

No. 2003 - 136

**BEING A BY-LAW TO REGULATE OR PROHIBIT SIGNS
WITHIN THE MUNICIPALITY OF KINCARDINE**

WHEREAS Section 11(2) of the Municipal Act, 2001, .S.O. 2001 c.25, as amended, provides authority to a lower-tier municipality to pass by-laws respecting matters within the sphere of jurisdiction of structures, including fences and signs,

AND WHEREAS the Council for the Corporation of the Municipality of Kincardine deems it advisable to pass a by-law to prohibit and regulate signs and other advertising devices within the municipality;

NOW THEREFORE the Council for the Municipality of Kincardine **ENACTS** as follows:

2015-086

1.0 DEFINITIONS

The following terms shall, for the purpose of this by-law, have the meanings stated below:

- 1.1 **“Abandoned Sign”** is any sign which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product or activity conducted or product available on the premises where such a sign is displayed.
- 1.2 **“Accessory Sign”** means any sign identifying or advertising a business, person, activity, goods, products or services located on the premises where the sign is installed and maintained.
- 1.3 **“Animated Sign”** means any sign that includes action or motion within the sign area. For purposes of this by-law the term does not refer to flashing, rotating or automatic changing signs.
- 1.4 **“Area”**
 - (i) When used in connection with a fascia sign or single faced sign, means the area of the copy surface.
 - (ii) When used in connection with a sign having a number of display surfaces, means one-half of the area of all the display surfaces.
 - (iii) When used in connection with a free standing letters(s) or figure means the area of the smallest rectangle which will enclose the letter(s) or figure.
- “Billboard”** means any sign constructed of steel or other suitable material having a maximum display area of 22.3 m2 (240 sq ft)
- 1.6 **“Business Improvement Area”** defined under a by-law 4241 titled “Being a By-law to designate an improvement area within the Town of Kincardine and to establish a board of management for the area” as amended from time to time or its successor.
- 1.7 **“Copy”** (Permanent and Temporary) means the wording on a sign surface either in permanent or removable letter form.

- 1.8 “**Copy Area**” means the area of the smallest single geometric figure which describes the area enclosed by the actual copy of a sign. For fascia signs, the copy area limits refer to the message, not to the illuminated background.
- 1.9 “**Council**” means the Municipal Council for the Municipality of Kincardine
- 1.9 (a) “**Committee**” means the Building and Planning Committee for the Municipality of Kincardine
- 1.10 “**Chief Building Official**” means the Chief Building Official (C.B.O.) of the Municipality of Kincardine.
- 1.11 “**Directory Signs**” are used to guide pedestrians to individual businesses within a multiple-tenant commercial building.
- 1.12 “**Electronic Media Sign**” means any sign designed for a section to be electronically controlled and which displays illuminated information in a pre-arranged sequence.
- 1.13 “**Erected**” means attached, altered, built, constructed, reconstructed, enlarged or moved, but does not include copy changes on any sign.
- 1.14 “**Fascia Sign**” (or Wall Sign) means a sign attached to or erected against a wall of a building, with the face horizontally parallel to the building wall, not extending above the top of the wall nor beyond the ends of the wall to which it is attached.
- 1.15 “**Flashing Sign**” means any sign which contains an intermittent or flashing source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source.
- 1.16 “**Grade**” means average elevation of the ground directly beneath a sign.
- 1.17 “**Ground Sign**” means any sign directly supported by the ground, without the aid of any other building or structure, other than the sign structure.
- 1.18 “**Height of Sign**” means the vertical distance measured from the adjacent street grade or upper surface of the nearest street curb other than an elevated roadway, which permits the greatest height to the highest point of said sign.
- 1.19 “**Illuminated Sign**” means any sign designed to provide artificial light either through exposed lighting on the sign face or through transparent or translucent material from a light source within the sign.
- 1.20 “**Internally Illuminated Sign**” means any sign designed to make illuminated or shine from within the structure;
- 1.21 “**Maintain**” means to permit a sign structure to continue or, where required, to repair or refurbish a sign or sign structure.
- 1.22 “**Mobile Sign**” means a sign mounted on a trailer or other structure which is designated in such a manner to facilitate its movement from place to place.
- 1.23 “**Nameplate**” means an identification sign indicating name of owners/farm name and address but shall not include advertising the selling of any product.
- 1.24 “**Non-Accessory Sign**” means any sign identifying or advertising or directing attention to a business, profession, person, commodity, service

