

**THE CORPORATION OF THE COUNTY OF LANARK  
BY-LAW NO. 2023-16**

**BEING A BY-LAW TO ADOPT A POLICY REGULATING ADVERTISING  
SIGNS AND DEVICES, INSIDE THE COUNTY RIGHT OF WAY AND ON  
PRIVATE PROPERTY ADJACENT TO COUNTY ROADS**

**WHEREAS**, the Municipal Act S.O. 2001, c 25, Section 5(3), as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law;

**AND WHEREAS**, Section 59 of the Municipal Act S.O. 2001 c 25 allows an upper tier municipality to prohibit or regulate the placing or erecting of any sign, notice or advertising device within 400 metres of any limit of an upper tier highway;

**AND WHEREAS**, the Council of the Corporation of the County of Lanark deems it necessary and desirable to regulate advertising signs and devices, inside the County right of way and on private property adjacent to County Roads and to provide permits related thereto, by adopting the Policy Regulating Advertising Signs and Devices in the County Right of Way and on Private Property Adjacent to County Roads, attached hereto as Schedule "A" and forming part of this by-law;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of the County of Lanark enacts as follows;

- 1.** The Policy Regulating Advertising Signs and Devices in the County Right of Way and on Private Property Adjacent to County Roads is hereby adopted and attached hereto and forming part of this By-Law.
- 2.** The By-Law shall come into full force and effect as of October 1, 2021.
- 3.** That By-Law 2021-12 is hereby repealed.
- 4.** Should any sections of this by-law, including any section or part of any schedules attached hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

By-Law read a first and second time this 26<sup>th</sup> day of April, 2023.

By-Law read a third time and finally passed this this 26<sup>th</sup> day of April, 2023.

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Jasmin Ralph, Clerk

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Peter McLaren, Warden



## SCHEDULE "A"

*Revised October 2021*

### COUNTY OF LANARK

## A POLICY REGULATING ADVERTISING SIGNS AND DEVICES IN THE COUNTY RIGHT OF WAY AND ON PRIVATE PROPERTY ADJACENT TO COUNTY ROADS

### 1. DEFINITIONS

**"County"** means the Corporation of the County of Lanark.

**"Director"** means the Director of Public Works of the Corporation of County of Lanark appointed to administer and manage the provisions of this policy and includes his authorized subordinates and assistants.

**"Owner"** means any person described on the Sign, or whose name or address or telephone number appears on the Sign, or who installed the Sign, or who is in lawful control of the Sign, or who benefits from the message on the Sign, and for the purposes of this policy there may be more than one Owner of a Sign.

**"Person"** includes, but is not limited to, an individual, sole proprietorship, partnership, association or corporation.

**"Road Allowance"** means a County road allowance and includes all lands and structures contained within the outer limits of the allowance including grassed areas, ditches, curbs, gutters, sidewalks and other structures and includes a "Highway" as defined under the Highway Traffic Act (Ontario) which is under the jurisdiction of the County.

**"Road Authority"** for the purpose of this policy, the road authority shall be the County of Lanark.

**"Rural Road Allowance"** means a County road allowance located outside the boundaries of a built-up area. A rural road has the primary function of providing access to rural and/or rural residential properties.

**"Sign"** shall include the Sign structure and shall mean any Sign or device having thereon letters, symbols, characters, illustrations or any combination thereof which identifies or advertises any person, place, business, enterprise, organization, project, product, service otherwise promote the sale of objects or identify objects for sale in such a way as to be visible from a highway under the jurisdiction of the County.

**"Urban Road Allowance"** means a County road allowance located within the boundaries of a built-up area. Urban roads are typically characterized by the presence of street lighting and in most but not all cases the presence of curb and gutter.

## **2. GENERAL REGULATIONS**

- a) The erection of permanent signs and signboards and the pasting and painting of signs or notices and the exposing of any advertising devices 400 metres from the limits of a rural road allowance or 40 metres from the limits of a urban road allowance, and/or visible therefrom are hereby prohibited, unless and until permission in writing shall has been obtained from the regulating municipality but nothing contained herein shall extend to or affect the right of the road authority to erect signs.
- b) The road authority may notify the owner or holders of non-compliant signs, signboards, notices or other advertising devices to remove such property at their own expense within thirty (30) day of such notice.
- c) The road authority may remove non-compliant signs, signboards, notices or other advertising devices created, placed, kept or maintained on or at the margin of the highway or upon adjacent property in contravention of this policy. The owner or holders of such property will pay the Road Authorities expenses for the removal of non-compliant signs.
- d) The location of all signs under this policy shall conform with the policy of the regulating authorities, notwithstanding, signs shall not be erected in a location where they would obscure sight-lines for vehicles travelling on the County road or accessing the County road from local municipal or private roads and entrances.
- e) All signs shall be kept in proper repair and if in the opinion of the road authority any sign or signs are not kept in proper condition, the owner shall repair, repaint or remove them within thirty (30) days of having received a written request from the Road Authority.
- f) For the purpose of this policy the Municipality of Mississippi Mills and the Town of Perth shall regulate in accordance with their respective policies and procedures the County roads listed in Appendix "A". The County of Lanark will regulate the remaining County roads.

