sign without the written consent of the registered owner of the premises upon which the sign is proposed to be located;
  - (d) a maximum of two off-site Town business sign locations may be permitted per legal business;
  - (e) off-site Town business signs must be located on land zoned rural, commercial, industrial, transitional, open space and environmental only;
  - (f) when more than one applicant applies for an off-site Town business sign at the same location then the individual signs must be mounted together on a common backboard. If a third or fourth business applicant desires a sign at the same location, then the sign sizes shall be 1.48 sq. metres (16 sq. ft) on a 5.95 sq. metres (64 sq. ft. ) backboard;
  - (g) off-site Town business signs shall be located on private property and/or such sign shall be set back from the lot line abutting a provincial highway the distance required by the Ministry of Transportation.

- (h) the construction of off-site Town business signs shall be as per the specifications in schedule “D”;
- (i) the Town sign logo shall be erected on the top of each off-site Town business sign by the sign owner/applicant to the Town standards as specified in schedule “D”;
- (j) where any off-site Town business sign is located fronting on a provincial highway and/or where the Ministry of Transportation requires a set back of 22.86m (75 ft.) from the property line the maximum size shall be 5.95 sq. metres (64 sq. ft.) per applicant on the sign structure.

### **Sandwich Board Signs**

5.6 The following regulations shall apply to sandwich board signs:

- (a) the maximum size per side of a sandwich board sign is .743 metres (8 square feet);
- (b) any sandwich board sign must be located on private property. The sign must be located between the two (2) side lot lines only, or between the rear and front lot lines (on a flank street);
- (c) a maximum of one sandwich board sign is permitted per lot.

### Special Event Signs

5.7 The following regulations shall apply to special event signs:

- (a) the maximum size per side of a special event sign is 2.97 square metres (32 sq. ft.);
- (b) any special event sign must be located so as not to impair or obstruct the visibility or movement of vehicular or pedestrian traffic, or visibility of warning devices, railway, traffic and municipal street signs;
- (c) the maximum number of signs permitted for any one special event shall be twelve (12) per event;
- (d) the location of any special event sign will be subject to the approval of the Town, the Region of York and the Ministry of Transportation and must be on private property unless otherwise permitted by the Town, the Region of York or the Ministry of Transportation;
- (e) the event that is advertised shall be located in East Gwillimbury.

## Illumination

- 5.8 Light sources which cast light on a sign shall be shielded by material so that the bulbs, floodlights or tubes are not visible off the lot or premises on which the sign is located.

## Jurisdiction of Other Authorities

- 5.9 Nothing in this by-law affects the jurisdiction of other authorities empowered to regulate the location, height, size and types of signs and all approvals issued by the Town are subject to the requirements of all other authorities having such jurisdiction.

### **PART 6 SIGNS PERMITTED IN RESIDENTIAL ZONES**

- 6.1 In addition to the signs permitted by part 3 of this by-law and subject to the provisions of part 5, the following signs shall be permitted in a residential zone:
- (a) a maximum of one ground sign not exceeding .557 square metres (6 sq. ft.) in area, indicating the business name or occupation of the property owner or tenant if such a home occupation is permitted on the lot or premises by the zoning by-law;
  - (b) sandwich board signs;
  - (c) special event signs.

### **PART 7 SIGNS PERMITTED IN COMMERCIAL ZONES**

- 7.1 In addition to the signs permitted in part 3 of this by-law and subject to the provisions in part 5, the following signs shall be permitted in commercial zones:
- (a) Wall Signs
    - (i) wall signs shall not exceed twenty-five percent of the area of the wall to which the sign is attached in the storey on which the sign is located. In buildings of multiple occupancy and/or shopping centres, the signs shall be of uniform height and shall be a part of the design of the building. Wall area is the area of the wall containing only the premises to which the signs refer;
  - (b) Ground Signs
    - (i) two ground signs shall be permitted no larger than 7.43 square metres (80 sq. ft.) in sign area on a single sign face, or 14.96 square metres (160 sq. ft.) of sign area for both faces of a double sided sign for lots up to 89.91 metres (295 ft.) of street frontage, plus an extra .929 square metre (10 ft.) for each 39.92 metres (131 ft.) of street frontage in excess of 89.91 metres (295 ft.) to a maximum of 9.94 square metres (107 sq. ft.) in sign area on a single face sign or 19.97 square metres (215 sq. ft.) in sign area for both faces of a double sided sign;

- (ii) two ground signs are permitted per lot except where the lot has two or more road frontages and then three signs shall be permitted;
- (c) portable signs;
- (d) off-site Town business signs;
- (e) sandwich board signs;
- (f) special event signs are permitted.

