

# THE CORPORATION OF THE COUNTY OF PERTH

## BY-LAW NUMBER 2541

### Being a by-law to regulate advertising devices adjacent to County Roads

**WHEREAS** the Council of the Corporation of the County of Perth deems it necessary in the public interest to regulate the erection of advertising signs adjacent to County road allowances;

**AND WHEREAS** pursuant to the provision of Chapter P.50 Section 63, (1)b and (2) of the Public Transportation and Highway Improvement Act, R.S.O. 1990, Council of a County may with respect to County road allowances under its jurisdiction and control, pass By-laws to prohibit or regulate signs, notices or advertising devices within 1,320 feet of any limit of such road.

**NOW THEREFORE**, the Council of the Corporation of the County of Perth enacts as follows:

1. **DEFINITIONS – In this By-law:**

- (a) “Centre point of an intersection” shall mean the point where the centreline of the through part of the county road meets the centreline, or the centreline of the prolongation, of any other highway that intersects or meets the county road;
- (b) “Sign” shall mean any device which is used to project an image, occurrence, name, product, time, place or business and is visible in whole or part from any public roadway and shall include permanent (building/freestanding) signs, temporary signs and mobile/portable signs.
- (c) “Person” shall include any person and/or persons, firm or corporation.
- (d) “County road allowances” shall mean the entire right-of-way including daylight corners of any county road under the jurisdiction, control or ownership of the Corporation of the County of Perth.

2. **GENERAL PROVISIONS – In this By-law:**

- (a) No person, firm or corporation shall place, erect or cause to be erected or placed, any sign, notice or advertising device on, overhanging or within one-quarter mile of County road allowances, except as herein specifically provided for and permitted.
- (b) The Corporation of the County of Perth may in the case of signs, notices or other advertising devices erected, placed, kept or maintained adjacent to any County road allowance in contravention of this By-law, remove, or cause to be removed forthwith, the said sign, notice or other advertising device.
- (c) No sign, notice or other advertising device shall be placed in a manner in which the sign, notice or other advertising device encroaches upon or overhangs the County road allowance except in a built-up area when the sign is affixed to a building which abuts the County road allowance and such encroachment has been specifically approved in writing by the Corporation of the County of Perth.
- (d) Completed applications shall be submitted to the Corporation of the County of Perth, Public Works and shall be in the form annexed hereto as Schedule B.
- (e) Where required, permits shall be issued at a fee set by County Council. If signs are relocated, a new permit must be obtained.
- (f) By this By-law, the Public Works Department is hereby authorized to approve applications and issue permits as provided under Sections 3 and 4.

- (g) The regulations herein contained shall not extend to or affect the right of the Corporation of the County of Perth to erect sign.
- (h) All signs, notices and advertising devices which were the subject of a permit obtained from the Corporation of the County of Perth to erect or expose same, shall be of such size and separated by such intervals and otherwise located as provided for in this by-law.
- (i) All signs existing at the time of passing this by-law must conform to this by-law and may be subject to an annual renewal fee set by County Council.
- (j) The wording or other matter, which is to be shown on any sign, notice of advertising device, shall not be changed to altered unless prior approval is obtained from the Corporation of the County of Perth.

3. **PERMANENT SIGNS – In this By-law:**

- (a) Signs erected or exposed by or on behalf of any person or owners with respect to a business conducted upon the property, or with respect to material or goods for sale on the property may be erected. For each property, one sign shall be permitted which shall not be more than 10 feet in length and shall bear the name of the proprietor, and may be placed at the limit of the County road allowance, but in no case shall overhang the County road allowance unless approved by the County. Any sign larger than 10 feet in length must comply with the regulations on Schedule “A” attached.
- (b) Signs erected or exposed by, or on behalf of, any person or owners with respect to a business **NOT** conducted upon the property, or with respect to material or goods **NOT** for sale on the property, require a permit from the Corporation of the County of Perth, and must comply with the regulations on Schedule “A” attached.
- (c) Signs classified as Official Guide signs for the purpose of directing persons to ongoing major events or locations require a permit and approval from the Corporation of the County of Perth. Campsite markers, service station markers and private directional signs are also classified as Official Guide Signs.

