

OFFICE CONSOLIDATION

FOR INFORMATION PURPOSES ONLY

Last amended by By-law No. 4310-1, April 28, 2015

For copies of amending By-laws, please contact the Clerk at 613-267-3311

THE CORPORATION OF THE TOWN OF PERTH

BY-LAW NO. 4310

A By-law to regulate signs, advertising devices and Merchandise Displays in the Town of Perth

RECITALS:

1. *The Municipal Act* states that Councils of local municipalities may pass by-laws for prohibiting or regulating signs and other advertising devices and the posting of notices on buildings or vacant lots within the municipality.
2. This By-law is also intended to establish regulations with respect to signs and other advertising devices on properties designated under Part IV and Part V of the *Ontario Heritage Act*, as amended.
3. The Committee of the Whole reviewed Report 2012-CoW-16.UB.3 and concurs with the staff recommendation.
4. The Council of the Town of Perth repealed By-law No. 3257, as amended, being a By-law to regulate signs and other advertising devices in the Town of Perth, by By-law No. 3257-0, at their meeting held on December 18, 2012.
5. The Council for The Corporation of the Town of Perth deems it advisable to pass this By-law.

Recitals (28Apr2015)

1. The Committee of the Whole reviewed the Business Improvement Area's (BIA's) request dated March 9, 2015, and concurs with the recommendation to amend By-law No. 4310, Sign and Merchandise Display By-law to allow the Downtown Perth Business Improvement Area (BIA) merchants to provide Merchandise Displays and Sandwich Boards during the Stewart Park Festival of each year
2. Council for The Corporation of the Town of Perth deems it advisable to pass this By-law.

Accordingly, the Council of The Corporation of the Town of Perth enacts as follows:

1. SHORT TITLE

- 1.1. This By-law shall be known and cited as the "**Sign and Merchandise Display By-law**".

2. INTERPRETATION:

2.1. Definitions:

Wherever a word is used in this **By-law** with its first letter capitalized and bolded, the term is being used as it is defined in this Section 3. Where any word appears in ordinary case, its regularly applied meaning in the English language is intended.

- 2.1.1. "**Abandoned Sign**" means a **Sign** which no longer correctly identifies or advertises a business, service, owner, project or activity presently conducted, sold or offered on the lot.

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- 2.1.2. “Act” means the *Municipal Act, 2001*, S.O. 2001 c.25.
- 2.1.3. “Alter, Altered or Alteration” means any change to a **Sign**;
- 2.1.3.1. Located on a property designated under Part IV or Part V of the *Ontario Heritage Act* which is a change to the location, size, height, colours, materials or lighting of an existing **Sign**.
- 2.1.3.2. On all other properties, any change to a **Sign** other than;
- 2.1.3.3. A change in the message displayed by a **Sign**;
- 2.1.3.4. The rearrangement of numerals, letters or copy applied directly to the face of a **Sign** and specifically designed and intended to be periodically rearranged; or,
- 2.1.3.5. Repair and maintenance, including replacement by identical components unless such works change the size, height or location of the **Sign** or otherwise affect the structure of the **Sign**.
- 2.1.4. “Agricultural Use” means any general farming or **Agricultural Use** which is not obnoxious to the public welfare, including animal hospitals, apiaries, aviaries, berry or bush crops, animal husbandry, dog kennels, or the breeding, boarding or the sale of dogs or cats, field crops, forestry station, goat or cattle dairies, mushroom farms, orchards, riding stables or academies, the raising of sheep or goats, the raising of swine, tree and shrub farms and such uses or enterprises as are customarily carried out on in the field of general agricultural.
- 2.1.5. “Applicant” means the **Person** making application for issuance of a **Permit** under this **By-law** to install a **Sign** for a business in **Perth**.
- 2.1.6. “Area of Sign” means the number of square metres on the surface of a **Sign** including the border and/or frame, and where there is no border shall include all the area of the surface lying within the extremities of the smallest geometric form which can wholly enclose the surface area of the **Sign**.
- 2.1.7. “Attached Canopy” means an architectural integral part of building providing shelter from the elements, for entrances to buildings and walkways in unenclosed **Shopping Centres**, plazas, theatres, hotels, apartment buildings, places of entertainment and other similar building types.
- 2.1.8. “Awning” means a roof like shelter of canvas or other fabric located above a window to provide protection from the sun.
- 2.1.9. “Awning Sign” means a **Sign** applied to a visible face of an “Awning”. For the purpose of this **By-law** an **Awning Sign** is deemed to be a **Wall Sign**.
- 2.1.10. “Banner” means a **Sign** composed of lightweight material so as to allow movement caused by atmospheric conditions.
- 2.1.11. “Billboard” see **Non-Accessory Sign**.

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- 2.1.12. **“Building Code”** means the *Ontario Building Code Act*, as amend from time to time, and includes any regulations thereunder.
- 2.1.13. **Building Nameplate”** means a non-illuminated, metal, cement or stone plaque, attached or inset per **Premise(s)** and having a sign area less than 0.25 square metres.
- 2.1.14. **“By-law”** means this **By-law**, as it may be amended from time to time. The recitals to, and the Schedules attached to this **By-law** are considered integral parts of it.
- 2.1.15. **“By-law Enforcement Officer”** means the person appointed by **Council** to enforce municipal by-laws. See **Municipal Law Enforcement Officer**.
- 2.1.16. **“Canopy Sign”** means a **Sign** installed as an integral part of an **Attached Canopy** or a **Free Standing Canopy**.
- 2.1.17. **“Chief Building Official (CBO)”** means the person so appointed by Council pursuant to the provisions set out in the *Ontario Building Code Act*.
- 2.1.18. **“Commercial Office Building”** means a building having more than one storey used for business and professional office purposes. For the purpose of this definition, a partial second floor or a mezzanine level shall not be considered to constitute a storey.
- 2.1.19. **“Commercial Use”** means the use of any land, building or structures, for the purposes of buying and selling commodities or supplying of services as distinguished from such uses as manufacturing or assembling goods, warehousing and construction.
- 2.1.20. **“Common Entrance”** means an entrance to an indoor corridor, passageway or staircase serving **Premise(s)** not having direct access.
- 2.1.21. **“Corporation”** means The Corporation of the Town of Perth.
- 2.1.22. **“Council”** means the elected municipal **Council** of the **Town**.
- 2.1.23. **“Designated Postering Area”** means an area on a pole or other structure designated by the Municipality as an area within which or upon which posters or private advocacy **Signs** may be placed in accordance with the provisions of this **By-law**.
- 2.1.24. **“Developer’s Sign”** means a **Sign** used to identify the name of a land development project that is either ongoing or going through the approval process, where such **Sign** is removed upon completion of the development project. A **Developer’s Sign** may indicate the availability of the real property for sale, lease or rent.
- 2.1.25. **“Direct Access”** means access to a covered or uncovered walkway, sidewalk, parking area or other outdoor public way, but shall not include an interior corridor.

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- 2.1.26. **“Directional Signage”** means a **Sign** for the public safety or which provides direction information for the control of vehicular traffic such as a **Common Entrance** or exit **Sign** or a loading area, and bearing no commercial advertising. A **Directional Sign** may take the form of a **Ground Sign** or **Wall Sign**.
- 2.1.27. **“Director”** means the head of the department within the **Town’s** structure, who has the ultimate responsibility for administration and enforcement of this **By-law**. The term includes delegates, provided delegation is in writing.
- 2.1.28. **“Double-Faced Sign”** means a **Sign** having two **Sign** faces, each face being of equal area and identical proportions to the other and with each face located on the **Sign** structure so as to be exactly opposite each other.
- 2.1.29. **“Election Sign”** means any **Sign** advertising or promoting the election of candidates.
- 2.1.30. **“Electronic Message Display”** means a **Sign** or that part of a **Sign** which is electronically controlled and which displays information in a prearranged sequence, and on which the intensity of illumination is maintained at a constant level; which may also include time and temperature **Signs**.
- 2.1.31. **“Erect”** means the placing or relocation of any **Sign** or part thereof, and the posting of notices.
- 2.1.32. **“Exterior Wall”** means a portion of the perimeter wall of a building facing one direction.
- 2.1.33. **“Fascia Sign”** means a single faced **Sign** located in an architectural **Sign** band and/or above the ground floor window in such a manner that the **Sign** is parallel to the main wall of the building to which it is attached.
- 2.1.34. **“Flashing Sign”** means an **Illuminated Sign**, fixed or rotating upon which the source of illumination is not stationary or the intensity of the illumination or colour is not constant, but does not include **Illuminated Signs** indicating time or temperature.
- 2.1.35. **“Free Standing Canopy”** means a building or structure unenclosed on all sides which may afford protection or shelter from the weather.
- 2.1.36. **“Ground Sign”** means any **Sign** directly supported by the ground without the aid of any other building or structure, other than the **Sign** structure and where the top of the **Sign** face is not more than 2.4 metres above the adjacent grade.
- 2.1.37. **“Height of Sign”** means the vertical distance from the ground to the highest extremity of the **Sign** including the border or frame and in the case of a **Sign** without border or frame, the vertical distance from the ground to the top of the letter, symbol or other part of the **Sign** that is the highest.