or entertainment which is conducted, sold or offered elsewhere than at the lot upon which the sign is installed and maintained.

- 1.25 **“Non-Conforming Sign (Legal)”** means any advertising structure or sign which was lawfully erected and maintained prior to such time as it came within the enactment of this by-law, or a non-conforming sign for which a special permit has been issued.
- 1.26 **“Obsolete”** means a sign that advertises a business no longer doing business.
- 1.27 **“Parapet or Parapet Wall”** means that portion of a building wall that rises above the roof level.
- 1.28 **“Pylon or Standard Sign”** means a ground sign having a minimum distance of 2.4 metres (7.9 feet) from the underside of the sign to grade.
- 1.29 **“Projecting Sign”** means a sign (swinging or otherwise), other than a wall (fascia) sign, attached to and projecting from the building face.
- 1.30 **“Roof Sign”** means any sign erected upon, against or directly above a roof, said sign shall not extend beyond the perimeter of the roof.
- 1.31 **“Rotating Sign”** means any sign or portion of a sign which moves in a revolving or similar manner, but does not include multi-prism indexing sign face.
- 1.32 **“Sign”** means any identification, description, illustration, or device illuminated or non-illuminated visible from any public place or located on private property and exposed to the public which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information, with the exception of window displays and flags or emblems of patriotic, civic, educational, religious organizations, or private clubs. Signs shall also include all sign structures.
- 1.33 **“Shopping Mall”** means a group of commercial establishments planned and developed as a unit.
- 1.34 **“Sign Structure”** means any structure which supports, has supported or is capable of supporting a sign including decorative cover.
- 1.35 **“Substantial Alteration”** means to change the location, sign structure, or any one or more of the external dimensions of a sign, or to become obsolete, or to change the business name on an obsolete sign, and for the purpose of clarity, shall not include on a lawfully erected sign: (a) a change in the message to advertise goods or services; (b) the re-arrangement of numerals, letters or copy applied directly to the sign face specifically designed and intended to be periodically rearranged; (c) maintenance and repair.
- 1.36 **“Voting Place”** means the area designated by the Clerk of the Municipality in which the facilities for the conduct of the vote are located. The area designated may include the whole property, up to and including the curb, in order to provide curbside access for disabled voters.
- 1.37 **“Temporary Sign”** means a sign which is not permanently affixed and includes all devices such as banners, pennants, flags (not intended to include flags of any nations), sidewalk or curb signs and balloons or other air or gas filled figures. This section does not pertain to mobile signs as defined in sub-section 1.19.

1.38 “Zone” means an area established in the Municipality of Kincardine’s Comprehensive Zoning By-law as amended.

