

**THE CORPORATION OF THE MUNICIPALITY OF HASTINGS HIGHLANDS
BYLAW 2020-019**

**TO PROHIBIT OR REGULATE THE ERECTION OF SIGNS, BILLBOARDS, POSTERS AND
OTHER ADVERTISING DEVICES IN THE MUNICIPALITY OF HASTINGS HIGHLANDS**

WHEREAS under the provisions of the Municipal Act, 2001, S.O. 2001, c.25, as amended, Council may pass bylaws to regulate the erection of signs, billboards, poster panels and other advertising devices;

AND WHEREAS the Council of The Corporation of the Municipality of Hastings Highlands deems it expedient to pass such a bylaw;

NOW THEREFORE the Council of The Corporation of the Municipality of Hastings Highlands ENACTS AS FOLLOWS:

1.0 Definitions

1.1 In this Bylaw:

- i) **Direction Sign** - means a sign directing the general public to a specified place;
- ii) **Election Sign** - means a temporary sign for an election or by-election, for or promoting the election of, a person or a political party seeking election for any public office;
- iii) **Lot** - shall mean a parcel of land having continuous frontage on a public street described in a deed or other document, which is legally capable of conveying a fee simple interest of land, other than a leasehold interest, easement, or right-of way;
- iv) **Municipality or Municipality of Hastings Highlands** - means The Corporation of the Municipality of Hastings Highlands;
- v) **Municipal Property** - means land or buildings owned or leased by the Municipality, County of Hastings, or a local board as defined in the Municipal Act, 2001, as amended;
- vi) **Road Allowance or Highway** - means the part of the highway located between the shoulder of the highway and the lateral property line of the abutting property;
- vii) **Owner** - means the registered owner of the lands and includes any person, firm, partnership, corporation, institution, religious or philanthropic organization government or governmental agency controlling maintaining or occupying the lands upon which a sign is or will be erected or displayed;
- viii) **Real Estate 'For Sale' Sign** - means a sign advertising the sale, rental or lease of any building, structure or lot.

- ix) **Sign** – means a sign, billboard, poster panel and other advertising device including inflatable advertising devices, signage on a permanently parked vehicle, bus, truck or trailer body/frame or shipping container or another similar item or thing.
- x) **Temporary Sign** – A temporary sign shall be a sign or notice of a temporary nature (i.e. charitable functions, special events). A temporary sign shall be erected no earlier than two (2) weeks prior to the event and removed no later than forty-eight (48) hours after the event and shall not exceed 3.0 m² (32 ft²) in size;

2.0 General Provisions

2.1 No person shall erect a sign on a residential lot at a size of more than .3716 square metres (4 square feet), and then only with the consent of the property owner.

2.2 No person shall erect a sign on a rural, commercial or industrial lot without a numbered sign permit from the Municipality of Hastings Highlands.

2.3 No person shall erect a sign closer than 15 metres (49.21 feet) from the centre line of the road abutting the residential, rural, commercial or industrial lot and not on a Municipal Road Allowance.

2.4 All signs must be kept in a satisfactory condition. When the Municipality considers the condition of a sign to be unsatisfactory, the owner will be notified and shall improve or remove the sign within a specified time period.

2.5 No person shall erect a sign in such a manner as to obstruct the vision of vehicular or pedestrian traffic.

2.6 No person shall post any sign on a tree. All signs shall be erected on an independent post or structure.

2.7 No person shall erect a sign on any land abutting on Municipal roads or on any municipally owned property except as permitted herein;

2.8 No person shall erect a sign abutting the former Highway 62 (being Highway 62 from the intersection of Highway 62 and Highway 127 east to the Municipal Boundary), Graphite Road, Madawaska Road, Musclow-Greenview Road, Peterson Road, Siberia Road, and South Baptiste Lake Road that does not meet the exemption requirements in Section 4.0, without a municipally issued sign permit.

3.0 Exemptions

3.1 Exempted signs:

- a. Election campaign signs shall be exempt from this bylaw if removed forty-eight (48) hours after the final vote;
- b. Political expression signs shall be exempt from this bylaw if placed on the owner's property and no larger than .3716 square metres (4 square feet);

- c. Real estate for sale signs advertising a specific property listed for sale and located on the property shall be exempt, up to a maximum size of 1.4865 square metres (16 square feet), to be removed no later than closing date;
- d. Directional signs to businesses and properties listed for sale;
- e. Temporary event signs erected two (2) weeks prior to the event and removed forty-eight (48) hours after the event and shall not exceed 3.0 m² (32 ft²) in size;
- f. Community Event signs;
- g. Municipally approved Community identification signs;
- h. Emergency signs;
- i. Home Occupation and Home Industry signs at a size of no more than 1.4865 square metres (16 square feet);
- j. One (1) sign not exceeding than .3716 square metres (4 square feet) in area indicating the name and/or address of the owner or occupant of the premises on which the sign is located, or the name of the land or premises or both;
- k. Signs attached or painted on any building.

4.0 Application and Fees

4.1 Plans of all signs or other advertising devices to be erected, displayed, altered or repaired shall be provided to the Municipality.