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- 2.1.38. “**Heritage Conservation District (HCD)**” means the area defined in the Downtown Perth Heritage Conservation District (HCD) Plan study dated March 2012.
- 2.1.39. “**Heritage Sign Approval**” means approval by **Council** or designate for the erection, **Alteration** or relocation of a sign on a property designated under Part IV or Part V of the *Ontario Heritage Act*.
- 2.1.40. “**Home Business Occupation or Professional Sign**” means a **Sign** identifying a permitted accessory use in a residential **Zone**.
- 2.1.41. “**Illuminated Sign**” means a **Sign** that is lighted by an external source.
- 2.1.42. “**Industrial Sign**” means a **Sign** accessory to the permitted **Industrial Use**.
- 2.1.43. “**Institutional Sign**” means a **Sign** accessory to the permitted **Industrial Use**.
- 2.1.44. “**Internal Sign**” means a **Sign** visible to persons only when they are located on the **Premise(s)** on which the **Sign** is situated.
- 2.1.45. “**Industrial Use**” means the use of any land, buildings or structures for the purposes of warehousing, manufacturing processing or assembly of goods or materials to a finished product or by-product, including the storage of such goods or materials.
- 2.1.46. “**Institutional Use**” means a non-commercial use of any land, buildings or structures or parts thereof for governmental, educational, religious, charitable, fraternal or other public services for the purposes of any institution owned and operated by a religious, educational or charitable institution.
- 2.1.47. “**Legal Non-Conforming Sign**” means a **Sign** which does not comply with the provisions of this **By-law** but is a legal sign as described in the *Municipal Act*.
- 2.1.48. “**Length of Sign**” means the distance between the border or frame of the **Sign** measured horizontally and in the case of a **Sign** without border or frame, it means the horizontal distance between the first and last extremities of the lettering, symbols or other parts of the **Sign**.
- 2.1.49. “**Lot**” means a parcel of land which is capable of being legally conveyed in accordance with the *Planning Act*.
- 2.1.50. “**Lot Line**” means the division between a utility or right-of-way and a lot, or the division line between two **Lots**.
- 2.1.51. “**Luminous Sign**” means a **Sign** that is backlit or lighted by an internal source.
- 2.1.52. “**Marquee**” means an awning raised as a shelter from the curb to the door of a dwelling or public building.

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- 2.1.53. “**Merchandise Display**” refers to any display of goods or merchandise for sale, offer or promotion or professional service and in the case of a restaurant, may include the location of café tables and chairs on a sidewalk.
- 2.1.54. “**Municipal Law Enforcement Officer**” means any member of a police force with jurisdiction to enforce laws in the **Town of Perth**, and any **Person** appointed by **Council** to enforce the provisions of its by-laws.
- 2.1.55. “**Non-Accessory Sign**” (**Third Party**) means a **Sign** related to a business, enterprise or other activity not conducted within the building, **Premise(s)** or on the **Lot** on which the **Sign** is erected.
- 2.1.56. “**Off-Premise Sign**” means any **Sign** advertising a business, person, activity, good, product or service that is not principally related to, or available at the location or on the **Lot** where the **Sign** is located, and/or which generally directs people to locations different from the location where the **Sign** is located. **Off-Premise Signs** may include **Portable Signs, Sandwich Board Signs, Billboard Signs, Wall Signs, Signs Advertising Yard Sales, Garage Sales, Auctions and/or Open Houses, Special Event Signs**; but does not include **Ground Signs, Real Estate Signs, Election Signs, Developer’s Signs, and Contractor’s Signs**.
- 2.1.57. “**Person**” means an individual, association, firm, partnership or incorporated company.
- 2.1.58. “**Permit**” means authorization to install a **Sign** which conforms to the requirements of this **By-law**.
- 2.1.59. “**Poster**” means a **Sign** made out of paper or other lightweight material having a thickness of .5 millimetres or less which is secured to another structure such as a fence, utility pole or light standard for support.
- 2.1.60. “**Premise(s)**” means the area of a building(s) or part thereof and/or land(s) or part thereof occupied by a user. In a multiple occupancy building, a single occupancy shall be considered a separate **Premise**.
- 2.1.61. “**Perth**” means the geographic area under the jurisdiction of the **Town**.
- 2.1.62. “**Portable Sign**” means any **Sign** not securely anchored to the ground or to a building or which because of its design may be moved and shall include a **Sign** located on a vehicle, other than a **Sign** printed or painted on the side identifying ownership of a commercial vehicle, if such **Sign** identifies, advertises or gives information in respect to a **Premise(s)** or a part thereof. For the purposes of this **By-law, Signs** commonly known as **Trailer or Mobile Signs, “A” Frame Signs, and Inflatable Signs** shall be classified as a **Portable Sign**.
- 2.1.63. “**Projecting Sign**” means a **Sign** which is affixed to a building, wall or structure and which projects therefrom for a distance greater than 0.3m., but does not include an **Awning Sign**.
- 2.1.64. “**Public Information Sign**” means any of the following **Signs**:
- a) **Signs** erected by or under the direction of a government agency.

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- b) **Signs** designating public hospitals, schools operated by the Upper Canada School Board, Leeds, Grenville and Lanark Separate School Board, Perth Public Library, Perth and District Community Recreational Facilities, or other public government use.
 - c) **Signs** required by the municipality to inform the public of proposed zoning changes, Official Plan amendments, severance, plans of subdivision on the property subject to the application.
- 2.1.65. **“Pylon Sign”** means a **Ground Sign** supported on a central column or two columns, on which the advertising portion of the **Sign** is more than 2.4 metres above the ground.
- 2.1.66. **“Readograph Sign”** means a **Sign** constructed so that the message located thereon may be easily rearranged or changed.
- 2.1.67. **“Recreational Use”** means the use of any land, buildings or structures for the purposes of parks, playgrounds, tennis courts, lawn bowling greens, curling and skating rinks, athletic fields, picnic areas, swimming pools, day camps, community centres, snow skiing, walking trails, golf courses, miniature golf courses, golf driving ranges and other similar use.
- 2.1.68. **“Residential Use”** means the use of any land, buildings or structures for the purposes of human habitation and includes accessory home occupation uses permitted by the Zoning By-law.
- 2.1.69. **“Reversed Graphics Sign”** means an internally illuminated **Sign** having translucent or transparent advertising copy on an opaque background where the background is similar in colour to the wall or canopy to which the **Sign** is attached.
- 2.1.70. **“Roof Sign”** means a **Sign** supported by the roof of a building or a **Sign** supported by a portion of a building or structure projecting above the surface of the roof.
- 2.1.71. **“Shopping Centre”** means a unified group of commercial establishments on a site designed, developed and managed as a single operating unit for which parking is provided in common off-street areas.
- 2.1.72. **“Shopping District”** means a business area comprising of unrelated individual commercial establishments which may be represented by a Business Improvement Association.
- 2.1.73. **“Sign”** means any advertising device or notice and means any visual medium including its structure and other component parts, which is used or is capable of being used to attract attention to a specific subject matter, other than itself, for identification, information, or advertising purposes.
- 2.1.74. **“Site Triangle”** means the area of a street corner which is formed by measuring from the projected point of an intersection of the two street curbs abutting the front and exterior side lot lines at a distance of 6.0 metres along each street to two points, and the triangle area formed by the joining of those two points.

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- 2.1.75. “**Soffit Sign**” means a **Sign** supported by the underside of a projecting canopy or soffit.
- 2.1.76. “**Storey**” means the portion of building other than the cellar, basement or unfinished attic, which lies between the surface of the floor and the surface of the next floor above, and if there is no floor above it, then the surface next above it, provided its height is not less than 2.3m.
- 2.1.77. “**Temporary Sign**” means a **Sign** which is designed to advertise a short-lived event and which is installed for a period of not more than fourteen (14) consecutive days.
- 2.1.78. “**Town**” means the **Corporation of the Town of Perth**.
- 2.1.79. “**Use Category**” means an **Agricultural Use, Commercial Use, Industrial Use, Institutional Use, Residential Use or Recreational Use** as defined in this **By-law**.
- 2.1.80. “**Wall Sign**” means a **Sign** which is erected against the wall of any building, the display area or which is parallel to the face of and supported by such wall and which does not project more than 0.3 metres from such wall. For the purpose of this **By-law** an **Awning Sign** is deemed to be a **Wall Sign**.
- 2.1.81. “**Window Sign**” means a **Sign**, located on the interior of a building, which is intended to be seen from off the property on which the building is located and which is constructed in such a manner as intended to be of a permanent nature, but shall not include **Illuminated Signs** commonly used to advertise products sold on the **Premise(s)** provided the area of the **Sign** does not exceed 0.50 sq. m.
- 2.1.82. “**Zone**” means a designated area of land use shown on the Schedules to the **Corporation of the Town of Perth Comprehensive By-law**.

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3. ADMINISTRATION OF THIS BY-LAW

3.1. This **By-law** shall be administered and enforced by the **Chief Building Official (CBO)** or delegate.

3.2. Permits Required

3.2.1. Except for **Signs** referred to in Section 5, **Signs Permitted for All Use Categories**, no **Person** shall **Erect**, display, repair or **Alter** a **Sign** unless a **Permit** is obtained.

3.3. No **Person** shall **Erect** any **Sign** without first applying for and obtaining a **Sign Permit**, for such **Sign**, authorized by the **Chief Building Official (CBO)**, unless the **Sign** is exempt from **Sign Permit** requirements and is in compliance with all applicable requirements of this **By-law**.

3.4. For those properties not designated under Parts IV or V of the *Ontario Heritage Act*, no **Sign Permit** shall be required for any **Alterations** or repairs to an existing **Sign** if such **Alterations** or repairs involve only a change of the message on the **Sign** or the repainting cleaning or other normal maintenance and repair of the **Sign**.

3.5. For properties designated under Part IV or Part V of the *Ontario Heritage Act*, a **Heritage Sign Approval** shall be required for the installation, **Alteration** or relocation of any **Sign**.

3.6. Application for Sign Permit and/or Heritage Sign Approval.

3.6.1. Where required by this **By-law**, applications for a **Sign Permit** shall be made to the **Chief Building Official (CBO)** upon a form to be provided by the **Chief Building Official (CBO)**. **Signs** on properties designated under the *Ontario Heritage Act* shall not be installed, **Altered** or relocated without obtaining a separate **Heritage Sign Approval**.

