

BY-LAW NUMBER 2015 - 45

THE CORPORATION OF THE TOWNSHIP OF RIDEAU LAKES

BEING a By-Law to regulate advertising devices on private property.

WHEREAS Section 11(3) of the Municipal Act, 2001, S.O. 2001, Chapter 25 as amended, provides that by-laws may be passed by a lower tier municipality respecting structures including signs;

AND WHEREAS Council deems it necessary to enact such a by-law to regulate signs and advertising devices to ensure the safety of the public and minimize the nuisance with respect to the erection, location, size and occurrence of such signs and advertising devices;

NOTWITHSTANDING the provisions of this by-law, signs and advertising devices must conform to the requirements of the Ontario Building Code;

NOW THEREFORE the Council of The Corporation of the Township of Rideau Lakes enacts the following:

Section 1 Title

This by-law may be cited as the “Advertising Device By-law for the Corporation of the Township of Rideau Lakes.”

Section 2 Definitions

“Billboard Sign” – shall mean a sign structure to which advertising copy for a single business (as well as related businesses) is fastened in such a manner as to permit its periodic replacement and which displays goods, products, services or facilities that are not available at the location of the sign and/or which diverts or invites a person to a location different from that on which the sign is located and has a minimum face area equal to or greater than 3m². Notwithstanding the foregoing this definition shall apply to multiple signs placed within 100m of one another on the same property that when combined are equal to or greater than 3m² in size;

“Owner” – includes a lessee or tenant in possession of property on which a Billboard Sign is located;

Section 3 Scope of By-Law

(1) Lands Subject to By-Law

The provisions of this by-law shall apply to all lands within the geographic boundaries of the Corporation of the Township of Rideau Lakes.

(2) Conformity with By-Law

No signs within the Municipality shall be erected, maintained or structurally altered except in conformity with the provisions of this by-law.

(3) Compliance with Other Restrictions

This by-law shall not reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions. The most restrictive of all the regulations shall prevail.

Section 4 Regulations

(1) Illumination/Electronic Displays

- a) A Billboard Sign may be illuminated by any artificial light source however the illumination shall be oriented so that no lighting shall spill beyond the sign and cause a nuisance on adjacent properties and/or roads;
- b) Billboard Signs must display static messages and shall not be permitted to have intermittent, flashing, animation, or sequential illumination of any kind, however, electronic display changes may occur provided there is a minimum of four (4) hours between electronic display transformations.

(2) Setbacks

The following setbacks shall apply to the placement of Billboard Signs:

- a) Street Setbacks from Centreline (minimum):
 - Highway 15 250m
 - County Street 100m
 - Township Street 75m
- b) Yard / Water Setbacks (minimum)
 - Front 10m
 - Interior Side 10m
 - Exterior Side 10m
 - Rear 10m
 - High Water Mark 150m
- c) Billboard Signs shall be located a minimum distance of 300m from other Billboard Signs.
- d) Billboard Signs shall be located a minimum of 150m from any dwelling on a separate lot.

(3) Size

- a) The size of Billboard Signs shall be regulated based on the road tenure. Maximum sizes are as follows:
 - Highway 15 46.5m²
 - County Street 37m²
 - Township Street 28m²

(4) Placement Restrictions

- a) Billboard Signs shall not be permitted within Village and Hamlet designated areas.
- b) Billboard Signs shall not be permitted to advertise along private roads where the sign is not also visible from a public road.
- c) Billboard Signs shall only be permitted on Rural and Agricultural zoned properties greater than 1 hectare in size.

(5) Heritage Significant Areas, Districts & Designated Homes

No person shall erect or display a sign regulated by this by-law on any property designated by by-law under Part IV of the Ontario Heritage Act until the Township of Rideau Lakes Municipal Heritage Advisory Committee have reviewed and commented on the proposed signage and Council has approved the request pursuant to the requirements of Part IV or Part V of the Ontario Heritage Act

(6) Non-Conforming Signs

As per Section 99(1) of the Municipal Act, 2001, S.O. 2001, Chapter 25 as amended, a by-law of a municipality respecting advertising devices, including signs, does not apply to an advertising device that was lawfully erected or displayed on the day the by-law comes into force if the advertising device is not substantially altered, and the maintenance and repair of the advertising device or a change in the message or contents displayed is deemed not in itself to constitute a substantial alteration.

(7) Sign Maintenance

- a) All signs are to be maintained in a proper state of repair so that such signs do not become unsafe, structurally unsound, unsightly or dangerous;
- b) Where, in the opinion of the Municipality, a sign is in a dangerous or defective condition, the Municipality shall notify the owner, of the property upon which such sign is located to remove at once such sign or place the sign in a proper state of repair within such time as the Municipality specifies.

(8) Height Restrictions

No part of any ground sign shall exceed in height a distance of 8m above the level of the ground at the base of the sign structure.

Section 5 Miscellaneous

(1) Variances

Notwithstanding any provisions of this by-law, where Council appoints and empowers the Committee of Adjustment under Section 45(3) of the Planning Act, a minor variance may be granted from the provisions of this by-law.

(2) Validity

If any section, clause or provision of this by-law is for any reason declared by Court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this by-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall be declared to be invalid

(3) Liability

The provisions of this by-law shall not be construed as relieving or limiting the responsibility or liability of any person who erects, displays, causes, permits or allows to be erected or displayed, any sign, for personal injury including injury resulting in death, or property damage resulting from such sign or from the employees, contractors or sub-contractors, in the construction, erection, maintenance, display alteration, repair or removal of any sign erected in accordance with a permit which is issued hereunder. Likewise, the provisions of this by-law shall not be construed as imposing on the Municipality, its officers, employees, servants and agents, any responsibility or liability whatsoever by reason of the approval of or issuance of a permit for any sign or removal of any sign

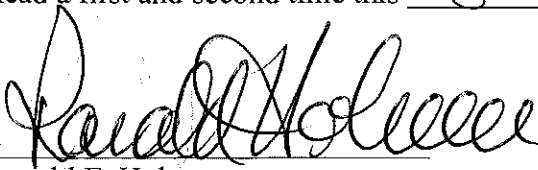
(4) Penalties

Every person who contravenes any provision of this By-Law is guilty of an offence and is liable upon conviction to a fine of not more than one thousand (\$1,000.00) dollars, pursuant to the Provincial Offences Act, R.S.O. 1990, c.P.33.

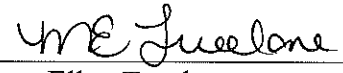
(5) Effective Date

The provisions of this By-Law shall apply to all privately owned Billboard Signs constructed or in construction subsequent to the date hereof, and to all such signs which, as of the date of final passing of this By-Law, fail to meet the requirements for such signs as set forth in this By-Law

Read a first and second time this 8th day of September, 2015.

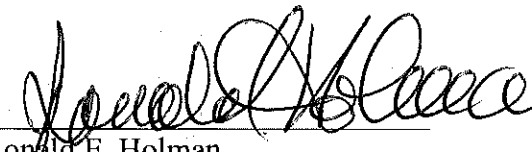


Ronald E. Holman
Mayor




Mary Ellen Truelove
Clerk

Read a third time and finally passed this 8th day of September, 2015.



Ronald E. Holman
Mayor



Mary Ellen Truelove
Clerk