

**Amended B/L 6613 – December 13, 2005
Section 2 of BL 6613 Repealed by B/L 7375 - February 14, 2012
Amended B/L 7229 – January 11, 2011
Amended B/L 7436 – August 28, 2012**

THE CORPORATION OF THE TOWN OF LASALLE BY-LAW

NO: 6407

A By-law to prohibit and/or regulate advertising devices, including signs, within the Town of LaSalle.

WHEREAS Section 99 of the Municipal Act, 2001, S.O. 2001, c. 25 provides that Councils of local municipalities may pass By-laws to prohibit and/or regulate advertising devices, including signs;

AND WHEREAS it is deemed expedient to make provisions for regulating and/or prohibiting advertising devices, including signs;

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

1 DEFINITIONS

- (1) **ADVERTISING DEVICE** shall include a sign;
- (2) **APPROVED** shall mean approved by the Chief Building Official;
- (3) **BUILDING DEPARTMENT** shall mean the Building Department of the Corporation;
- (4) **CHIEF BUILDING OFFICIAL** shall mean the Chief Building Official of the Corporation;
- (5) **CORPORATION** shall mean The Corporation of The Town of LaSalle;
- (6) **COUNCIL** shall mean the Council of the Corporation;
- (7) **SIGN** shall mean any advertising device, including all its component parts and supporting structure, intended to convey information and/or to attract the attention of the public by the means of letters, numerals, symbols, characters, logos, lights, colours, design textures or objects, and may or may not be illuminated. Without limiting the generality of the foregoing, signs and other advertising devices shall include the following:
 - (a) **BANNER SIGN** shall mean any sign made of cloth, paper or fabric supported by ropes, wires or cords attached to any device or structure whatsoever, and shall include a paper sign attached to a window for the purpose of viewing from the outside;
 - (b) **BILLBOARD** shall mean a ground sign erected and designed in such a manner that the copy is temporary and able to be changed frequently and which is owned and maintained by a person engaged in the rental or leasing of the sign face area for advertising purposes. Billboards shall only include signs commonly known as poster panels, painted bulletins and back light billboards;
 - (c) **BUSINESS SIGN** shall mean a sign which directs attention to a business or profession conducted, or to a commodity or service sold, offered or manufactured, or to an entertainment offered on the premises where the sign is located;
 - (d) **CONSTRUCTION SITE SIGN** shall mean a temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating that names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors and similar individuals or firms having a role or interest with respect to the structure or project;
 - (e) **DEVELOPMENT INFORMATION SIGN** shall mean a sign for the purpose of conveying information pertaining to the development or re-development of the lands upon which the sign is located;
 - (f) **ELECTRONIC MESSAGE BOARD SIGN** shall mean any sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes;
 - (g) **FASCIA WALL SIGN** shall mean a sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, and which does not project more than 0.3m. from such building or structure;