2.0 **GENERAL**

- 2.1 This by-law shall be administered by the Chief Building Official, Building Inspector or the Clerk of the Municipality of Kincardine.
- 2.2 No person or persons shall display, cause to be erected, or structurally alter any sign within the Municipality of Kincardine without first obtaining a sign permit.
- 2.3 Every person who requires a sign permit for a sign shall file in the Chief Building Official’s office a written application on Form S-1 attached to this by-law as Schedule “A” together with a building permit application.
- 2.4 The application shall be signed by the owner or authorized agent of the owner and by the occupant of the land or premises thereof.
- 2.5 The application shall be accompanied by a site plan showing the location of the sign and a drawing of the sign. Such site plan and drawing shall be to the specifications required by the Chief Building Official.
- 2.6 If the sign conforms in all respects with the provisions of this by-law and the Ontario Building Code, the Chief Building Official shall issue a permit. However, no sign shall be permitted on a building which does not comply with the Property Standards By-law of the Municipality of Kincardine.
- 2.7 The Chief Building Official may, in writing, suspend or revoke a permit issued under the provisions of this section whenever the permit is issued on the basis of a mis-statement of fact, or fraud.
- 2.8 No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign nor shall any permit issued hereunder constitute a defense in an action to abate an unlawful sign.
- 2.9 If the sign does not conform in all respects with the particulars furnished in the application and supporting materials and with this by-law and the Ontario Building Code, the CBO may require such alterations or additions to be made to the sign or its attachments or both, as will bring the sign into conformity with the permit and this by-law and the Ontario Building Code, and in default of such alternations and additions being made forthwith, the CBO may have the sign and its attachments torn down and removal may be recovered by action as a debt or may be collected in the same manner and with the same penalties as municipal taxes on real property.
- 2.10 The Chief Building Official may revoke any sign permit if erection is not commenced within one year of the issuance of the sign permit.
- 2.11 The fee for a sign permit in the Municipality of Kincardine shall be established by the Municipality’s Fee By-law and shall accompany the application.
- 2.12 No person shall locate a sign illuminated with red or amber lighting from within or without in such a fashion as to diminish or detract in any way from the effectiveness of any traffic signal or similar safety or warning device and which falls within the vision of motorists in such a manner as to create a traffic hazard.
- 2.13 No person shall place spot lights or flood lights used to illuminate a sign, building or premises, including a parking area, unless so arranged as to

deflect light away from adjacent premises or street, in order to prevent any glare or blinding effect upon any lane or moving traffic or residential building.

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No person shall erect a sign on public property without the permission of the Council. No person shall erect a temporary sign on public or private property without the permission of the CBO. Signs may only be attached to utility poles and trees by the use of staples or tape. Posters advertising an event may be attached to public property up to three months prior to the said event. Any such posters must be removed within three days following the event.

2.15 Nothing herein prevents the posting of any election proclamation or notice under any Election Act or any voter list under a statute in that behalf nor the display of election signs on private property during any election campaign. Any such sign shall be removed within three days following the date of the election.

2.16 Nothing herein prevents the posting of any notice under any Planning Act on public or private property. Any such notice shall be removed within a period either specified by such statute, or within three days of the relevant date such notice is advising.

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2.17 No person shall place illuminated signs of the animated, flashing, or revolving types in any zones except Commercial and Industrial. In these zones, the signs cannot be on rear or side of buildings or in yards abutting a Residential Zone.

The exception to the above is the Business Improvement Area, as set out in Schedule 'A' attached hereto and forming part of the By-law, where internally illuminated, flashing, animated and electronic media signs are prohibited. In the Business Improvement Area when any portion of an existing sign is planned to be replaced, or if a sign is substantially altered, the old sign (including sign structure) shall be removed and the new sign shall conform to the current provisions of the sign by-law. Minor maintenance and repairs to existing signs would be permitted (eg cracked face, wiring replaced).

2.18 No person shall erect any sign within the sight triangle as defined in the Municipalities Comprehensive Zoning By-law.

2.19 No person shall erect temporary signs at the site of a development unless they indicate the name of a construction project, the names and the addresses of contractors, architects, engineers and related personnel to the construction project, and in one location only, unless the project is on a corner of two intersecting public streets when two signs may be permitted, one per frontage, with said sign or signs, each not exceeding 9 square metres (96.9 square feet) in area and being subject to all other regulations of this by-law. All signs shall be removed within 30 days of completion of construction.

2.20 A maximum of two building identification placards made of metal or other weatherproof material that are commonly placed on the faces of buildings will be permitted without a sign permit as long as they are no greater in area than 0.30 square metres (3.2 square feet). Such placards shall be permitted in excess of any other allowed signs as stated in this by-law for any specific zone.

