

THE CORPORATION OF THE TOWN OF

LASALLE BY-LAW NO. 7375

A By-law to prohibit and/or regulate portable outdoor signs within the Town of LaSalle.

WHEREAS Section 11(3) paragraph 7 of the *Municipal Act, 2001*, S.O 2001, Chapter 25 as amended, authorizes a lower-tier municipality to pass by-laws with regard to structures, including signs;

AND WHEREAS it is deemed expedient to prohibit and/or regulate portable outdoor signs with the Town of LaSalle;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF LASALLE HEREBY ENACTS AS FOLLOWS:

1. In this By-law:

- (1) **"Corporation"** shall mean The Corporation of the Town of LaSalle;
- (2) **"off-site sign"** shall mean a sign which advertises a use, business, product, service, event, entertainment or other activity that is unrelated to any use, business, product, service, event, entertainment or activity on the parcel of land upon which the sign is located;
- (3) **"parcel of land"** shall mean a single parcel or tract of land that is under the common ownership of one or more persons or corporations;
- (4) **"person"** shall include the owner of a portable outdoor sign;
- (5) **"portable outdoor sign"** shall mean any sign or advertising device, whether it is owned, leased, borrowed or otherwise, that is made of any material whatsoever and is not permanently affixed to the ground or to a building or structure, including a fence, which sign is designed with or without wheels so as to facilitate its movement from place to place, including sandwich signs and any sign attached to or displayed on a vehicle, licensed or unlicensed, which sign is used for the purpose of advertising a use, business, product, service, event, entertainment or activity, and shall include an off-site sign and a banner sign made of any material whatsoever; and
- (6) **"Town"** shall mean all lands within the geographic area of the Town of LaSalle.

2. No person shall use, erect or display or cause or permit to be used, erected or displayed any portable outdoor sign unless:

- (1) all applicable provisions of this By-law have been complied with; and
- (2) all applicable municipal, Provincial and Federal legislation as amended from time from time have been complied with.

3. No person shall use, erect or display or cause or permit to be used, erected or displayed any off-site sign within the Town.

4. No person shall use, erect or display or cause or permit to be used, erected or displayed any portable outdoor sign in the Town that is greater than 1.82 metres (6 feet) in height measured from the ground to the top of the sign, or greater than 2.438 metres (8 feet) in width.

5. No person shall use, erect or display or cause or permit to be used, erected or displayed any portable outdoor sign in the Town unless the parcel of land upon which the sign is located is zoned to permit a commercial use under the Corporation's *Zoning By-law*, as amended.
6. (1) No person shall use, erect or display or cause or permit to be used, erected or displayed more than one (1) portable outdoor sign on a parcel of land that has 60 metres (196.85 feet) or less in frontage.
 - (2) No person shall use, erect or display or cause to be used, erected or displayed more than two (2) portable outdoor signs on any parcel of land that has more than 60 metres (196.85 feet) in frontage but not more than 120 metres (393.7 feet) in frontage, which signs shall not be located closer than 6.096 metres (20 feet) to each other.
 - (3) No person shall use, erect or display or cause to be used, erected or displayed more than three (3) portable outdoor signs on any parcel of land that has more than 120 metres (393.7 feet) in frontage, which signs shall not be
7. No person shall use, erect or display or cause or permit to be used, erected or displayed any portable outdoor sign on any parcel of land where the sign is:
 - (1) closer than 4.572 metres (15 feet) to a driveway or other access to any parcel of land; or
 - (2) closer than 3.048 metres (10 feet) to any other sign on any abutting parcel of land; or
 - (3) closer than 6.096 metres (20 feet) to any ground sign on the parcel of land upon which the portable outdoor sign is located.
8. No person shall use, erect or display or cause or permit to be used, erected or displayed any portable outdoor sign on:
 - (1) any road allowance or highway owned the Corporation, owned by The Corporation of the County of Essex, or by the Province of Ontario; or
 - (2) on any other land owned by the Corporation; or
 - (3) on any land that is subject to an easement granted to the Corporation or to The Corporation of the County of Essex.
9. (1) No person shall use, erect or display or cause or permit to be used, erected or displayed any portable outdoor sign on any parcel of land within the Town, unless a permit for each sign has first been obtained from the Clerk of the Corporation.
 - (2) No person shall advertise or cause or permit to be advertised on any portable outdoor sign more than one (1) use, business, product, service, event, entertainment or activity at the same time.
10. (1) No person who owns any portable outdoor sign shall use, erect or display or shall permit the use, erection or display of his, her or its sign within the Town unless that owner has a licence to operate such a business within the Town.
 - (2) Notwithstanding the provisions of subsection (1) herein, any person who is the owner of a portable outdoor sign and who uses, erects or displays said sign on his, her or its parcel of land within the Town shall not be required to obtain a licence from the Corporation.