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- (h) FLASHING OR ANIMATED SIGN shall mean a directly illuminated sign which is illuminated or emits light in whole or in part by an intermittent or flashing light source or which has parts which move continuously or intermittently, but shall not include an electronic message board sign or a public service information sign;
- (i) GROUND SIGN shall mean a non-moveable sign which is directly supported by the ground and affixed to one or more upright poles, columns or braces placed in or on the ground and not attached to any building or structure, and without limiting the generality of the foregoing, shall include signs commonly known as detached signs, free-standing signs, pole signs and pylon signs;
- (j) INFLATABLE SIGN shall mean a sign or advertising device filled with air or gas and designed to be air-borne and tethered to either the ground, a vehicle or any other structure, and shall include balloons and any other type of inflatable device;
- (k) OFF SITE SIGN shall mean a sign which advertises a use that is unrelated to any use on the property upon which the sign is located;
- (l) POLE SIGN shall mean a sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is not less than 1.8 m, above the grade level of the lands upon which the sign is located;
- (m) POLITICAL SIGN shall mean a temporary sign announcing or supporting political candidates in connection with a federal, provincial or local election, including an election for school boards and public utilities, but shall not include signs of any kind announcing or supporting issues in any such election campaign;
- (n) PROJECTING WALL SIGN shall mean a sign which is attached to and projects more than 0.3 m. from the wall or face of a building or structure in a manner in which the sign face or faces are not in a parallel plane with the wall of the building or structure to which it is attached;
- (o) PUBLIC AND OFFICIAL SIGNS shall mean a sign required by law or statute;
- (p) PUBLIC SERVICE INFORMATION SIGN shall mean a sign that shows the time, temperature, date and/or weather;
- (q) REAL ESTATE SIGN shall mean a sign advertising that a lot, building or portion thereof on the premises upon which the sign is located, is for sale, rent or lease and which may also indicate where or to whom a person should inquire with regard thereto; and
- (r) ROOF SIGN shall mean any of the following signs:
 - (i) a sign supported by a roof;
 - (ii) a sign located on top of a parapet wall;
 - (iii) a sign attached to a parapet wall where the parapet wall does not extend continuously for the length of the building wall; or
 - (iv) a sign attached to a penthouse.
- (8) STREET shall, mean a common and public street, road, highway, road allowance, right-of-way or commons vested in the Corporation, the County of Essex, the Province of Ontario or any other authority having jurisdiction over same and includes a bridge or any other structure forming part of a street, road, highway or commons, on, over or across which a vehicle passes;
- (9) TOWN shall mean all lands within the geographic area of the Town of LaSalle
- (10) USE, when used as a noun, shall mean the purpose for which any land, building, structure or premises, or part or combinations thereof is designed, arranged or intended to be occupied or used or for which it is occupied and maintained. "Use" when used as a verb or "to use" shall have a corresponding meaning;
- (11) VEHICLE shall mean an automobile, truck or other motor vehicle, including motorized construction equipment or farm equipment, a motor home, a motorcycle, a snowmobile, a boat, recreational vehicles, and also including a trailer or farm implement or any other device which is capable of being driven, propelled or drawn by any kind of power, but does not include a bicycle or any other device powered solely by means of human effort;
- (12) ZONE shall mean a designated area of land as delineated on a zoning map of the Zoning By-law, which land is established and designated by that By-law for a specific use or group of uses;
- (13) ZONING BY-LAW shall mean the Zoning By-law in effect for the Town of LaSalle, as amended from time to time.

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2 GENERAL PROVISIONS

- (1) No person shall erect, display, alter or repair or cause to be erected, displayed, altered or repaired any sign or advertising device on any land within the Town unless the erection, display, alteration or repair of the said sign complies with the provisions of this By-law.
- (2) No person shall erect or display or cause to be erected or displayed any sign that will encroach upon any partial clearance required by Essex Power Corp., Hydro One or any successors thereto, or the Corporation, vertically or horizontally for any electrical wires, poles, or light standards.
- (3) All illuminated signs shall be constructed so as to direct light away from any adjacent Residential Zone as designated in the Corporation's Zoning By-law, in a manner approved by the Chief Building Official.

Amendment: By-law 6613 passed December 13, 2005

- (4) Notwithstanding any of the provisions of this By-law, all types of sign or advertising devices, save and except portable outdoor signs, that are used to identify the owner and/or use of the specific property shall be permitted on lands upon which a municipal or institutional use is located, subject to compliance with the provisions of this By-law applicable to the type of sign, size and location of sign, and the issuance of a permit for the said sign.