2.21 No person shall park any vehicle or trailer on public or private property so as to be visible from a public right-of-way, which has attached thereto or located thereon any sign or advertisement of products or directing people to a business or activity located on the same or nearby property or any

other premises. This section is not intended to prohibit any form of vehicular signage such as a sign attached to a bus or lettered on a motor vehicle.

- 2.22 No person shall erect an accessory sign for a business adjacent to a public parking lot or to a parking lot for that business, except under the same regulations governing a similar sign that would be permitted to front on a street or public lane.
- 2.23 No person shall erect any projecting signs in the Municipality of Kincardine, except in Commercial zones south of Broadway Street and north of Wayland Walk and in the commercial zones in the Village of Tiverton.
- 2.24 No person shall erect any sign upon or attached to any building or other approved support unless such building is able to carry that additional dead and wind load due to the erection of such signs or without exceeding the stresses permitted on the respective materials by the Ontario Building Code.
- 2.25 No person shall erect non-Accessory signs without the approval of Council, with the exception of private yard and garage sales.
- 2.26 All references to zones, land uses, yards, setbacks and coverage requirements relate to the Comprehensive zoning By-law of the Municipality of Kincardine, as amended.
- 2.27 Except as otherwise provided in this by-law, any accessory sign located on property which becomes vacant and unoccupied for a period of one year or more, or any sign which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned. Accessory signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of one year or more. No owner shall allow an abandoned sign to remain on his or her property and such sign shall be removed by the owner of the sign or owner of the premises, within 10 days after the certified mailing of notice by the Chief Building Official.
- 2.28 All signs or other advertising devices that were lawfully erected or displayed on the day this by-law comes into force but that do not comply with this by-law shall be considered legal non-conforming signs. Such non-conforming sign which is damaged to such an extent that its supporting members are broken shall be deemed to have been destroyed and shall not be reconstructed unless within conformity with this by-law.
- 2.29 Every sign shall be maintained in a safe, presentable and good structural condition at all times, including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of said sign. No person shall fail to maintain a sign and any conforming sign which does not comply with adequate safety standards shall be made to comply.
- 2.30 Notwithstanding anything contained in this by-law, the Municipality of Kincardine, the County of Bruce, and any Department of the Dominion or Provincial Government, may, for the purposes of public service, erect any sign of any design or size in any zone with Municipal limits.
- 2.31 Exemptions to this by-law will be allowed only upon resolution of Council.

3.0 **SIGNS IN RESIDENTIAL AND INSTITUTIONAL ZONES**

3.1 No person shall erect signs or name plates within any Residential and Institutional Zones, except as follows:

- (i) For each single family home, semi-detached, duplex, triplex, quadraplex, converted dwelling, board and rooming house, one nameplate not exceeding a combined area of 0.3 square metres (3.2 square feet) for each occupancy. Said nameplate shall not be subject to the permit requirements of this by-law, and includes nameplates situated or projecting into the required building set-back area.
- (ii) In regard to a home occupation in a residential zone, one sign no larger than 0.4 square metres (4.3 square feet) attached to the dwelling or situated or projecting into the required building set-back area shall be permitted to show the name and callings of residents concerned. Said nameplate shall not be subject to the permit requirements of this by-law.
- (iii) Signs shall be permitted for condominium, apartment and townhouse developments by resolution of Council.
- (iv) For non-residential uses (school, institutional, religious, charitable, and fraternal establishments), one identification sign and one bulletin board shall be permitted for each developed parcel. The bulletin board shall not to exceed 2 square metres (21.5 square feet) in copy area and 2.4 metres (8 feet) in height.

3.2 No person shall erect more than one (1) temporary ground sign at each entrance to a subdivision which may state the name of the subdivision, and show the street pattern and zoning thereof, not exceeding 12 square metres (129.2 square feet) in area. Such signs shall be removed thirty (30) months after its erection or when the subdivision is eighty (80) per cent sold, whichever occurs first.