3.6.2. A completed application for a **Sign Permit** requires the following:

3.6.2.1. The name and address of the Contractor installing the **Sign**;

3.6.2.2. The name and address of the owner of the **Premise(s)** upon which the **Sign** is to be located or the name and address of the **Person** in possession of the **Premise(s)** upon which the **Sign** is to be located;

3.6.2.3. Drawings, plans and specifications showing:

3.6.2.3.1. The location or proposed location of the **Sign** on the **Premise(s)**;

3.6.2.3.2. The location or proposed location of all other **Signs** on the **Premise(s)**; for which a **Permit** is required, and;

3.6.2.3.3. The dimensions, foundations, construction supports, sizes, electrical wiring and components, materials of the **Sign** and method of attachment and character of structural members to which the attachment is made, together with such other engineering data certified by a duly licensed engineer as required by the *Ontario Building Code*, as amended.

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- 3.6.3.** Where the **Premise(s)** are designated under Part IV or Part V of the *Ontario Heritage Act*, requirements for **Heritage Sign Approval** applications include, in addition to those requirements outlined in Subsections 1, 2 and 3, above, relevant information as to the proposed style of lighting (finish and wattage), the materials, message, heritage paint colour(s) and manufacturer, and lettering fonts to be used, and should be accompanied by accurate renderings of the finished project and/or material samples;
- 3.6.4.** Proof of possession of all **Permits** as may be required by any other applicable government authority including the Ontario Ministry of Transportation;
- 3.6.4.1.** The required fee;
- 3.6.4.2.** Other information as may be required by the **Chief Building Official (CBO)** to ensure that such **Sign** will comply with the requirements of this **By-law**, the Ontario Building Code, any other applicable law, and to ensure the **Sign** is not unsafe;
- 3.6.4.3.** The consent of the person in possession of the **Lot** or **Premise(s)** upon which the **Sign** is to be erected, to permit entry upon the said **Premise(s)** by the **Chief Building Official (CBO)** for the purpose of inspecting the **Sign** in accordance with this **By-law**, but nothing herein shall be construed to limit or restrict the right of the **Chief Building Official (CBO)** to enter upon the **Premise(s)** in accordance with the provisions of the *Building Code Act*, the *Provincial Offences Act* or any other applicable statutory authority, and;
- 3.6.4.4.** In the case of a **Portable Sign**, the date or time the **Sign** is to be in place.
- 4.7. Responsibilities Regarding The Application For Permit**
- 4.7.1.** No **Person** shall make 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 work is to be performed.
- 4.7.2.** No **Person** shall submit false or misleading information or documents or make omissions that may mislead in connection with any application for **Sign Permit**, detail of construction or revision thereto.
- 4.8. Conformity With the By-Laws And the Approved Plans**
- 4.8.1.** It shall be the responsibility of the owner, or lessee, or an authorized agent to comply with this **By-law** and the approved plans and specifications.
- 4.9. Expiration Of the Permit**
- 4.9.1.** Every **Permit** issued by the **Town of Perth**, shall expire six (6) months from the date of issuance, unless diligently acted upon, and;
- 4.9.2.** Every **Permit** issued by the **Town of Perth**, shall become null and void upon the removal of the **Sign**.
- 4.10. Renewal Of Permit**
- 4.10.1.** Where before the expiry date of a **Permit**, upon application, the **Town** may renew the **Permit** after payment of the prescribed fee by the applicant; and where the **Sign** proposed conforms to the standards

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prescribed in the **By-law** in effect at the time of the application for renewal, a new **Permit** shall be issued for a further six (6) months.

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4.11. Revocation of Permit

- 4.11.1. A **Permit** may be revoked by the **Town of Perth** under the following circumstances:
- Where the **Sign** does not conform to the **By-law**;
 - 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;
 - Where the **Permit** has been issued as the result of false or misleading statements, or undertakings, in the application, and;
 - Where the **Permit** has been issued in error.

4.12. Fees

- 4.12.1. The Fees and Charges for applications and **Permits** required in this **By-law** are referenced in the Fees and Charges By-law No. 3675, as amended, Schedule 'G', Sign and Merchandise Display Fees.

Exception: Merchants in the Business Improvement Area (BIA) shall be exempt from paying a fee during the Stewart Park Festival

4.13. Removal Of Illegal Signs

- 4.13.1. When a **Sign** is erected or displayed in contravention of the provision of this **By-law**, such **Sign** may be removed immediately without notice, if located on, over, partly on, or partly over, property owned by or under the jurisdiction of the **Town of Perth**.
- 4.13.2. If such **Sign** is located on property other than property owned by, or under the jurisdiction of the **Town of Perth**, the **Town** may deliver notice by personal service or registered mail, to the lessee or owner of the **Sign**, or their agents, or to the **Person** or agent having the use of major benefit of the **Sign**, requiring that the **Sign** be permanently removed within the time specified in the notice and thereafter not replaced with any **Sign** in contravention of this **By-law**.
- 4.13.3. If the notice is not complied with, the **Town of Perth** may require that the municipality, its employees or an independent contractor enter upon the land and remove such **Sign** at the expense of the owner of the **Sign**.
- 4.13.4. **Signs** so removed shall be stored by the municipality for a period of time of not more than thirty (30) days, during which time the owner or his agent may be entitled to redeem such **Sign** upon receipt by the Treasurer of the amount calculated by the **Town of Perth** as the cost of removing and storing the **Sign**.
- 4.13.5. Where a **Sign** has been removed by the municipality and stored for a period of thirty (30) days and has not been redeemed, such **Sign** may be forthwith destroyed or otherwise disposed of by the municipality.
- 4.13.6. Notwithstanding any other provision in this **By-law**, where a **Portable** or **Moveable Sign** is placed on municipal property without approval, the **Town** may remove the **Sign** without notice at the expense of the owner of the **Sign**.

4.14. Appeal

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- 4.14.1. A decision of the issuing officer may be appealed to the Committee of Adjustment.
 - 4.14.2. A Committee of Adjustment shall be appointed by Council to consider applications for minor variance to the **Sign and Merchandise Display By-law**.
 - 4.14.3. The term of appointment of the Committee of Adjustment shall run concurrent with the term of Council.
 - 4.14.4. The Committee of Adjustment may upon application of any **Person**, authorize minor variances from the provisions of the **By-law**, if in the opinion of the Committee the general intent and purpose of the **By-law** are maintained.
 - 4.14.5. An application for minor variance to the **Sign and Merchandise Display By-law** shall be circulated to the following groups in order to obtain their comments with respect to the application.
 - 4.14.5.1. Perth Business Improvement Area (BIA);
 - 4.14.5.2. Perth and District Chamber of Commerce;
 - 4.14.5.3. Perth Municipal Heritage Advisory Panel and;
 - 4.14.5.4. Perth Town.
 - 4.14.6. The groups shall have fourteen (14) business days in which to provide their comments with respect to the application for minor variance.
 - 4.14.7. An application for minor variance shall be reviewed by the Committee of Adjustment within twenty-one (21) business days of the receipt of a complete application.
 - 4.14.8. In the event that there is not a majority vote of the members present at an appeal hearing to authorize the application the application shall be denied.
- 4.15. **Offences**
- 4.15.1. Any **Person** who installs or causes to install a **Sign** without first receiving a **Permit**;
 - 4.15.2. Any **Person** who knowingly furnishes false information in any application for a **Sign Permit** or any documents or plans accompanying such application for a **Permit** under this **By-Law**, or;
 - 4.15.3. Any **Person** who fails to comply with any order, notice, direction or other requirement given in accordance with or pursuant to this **By-law**; or contravenes any provision of this **By-law** is guilty of an offence and is liable upon conviction to such penalties prescribed by the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33 as amended or the *Building Code Act* S.O. 1992, c.23.
 - 4.15.4. Each day in which a contravention of this **By-law** is continued or permitted to continue shall constitute a separate offence and shall be punishable as such hereunder.
- 4.16. **Penalty**

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4.16.1. Every **Person** who contravenes any provision of this **By-law** is guilty of an offence and on conviction is liable to a fine of not more than \$5,000, pursuant to the *Provincial Offences Act*, R.S.O. 1990, C.P. 33.

4.16.2. Every **Person** who contravenes any provision of this **By-law** is guilty of an offence

4.17. Validity

4.17.1. In the event any part or provision of this **By-law** is held to be illegal or void, it shall be considered separate and severable from the remaining provisions of this **By-law**, which shall remain in force and be binding.

4.18. Conflict with Other By-laws

4.18.1. Where there is a conflict or a contradiction between this **By-law** and other By-laws of the **Town of Perth**, the provisions of this **By-law** shall prevail.

5. SIGNS PERMITTED FOR ALL USE CATEGORIES

5.1. Notwithstanding Section 7 and 16, inclusive of this **By-law**, the following **Signs** shall be permitted for all use categories in the **Town of Perth** and shall be exempted from the requirements of a **Permit**. However, such **Signs** shall comply with the provision(s) specified herein.

- a) “No Trespassing” **Signs** or other such **Signs** regulating the use of a property, of no more than 0.50 sq. m., in **Sign** area.
- b) Real Estate **Signs** not exceeding 1.0 sq. m., in **Sign** area for **Residential Uses** and 2.0 sq. m., in **Sign** area for all other use categories, which advertise the sale, rental or lease of the **Premise(s)** or **Lot** upon which said **Signs** are located. Such Real Estate **Signs** shall be removed within fourteen (14) days after the date of acceptance of an offer or the lease or rental of the **Premise(s)**. A maximum of one (1) **Sign** shall be permitted per lot.
- c) **Directional Signs** not exceeding 0.5 sq. m., in **Sign** area.
- d) Memorial **Signs** or tablets and **Signs** denoting the date of erection of buildings, attached to the wall of a building or structure.
- e) Flags bearing the crest or insignia of any corporation, government agency or religious, charitable or fraternal organization, to a maximum number of three (3) such flags per **Lot**.
- f) Public election lists, public **Election Signs**, and candidate **Signs** subject to the following:
 - i) No **Election Signs** shall exceed a maximum sign area of 5.0 sq. m., *except that a commercially available **Billboard** may be used to display an **Election Sign** subject to the time restrictions noted below.*
 - ii) Such **Signs** shall not be erected more than six (6) weeks prior to the date of the election and shall be removed within seven (7) days after the elections.