4.2 A fee of \$25.00 will be paid to the Municipality for the inspection and approval of the plans submitted. The Municipality will issue a permit certifying such approval and may prohibit the erection, display, alteration or repair of any sign or advertising device.

4.3 The Applicant is solely responsible to have the municipally issued permit number present and visible on the approved sign.

4.4 An annual permit fee of \$100.00 for up to 2.973 square metres (32 square feet or 4' x 8') or \$150.00 over 2.973 square metres (32 square feet), which will cover the period from January 1 of the year of issue up to and including December 31, of the same year. The annual permit fee will not be pro-rated.

4.5 The Municipality has the authority and reserves the right to remove or have removed any unauthorized signs and to issue a provincial offence notice or a monetary penalty notice payable to the Municipality of Hastings Highlands. The cost for removal of any sign may be applied to the tax roll of the property on which the sign is erected or invoiced to the responsible non-property owner indicated on the sign.

4.6 Consideration of the issuance of sign permits will consider the inherent nature of the property and its congruity with the surrounding properties.

4.7 All signs, displays or devices must satisfy generally acceptable social or esthetic standards. The Municipality of Hastings Highlands reserves the right to determine what constitutes acceptable social or esthetic standards.

4.8 This bylaw does not apply to any signing upon, or adjacent to, a provincially owned highway, which is regulated by the Public Transportation and Highway Improvement Act (PTHIA) and the Ministry of Transportation Corridor Signing Policy.

5.0 Offences and Penalties

5.1 Every person who contravenes any provision of this Bylaw is guilty of an offence and upon conviction shall be liable to a fine prescribed and recoverable under the provisions of the *Provincial Offences Act*, R.S.O. 1990, c.P.33, as amended, for each offence committed.

5.2 The Administrative Monetary Penalty System Bylaw applies to each administrative penalty issued pursuant to this Bylaw.

5.3 Each person who contravenes any provision of this Bylaw shall, upon issuance of a penalty notice in accordance with the Administrative Monetary Penalty System Bylaw, be liable to pay to the Municipality an administrative penalty.

5.4 If any term or provision of this Bylaw or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this Bylaw or the application of such term or provision to all persons other than those to whom it was held to be invalid or unenforceable, shall not be affected thereby and each term and provision of this Bylaw shall be separately valid and enforceable to the fullest extent permitted by law.

6.0 Interpretation

6.1 The provisions in Part VI of the *Legislation Act, 2006*, S.O. 2006, c.21, Sched. F, shall apply to this Bylaw.

6.2 Any reference in this by-law to any statutes, regulations or by-laws shall be deemed to be a referenced to such statutes, regulations or by-laws, as amended, restated or replaced from time to time.

7.0 Gender

7.1 In this Agreement, words importing the masculine gender shall include the feminine gender and neuter gender and vice versa and words importing the singular shall include the plural where the context requires.

8.0 Heading

8.1 The headings used in this Bylaw are included solely for the convenience of reference and are not to be considered part of this Bylaw and are not intended to be full or accurate descriptions of the contents of any section, clause or provision of this Bylaw.

9.0 Effect of Pre-Existing Bylaws

9.1 Any Bylaw which was in effect in the Municipality on the date of passage of this Bylaw which covers the same subject matter as this Bylaw shall remain in effect only for the purposes of the completion of any procedure that was commenced under that.

10.1 Rescindment of Bylaws

10.1 Except for the purposes identified in Section 9.0 of this Bylaw, Bylaw 2016-60 is hereby rescinded.

11.0 Short Title

11.1 This bylaw may be cited as the "Sign Bylaw".

12.0 Effective Date

12.1 **THAT** this Bylaw shall come into effect on the day it was passed.

ENACTED AND PASSED IN COUNCIL this 5th day of February 2020.

Vic A. Bodnar, Mayor

Suzanne Huschilt, Municipal Clerk

SCHEDULE "A" to Bylaw 2020-019

**REGULATE THE ERECTION OF SIGNS, BILLBOARDS, POSTERS AND OTHER
ADVERTISING DEVICES IN THE MUNICIPALITY OF HASTINGS HIGHLANDS**

Part I – Provincial Offences Act Set Fines

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 PROVISION CREATING OR DEFINING OFFENCE	COLUMN 3 SET FINE
1	Erect sign on residential lot-exceed permitted size	Section 2.1	\$50.00
2	Erect sign on rural, commercial or industrial lot - no permit	Section 2.2	\$50.00
3	Erect sign - not within permitted distance to road	Section 2.3	\$100.00
4	Owner - fail to remove sign	Section 2.4	\$50.00
5	Erect sign - obstruct vision of vehicular/pedestrian traffic	Section 2.5	\$100.00
6	Post sign on tree	Section 2.6	\$50.00
7	Erect sign-abut municipal road/property	Section 2.7	\$50.00

THE PENALTY PROVISION FOR THE OFFENCES CITED ABOVE IS SECTION 5 OF BYLAW NUMBER 2020-019, A CERTIFIED COPY OF WHICH HAS BEEN FILED.