3.3 No person shall place window signs in a residential zone except which identify or convey information such as “Block Parent”, “No flyers” signs, etc.

3.4 No person shall place any sign for a legal non-conforming commercial use as set out in the Zoning By-law except by resolution of Council.

4.0 **SIGNS IN COMMERCIAL ZONES**

No person shall erect a sign in a commercial zone except as follows:

For each 15 metres (49.2 feet) of continuous frontage or part thereof facing a public street, a public lane or public parking lot, one sign only (other than fascia signs) may be erected or displayed for each place of business unless otherwise specified. No person shall display or cause to be erected any other sign in a Commercial Zone, except the following:

4.1 **FASCIA SIGNS**

Fascia signs may only be erected or displayed on that portion of an exterior wall which is adjacent to that business and only when the wall faces a street, public lane, public parking lot or a private parking lot which is an accessory to that building.

- (i) The bottom of a fascia sign shall not be closer than 2.4 metres (7.9 feet) to the level of the sidewalk.
- (ii) No fascia sign shall project further from the main wall of the building than 30.5 centimeters (12 inches).
- (iii) No fascia sign shall extend above the top of the wall of a building, nor extend beyond the ends of the wall to which it is attached.


4.2 **GROUND USE**

- (i) No ground sign shall be closer than 1 metre (3.3 feet) to the property line.
- (ii) No ground sign shall have a height greater than 1.5 metres (4.9 feet).
- (iii) Ground signs may be illuminated from within or by spot light, subject to Section 2.12.
- (iv) No ground sign shall be erected or maintained that may obstruct the view of any pedestrian or driver of a motor vehicle; or that may interfere with vehicular movement to such a degree as to create a danger to any person.

4.3 **PROJECTING SIGNS**


- (i) Projecting signs shall only be permitted subject to the provisions of Section 2.23.
- (ii) Projecting signs may only be erected or displayed on that portion of an exterior wall which is adjacent to that business, and only when the wall faces a street, public lane, public parking lot or a private parking lot which is an accessory to that building.

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-  The bottom of a projecting sign shall not be closer than 2.6 metres (8.5 feet) to the level of the street.

- (iv) No projecting sign shall project further than 1 metre (3.3 feet) from the building face and in no instance into the traveled portion of the highway in front of the building.


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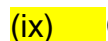
-  The sign attached to the projecting structure shall not exceed .55 square metre (6 square feet).

- (vi) No projecting sign shall extend above the top of the first storey of any building.

- (vii) Projecting signs shall be constructed and secured in a manner consistent with safe building practices or as regulated under the Ontario Building Code.

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-  Have a clearance from any electrical power lines or other utilities and provide for safe pedestrian movement or any other activities or use underneath the projecting sign.

- (ix)  Complement the architecture, streetscape improvements façade program and be indirectly illuminated.

4.4 **PYLON OR STANDARD SIGNS**

- (i) Every pylon sign shall be free standing and must not exceed 12 metres (39.4 feet) in height nor 26 square metres (279.9 square feet) in area.
- (ii) No pylon sign shall be erected on any premises having less than 15 metres (49.2 feet) frontage on a public street or a lane and no portion of the sign shall be closer than 1 metre (3.3 feet) to the property line.
- (iii) No pylon sign shall be erected within 10 metres (32.8 feet) of another pylon sign.
- (iv) A pylon sign shall have a minimum clear distance of 2.4 metres (7.9 feet) from grade to underside of sign.
- (v) In parking lots, one accessory sign with a maximum area of 1 square metre may be erected at each point of entry or exit on a pole or pylon provided no portion of said sign is closer than 45 centimeters (17.7 inches) to the street line. Direction signs may also be erected within the parking lot to facilitate the operation of the lot and the movement of the vehicles. No pylon or standard sign shall be erected within 60 centimeters (23.6 inches) of the vehicular traveled portion or private lane or roadway or of a motor vehicle parking area unless the minimum vertical distance between grade and the bottom of the sign is at least 4.3 metres (14.1 feet).