11. Prior to the issuance of a permit to use, erect or display any portable outdoor sign, an application shall be submitted to the Clerk of the Corporation in the prescribed form, accompanied by the following:

- (1) all plans, drawings and specifications, including all information and construction details as prescribed on the application for the sign or signs proposed to be used, erected, or displayed;
- (2) evidence of the consent of the Province of Ontario or The Corporation of the County of Essex, if applicable; and
- (3) the fees payable as outlined in Schedule "A" attached hereto, which Schedule shall form part of this By-law.

12. The Clerk of the Corporation shall have the authority to, upon the application of any person, grant an exemption or a minor variance from the provisions of this By-law on terms and conditions that may be deemed appropriate by the Clerk, if in the opinion of the Clerk the general intent and purpose of this By-law will be maintained.

13. Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a penalty pursuant to the provisions of the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended¹⁴.

- (1) In the event any off-site sign or any portable outdoor sign is used, erected or displayed or is caused or permitted to be used, erected or displayed in contravention of any of the provisions of this By-law to remove the said off-site sign or portable outdoor sign from any parcel of land in the Town.
- (2) In the event the Corporation directs or requires any person to remove any off-site sign or any portable outdoor sign, and the sign is not removed as directed or required, the Corporation may remove the said sign at that person's expense.
- (3) For the purposes of subsection (2), the Corporation may enter upon any land in the Town at any reasonable time.
- (4) In the event the Corporation removes any off-site sign or any portable outdoor sign pursuant to the provisions of this Section, the Corporation shall store the said sign for not less than thirty (30) days from the date of its removal from any land within the Town, during which time the owner of the sign or his, her or its agent may be entitled to take possession of the said sign, upon payment to the Corporation of the following:
 - (a) the actual cost of the removal of the said sign, or the sum of two hundred dollars (\$200.00), whichever is greater;
 - (b) a storage fee of two dollars (\$2.00) per day; and
 - (c) the execution of an acknowledgment of receipt of the sign, and a Release and Indemnity of the Corporation in a form satisfactory to the Corporation.
- (5) The Corporation may also recover the costs of removing and storing any sign pursuant to the provisions of this By-law in accordance with the provisions of the *Municipal Act, 2001*.

15. This By-law shall be administered by the Clerk of the Corporation.

16. This By-law shall be enforced by the By-law Enforcement Officer of the Corporation duly appointed pursuant to the provisions of the *Provincial Offences Act*, any Police Officer of the Corporation, or any other person designated by a resolution of the Corporation as Provincial Offences Officer for the purposes of this By-law.

17. This By-law shall be known as the ***Portable Outdoor Sign By-law*** of the Corporation.

18. Section 2 of By-law No. 6613 (Sign By-law) of the Corporation be in the same is here repealed.

19. This By-law shall take effect on the final passing thereof.

Read a first and second time and **FINALLY PASSED** on this 14th day of February, 2012.

1st reading - February 14, 2012

2nd reading - February 14, 2012

3rd reading - February 14, 2012

Schedule "A"

Portable Sign Permit - \$20.00 each permit
Sign Company Permit - \$25.00 per year