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- iii) No **Election Sign** shall be permitted on any road allowances or municipal property under the jurisdiction of the **Corporation of the Town of Perth**.
- iv) All **Signs** shall be setback in accordance with this **By-law**.
- v) All **Signs** in contravention of this **By-law** shall be removed pursuant to the authority set out in the *Municipal Act*, R.S.O. 1990, c.m. 45, paragraph 146 of Section 210.
- g) **Public Information Signs** as defined in Section 3.
- h) **Temporary Signs** advertising festivals and community events operated by a church or other charitable organization, subject to the following:
 - i) **Temporary Signs** shall have a maximum **Sign** area of 3.7 sq. m., with a maximum of three (3) **Signs** per event, and with a maximum of one (1) **Sign** per **Lot**.
 - ii) **Temporary Signs** shall be setback in accordance with this **By-law**. Such **Temporary Signs** may be located within a road allowance providing written approval is received from the appropriate authority having jurisdiction.
 - iii) Such **Temporary Signs** shall be permitted to be displayed for a maximum of four (4) days prior to the event and shall be removed immediately after the event.
- i) **Signs** not exceeding 0.5 sq. m., in **Sign** area indicating the municipal address of a building.
- j) **Internal Signs** as defined in Section 3.

6. PROHIBITED SIGNS

6.1. No **Person** shall **Erect**, install, post, display, maintain or keep on a **Premise(s)** any of the following types of **Signs**:

6.1.1. **Signs** which incorporate in any manner any flashing or moving illumination which varies in intensity or which varies in colour, and **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 current other than time or temperature.

6.1.2. **Signs** which by reason of size, location, content, colouring, or manner of illumination obstruct the vision of drivers or pedestrians, or obstruct or detract from the visibility or effectiveness of any traffic **Sign** or control device on public streets and roads or which are located in a **Site Triangle**.

6.1.3. **Signs** which make use of words such as “Stop”, “Look”, “One Way”, “Danger”, “Yield”, or any similar words, phrases, symbols, lights or characters in such manner as to tend to interfere with, mislead or confuse traffic and which are not erected by a Public Authority.

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- 6.1.4. **Signs** located so as to obstruct or impede any required fire escape, fire exit, walkway, passageway, door, window, skylight, flue or air intake or exhaust or so as to prevent or delay free access of firefighters to any part of the building.
- 6.1.5. **Signs** on or over public property or public right of way, unless erected and approved in writing by a government agency having jurisdiction.
- 6.1.6. **Signs** painted on, attached to, or supported by a tree, stone or other natural object or wooden utility pole.
- 6.1.7. **Signs** painted on the **Exterior Walls** of any building, except as approved by the Committee of Adjustment.
- 6.1.8. **Roof Signs** and **Signs** erected in part or entirely above the surface of the roof of a building or structure.
- 6.1.9. **Ground Signs** in excess of 2.40m., in height within 15m., of a traffic light.
- 6.1.10. **Signs attached** to a **Projecting** or **Free Standing Canopy** except **Canopy Signs** and **Soffit Signs**.
- 6.1.11. Any obsolete **Signs** which no longer advertise a business conducted, or a product sold at the **Sign** location. Such obsolete **Signs** shall be removed within thirty (30) days of the closing of the business.
- 6.1.12. **Signs** not related to any business **Premise(s)** located on the **Lot**.
- 6.1.13. **Signs** which obstruct a required parking space or utilize such parking space for the purposes of locating a **Sign**.

7. GENERAL PROVISION FOR ALL SIGNS

- 7.1. The following provisions shall apply in all **Use Categories**:
 - 7.1.1. **Limit of Number of Signs** except as may otherwise be permitted in this **By-law**, the maximum number of **Signs** that may be erected shall be:
 - 7.1.2. One (1) fascia **Sign** per business frontage, and;
 - 7.1.3. One (1) only of the following **Sign** types per exterior wall per business **Premise(s)**:
 - 7.1.3.1. **Wall Sign**;
 - 7.1.3.2. **Canopy Sign**;
 - 7.1.3.3. **Soffit Sign**;
 - 7.1.3.4. **Window Sign**;
 - 7.1.3.5. **Reversed Graphic Sign**;
 - 7.1.3.6. **Projecting Sign**, except that:
 - 7.1.3.6.1. One (1) additional **Ground Sign** may be erected for a **Lot** having a street frontage greater than 125 m.
 - 7.1.3.6.2. Where a **Lot** abuts two or more streets an additional **Sign** may be erected on the second street frontage provided that said street has a minimum frontage of 15.0m.

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7.1.4 Compliance with Site Development Agreements

7.1.4.1 Where a site plan approved by the **Town** provides standards for **Signs** and the **Signs** for the development comply therewith, such **Signs** shall be deemed to comply with this **By-law**.

7.1.4.2 A variance to a **Sign** regulated by an approved site plan shall be considered as an amendment to the site plan and the appropriate application shall be made to the Planning Department.

7.1.5 Compliance with Zoning By-laws

7.1.5.1 No **Person** shall **Erect** or maintain a **Sign** upon a parcel of land or building unless it is accessory to a use that is lawfully being operated on such land.

7.1.6 Mixed Uses

7.1.6.1 Where a building or part of a building contains more than one **Use Category**, as defined in Section 3, of the **By-law**, the **Signs** permitted shall be in accordance with the portion of the building attributed to each **Use Category**.

7.1.7 Ground Signs

7.1.7.1 The following regulations shall apply to all **Ground Signs**:

- a) **Ground Signs** shall be set back a minimum of 1.0m., from all street **Lot** lines.
- b) No **Ground Sign** shall exceed 5.0m., in dimension of the **Sign** face.
- c) No more than one (1) **Sign** shall be mounted to the supporting structure of any **Ground Sign**.
Notwithstanding the foregoing, additions may be allowed to existing **Ground Signs** provided that additions are of the same design, material and shape as the existing **Sign**.
- d) No **Ground Sign** shall exceed a maximum height of 4.5 m., from the finished grade level at the base of the supporting structure of the said **Sign**.
- e) **Ground Signs** shall be setback a minimum of 1.5m., from any common **Lot** boundary with an adjacent **Lot**.
- f) A **Ground Sign** including any part of its structure shall not be located closer than 1.0m., to any driveway.
- g) No **Ground Sign** shall be erected where the distance between a structure and the street line is less than 4m. One (1) **Projecting Sign** shall be permitted in lieu of a **Ground Sign** where such distance is less than 4m.

7.1.7.2 That the Perth Golf Course **Ground Sign** presently located on municipal property at the intersection of Peter Street and Lustre Lane be relocated to the satisfaction of the **Chief Building**

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Official (CBO), and subject to the provision in 7.1.5.3, a, b, c, and d)

That the existing Mill Store **Ground Sign**, located on Chetwynd Street, and the existing Perth Golf Course **Ground Sign**, located on Craig Street, shall be permitted to remain on municipal property subject to the following provisions:

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7.1.7.2.1 Notwithstanding the **Town** may, with sixty (60) days notice, in its sole discretion, order the removal of the signage authorized in Section 7.1.5.2 above, at any time.)

- i. The owner shall annually submit proof of General Liability insurance in the amount of \$2,000,000.00, with the **Town of Perth** as a named insured;
- ii. The **Sign** shall be maintained in good condition;
- iii. No increase in the **Sign Area** shall be permitted, and;
- iv. Payment of an annual fee of \$75.00, at the beginning of the term, including the year in which a **Sign** is removed

7.1.7.3 Notwithstanding Section 7.1.5.1(d), no **Ground Sign**, located on property having frontage on Highway No. 7, shall exceed a maximum height of 8.0 m., from the finished grade level at the base of the supporting structure of the said **Sign**.

7.1.8 Wall Signs

7.1.8.1 The following regulations apply to all **Wall Signs**:

- a) No **Wall Sign** shall extend above the top of the roof surface.
- b) No **Wall Sign**, or part thereof, shall project more than 0.5m., from the wall upon which it is mounted.
- c) No portion of any **Wall Sign** shall be less than 2.44 m., above the finished grade level immediately below such **Sign**.
- d) No **Wall Sign** shall extend beyond the extremities of the wall to which it is attached.
- e) No **Wall Sign** shall extend around the corners of the wall upon which it is mounted, except that when a **Premise(s)** is located at the corner of a building, a **Wall Sign** may extend around the corner on which it is mounted. **Signs** extending around the corner lawfully erected under this Section shall be deemed to be two (2) **Signs** for the purpose of calculating the permitted number of **Signs** and permitted **Sign Area**.
- f) **Wall Signs** shall only be located at the **Storey** having direct access to a street, except that where a **Premise(s)** occupies all stories in a multi-**storey** building the **Wall Sign** may be erected on the next **Storey** immediately above the **Storey** having direct access to the street.