7.2 Notwithstanding subsection 7.1 (b) (i) and (ii ), the following provisions shall apply to a shopping centre in a commercial zone:

- (a) a maximum of one ground sign shall be permitted not exceeding 10.03 square metres (108 sq. ft.) in sign area on a sign face, or 19.97 square metres (216 sq. ft.) in sign area for both faces of a double sided sign for lots with 89.91 metres (295 ft.) of frontage or less, plus an extra 5.02 square metres (54 sq. ft.) for every 10.06 metres (33 ft.) of street frontage to a maximum of 19.97 square metres (215 sq. ft.) in sign area for a single face sign or 40.03 square metres(431 sq. ft.) in sign area for both faces of a double sided sign;
- (b) a maximum of one ground sign shall be permitted not exceeding a maximum height of 7.5 metres (24 ft. 7 in.) from the finished grade level at the base of the sign;
- (c) a maximum of two ground signs shall be permitted on a lot which has 89.91 metres ( 295 ft) or more of frontage except where the lot has two or more road frontages on 89.91 metres (295 ft) or more of frontage then three signs shall be permitted;
- (d) a maximum of one entrance sign and one exit sign shall be permitted at each entrance to a shopping centre and each sign shall not exceed 1.02 square metre (11 sq. ft.) and shall not exceed 2.01 metres (6.6 ft.) in height.

7.3 In addition to the signs permitted by part 3 and sections 7.2 of this by-law and subject to the provisions of part 5, the following signs shall also be permitted in association with service stations and gas bars:

- (a) a maximum of two signs displaying the price of gas not exceeding 1.02 square metres (11 sq. ft. ) in sign area, shall be permitted on the facia of a canopy associated with the pump islands provided that each such sign

is an integral part of the canopy design and does not extend beyond the fascia;

- (b) signs customarily displayed on gasoline pumps which are an integral part of the pump design.

#### **PART 8 SIGNS PERMITTED IN RURAL ZONES.**

8.1 In addition to signs being permitted in part 3 of this by-law and subject to the provisions of part 5 the following signs shall be permitted in rural zones:

- (a) Wall Sign

- (i) wall signs shall not exceed twenty percent of the area of the wall to a maximum of 9.29 metres (100 sq. ft.) of signage on the storey to which the sign is attached. In buildings of multiple occupancy, the signs shall be of uniform height and shall be part of the design of the building. Wall area is the area of the wall containing only the building or premises to which the sign refers. Wall signs which are permitted must be incidental to the use carried on;

- (b) Ground Sign

- (i) a maximum of one ground sign not exceeding 5.95 metres (64 sq. ft. ) in area, indicating the business name or occupation of the property owner or tenant if such home occupation is permitted on that lot by the zoning by-law;

- (c) portable signs;

- (d) off-site Town business signs;

- (f) sandwich board signs;

- (g) special event signs.

#### **PART 9 SIGNS PERMITTED IN ALL OTHER ZONES**

9.1 In addition to the signs permitted in part 3 of this by-law and the provisions contained in part 5, the following provisions shall apply to all signs located within the industrial, institutional, environmental , open space zones and transitional zones:

- (a) Wall Signs

- (i) wall signs shall not exceed twenty percent of the area of the wall to a maximum of 9.29 metres (100 sq. ft.) of signage to which the sign is attached in the storey on which the sign is located. In

buildings of multiple occupancy, the signs shall be of uniform height and shall be a part of the design of the building. Wall area is the area of the wall containing only the building or premises to which the sign refers. Wall signs which are permitted must be incidental to the use carried on;

(b) Ground Signs

- (i) no ground sign shall be larger than 9.94 square metres (107 sq. ft.) in sign area on a single sign face, or 19.97 square metres (215 sq. ft.) in sign area for both faces of a double sided sign for a lot with 89.91 metres (295 ft.) of frontage or less, plus 5.01 square metres (54 sq.ft) for every 39.93 metres (131 ft.) of street frontage to a maximum of 19.97 square metres (215 sq. ft.) in sign area for a single face design or 40.04 square metres (431 sq. ft.) in sign area for both faces of a double sided sign;
  - (ii) the height of a ground sign shall not exceed 7.5 metres (24 ft 7 in.) from the finished grade level at the base of such sign;
  - (iii) a maximum of one ground sign is permitted per lot and where the lot has two or more road frontages, two signs shall be permitted provided that the ground sign or signs must be related to the use carried on the lot or premises;
- (c) portable signs;
  - (d) off-site Town business signs;
  - (e) sandwich board signs;
  - (f) special event signs.