4. **MOBILE/PORTABLE SIGNS – In this By-law:**

- (a) Mobile trailer type read-o-graph signs are prohibited on a County road allowance. Such read-o-graph signs may be utilized providing they are erected on private property with a permit from the Corporation of the County of Perth and meet the requirements of the local municipality for mobile trailer type read-o-graph signing.

5. **TEMPORARY SIGNS – In this By-law:**

- (a) Temporary signs shall include:
  - (i) election signs placed for or on behalf of a candidate or political party. See Elections signs for more detail;
  - (ii) signs erected to advertise a particular agricultural event such as plowmen’s association signs, plowing match, golf tournaments, exhibition and fall fair signs and signs placed by recognized organizations of a similar nature;
  - (iii) signs placed by religious or charitable organizations or other recognized public service organizations to advertise a particular event;
  - (iv) private auction signs; and
  - (v) Real Estate “For Sale” signs.

- (b) A temporary sign shall be a sign or notice of a temporary nature which sign should not exceed 4 feet high by 8 feet in width. Any sign larger than 4 x 8 must comply with regulations on Schedule "A" attached.
- (c) With exception of election signs, temporary signs shall not be erected on County road allowances without the prior approval of the Public Works Department. Each temporary sign shall be removed within five days following the conclusion of the event advertised.
- (d) Election Signs:

Election signs may be erected on the County road allowance or adjacent to a County road allowance, providing:

- (i) they are not placed closer to the traveled portion of the highway than the outer extremity of the shoulder and do not interfere with the official signs, traffic signals, or other safety devices. Should the extremity of the shoulder be difficult to determine, it shall be the responsibility of the Public Works Department to specify its location on any particular County road allowance;
- (ii) election signs are not to be affixed to any permanent or official County sign or support, guide rails or other County structure or facility; and,
- (iii) election signs shall be removed within 24 hours after the election date.

- 6. The prohibition herein contained shall not extend to or apply to any road which, although under the jurisdiction and control of the Corporation of the County of Perth, is within boundaries of an urban municipality as defined in The Municipal Act, R.S.O. 1990, Chapter M.45, and amendments thereto.
- 7. SCHEDULES "A" and "B", attached hereto, shall form part of this By-law.
- 8. THIS BY-LAW shall come into force on the day it was passed.

READ A FIRST, SECOND, THIRD TIME AND FINALLY PASSED this 10<sup>th</sup> day of September, 1997 in the County of Perth.

## SCHEDULE "A"

### THE CORPORATION OF THE COUNTY OF PERTH (County by-law Number 2541)

#### REGULATIONS

The following regulations shall apply:

1. The length of signs shall not exceed 50 feet.
2. Signs shall not be more than 25 feet high measured from the ground.
3. The bottom of a sign shall not be less than 3 feet off the ground.
4. (a) Signs shall not be erected closer to the centreline of the County road allowance than is shown by the following schedule:

<u>Size of Sign</u>	<u>Minimum Distance from Centreline of County Road Allowance</u>
Less than 128 sq. feet	75 feet
128 sq. feet to 200 sq. feet	100 feet
201 sq. feet to 325 sq. feet	175 feet
326 sq. feet to 650 sq. feet	275 feet

- 
- 
- 
- 
- (b) Notwithstanding the provisions of item 4(a), no sign shall be erected closer than 25 feet from the edge of the County road allowance.
5. Signs shall not be erected closer than 1,000 feet to each other.
6. Signs shall not be erected closer than 300 feet from the centre point of the intersection of roads or railways.
7. A sign shall not be erected at any point where a hazard would be created, or where conflict with traffic control devices might arise.
8. A sign shall not be erected at a point where it would obscure or adversely affect a desirable view from or adjacent to the County road allowance.
9. Signs shall not be painted upon, attached to or be made to form part of any fence, building, rock or other surface adjacent to the highways, except to advertise a business upon the property on which the advertisement is situated.
10. Signs shall not be illuminated except where provided for in the permit.
11. Signs shall be painted and kept in proper repair. If any sign or signs are not kept in proper repair, the owner shall repair, repaint or remove them within 30 days of having received a written request from the Corporation of the County of Perth.
12. Every sign shall show thereon the name of either the person or owner of the sign responsible for the erection and maintenance thereof in a clearly-visible position.
13. Any minor variances to Schedule "A" must have approval from the Public Works Department.