7.1.9 Canopy Signs

7.1.9.1 The following regulations shall apply to all **Canopy Signs**:

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- a) A **Canopy Sign** shall be designed as an integral part of the **Canopy** fascia.
- b) No **Canopy Sign** shall extend beyond the limits of the **Canopy** fascia.
- c) No portions of any **Canopy Sign** shall be less than 2.44m., above the finished floor level immediately below such **Sign**.
- d) No **Canopy Sign** shall extend around the corners of the canopy upon which it is mounted, except that when a **Premise** is located at the corner of a building, a **Canopy Sign** may extend round the corner on which it is mounted. **Signs** extending around the corner lawfully erected under this Section shall be deemed to be two (2) **Signs** for the purpose of calculating the permitted number of **Signs** and permitted **Sign Area**.
- e) **Canopy Signs** shall only be located on the **Storey** having direct access to a street.

7.1.10 Soffit Signs

7.1.10.1 The following regulations shall apply to all **Soffit Signs**:

- a) No portion of any **Soffit Sign** shall be less than 2.44 m., above the finished grade or floor level immediately below such **Sign**.
- b) No **Soffit Sign** shall be located above the first **Storey** of any building.
- c) No **Soffit Sign** shall be closer than 0.2m., from the outer edge of the canopy upon which it is suspended.
- d) No **Soffit Sign** shall have a vertical dimension greater than 0.4 m., or have a horizontal dimension greater than 1.9m.
- e) No **Soffit Sign** shall exceed 0.6 sq. m., in **Sign Area**.

7.1.11 Projecting Signs

7.1.11.1 The following regulations shall apply to all **Projecting Signs**:

- a) No portion of a **Projecting Sign** shall be less than 2.44 m., above the finished grade or floor level immediately below such **Sign**.
- b) No **Projecting Sign** shall exceed 1.0 sq. m., in area per **Sign** face.
- c) No **Projecting Sign** shall be illuminated internally.
- d) A **Projecting Sign** shall not be constructed as a free swinging **Sign**.

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7.1.12 Window Signs

7.1.12.1 The following regulations shall apply to all **Window Signs**:

- a) The maximum **Sign** area of any **Window Sign** shall not exceed 25% of the area of the window in which the **Sign** is located.

7.1.13 Readograph Signs

7.1.13.1 The following regulations shall apply to all **Readograph Signs**:

- a) **Readograph Signs** shall be designed as an integral part of a **Ground Sign** or **Wall Sign**.
- b) No **Readograph Sign** shall be located in the **Special Sign Zone**; or within 15 m., of a traffic signal; or within 5.0m., of a road or driving lane in any other part of the **Town of Perth**.

7.1.14 Reversed Graphic Sign

7.1.14.1 The following regulations shall apply to all **Reversed Graphic Signs**:

- a) Where **Reversed Graphic Signs** are used on a **Wall Sign** or **Canopy Sign**, the **Sign Area** shall be the smallest triangle, rectangle, square, circle, semicircle or other common geometric form which can wholly enclose the advertising copy of the **Sign**. Notwithstanding the foregoing, the maximum permitted **Sign** area for a reversed **Graphic, Wall** or **Canopy Sign**, shall not be more than 50% in excess of that which would be permitted for any ordinary **Wall** or **Canopy Sign**.

8. SIGNS PERMITTED FOR RESIDENTIAL BUILDINGS

8.1. Subject to the requirements in Section 7, **General Provision For all Signs**, no **Person** shall **Erect**, display, maintain any **Sign** on a **Lot** or building used for residential purposes, except in accordance with the following:

8.1.1. Single Family, Semi-Detached, Street Townhouse Dwellings

- a) A **Sign** containing the name, address and profession of a resident or occupant, not more than 0.4 sq. m., in **Sign Area** and shall not include any commercial advertising.

8.1.2. Multiple Family Buildings, Block Townhouses, Apartment Buildings

- a) Only one (1) **Ground Sign** per **Lot**, identifying a multiple family building or other permitted use, shall be permitted. Said **Sign** shall not exceed a **Sign** height of 2.0 m., nor a **Sign Area** of 2.4 sq. m.
- b) In addition to the above, one (1) **Wall Sign** located at the ground floor level of a permitted **Use** may also be permitted provided such **Sign** does not exceed a **Sign Area** of 2.4 sq. m. Such **Sign** shall not contain commercial advertising and shall identify only the building.

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8.1.3. Those **Signs** permitted in Section 4, **Signs Permitted for All Use Categories**, are also permitted.

9. SIGN PERMITTED FOR COMMERCIAL AND INDUSTRIAL BUILDINGS

9.1. Subject to the requirements in Section 7, **General Provisions For all Signs**, and Section 11, **Special Sign District**, no **Person** shall **Erect**, display or maintain any **Sign** on a **Lot** or building used for commercial or industrial purposes, except in accordance with the following:

9.1.1. Ground Signs

9.1.1.1. Except as otherwise permitted in Section 9.1.7., and 9.1.8, no **Ground Sign** shall be larger than 8.0 sq. m., in area on a single **Sign** face, or 16.0 sq. m., of **Sign Area** for all faces combined.

9.1.2. Wall Signs

9.1.2.1. The area of a **Wall Sign** shall not exceed 0.75 sq. m., per linear horizontal metre of the exterior wall of a building upon which such **Sign** is located. In multiple occupancy buildings or **Shopping Centres**, the **Sign Area** for each business **Premise(s)** shall be proportional to the length of the **Exterior Wall** forming part of the **Premise(s)**. Notwithstanding the foregoing, the total area of a **Wall Sign** per business **Premise(s)** shall not exceed 16.0 sq. M., or be limited to less than 1.6 sq. M.

9.1.2.2. On a multiple occupancy building, a directory **Sign** will be permitted at first floor level, listing names of businesses not having direct access to a public way. The area of such **Sign** shall not exceed 1.0 sq. m.

9.1.3. Canopy Signs

9.1.3.1. A **Canopy Sign** shall not exceed 0.75 sq. m., per linear horizontal metre of a **Canopy** upon which such **Sign** is located. In multiple occupancy buildings the **Sign Area** for each business **Premise(s)** shall be proportional to the length of the **Exterior Wall** forming part of the **Premise(s)**.

Notwithstanding the foregoing, the total area of a **Canopy Sign** per business **Premises** shall not exceed 16.0 sq. m., or be limited to less than 2.0 sq. m.

a) A **Canopy Sign** erected as an integral part of a free standing **Canopy** shall not exceed 1.6 sq. m., in area.

9.1.4. Soffit Signs

9.1.4.1. All **Soffit Signs** shall comply with the provisions in Section 7.1.8.

9.1.5. Projecting Signs

9.1.5.1. All **Projecting Signs** shall comply with the provisions in Section 7.1.9.

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9.1.6. Window Signs

9.1.6.1. All **Windows Signs** shall comply with the provisions in Section 7.1.10.

9.1.7. Shopping Centre Signs

9.1.7.1. In addition the other provisions in this By-law, the following provisions further apply to a **Shopping Centre**:

9.1.7.1.1. Ground Signs

- a) No individual business or other enterprise within a **Shopping Centre** may **Erect** or maintain a **Ground Sign**.
- b) Notwithstanding Section 9.1.1., respecting the maximum area of a **Ground Sign**, where a **Shopping Centre** is located on a Lot having an area in excess of 1.0 hectares, the maximum area of a **Ground Sign** may be increased to 20 sq. m., in area per single **Sign** face or 40 sq. m., for all faces combined, provided this increased area shall only apply to a **Sign** that is designed professionally to conform with the architectural and design details of the development.
- c) **Wall Sign** – an additional **Wall Sign** complying with Section 7.1.6, and 9.1.2, may be permitted in lieu of a **Ground Sign** for **Shopping Centre** identification purposes only.
- d) **Soffit Sign** –
 - i) In the case of a **Shopping Centre** with an attached canopy, one (1) additional accessory **Soffit Sign** may be erected per business Premise(s) beneath the canopy and at right angles to each store entrance provided all such Signs are of uniform size.
 - ii) The maximum **Sign Area** for each such **Sign** shall not exceed 0.6 sq. m. All other Signs identifying each individual business Premise(s) shall be erected in accordance with the provisions of this By-law.

9.1.8. Service Station and Gas Bar Signs

9.1.8.1. Notwithstanding any other provision of this **By-law** the following **Signs** may also be permitted in association with service stations and gas bars:

- a) “Gas Price” **Signs** not exceeding 0.5 sq. m., in **Sign Area** may be permitted on the fascia of a **Free Standing Canopy** associated with pump islands provided that such **Sign** is an integral part of the canopy design and does not extend beyond the fascia limits, and further provided that not more than two (2) such **Signs** shall be permitted per canopy.

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- b) **Signs** customarily displayed on gasoline pumps which are an integral part of the pump or pump island design.
- c) Directory Signs, not exceeding 0.5 sq. m., in area may be erected as an integral part of a canopy fascia provided that no directory **Sign** shall advertise, indicate or direct attention towards any activity not carried on at the pump island with which the canopy is associated.
- d) Notwithstanding the foregoing, such directory **Signs** shall be limited to two (2) **Signs** per function, per **Canopy**.

9.1.9. Provisions for Portable Signs and Merchandise Displays

9.1.9.1. General Provisions

- a) No **Portable Sign** or **Merchandise Displays** shall be located on or over **Town** property, streets, sidewalk, highways or encroach thereon, except as permitted by the provisions of this Section.
- b) No **Portable Sign** or **Merchandise Display** shall be located or placed on property in the **Town of Perth** except as permitted by the provisions of this **By-law**.

9.1.9.2. Application

- a) A fully completed application for this purpose shall be made to the **Town** at least three (3) business days prior to the intended use and such application shall be in the form prescribed in Schedule 'D', to this **By-law**.

Exception: Merchants in the Business Improvement Area (BIA) shall be exempt from the requirement to submit an **Application** during the Stewart Park Festival each year.