4.5 **ROOF SIGNS**

With the exception of shopping malls, one roof sign not exceeding 14 square metres (150.7 square feet) may be erected on the roof of any commercial building on a lot having a street frontage of not less than 15 metres (49.2 feet) provided that:

With the exception of shopping malls, one roof sign not exceeding 14 square metres (150.7 square feet) may be erected on the roof of any commercial building on a lot having a street frontage of not less than 14 metres (49.3 feet) provided that:

- (i) The maximum height of any roof sign shall not exceed size 6 metres (19.7 feet) above the highest point of the roof which it is erected;
- (ii) All roof signs must be set back a distance of at least 1 metre (3.3 feet) from all outside walls of the building on or over which they are located. It is the intention of this provision to provide a clear passageway around the sign.
- (iii) Every roof sign shall be constructed entirely of metal or other approved incombustible material save for moldings and cappings.
- (iv) Roof signs shall not extend more than seventy-five (75) percent of the width of the building.

4.6 **WINDOW SIGNS**

- (i) Window signs shall not occupy more than twenty-five (25) percent of the glass surface of a door.

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- (ii) The provisions of this Subsection 4.6 shall not restrict the reasonable application upon the glass surface of a door or window; i.e. lettering, decals, the address, hours of business, entrance or exit information, professional or security affiliations; of memberships, credit cards which are accepted, or other similar information except as qualified in 4.6 (i) above.
- (iii) Window signs for special sales do not need a permit. However, these signs should be removed immediately after the sale is over.

4.7 SIGNS IN SHOPPING MALLS

- (i) One accessory fascia sign only for each exterior wall a business may have shall be permitted in a shopping centre. The fascia sign may be attached to either a wall or extending canopy.
- (ii) Directional signs may also be erected in the parking lot to facilitate the operation of the lot and the movement of the vehicles. No standard or pylon sign shall be erected within 60 centimetres (23.6 inches) of the vehicular travelled portion or private lane or roadway or of a motor vehicle parking area unless the minimum vertical distance between grade and the bottom of the sign is at least 4.3 metres (14.1 feet).
- (iii) Where a shopping centre consists of more than one storey, one accessory fascia sign may be permitted for each place of business and for each frontage on the second floor and it shall be attached and be parallel to the wall and shall not project more than 30.5 centimetres (12 inches) from the face of the said main wall.

4.8 FREE-STANDING AND MOBILE SIGNS

- (i) The erection of free-standing sandwich-board signs in the commercial C1 zone shall be restricted to a 76 centimeter (30 inch) encroachment onto the sidewalk in front of the building. These signs will only be permitted from April 1 to October 31 and shall be restricted to a height of 1.2 metres (4 feet).
- (ii) No person shall place a free standing or mobile sign except that only one free standing or mobile sign shall be permitted for a two (2) week period once in each six (6) month period for any given property in the Municipality.

5.0 ACCESSORY SIGNS IN SERVICE STATIONS AND CAR WASH AREAS

No person shall display nor cause to be erected any accessory sign in a service station or car wash area except the following:

- 5.1 One additional accessory sign may be displayed or erected stating the hours of business, mechanic on duty, or price of gasoline or other pertinent information, provided that:
 - (i) If the sign is attached to the bottom of an existing pylon sign, no portion shall be closer than 2.4 meters (7.9 feet) to grade, nor closer than 45 centimetres (17.7 inches) to any property line. The combined area of both signs on the supporting structure shall not exceed 26 square metres (279.9 square feet).

- (ii) If the sign is a ground sign but not a pylon sign, it shall not exceed 1.7 metres (5.6 feet) in the height and shall not be closer than 1 metre (3.3 feet) to any property line.