## **3. PROHIBITED SIGNS**

- 3.1. No person shall erect, install, post, display, maintain or keep a Sign within the Road Allowance with the exception of those Signs specifically stated as exempt in this policy.
- 3.2. No person shall erect, install, post, display, maintain or keep any of the following Signs within the Road Allowance:
  - a) A Sign that may obstruct the flow of water in a drain, ditch or watercourse.
  - b) A Sign that impacts the function of the road by:
    - i. Creating a safety hazard;
    - ii. Impeding or obstructing maintenance or construction operations;
    - iii. Impeding access to or obstructing a fire hydrant;
    - iv. Impeding or obstructing the passage of pedestrians where they are reasonably expected to walk;

- v. Impairing or obstructing the visibility of vehicular or pedestrian traffic or a railway crossing; or
- vi. Obscuring or detracting from the visibility or effectiveness of an official Sign or a traffic control signal;
- c) A sign that resembles an official sign or a traffic control sign or device in colour, shape, wording, content or location;
- d) A Sign affixed to a tree, utility pole, bridge structure or, painted or pasted on a rock surface.
- e) A Sign which does not comply with the provisions of the Building Code, Electrical Safety Code, the Occupational Health and Safety Act, the Construction Safety Act, or any other applicable Governmental regulation.
- f) A Sign that contains or is accompanied with a device that creates noise or that resembles to an official light which is not used for its purpose of controlling the traffic or for the safety of workers under any Act. (ex: flashing beacon light attached or accompanying sign not used for traffic control).
- g) A Sign that is illuminated without the approval of the Director.
- h) A Sign that is obsolete and advertises an event that is over, a business or enterprise that is no longer conducted, or an activity, product, service or facility that is not in season or is no longer provided.
- i) A Sign which interferes with maintenance and the safe passage of vehicular or pedestrian traffic not in accordance with the Ontario Traffic Manual and Lanark County By-laws as amended.
- j) A Sign which does not comply with the provisions of this policy.

#### **4. EXEMPTIONS**

##### **4.1. Real Estate Signs**

- a) Means a sign advertising that a property is to be sold, rented, or leased and which may also indicate to whom one should enquire with regard thereto.
- b) Real Estate signs shall be removed two weeks after the sale of the property, item or the expiry of the listing.
- c) Real Estate signs shall be placed in a manner that will not restrict visibility of the travelling public.
- d) Real Estate signs located in the Road Allowance shall be located as near as practicable to the Road Allowance property line, at the location the property or item currently being listed for sale.
- e) Only one (1) Real Estate Directional sign shall be allowed per property that is to be sold, rented, or leased.
- f) Real Estate signs size shall be as follows:
  - i. On premise of the property for sale: Maximum size = 3 sq. m. (1.22m x 2.44m or 4' x 8')
  - ii. Within road allowance: Maximum size = 0.5 sq. m. (0.61m x 0.81m or 2' x 2.7')
  - iii. Directional: Maximum size = 0.5 sq. m. (0.61m x 0.81m or 2' x 2.7')

#### 4.2. Election Signs

- a) Means any sign advertising or promoting the election of a candidate or political party participating in an election for public office.
- b) Election Signs may be placed within the Road Allowance without approval of the Director in accordance with the requirements of the Federal, Provincial and Municipal Elections Regulations.
- c) Election signs shall be a maximum size of 0.5 sq. m., except for signs up to 3 sq. m. (1.24m x 2.44m or 4' x 8'), which are required to be placed at the property line.
- d) Election signs shall be placed in a manner that will not restrict visibility of the travelling public.
- e) Election Signs shall comply with the timeframe of the local municipality during which election signs can be erected within the local municipality.
- f) Election Signs may not be installed on any existing County signs or posts.

#### 4.3. Information Signs

- a) Information signs includes the following (but not limited to):
  - i. Municipal Identification Signs (hamlets, municipal boundaries and local Fire Department Information)
  - ii. Civic Addressing signs
  - iii. Service Clubs and Community Groups
  - iv. Recreational Signs (Recreational Trails)
  - v. Local Municipal Tourism Signs
  - vi. Directional Signs
- b) Approval from the Director required.
- c) Installation to be supervised or completed by County Staff.

#### 4.4. Sandwich Board Signs

- a) Means a sign which consists of one or two panels, hinged or attached at the top or side, designed to be movable and stand on the ground.
- b) The Sandwich Board sign shall only be used for a limited period of time as approved by the Director.
- c) The Sandwich Board shall be placed outside the shoulder of the roadway.
- d) The Sandwich Board sign shall not be left in place continuously.
- e) The Sandwich Board sign shall be a maximum size of .56 sq. m. (0.91m x .61m or 3' x 2')

#### 4.5. Private Identification Signs

- a) Means signs affixed to or placed on a private or residential property solely to name or identify the property or the owner.
- b) Signs 0.46m x 0.61m or 1.5' x 2' or smaller in size may be placed without written approval from the County, at the limit of the road property adjacent to the entrance of the property.
- c) Signs greater than 0.46m x 0.61m or 1.5' x 2' in size require a permit, see 5.5.