**PART 10 DEVELOPMENT SIGNS**

10.1 In addition to the general provisions of this by-law, the following regulations shall apply to all development signs:

- (a) development signs shall only be located on the premises which are for sale;
- (b) development signs shall advertise only the development in which the sign is located, and not the sale of lots elsewhere or the realtor's, developer's or landowner's business in general. The content of such signs shall be limited to the name of the development, the developer's name, and the telephone number of the developer or the developer's sales agent;
- (c) the maximum sign area of such single-sided sign shall be 6.03 square metres (65 sq. ft.) and for a double-sided sign the maximum sign area shall be 11.98 square metres (130 sq. ft.) No part of the sign shall be more than 7.5 metres (24 ft. 7 in.) above grade;

- (d) development signs shall be removed when seventy-five (75%) of the lots in the subdivision have been occupied, except as may be provided by agreement with the Town.

#### PART 11 NON CONFORMING SIGNS

- 11.1 Any sign lawfully erected, constructed or placed before the day this by-law comes into force and which is lawfully in use on such day, may remain and continue to be used and maintained, notwithstanding that it does not conform with the applicable provisions of this by-law provided that no such sign shall be substantially altered or relocated, and the maintenance or repair of the sign or a change in the message displayed shall be deemed not in itself to constitute a substantial alteration.

#### PART 12 MAINTENANCE

- 12.1 The land owner and/or lessee of the lot or premises upon which any sign or advertising device is located shall maintain such sign or advertising device or cause such sign or advertising device to be maintained in a proper state of repair, so that such sign or advertising device does not become unsafe or dangerous or unsightly. All signs shall be completely operative at all times.

##### **12.2** Material and structural requirements

- (a) All materials incorporated into a sign shall comply with all requirements of the Ontario Building Code and this by-law.
- (b) No sign material shall lessen or compromise the fire resistance of a building.

##### 12.3 **Structural**

- (a) Signs and their structural members shall be designed to have structural capacity to resist safely and effectively, all effects of loads and influence from the environment that may be expected and shall, in any case, satisfy the requirements of the Ontario Building Code.
- (b) No sign shall be supported by an existing building or structure, including any part thereof, unless the building or structure is capable of supporting safely all loads to which it may be subjected to by the erection of the sign, as provided for in the Ontario Building Code.

## **PART13 ADMINISTRATION**

13.1 This by-law shall be administered by the Chief Building Official or his designate.

### **Minor Variances**

- (a) Town Council may, upon application of the owner and the payment of the variance application fee of \$50.00 authorize minor variances from this by-law, if in the opinion of Council the general intent and purpose of this by-law are maintained.

### **13.2 Responsibility for compliance with this By-Law**

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 the requirements of this by-law or any other by-law applicable to the sign.

## **PART 14 APPLICATIONS FOR PERMITS**

14.1 To obtain a permit the applicant must first submit an application on a prescribed form furnished for that purpose, which application shall be accompanied by two sets of scale drawings and specifications of sufficient detail and quality as is necessary to ascertain whether or not the sign will be in compliance with this by-law and the Ontario Building Code; and

- (a) an application for a sign permit shall be deemed to have been abandoned six (6) months after the date of filing, unless such application has been diligently pursued or a permit has been issued.

### Revocation of permit

14.2 A permit may be refused or revoked by the Town under any one or more of the following circumstances:

- (a) where the sign does not conform to this by-law and amendments thereto;  
or
- (b) where the sign does not conform to any regulation, law or requirements of any governmental authority having jurisdiction over the area where the sign is situated; or
- (c) where the permit has been issued as the result of false or misleading statements, or undertakings in the application, or where the permit has been issued in error by the Town.

### Assigning of a permit

- 14.3 It is a condition of the issuance of a permit that the permit shall not be assigned without the approval of the Chief Building Official who shall consent to the assignment of the permit upon application therefor where:
- (a) the application has been properly executed and submitted; and
  - (b) the required fees have been paid; and
  - (c) the sign for which the application has been made complies in all respects with this sign by-law and all other governmental regulations applicable to the sign.