5.2 Other additional accessory signs may be displayed indicating exits, entrances information relative to service bays, gas pumps protected by an overhead canopy, lubrication bays, etc. provided that:

- (i) Such a sign does not exceed 1.4 square metres (15.1 square feet) in area; and
- (ii) Such a sign shall not exceed 60 centimetres (23.6 inches) in height and 3 metres (9.8 feet) in width but in no case shall its width exceed the width of the door or opening over which it is mounted.

6.0 **SIGNS IN INDUSTRIAL ZONES**

No person shall erect or cause to be erected any sign in an Industrial Zone except as follows:

6.1 **FASCIA SIGNS**

Fascia signs may only be erected or displayed on that portion of an exterior wall adjacent to the business and only when the wall faces a street, public lane, public parking lot or a private parking lot which is an accessory to the building.

- (i) The bottom of a fascia sign shall not be closer than 2.4 metres (7.9 feet) to the level of the sidewalk.
- (ii) No fascia sign shall project further from the main wall of the building than 30.5 centimeters (12 inches).
- (iii) No fascia sign shall extend above the top of the wall of a building, nor extend beyond the ends of the wall to which it is attached.

6.2 **GROUND SIGNS**

One ground sign for each 15 metres (49.2 feet) of continuous frontage or part thereof facing a public street or public lane or public parking lot will be permitted provided that.

- (i) No ground sign shall be closer to the street line than 1 metre (3.3 feet) to the property line.
- (ii) No ground sign shall have a height greater than 1.5 metres (4.9 feet).
- (iii) Ground signs may be illuminated from within or by spot light, subject to Section 2.12.
- (iv) No ground sign shall be erected or maintained that may obstruct the view of any pedestrian or driver of a motor vehicle; or that may interfere with vehicular movement to such a degree as to create a danger to any person.

6.3 **PYLON SIGNS**

One pylon sign per frontage may be erected or displayed provided that:

- (i) The pylon sign should not exceed 12 metres (39.4 feet) in height nor 26 square metres (279.9 square feet) in area.
- (ii) The pylon sign shall not be erected within 10 metres (32.8 feet) of another pylon sign.
- (iii) The pylon sign or any portion thereof shall not be closer than 1 metre (3.3 feet) to the street line.
- (iv) The pylon sign shall have a minimum clear distance of 2.4 metres (7.9 feet) from grade to underside of sign.

6.4 **ROOF SIGN**

One roof sign not exceeding 14 square metres (150.7 square feet) may be erected on the roof of any industrial building on a lot having a street frontage of not less than 15 metres (49.2 feet) provided that:

- (i) The maximum height of any roof sign shall not exceed 6 metres (19.7 feet) above the highest point of the roof upon which it is erected.
- (ii) All roof signs must be set back a distance of at least 1 metre (3.3 feet) from all the outside walls of the building on or over which they are located. It is the intention of this provision to provide a clear passageway around the sign.
- (iii) Every roof sign shall be constructed entirely of metal or other approved incombustible material save for mouldings and cappings.
- (iv) Roof signs shall not extend more than seventy-five (75) percent of the width of the building.

6.5 **FREE STANDING AND MOBILE SIGNS**

No person shall place a free standing or mobile sign except that only one free standing or mobile sign shall be permitted for a thirty (30) day period once in each six (6) month period for any given property in the Municipality. This time limit shall be waived if an application has been submitted for a permanent sign.

7.0 **SIGNS IN AGRICULTURAL ZONES**

No person shall erect or cause to be erected any sign in an Agricultural Zone except as follows:

- (i) For each farm one nameplate can be constructed not exceeding a combined area of 1.7 square metres (18 square feet). Said nameplate shall not be subject to the permit requirements of this by-law, and includes nameplates situated or projecting into the required building setback area. Names painted on barn walls/roofs shall be exempt from the combined area.
- (ii) In regard to a agricultural home occupation in an agricultural zone, one sign no larger than .56 square metres (6 square feet) attached to the dwelling/accessory structure or situated or projecting into the required building setback area shall be permitted to show name and callings of residents concerned. Said nameplate shall not be subject to the permit requirements of this by-law.