#### 4.6. Restrictive Signs

- a) Means signs to notify the public of a restriction on the posted property such as:
  - i. No Hunting
  - ii. No Fishing
  - iii. No Trespassing
- b) Restrictive signs may be placed for the information of the public and may be affixed to a fence, gate, etc. which borders the right of way of a County road, without written permission of the County.
- c) Restrictive signs must not be placed on the right of way and must not exceed 0.46 sq. m. in area.

### 5. PERMITS

#### 5.1. Business Signs

- a) Means a sign, symbol, trademark, structure, or similar device used to identify the main permitted use pursued by the person, firm, corporation, business, service, commercial or industrial enterprise which is displayed upon the lot or premise occupied by such an enterprise and the type or business activity in which it is engaged.
- b) Only one sign per business location. A second sign will be allowed when located on a building face on the property.
- c) Business Signs shall be a maximum size as follows:
  - i. 0m to 3m from property line = 3 sq. m.
  - ii. 3m to 10m from property line= 9 sq. m. (3m x 3m)
  - iii. Greater than 10m from property line= size as approved by the Director on a case-by-case basis.
- d) Any sign 9 sq. m. (100 sq. ft.) or greater must provide footing details.
- e) Permit required to approve sign size and location and ensure no conflicts with sight lines and maintenance.
- f) Not permitted in Road Allowance.

#### 5.2. Billboard Signs

- a) Means an off-premises sign which advertises goods, products, services or facilities, or directs persons to a location that may be different from that upon which the sign is located.
- b) Permit required to approve sign size, location, and advertisement.
- c) Any sign 9 sq. m (100 sq. ft.) or greater must provide footing details.
- d) A total of two (2) Billboard signs shall be permitted at each location.
- e) There shall be a minimum spacing of 3200 metres (2 miles) between Billboard locations.
- f) Billboard signs shall have a minimum 150 metre setback from dwellings.
- g) Billboard sign sizes allowed shall be size as follows:

Length of Sign	Minimum Distance from Centreline of County Road and any Intersecting Road
Less than 2.44m (8')	15m (50')
2.44m – 6.1m (8' - 20')	45.7m (150')
6.1m – 9.14m (20' – 30')	91.4m (300')
Greater than 9.14m (30')	Not Permitted

### 5.3. Temporary Signs

- a) Means a sign or advertising device which is not permanently installed or affixed to the ground, any structure or building, or any sign located upon any movable device. This definition includes banners, event signs, short term Municipal information signs & sandwich board signs.
- b) Permit required to approve sign size and location and ensure no conflicts with sight lines and maintenance.
- c) The sign shall only be used for a limited period of time as approved by the Director.

### 5.4. Digital Signs

- a) Means computer-controlled LED displays or electronic controlled off premise signs capable of displaying ads, words, symbols, figures, content, or images that can be digitally or electronically changed by remote or automatic means.
- b) Digital signs require a permit and shall be approved by the Director on a case-by-case basis.

### 5.5. Private Identification Signs

- a) Means signs affixed to or placed on a private or residential property solely to name or identify the property or the owner.
- b) Signs greater than 0.28 sq. m. (0.46m x 0.61m or 1.5' x 2') in size require a permit.
- c) Private Identification Signs shall be a maximum size as follows:
  - i. 0m to 3m from property line = 3 sq. m.
  - ii. 3m to 10m from property line= 9 sq. m. (3m x 3m)

## 6. EXISTING SIGNS

- 6.1. All signs with an existing permit prior to the passing of this policy will be considered grandfathered and are permitted to stay in place. If the sign suffers damage or deterioration, the Owner shall bring the Sign into conformity with this policy, or the sign will be removed.
- 6.2. All signs that meet the requirements of this policy, but do not have an existing permit, are permitted to stay in place, but the Owner is required to obtain a permit.
- 6.3. All signs that do not meet the requirements of this policy, the Owner is required to obtain a permit.
- 6.4. Any person who maintains a non-permitted sign is subject to all requirements of this policy regarding safety, maintenance, and repair.

**APPENDIX “A” - LIST OF COUNTY ROADS THAT LOCAL MUNICIPALITIES WILL  
REGULATE IN ACCORDANCE WITH THEIR RESPECTIVE POLICIES AND PROCEDURES**

<b>Local Municipality</b>	<b>County Road</b>	<b>Location</b>
Municipality of Mississippi Mills	County Road 16A (Perth Street)	From County Road No 29 South to Bridge Street
	County Road 16A (Bridge Street)	From Perth Street to Queen Street
	County Road 16A (Queen Street)	From Bridge Street to Martin Street South
	County Road 16A (Martin Street South)	From Queen Street to Ottawa Street
	County Road 17 (Martin Street North)	From Ottawa Street to Carss Street
	County Road 29 (County Road No 29 North)	From McWatty Road to Kinburn Side Road
Town of Perth	County Road 10 (South Street)	From PIN #2030 East Lot limit to Rideau Ferry Road