- b) When an application for a **Portable Sign** or **Merchandise Display** is approved, it shall be for a specific period of time that shall not exceed twelve (12) months.
- c) All approvals longer than fourteen (14) days shall have an expired date of not later than April 30th following the approval.
- d) Where a renewal of the application is required, a new complete application must be submitted for approval.
- e) That permission for placement of a **Sign, Merchandise Display** or other property as regulated by this **By-law** rest solely with the **Town of Perth** or its designate.
- f) The Town's **Chief Building Official (CBO)** or designate shall be the issuing officer.

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- g) That property set out or displayed and governed by this Section of the **By-law**, shall be done so only during business hours and that all property including **Signs**, racks, tables, merchandise or other property used to display or contain merchandise shall not be left on any **Town** property other than during business hours.

9.1.10. Location

- a) **Portable Sign** locates are to be noted on the application. A map and/or diagram of the location shall be provided.
- b) All proposed locations shall be subject to **Town** review and relocation.

9.1.11. Hold Harmless Agreement and Insurance Requirement

- 9.1.11.1 The **Applicant** business and its owners shall be required to execute a Hold Harmless Agreement in the form prescribed as Schedule 'B' to this **By-law**, agreeing to hold and save harmless and to indemnify the **Corporation of the Town of Perth** and its officers and agents for any injury or damage arising from the erection or placement of **Portable Signs** or **Merchandise Displays**; and further, to provide evidence in the form prescribed in Schedule 'B' to the **Town of Perth** that a minimum of two million dollars (\$2,000,000.00) of liability insurance is in full force and acknowledges this Agreement.

Exception: Merchants in the Business Improvement Area (BIA) shall be exempt from the requirement to provide a Hold Harmless Agreement and proof of liability insurance during the Stewart Park Festival.

9.1.12. Compliance

- 9.1.12.1. Wherever a **Portable Sign** or **Merchandise Display** is in violation of this Section of the **By-law**, the **Chief Building Official (CBO)** or delegate shall notify the owner of such a **Sign** or display in writing, by causing a notice to be delivered personally to such owners requiring them to remove such **Signs** or displays within one (1) day from the receipt of such notice in writing.
- 9.1.12.2. Refusal to comply with request to remove an unauthorized **Sign** will permit the **Town** to remove the offending **Portable Sign** or **Merchandise Display** at the owner's expense and the provisions of *the Municipal Act* shall apply with respect to the recovery of expenses by the municipality.

9.1.13. Merchandise Display Standards

- 9.1.13.1 With respect to **Merchandise Displays**, the following criteria shall apply:
 - a) Racks, tables or other property used to display or contain **Merchandise** shall not be greater than 78 cm. (30 in.) in depth, nor extend beyond the frontage width

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of the business **Premise(s)**. The merchandise so displayed shall not extend more than 92 cm (38 in.) onto **Town** property. The **Merchandise Display** shall be a minimum of 78 cm (30 in.) in height and shall not lie on the ground.

- b) **Merchandise Displays**, benches, tables or chairs shall not impede the free flow of pedestrians and a maximum unobstructed continuous width of 1.5 m (5 ft.) of sidewalk shall be maintained. The parking of cars, access to parking meters, and the view of motorists at intersections or snow removal shall not be impeded by the placement of such displays.

9.1.14. Portable Sign Standards

9.1.14.1 With respect to **Portable Signs**, intended for display on a road allowance, sidewalk or pedestrian mall in the following criteria shall apply:

- a) The **Sign** shall not have more than two (2) faces.
- b) The area of the **Sign** face shall not exceed .74m² (8 sq. ft.) per side.
- c) The width of the **Sign** shall not be less than 80 cm. (24 in.) or exceed 76 cm. (30 in.).
- d) The height shall not be less than 92 cm. (36 in.) or more than 120 cm. (48 in.) above the ground.
- e) The **Sign** shall be of a sandwich board design.
- f) The **Sign** shall not have any projections from the sides or bottom.
- g) The **Sign** shall have its edges smooth and rounded.
- h) The **Sign** shall be secured in the open position with rigid cross bracing when placed on **Display**.
- i) **Portable Signs** which are to be displayed for more than fourteen (14) business days shall be built of rigid weather resistant material (i.e. plywood, masonite, etc.)

9.1.15. Duration of Approval

9.1.15.1. A **Temporary Sign** other than a sandwich board **Sign** shall not be displayed for more than sixty (60) consecutive days during the calendar year for any one (1) business location.

9.1.15.2. Annual application for each temporary, **Portable** or sandwich board **Sign** is necessary.

9.1.15.3. Annual expired date for sandwich board **Sign** approvals is April 30th of each year.

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9.1.16. Display

9.1.16.1. All **Portable Signs** shall be maintained by the **Applicant** in a good state of repair.

9.1.16.2. **Portable Signs** and sandwich board **Signs** shall not be placed on display during high winds, snow storms, at time of snow removal, placed on snow banks or in any manner which may cause danger to persons or property.

9.1.16.3. **Portable Sign** placement shall not impede the free flow of pedestrians on the sidewalk where a minimum width of 1.5 m. (4 ft. 11 in.) is to be maintained.

9.1.16.4. Access to parking meters, the view of motorists at corners and snow removal shall not be adversely affected by the placement of a sandwich board or temporary **Portable Sign**.

10. SIGNS PERMITTED FOR INSTITUTIONAL BUILDINGS

10.1. Ground Signs

10.1.1. No **Ground Sign** shall be larger than 2.0 sq. m., in area on a single **Sign** face or 4.0 sq. m., of area for all faces combined.

10.1.2. Notwithstanding Section 7.1.5. (d), no **Ground Sign** shall exceed 4.0 sq. m., in height above the average finished grade level at the base of such **Sign**.

10.2. Wall Signs

10.2.1. **Wall Signs** shall not exceed 0.5 sq. m., per linear horizontal metre of the building wall and/or canopy upon which such **Sign** is located. Notwithstanding the foregoing, the total area of a **Wall Sign** per **Premise(s)** shall not exceed 10.0 sq. m., or to be limited to less than 2.0 sq. m.

10.3. Those **Signs** permitted in Section 5, **Signs Permitted for All Use Categories** are also permitted.

11. AGRICULTURAL AND RECREATIONAL BUILDINGS

11.1. Ground Signs

11.1.1. A maximum of two (2) **Ground Signs** shall be permitted, each having a maximum **Sign** area of 5.0 sq. m., and total **Sign** area of 10.0 sq. m. such **Signs** shall advertise the name of the occupant of the **Agricultural** or **Recreational Use** and shall not include any commercial advertising.

11.2. Those **Signs** permitted under Section 5, **Signs Permitted For all Use Categories** are also permitted.

12. SPECIAL SIGN DISTRICTS

12.1. Subject to the provisions of Section 7, **General Provisions For All Signs**, (and notwithstanding the requirements of Section 9, **Sign Permitted For Commercial and Industrial Buildings**), the provisions outlined in Schedule 'A' shall apply for all **Signs** installed within the "**Special Sign Zone**" shall apply to all **Signs** located in a **Special Sign District**.

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- 12.2.** For the purposes of this **By-law**, the following areas as described in Schedule 'A' and depicted in Schedule 'C', attached hereto, are hereby defined as **Special Sign Districts** with the **Town of Perth**.
- 12.3.** All applications for **Signs** in **Special Sign Districts** shall be reviewed by the Municipal Heritage Advisory Panel for approval for comment prior to the issuance of a **Sign Permit**.

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13. DEVELOPMENT SIGNS

13.1. Subject to the requirements in Section 7, **General Provisions For All Signs**, no person shall **Erect**, display or maintain any Subdivision Development **Sign** except in accordance with the following:

13.1.1. Onsite Signs

- 13.1.1.1. Such **Signs** must be located within the subdivision.
- 13.1.1.2. Such **Signs** may advertise only the subdivision in which the **Sign** is located and not the sale of **Lots** elsewhere or the Realtors, developers or landowners business in general.
- 13.1.1.3. A maximum of two (2) **Signs** shall be permitted, per builder and the total combined **Sign** area shall not exceed 20.0 sq. m. Illumination of such **Signs** shall only be from an external source.
- 13.1.1.4. No other **Signs** shall be permitted within the subdivision.

13.1.2. Offsite Signs

- 13.1.2.1 In addition to those **Signs** permitted in Subsection 13.1.1, and notwithstanding Section 6, the following **Signs** shall also be permitted outside of the subdivision.
 - a) Two (2) **Ground Signs** having a maximum **Sign** area of 8.0 sq. m., each with a total combined **Sign Area** of 16.0 sq. m. Such **Signs** shall be located in an **Agricultural** or Open Space Zone, not more than one (1) kilometre from the project for which the **Signs** are erected, and at least 100 m., from a Residential **Zone**.
 - b) Illumination of such **Signs** shall only be from an external source.
 - c) No **Permit** shall be issued for any such **Signs** without the written consent of the registered owner of land on which the **Sign** is to be located.

13.1.3. Subdivision Development Signs on Sales Trails and Sales Pavilions

- 13.1.3.1. One (1) **Wall Sign** advertising the sale of **Lots** or dwellings may be erected on a wall of a sales trailer or sales pavilion provided that it covers no more than 50% of one (1) wall of the sales trailer or sales pavilion.
- 13.1.3.2. No part of the **Wall Sign** shall extend above the surface of the roof or beyond the extremities of the wall to which it is attached.

14. CONSTRUCTION SIGNS

14.1. A **Sign** having an area of not more than 0.8 sq. m., incidental to building construction shall be permitted on the property where such construction is to take place. Such **Signs** shall not be erected prior to the commencement of said construction and shall be removed as soon as said construction is completed or is discontinued for a period exceeding seven (7) days.

14.2. Construction **Signs** may identify the contractor or subcontractor carrying out construction on the property on which the **Sign** is located.

14.3. Construction **Signs** shall not be illuminated.

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14.4. Construction **Signs** shall not be placed on municipal property without the written consent of the **Town**.

