

THE CORPORATION OF THE COUNTY OF LENNOX AND ADDINGTON

Schedule "A" To

BY-LAW NO. 3025/06

**POLICY GUIDELINES FOR SIGNAGE WITHIN COUNTY OF LENNOX AND
ADDINGTON ROAD ALLOWANCES**

1. General Purpose

The primary purpose of this policy is to establish guidelines and criteria to be used when permitting signs to be placed within or in close proximity to a County of Lennox and Addington road allowance.

2. Definitions

"Canadian T.O.D.S." shall mean the company authorized by the Province of Ontario to administer the Tourism Oriented Directional Signing policy for provincial highways.

"County" shall mean the Corporation of the County of Lennox and Addington.

"Highway" shall have the same meaning as that word is defined in the Municipal Act, Chapter M.25, S.O. 2001, as amended, and shall be a public road under the jurisdiction of the County of Lennox and Addington.

"O.T.M." shall mean the most recent version of the Ministry of Transportation publication entitled Ontario Traffic Manual.

M.U.T.C.D. shall mean the most recent version of the Ministry of Transportation publication entitled Manual of Uniform Traffic Control Devices.

"Resort/Recreational/Tourist Facilities" shall mean an operation providing recreational activities and/or sleeping accommodations, including related services and facilities, to the travelling or vacationing public and in which the proprietor may offer lodging for monetary compensation. It may consist of a campground or campsites for the temporary placement of tents, tent trailers, travel trailer, recreational vehicles or truck campers. It may also consist of single units such as tourist cabins and cottages, tourist homes and inns or bed and breakfast establishments; or multiple attached units such as motels or motor hotels.

Tourist facilities shall also mean retail, exhibit and service operations whose primary nature of business is oriented to tourists.

Further definition of these operations shall be in accordance with the zoning by-laws of the local municipality in which a sign is proposed.

"Road Allowance" shall mean the County property dedicated as public highway by By-law No. 1928, as amended, contained within the road allowance and whose limits are the dividing lines between a private lot and the road allowance.

"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 or 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 of Lennox and Addington.

3. Scope of Policy

The provisions of this policy shall apply to all road allowances under the jurisdiction of the Corporation of the County of Lennox and Addington.

This policy shall not be effective to reduce or mitigate any restriction lawfully imposed by a municipality with that authority to make such restrictions. The more restrictive of all regulations will prevail.

4. Prohibited Signs

No person shall erect, place or exhibit any sign including a sign which is by nature of its design and construction intended to be a portable or temporary sign within a County of Lennox and Addington road allowance, intersection sight triangle or within a three (3) metre set-back distance of the County road allowance limit, unless the nature of the proposed sign is exempted by the this policy.

This set-back distance shall be measured from the limit of the County road allowance to the sign's edge or face closest to the road allowance.

In the event the County road allowance width is increased, the three (3) metre set-back distance shall be measured from the new limit of the County road allowance. Any sign existing prior to a future County road allowance widening or requiring relocation caused by a County road construction shall be moved to comply with this set-back by the County. Should the owner of an existing sign on private property consider significantly altering, replacing or relocating the sign, the owner of the sign shall be required to contact the County to co-ordinate the sign's location in order to accommodate future County road construction impacts.

5. Exemptions

a) A business requesting signage to be placed within a County Road allowance shall have two methods of installation available.

i) Trailblazer Signage

The business name, icon, direction and distance identification may be placed on a trailblazer sign that is permitted under the terms and conditions of the County's agreement with Canadian T.O.D.S. This agreement provides the County with final approval of the sign's location, size and features and authority for removal in the event of non-compliance. The County shall issue an encroachment permit to Canadian T.O.D.S. for a specific trailblazer sign that meets Canadian T.O.D.S. specific qualifying criteria. Canadian T.O.D.S. shall then assume full financial responsibility for the trailblazer sign's installation and maintenance.

ii) Fingerboard Signage

The business name may be placed on a fingerboard directional sign in accordance with the dimensions as detailed in the O.T.M. or M.U.T.C.D. The manufacturing, installation and future maintenance of this type of sign shall be administered by the local municipality where the County road is located. All costs for sign materials, manufacturing, installation and future maintenance by the local municipality shall be borne by the business. The nature of a business, organization or facility qualifying for a fingerboard sign is restricted to resort/recreational/tourist facilities and those listed in 5 b) i-v.