3 PROHIBITED SIGNS

- (1) No person shall erect or display or cause to be erected or displayed anywhere within the Town any of the following signs:
 - (a) any sign projecting over, on or across any street or alley, right-of-way, or property or facilities owned by the Corporation; .
 - (b) any sign projecting over, on or across any easement granted to the Corporation; (c) any sign projecting over, on or across any sidewalk owned by the Corporation; (d) any sign attached to a tree, tree grating or protector;
 - (e) flashing or animated signs
 - (f) inflatable signs; (g) off-site signs; (h) roof signs;
 - (i) any sign (whether-erected or painted) on a vehicle where the vehicle is not in daily operation for transportation and is parked or located in a manner so as to make the sign visible from a street for the purpose of functioning as a business identification or advertising sign;
 - (j) any sign in a daylight corner, daylight triangle or sight visibility triangle as defined by the County of Essex, Ministry of Transportation or the Corporation's Zoning By-law, as applicable;
 - (k) any banner sign which projects into or is suspended across a street, alley or lands owned by the Corporation, without the prior written consent of the Corporation;
 - (l) any sign on any vacant lot unless the use of such vacant lot for the erection or display of signs is a permitted use in the Zoning By-law for the zone designation of the said vacant lot; or
 - (m) any sign on any land owned, leased or controlled by the Corporation.

4 GROUND SIGNS

Amendment: B/L 7229 passed January 11, 2011

The existing business sign located on 5805 Malden Road (Dr. Charron's Office) must be relocated due to work associated with the Malden Road Reconstruction Project and that section 4.2 and 4.4 of By-law 6407 shall not apply so as to relocate the sign in the proposed location as shown on ~~Schedule "A" attached hereto~~ User Fee Bylaw # 7852 (Schedule "D" – "J")

- (1)(a) No person shall erect or display or cause to be erected or displayed any ground sign on a lot with a street frontage less than 12.0 m.
- (b) No person shall erect or display or cause to be erected or displayed more than one ground sign on any lot with a street frontage greater than 12.0 m., for any purpose permitted in this By-law, unless permission to do so otherwise has been granted to the said person in a written agreement with the Corporation.
- (c) In the event a lot has a street frontage in excess of 75.0 m., one or more additional ground signs may be erected for each additional 150.0 m. or any fraction thereof.

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Amendment: B/L 6613 passed December 13, 2005

- (2) ~~No person shall erect or display or cause to be erected or displayed anywhere within the Town any ground sign:~~
- ~~(a) in any side yard on any lot as defined in the Corporation's Zoning By-law;~~
 - ~~(b) in any Residential Zone as designated in the Corporation's Zoning By-law;~~
 - ~~(c) within 6.0 m. of an intersection of any street or of any vehicle access onto any lot; or~~
 - ~~(d) within 6.0 m. of any other ground sign on any abutting lot.~~
- (2) No person shall erect or display or cause to be erected or displayed anywhere within the Town any ground sign:
- (a) in any side yard on any lot as defined in the Corporations Zoning By-law;
 - (b) in any Residential Zone as designated in the Corporations Zoning By-law, save and except for signs that are for the purposes of identification only on lands upon which multi-unit buildings containing three or more units, residential care facilities and other similar buildings are located;
 - (c) within 4.5 m. of an intersection of any street or of any vehicle access onto any lot; or
 - (d) within 4.5 m of any other ground sign on any abutting lot.
- (3) No person shall erect or display or cause to be erected or displayed any ground sign within Town that exceeds 10.0 m. in height from the ground level.
- (4) No person shall erect or display or cause to be erected or displayed any part of any ground sign within 3.0 m. of any property line abutting a street.

5 RESIDENTIAL AREAS

- (1) Subject to the provisions of this By-law, no person shall erect or display or cause to be erected or displayed any sign in any Residential Zone as designated in the Corporation's Zoning By-law.
- (2) Notwithstanding the provisions of section 5.1 of this By-law, temporary signs for special occasions may be permitted on any lot zoned for residential purposes as designated in the Corporation's Zoning By-law, which temporary sign shall be permitted on the said lot for a maximum single period of 3 consecutive days.