15. NON-CONFORMING SIGNS

15.1. Any **Sign** lawfully erected, or displayed before the day this By-law shall come into force, may remain and be maintained notwithstanding that it does not conform with the **By-law**, provided that no such **Sign** shall be substantially **Altered**, unless the same shall either conform or be made to conform in all respects with this **By-law**.

15.2. This **By-law** shall not apply so as to require any **Sign**, other than a **Temporary Sign** or a **Sign** located on municipal property, that was lawfully erected or displayed on the date this **By-law** comes into full force and effect that does not comply with the provisions of this By-law, to be made to comply with this **By-law** so long as the **Sign** is not **Altered**.

15.3. This **By-law** shall not apply so as to require any **Temporary Sign** lawfully erected or displayed on the date this **By-law** comes into full force and effect that does not comply with the provisions of this **By-law**, to be removed until such time as the date for removal of the **Temporary Sign** set out in the **Sign Permit** issued therefore has expired, at which time such **Sign** shall be removed, or otherwise until the **Sign** is removed where no **Sign Permit** was required.

15.4. No extensions to **Sign Permits** for **Temporary Signs** existing on the effective date of this **By-law** shall be approved except in accordance with the provisions of this **By-law**.

15.5. If any **Sign** legally existing on the date this **By-law** comes into full force and effect is removed or deemed by the **Chief Building Official (CBO)** to be **Altered**, any replacement or upgrading shall be in accordance with all requirements of this **By-law**.

16. MAINTENANCE

16.1. The owner, lessee or agent of the lands or **Premise(s)** upon which any **Sign** or advertising device is located, shall maintain, 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, unsightly or dangerous. All **Signs** shall be completely operative at all times.

17. MATERIALS AND STRUCTURAL REQUIREMENTS

17.1. Material Requirements

17.1.1. All materials incorporated into a **Sign** shall comply with the relevant requirements of the **Ontario Building Code**.

17.1.2. Every **Sign** shall comply with the requirements of Ontario Electrical Code as administered by the Electrical Safety Authority (ESA).

17.2. Structural

17.2.1 **Signs** and their structural members shall be designed to have structural capacity to resist safely and effectively all effects of loads and influence from environment that may be expected and shall in any case satisfy the requirements of the **Ontario Building Code**.

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18. SCHEDULES:

18.1. Schedules attached to and forming part of this **By-law**:

Schedule 'A' – **Special Sign Zone – Commercial Signs**

Schedule 'B' – **Companies that Manufacture Approved Heritage Colours**

Schedule 'C' – **Town of Perth Map**

Schedule 'D' – **Application for Sign Permit**

Schedule 'E' – **Set Fines**

19. EFFECTIVE DATE:

19.1. This **By-law** shall come into force and effect on the date it is passed by Council.

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By-law No. 4310

Schedule 'A'

Special Sign Zone – Commercial Signs

A.1 The **Special Sign Zone** shall be the area bounded by the following streets:

- Foster Street from Wilson Street to Drummond Street;
- Gore Street from D'Arcy Street to Harvey Street;
- Herriott Street from Wilson Street to Drummond Street;
- North Street from Wilson Street to Drummond Street, and;
- Wilson Street from Herriott Street to midway in the block past North Street.

See Schedule 'C', **Town Map**

A.2 GENERAL CONDITIONS:

A.2.1. All applications for **Signs** in the **Special Sign District** shall be reviewed by the Municipal Heritage Advisory Panel for comment prior to the issuance of a **Sign Permit**.

A.2.2. **Sign** materials used in the construction of **Signs** to be located in the **Special Sign Zone** shall be wood or a material that gives the appearance of wood (example of material that could be accepted is a carved and painted plastic composite material).

A.2.3. **Sign** materials that are not permitted to be used for **Signs** located in the **Special Sign Zone** include sheet plastic, plexiglass, aluminum, vinyl and other synthetic materials, unless the proponent can demonstrate that the material application is appropriate to the age and style of the building.

A.2.4. No luminous **Sign** shall be installed within the **Special Sign Zone**.

A.2.5. Non-Conforming Signs: notwithstanding Section 15, of this **By-law** existing **Signs** located in the **Special Sign Zone** that do not conform to the requirements of this **By-law** on the date the **By-law** is passed are encouraged to be brought into conformity with the **By-law** within two (2) years of the date of passing the **By-law** or sooner where repair or maintenance of the **Sign** will be required.

A.3. PERMITTED SIGNS:

A.3.1 **Signs** in the **Special Sign Zone** shall be permitted subject to the following conditions:

- a) One (1) fascia, **Ground, Projecting** or **Pylon Sign** may be erected for each business frontage provided that such **Sign** conforms to the following conditions:

A.4. Facia Signs:

A.4.1. One (1) **Facia Sign** may be erected on a business frontage provided:

- a) The **Sign** is attached to and parallel with the main **exterior** wall of the building;
- b) The **Sign** is a minimum of 1.8 m. (5ft. 11 in.) above the finished sidewalk or mall grade;
- c) The **Sign** is no longer than the horizontal measurement of the

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wall or building façade to which it is attached;

- d) The **Sign** face does not project more than 100 mm. (3 7/8 in.) from the main **exterior** wall of the building;
- e) The **Sign** does not carry advertising copy on its ends;
- f) If on a lane, the **Sign** is a minimum of 4.3 m. (14 ft.) measured vertically from the surface of the lane;
- g) The width of the **Sign** band above the ground floor windows shall be architecturally compatible with the building. (In most cases, it should not exceed one half the distance from the top of the ground floor window lintel to the bottom of the second floor window sill).
- h) The width of the **Sign Graphic** within the **Sign** band shall not exceed two thirds of the width of the **Sign** band unless it can be demonstrated that the **Graphic** will harmonize with the architectural character of the building.

A.5. Projecting Signs

A.5.1. One (1) vertical **Projecting Sign** may be erected on a business frontage provided:

- a) The maximum projection of the **Sign** from the face of a building shall not be greater than 1.2 m. (47 in.);
- b) No part of the **Sign** that projects 1.2 m. (47 in.) from the face of a building shall be closer than 3.0 m. (9 ft. 10 in.) from finished grade;
- c) No part of a **Sign** that projects .10 m. (4 in.) from the face of a building shall be closer than 2.1 m. (6 ft. 10 in.) from finished grade;
- d) No part of a **Sign** projects from the face of a building past a line drawn from the points defined in Sentence (b) and (c). (See Diagram in Appendix 'D').
- e) Notwithstanding Section 6.9 b)., no projecting **Sign** shall exceed 0.75 sq. m., in area per **Sign** Face.
- f) They are located as close as possible to the horizontal centre of the building, except in the case of a building on a corner lot, in which case a **Projecting Sign** may be located at the corner of the building in lieu of one (1) **Sign**, one (1) on each frontage.
- g) There shall be no overhanging structures or wires from the roof of any building where a **Projecting Sign** is allowed;
- h) No **Projecting Sign** shall be constructed as swing **Sign**
- i) Only one (1) **Sign** assembly shall be permitted where two (2) or more businesses share the same entrance.

A.6. Standard or Pylon Signs

A.6.1. **Standard** or **Pylon Signs** shall not be erected or installed at a place of business in the **Special Sign Zone**, except where the property in question has a parking lot adjacent to the business, one (1) **Sign** shall be permitted provided:

- a) The area of the **Sign** does not exceed 1.5 sq. m. (16 sq. ft.), and;
- b) The **Sign** complies with all other standards of this **By-law**.

A.7. Ground Signs

A.7.1. One (1) **Ground Sign** per frontage may be erected between the building line and **Lot** line provided that:

- a) The maximum height is not more than 2.1 m. (6 ft. 10.5 in.);
- b) The maximum **Sign Area** is not more than .743 sq. m. (8 sq. ft.);

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- c) Notwithstanding any other provision of this **By-law**, **Readograph Signs** shall not be permitted in a **Special Sign District**.
- d) No **Sign** erected in a **Special Sign District**, shall obstruct or interfere with any architectural detailing on a building.

A.8. Other Signs Permitted

A.8.1. Those **Signs** permitted in Section 5, **Signs Permitted for All Use Categories**, are also permitted subject to the review by the Municipal Heritage Advisory Panel

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By-law No. 4310
Schedule "B"

Companies that Manufacture Approved Heritage Colours

Beauty Tone
(Designer Series)

Benjamin Moore
(Historical Colour Collection)

Farrow & Ball

Home Hardware
(Heritage Series)

Homestead House Paint Co.
(Canadiana Historical Paint Colours)

Para
(Historical Colour Collection)

Pratt & Lambert
(selected colours)

Sherwin Williams
(Preservation Palette)