Both of these types of signs are to be located in accordance with the O.T.M. and County By-law No. 2941/03, as amended, "A By-law To Establish Minimum and Desirable Roadway Service Standards".

b) Signs promoting the following shall be permitted to be placed within the County road allowance:

- i) recognized service clubs and community groups
- ii) public institutions and landmarks
- iii) memorial or historical facilities and landmarks
- iv) religious organizations and facilities
- v) local municipality commerce and tourism not bearing any advertising or specific business identification
- vi) local, provincial or federal elections
- vii) civic address identification
- viii) signs erected or approved by the Crown or any municipal authority for the regulation, safety or guidance of traffic or to provide public information
- ix) banners used to identify a special event endorsed or sponsored by a municipality
- x) any sign designed to be suspended or hung from the wall of a building the lowest part of which is a minimum of 3.0 metres above ground level.

All of the afore-mentioned sign types shall be located so as not to interfere with maintenance and the safe passage of vehicular or pedestrian traffic in accordance with the O.T.M. and County By-law No. 2941/03, as amended. Signs for types i) to v) inclusive and related materials are to be supplied by the proponent and installed by the local municipality at the proponent's cost.

c) The following signs will be permitted to be erected on private property within the three (3) metre set-back distance from the limit of the County road allowance:

i) real estate point of sale signs

ii) "No Trespassing" signs or other such signs indicating a warning or caution or regulating the use of property

iii) signs erected in accordance with the local municipality's requirements concerning applications for amendments to its Official Plan or Zoning By-laws, minor variances and land severances

iv) two sided hinged "sandwich-board" style signs not permanently mounted in the ground

d) Signs permitted to be installed within the County road allowance shall be constructed of a minimum 0.20 metre x 0.90 metre x 13 mm. thick plywood; painted with an exterior grade paint on both sign faces; and all letters shall be a minimum 125 mm. high. Letters, symbols, characters, illustrations or any combination thereof shall be self adhesive vinyl.

6. Condition of Signs

All signs which are permitted by this by-law to be located within the County road allowance shall be maintained in a state of good repair. The condition of any sign located in the County road allowance and its need for repair or replacement shall be determined by the County's Manager, Roads and Bridges. When such need is determined the sign's owner shall be advised in accordance with item 9. Notice (following).

7. Non-Conforming Signs

Any sign that is lawfully erected or displayed on or before the day this policy comes into force but does not comply with this policy shall be allowed to remain so long as it is not in any way substantially altered, replaced or relocated without prior review with the County regarding the sign's non-compliant location. Alteration shall not include the maintenance and repair of the sign or a change in the message displayed on it.

8. Penalty For Non-Compliance

Any person who:

a) fails to comply with any notice, order, direction or other requirement given in accordance with this policy; or

b) contravenes any provision of the policy,

and every director or officer of a corporation who knowingly concurs in such furnishing, failure or contravention is guilty of an offence and upon conviction is liable to a fine of not more than five thousand (\$5,000.00) dollars for each such offence, and each day shall constitute a new offence.

The provisions of this policy may be enforced by a by-law enforcement officer or Provincial Offences Officer duly appointed by County Council. Alternatively, the County may require the removal, alteration or destruction of any sign which does not comply with the provisions of this policy with all related costs borne by the sign's owner or applied to the municipal taxes for the property on which the non-compliant sign is located, all in accordance with Section 326 of the Municipal Act, Chapter M.45, R.S.O. 1990, as amended.

9. Notice

Any notices required to be given under this policy shall be given first by verbal communication followed by registered mail addressed to the owner of the sign or to such person at the address of the owner or occupant, according to the last revised assessment role of the municipality, of the property on or in front of which the sign is located, and such notice shall be effective as of the date on which such registered mail is posted or served.

10. Validity

If any section, clause or provision of this policy is for any reason declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the policy 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 section, clauses or provisions of this policy shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall be declared to be invalid.