Amendment: B/L 6613 passed December 13, 2005

- (3) (a) Nothing in this By-law shall be deemed to prevent any person from erecting or displaying or causing to be erected or displayed any sign for an existing business that is a legal non-conforming use and is being operated on lands in a Residential Zone as designated in the Corporations Zoning By-law.
- (b) Any person who wished to erect any sign for a legal non-conforming business as referred to in subsection (a) herein shall be required to comply with all of the provisions of this By-law, as amended.

6 STREET SETBACKS

- (1) No person shall erect or display or cause to be erected or displayed any sign within the setback requirements prescribed by the Ministry of Transportation of Ontario or the County of Essex along any street under the jurisdiction and control of the said Ministry or County

7 TRAFFIC SAFETY

- (1) No person shall erect or display or cause to be erected or displayed any sign in such a location or with such materials as to interfere with the visibility of any traffic signal or sign now or hereafter erected for the control of traffic upon the streets within the Town.
- (2) No person shall erect or display or cause to be erected or displayed any sign which is an imitation or of resembles a traffic signal or traffic sign erected by the Corporation, or which by reason of size, location, content, colouring or manner of illumination may be confused with a traffic control signal or traffic sign.
- (3) No person shall erect or display or cause to be erected or displayed any sign, save and except an information and .operational sign, which contains the words or phrases "Stop", "Go", "Slow", "Caution", "Danger", "Warning", "Emergency", "Yield" or "Detour" unless such word or phrase is part of the name of a business or product and is displayed solely to identify such business or product.

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- (4) No person shall erect or display or cause to be erected or displayed any sign which, in the opinion of the Engineer of the Corporation obstructs the view of a vehicle driver or pedestrian in such a manner that an unsafe situation is created.

8 PERMITS

- (1)
 - (a) No person shall erect, display or alter or cause to be erected, displayed, or altered any sign or other advertising device within the Town, unless a permit has been obtained from the Chief Building Official as stipulated herein.
 - (b) Notwithstanding the provisions of subsection (a) herein, no permit shall be required for any temporary signs for special occasions-as set out in Section 5.2 of this By-law.
- (2) Prior to the issuance of a permit, an application shall be submitted to the Chief Building Official in the prescribed form, accompanied by the following:
 - (a) all plans, drawings and specifications, including all information and construction details as prescribed on the application, and if so required by the Chief Building Official, engineering drawings for the sign or signs proposed to be erected, displayed, altered or repaired;
 - (b) evidence of the approval of the Province of Ontario or the County of Essex, if applicable; and
 - (c) the fees payable as outlined in ~~Schedule "A"~~ **User Fee Bylaw # 7852 (Schedule "D" – "J")** attached hereto, which Schedule shall form a part of this By-law
- (3) In the event the erection, display or alteration of a sign has not been completed within 1 year of the date of the issuance of a permit therefor under the provisions of this By-law, the permit shall be deemed to have expired.
- (4)
 - (a) Any permit issued for the erection or display of a construction site sign or a development information sign shall expire 1 year after the date it has been issued by the Chief Building Official.
 - (b) In the event the permit for a construction site sign or a development information sign has not been renewed prior to the expiry thereof, the Chief Building Official may, in his sole discretion, refuse to issue a new permit or to renew the expired permit for the said construction site sign or development information sign, and the owners of the said sign shall remove the sign from the lot upon which it had been located.
- (5) The Chief Building Official may, at any time and upon producing proper identification, inspect all signs whether subject to a permit or not, for the purposes of discharging his obligations under this By-law, or if the Chief Building Official has reason to believe that the provisions of this By-law are not being complied with in whole or in part.
- (6)
 - (a) The Chief Building Official may require any person who:
 - (i) has caused a sign or other advertising device to be erected, displayed, altered or repaired, without first having obtained a permit to do so; or
 - (ii) having obtained a permit, has caused a sign or other advertising device to be erected, displayed, and altered - or repaired contrary- to the approved plans in respect - of which the permit was issued, to make such sign or other advertising device comply with the provisions of this By-law, or to remove such sign or advertising device within one week of receiving written notice from the Chief Building Official to do so.
 - (b) The Chief Building Official may make the necessary arrangements for the, pulling down or removal, at the expense of the owner, of any sign or other advertising device that is erected or displayed in contravention of the provisions of this By-law.