### Orders to comply

- 14.4 Signs that are erected in breach or become in breach of the provisions of this by-law, whether or not a permit has been issued, shall be removed or brought into compliance by the owner of the lot or premises on which such sign is erected upon (7) seven days written notice given to that effect by the Chief Building Official or an inspector.
- 14.5 If the owner cannot be conveniently found then an order to comply shall be sent by registered mail to the last known address of the owner, according to the Town's assessment rolls, and a copy of the order to comply shall be posted on the site of the contravention. The order to comply shall be deemed to have been served five (5) days following the date of mailing or posting.
- 14.6 If the order is not complied with, the Chief Building Official or inspector may direct others as required to enter upon the land to pull down and remove the sign, in default of it being done by the person directed or required to do it, such matter or thing may be done at the owner of the lot or premises expense by the Town or its agents and such expense may be recovered by action or in like manner as municipal taxes.
- 14.7 No person shall contravene the provisions of an order to comply or remove any order that is posted on the lot or premises without the approval of the Chief Building Official or inspector.

### Removal and Storage of Signs

- 14.8 Signs removed by the Town shall be stored for a period of not less than thirty (30) days, during which time the owner, or his agent, may be entitled to redeem the sign upon receipt by the Town Treasurer of:
- (a) the greater of \$100.00 and an amount equal to the cost to the Town removing the sign, such cost being the reasonable cost to the Town including, but not limited to, all disbursements and all wages and benefits of employees or agents engaged directly or indirectly in the removal of the sign; and

- (b) a storage charge of \$10.00 per day or part thereof; and
- (c) a signed acknowledgement and release on a prescribed form as set out in schedule "C" of this by-law;
- (d) where a sign has been removed by the Town and stored for a period of thirty (30) days and such sign has not been redeemed, such sign may be forthwith destroyed or otherwise disposed of by the Town. The Town shall not be liable to the owner for any loss, damage, or expense associated with the disposal by the Town of the sign.

**Fees**

14.9 Fees shall be paid upon submission of an application for a sign permit as set out on schedule "A" of this by-law.

14.10 Schedules A , B ,C and D form part of this by-law.

**PART 15 PENALTY**

15.1 Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine in accordance with the Provincial Offences Act for each offence committed.

PART 16 VALIDITY

16.1 If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this by-law and it is hereby declared that the remainder of the by-law is valid and shall remain in force.

PART 17 PRECEDING BY-LAWS

17.1 By-Law # 93-100 and amendments thereto are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS \_\_\_ DAY.

OF \_\_\_\_\_ 1999.

\_\_\_\_\_  
JAMES MORTSON, MAYOR

\_\_\_\_\_  
DENIS KELLY, CLERK-ADMINISTRATOR

THE CORPORATION OF THE TOWN OF EAST GWILLIMBURY  
**BY-LAW #2000-**

**BEING A BY-LAW TO AMEND SIGN BY-LAW #99-44**

**WHEREAS** the Municipal Corporation of the Town of East Gwillimbury deems it advisable to amend By-Law #99-44.

**BE IT ENACTED** by the Municipal Corporation of the Town of East Gwillimbury as follows:

1. THAT Part 1 Definitions (i) be changed to read:

Development Sign means a sign advertising the sale of lots within a plan of subdivision or any other development that is regulated by a site plan agreement.

2. THAT Part 10 Development Signs, 10.1 (a) be changed to read:

Development signs shall only be located on the premises which are for sale and/or being developed under sight plan agreement.

3. THAT Part 10 Development Signs, 10.1 (b) be changed to read:

Development signs shall advertise only the development in which the sign is located, and not the sale of lots and/or development taking place elsewhere or realtor's, developer's or landowner's business in general. The content of such signs shall be limited to the name of the development, description of the development, the developer's name and the telephone number of the developer or the developer's agent.

4. THAT Part 10 Development Signs, 10.1 add (c ) to read:

Development signs shall be removed prior to a permanent ground sign permit being issued where applicable or prior to the issuance of an occupancy permit for the building.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED ON THE \_\_\_\_\_**

**DAY OF \_\_\_\_\_ 2000.**

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

## **SCHEDULE "A"**

The scale of fees to be paid to the Town of East Gwillimbury shall be as follows:

<b><u>TYPE</u></b>	<b><u>PERMIT FEE</u></b>
Ground Sign	\$100.00
Wall Sign	\$100.00
Off-Site Town Business Sign	\$100.00
Sandwich Board Sign	\$100.00
Portable Sign	\$100.00 + \$200.00 Deposit
Special Event Sign	No charge
Minor Variance Fee	\$100.00

### **REFUNDS**

Sign permit fees are not refundable except for the \$200.00 deposit for all portable signs.