8.0 **AGRICULTURAL, INDUSTRIAL & COMMERCIAL**

No person shall erect or cause to be erected any sign in an Agricultural, Industrial & Commercial zone except as follows:
Refer to Industrial Section 6.0.

9.0 **MOBILE HOME PARK, TRAILER PARK, COMMERCIAL CAMPGROUND OR OPEN SPACE**

No person shall erect or cause to be erected any sign in a Mobile home park, trailer park, commercial campground or open space except as follows:

One pylon or standard sign per frontage may be erected or displayed provided that:

- (i) The pylon sign should not exceed 12 meters (39.4 feet) in height nor 26 square metres (279.9 square feet) in area.
- (ii) The pylon sign shall not be erected within 10 metres (32.8 feet) of another pylon sign.
- (iii) The pylon sign or any portion thereof shall not be closer than 1 metre (3.3 feet) to the street line.
- (iv) The pylon sign shall have a minimum clear distance of 2.3 metres (7.5 feet) from grade to underside of sign.
- (v) In the parks/campground areas, one accessory sign with a maximum area of 1 square metre may be erected at each point of entry or exit on a pole or pylon provided no portion of said sign is closer than 45 centimetres (17.7 inches) to the street line. Direction signs may also be erected within the parks to facilitate the operation of the roads and the movement of vehicles. No standard or pylon sign shall be erected within 60 centimetres (23.6 inches) of the vehicular traveled portion or private lane or roadway or of a motor vehicle parking area unless the minimum vertical distance between grade and the bottom of the sign is a least 4.3 metres (14.1 feet).

10.0 **TEMPORARY SIGNS**

No person shall erect temporary signs without a permit except the following signs, not exceeding 0.4 square metres (4.3 square feet) each, as long as they are in conformity with this by-law:

For Sale
For Rent
For Lease
No Trespassing
Memorial Signs
Warning Signs
Directional Signs in Parking Areas
Minor Construction Signs
Election Signs (no size restriction)

11.0 **ELECTION SIGNS**

11.1 Election signs will be permitted on trees, boulevards and public utility poles and shall be removed within three days following the election.

- 11.2 Signs may only be attached to utility poles and trees by the use of staples or tape.
- 11.3 Election signs shall not be posted within an area designated a Voting Place by the Clerk of the Municipality for either Election Day or for the holding of an Advance Vote.
- 11.4 Election signs shall not be posted until all nominations have been certified by the Clerk of the Municipality. Nominations will be certified by the Clerk before 4 p.m. on the Monday following Nomination Day or, if the number of nominations filed for an office and certified is less than the number of persons to be elected to the office, those additional nominations will be certified before 4 p.m. on the Thursday following Nomination Day.

12.0 **ENVIRONMENTAL PROTECTED**

- 12.1 No person shall erect or cause to be erected any sign in areas zoned as Environmental Protected Land.
- 12.2 Any person contravening any provision of this by-law shall be guilty of an offence and shall be liable upon conviction to a penalty not exceeding One Thousand (\$1,000.00) Dollars, exclusive of costs, under the *Provincial Offences Act*.
- 12.3 If any section of this by-law is for any reason held to be invalid, the remaining sections shall remain in effect until repealed.
- 13.0 This by-law will supercede any by-law that is in conflict with this by-law.
- 14.0 This by-law shall come into full force and effect upon its final passing.
- 15.0 This by-law may be cited as the “Municipality of Kincardine Sign (2003) By-law”.

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16.0 **Billboard Signs**

Billboard signs are permitted only on lands adjacent to County and Provincial highways with a maximum surface area per sign of 22.3m² (240 sq ft) including border trim but excluding the base or apron, supports or other structural members, and must comply with applicable Provincial or County provisions.

Read a **FIRST**, **SECOND** and **THIRD** time and **DEEMED TO BE PASSED** this 17th day of September, 2003

Office Consolidation

Mayor

Clerk