9 EXEMPTIONS

- (1) The provisions of this By-law shall not apply to the following:
 - (a) One sign not exceeding 0.18 sq. m. in area and bearing only property numbers, postbox numbers, names of occupants of premises, or other identification of premises not having commercial connotations;
 - (b) Flags and insignia of any government;
 - (c) Legal notices;
 - (d) Any directional signs for institutional or public buildings or facilities or events, which signs may be erected or displayed on land owned by the Corporation with the prior written consent of the Engineer of the Corporation;
 - (e) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights;

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- (f) Traffic and parking control signs on private property;

Amendment: B/L 6613 passed December 13, 2005

- (g) ~~Monuments or other markers found in them.;~~
- (g) Monuments or other markers found in cemeteries
- (h) Political signs and real estate signs that do not exceed 1.0 sq. m. in area and are not located on any street; and
- (i) Any sign or advertising device that was lawfully erected or displayed on the day this By-law comes into force, if the sign or advertising device is not substantially altered; and for the purposes of this paragraph the maintenance and repair of such a sign or advertising device, or a change in the message or contents displayed thereon, shall be deemed not in itself to constitute a substantial alteration.

Amendment: B/L 7436 passed August 28, 2012

(j) Advertising signs may be used on hydro-poles, street lights, and decorative poles subject to the following conditions:

- (a) The Applicants must be a not-for-profit/charitable organization;
- (b) The number of signs must be limited to no more than 12;
- (c) Signs may be placed on said poles for no more than 60 days (however, extension may be granted by the CAO to address specific campaigns/events of charity);
- (d) Not-for-profit/charity groups must obtain permission from authority having jurisdiction over pole prior to placing signs and demonstrate such proof to Town;
- (e) The Town of LaSalle shall have control over locations, size, materials and methods of installation. Approval must be obtained from the Town Engineer, or designate, prior to installation; and
- (f) The not-for-profit/charity groups or its contractors shall hold the Town harmless as it relates to any damage/injury that occurs as a result of installing signs on public right-of-way.

10 MINOR VARIANCES

- (1) Council may, upon the application of any person, authorize minor variances from this By-law if in the opinion of Council the general intent and purpose of this By-law are maintained.

11 PENALTY

- (1) Any person who violates any of the provisions of this By-law shall be guilty of an offence and liable on conviction thereof to a penalty not exceeding \$5,000.00 for each offence, exclusive of costs, which penalty and costs shall be recoverable under the provisions of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended
- (2) In the event a sign or advertising device is erected or displayed in contravention of the provisions of this By-law, the Corporation may enter onto land and pull down or remove the said sign or advertising device, all of which shall be done at the expense of the owner of the said sign or advertising device.

12 ADMINISTRATION AND ENFORCEMENT

- (1) This By-law shall be known as the Sign By-law of the Town of LaSalle.
- (2) This By-law shall be administered by the Chief Building Official and/or the Clerk of the Corporation, and any reference in this By-law to the Chief Building Official shall be deemed to also be a reference to the Clerk of the Corporation.
- (3) This By-law shall be enforced by the Chief Building Official, the Clerk of the Corporation, and any police officer of the Corporation, a By-law enforcement officer appointed under the Provincial Offences Act, or any other person designated by a resolution of Council as an enforcement officer for the purposes of this By-law.
- (4) This By-law shall take effect on the final passing thereof.

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FINALLY PASSED this 23rd day of March, 2004.

1st Reading - March 23, 2004

2nd Reading - March 23,2004

3rd Reading - March 23,2004