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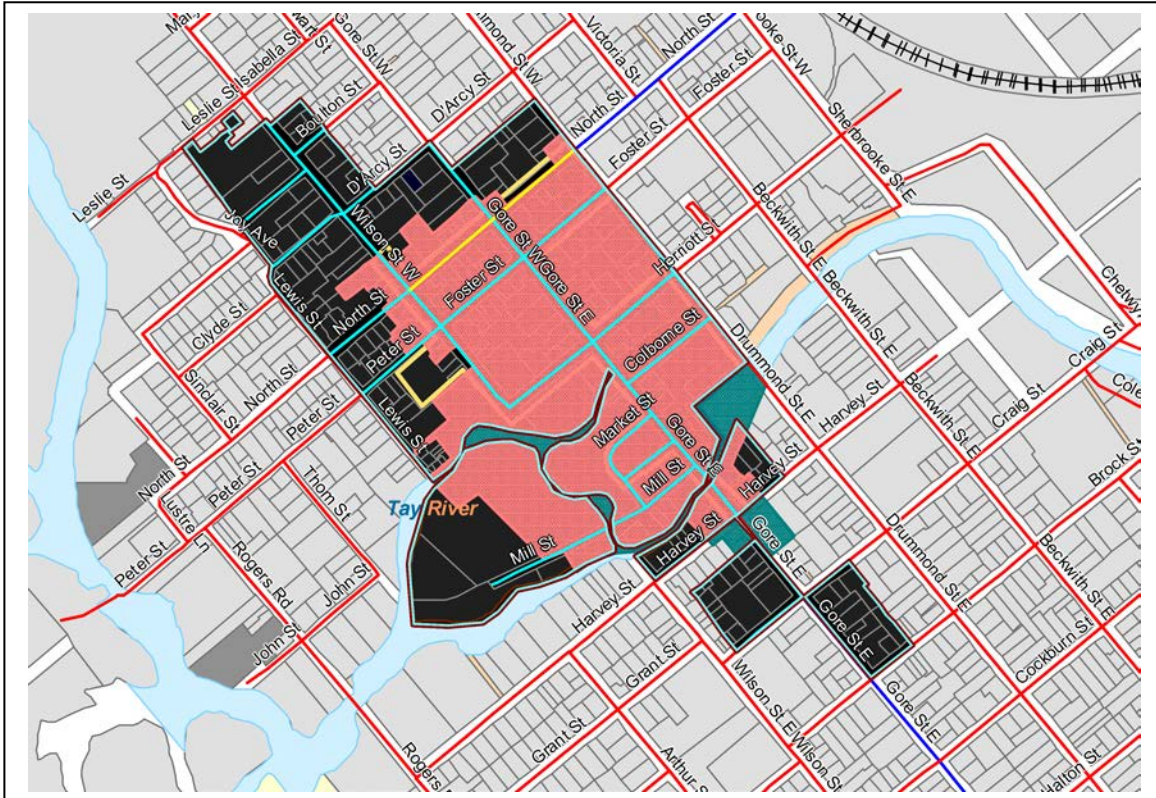
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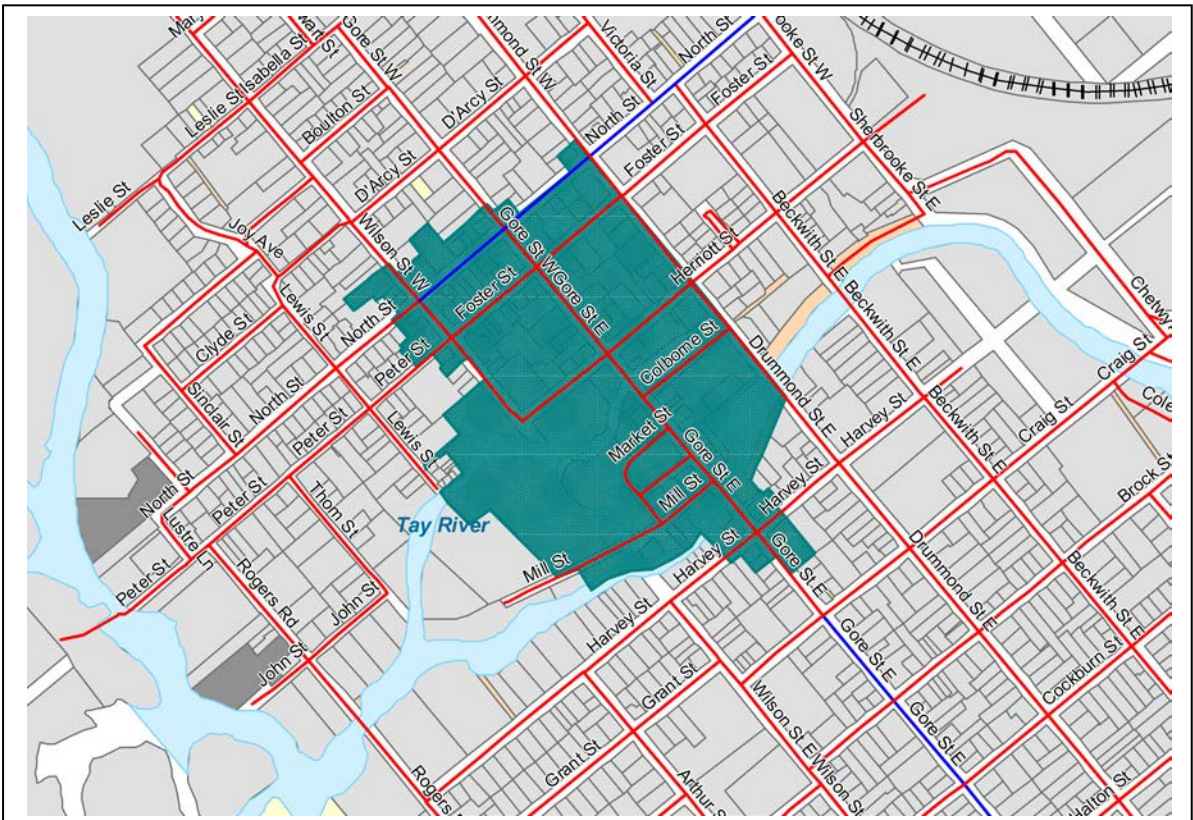
By-law No. 4310
Schedule 'C'

Town of Perth Map

Special Sign Zone



Heritage Conservation District (HCD)



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By-law No. 4310
Schedule 'D'
Application for Permit



APPLICATION FOR SIGN PERMIT
CORPORATION OF THE TOWN OF PERTH
80 Gore Street East, Perth, Ontario K7H 1H9
Tel: (613)-267-3311 Fax: (613)-267-5635

For office use only	
Permit No.	_____
Value	_____
Fee Paid	_____
Receipt No.	_____

Applicant _____ Address _____ Tel: _____

Business Owner _____ Address _____ Tel: _____

Property Owner _____ Address _____ Tel: _____

Designer _____ Address _____ Tel: _____

TYPE OF SIGN (CIRCLE OR CHECK ALL THAT APPLY)

Construction Material:

Wood _____ Plastic _____ Steel _____ Fascia _____
Projecting _____ Ground _____ Pylon _____ Sandwich Board _____ Merchandise Display _____
Illuminated _____ Type of Illumination _____ Hydro Approval _____

Location of Sign _____ Zone _____

Size of Sign _____ Height above Ground _____

Width of Building Face _____ Height of Building Face _____

Width of Property _____ Depth of Property _____

Type of Signs Existing _____ Number of existing signs _____

Two copies of plans for the proposed signage with size and location indicated must be submitted with this application. All relevant information (i.e., sign measurements, sign colour, sign location) should be provided. Failure to provide required information will result in a delay of the application review.

(This space may be used for sandwich board / merchandise display information.)

Portable Sign: Indicate proposed dimension _____ Lot information and sign location _____
Maximum Area: .74 m (8 sq. ft.) Maximum Height: 1.5 m (48") Business Name: _____
Minimum Width: .76 m (30") Minimum Height: .92 cm (36") Municipal Address _____

Proposed Area _____ Proposed Height _____ Width _____ Curb Line: _____
Note: Rigid cross braces required

Proposed location of sign. Width of sidewalk Note: Minimum unobstructed Walkway (6.16) (1.5m)

The following dimensions for Sandwich Board

Sign will conform to the By-law:

- 24"x48"
- 26"x44"
- 27"x42"
- 28"x40"
- 30"x38"
- 30"x36"

DECLARATION

I, the undersigned _____ am the owner/authorized agent for the owner named in the above and I certify the truth of all statements made herein. I understand that the issuance of a permit shall not be deemed a waiver of the provisions of any by-laws or other regulation, notwithstanding anything included in or omitted from the plans or other material filed in support of this application. I acknowledge that in the event that a permit is issued, any departure from the plans, specifications or locations proposed in the application is prohibited and such could result in the permit being revoked. I further acknowledge that in the event the permit is revoked for any cause or irregularity or nonconformity with the by-laws or regulations, there shall be no right of claim whatsoever against the municipal corporation or any official thereof and any such claim is hereby expressly waived.

Date at Perth, Ontario _____ 20 _____

Signature of Owner/Authorized Agent

Employee of the Town of Perth

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HOLD HARMLESS AGREEMENT

THE UNDERSIGNED hereby agree to hold and save harmless the Corporation of the Town of Perth, it's officers, employees, and official from all claims or cause of action against the Corporation of the Town of Perth, because of injury or damage to property of others arising from the placement of a sign or other property of the undersigned and placed on, into or above property or premises of the Town of Perth.

OWNER or AUTHORIZED PERSON

WITNESS

Signature

Signature

Name/Title (Print)

Name/Title (Print)

Address

Address

If a Corporation, affix Corporate Seal

.....
INSURANCE CERTIFICATION

THE UNDERSIGNED hereby certify that the insurance coverage is in full force and effect for the above named with the (Insurance Company) _____ under policy number _____ with liability limits not less than \$2,000,000.00 and covering all business premises and operations. Further, that the Town will be given fifteen (15) days notice of cancellation or non-renewal of this policy of insurance and further, that this policy acknowledges the above agreement.

Signed by: _____

Authorized Insurance Representative

_____ Date

Name (please print)

Address

.....
Application Reviewed _____

_____ Date

Zoning Checked _____

_____ Date

Conditions _____

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**Town of Perth
Part I Provincial Offences Act
By-law No. 4310 to Sign and Merchandise Display By-law**

**SCHEDULE "E"
SET FINES**

Item	Column 1	Column 2	Column 3
	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	Install Sign without a permit	s. 4.15.1.	\$ 250.00
2	Furnish false information.	s. 4. 15.2	\$250.00
3	Fail to comply with Order, notice, direction or other requirement.	s. 4.15.3.	\$ 250.00

NOTE: The general penalty provision for the offences listed above is section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33.