

**THE CORPORATION OF THE CITY OF BELLEVILLE
BY-LAW NUMBER 2006-55**

A BY-LAW TO REGULATE SIGNS AND OTHER ADVERTISING DEVICES IN THE CITY OF BELLEVILLE

WHEREAS the Council of The Corporation of the City of Belleville is desirous of establishing a By-Law to regulate signs and other advertising devices throughout the whole of the City of Belleville;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF BELLEVILLE ENACTS AS FOLLOWS:

SECTION 1 – DEFINITIONS

For purposes of this By-Law, the following definitions shall apply:

- (1) **"Abandoned Sign"** means a sign located on property which becomes vacant and unoccupied for a period of ninety (90) days or more, or any sign which pertains to a time, event or purpose which no longer applies.
- (2) **"Alter, Altered or Alteration"** means any change to a sign with the exception of:
 - i) a change in the message displayed by a sign;
 - ii) 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
 - iii) 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.
- (3) **"Banner Sign"** means a temporary sign made of vinyl, cloth, canvas, or other pliable material, but shall not include a flag or banner employed for artistic or design purposes.
- (4) **"Building Façade"** means that portion of any exterior elevation of a building extending from grade to the top of the parapet, wall or eaves and encompassing the entire width of the building.
- (5) **"Chief Building Official"** means the Chief Building Official or his/her designate, of the Corporation of the City of Belleville.
- (6) **"Clear Height"** means the distance between the highest elevation of the ground beneath a sign or awning, and the lowest point of the sign or awning exclusive of the sign or awning structure.
- (7) **"Contractor's Sign"** means a temporary sign used to identify the name or names of the contractors doing work on a lot, where such sign is removed upon completion of the work.
- (8) **"Corner Lot"** means a lot situated at the intersection of two or more streets where the angle of the intersection of the two streets is not more than 135 degrees.
- (9) **"Developer's Sign"** means a temporary on-premise 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.
- (10) **"Directional Sign"** means a permanent on-premise sign that provides direction or other information for the control of vehicular and pedestrian traffic on a lot, such as

entry or exit signage, loading area signage, or on-site parking signage, and includes menu signage and similar on-site instructional signage.

- (11) **"Election Sign"** means a temporary sign erected in connection with a Federal, Provincial or Municipal election by or on behalf of a candidate officially registered for election.
- (12) **"Electric Spectacular"** means a permanent animated sign, and shall include any sign whose message remains unchanged or unmoved for a period of less than seven (7) seconds, but shall not include signs that display in whole or in part the time of day and/or the temperature.
- (13) **"Fascia Sign"** means a permanent on-premise sign attached to or painted directly on a building façade, where the sign face is parallel to the building façade on which the sign is affixed.
- (14) **"Flashing Sign"** means a type of sign defined in this By-Law that contains lights that vary in intensity at intervals less than seven (7) seconds.
- (15) **"Ground Sign"** means a permanent on-premise sign that is supported from the ground and not attached to any part of a building.
- (16) **"Illuminated Sign"** means a type of sign as defined in this By-Law that is illuminated by either internal or external lamps, luminous tubes, or reflectorized glowing or radiating lights.
- (17) **"Lot"** means a parcel of land under single ownership and which is distinct from the ownership of adjoining lots or parcels of land, whether such parcel is described in a registered deed, or shown as a lot or block on a registered plan of subdivision.
- (18) **"Marquee"** means a permanent roof structure projecting horizontally from the face of a building, upon which there may or may not be one or more signs.
- (19) **"Municipal Property"** means property owned by or under the control of the Corporation of the City of Belleville and shall include streets as defined herein within the City of Belleville.
- (20) **"Municipality"** means The Corporation of the City of Belleville.
- (21) **"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.
- (22) **"On-Premise Sign"** means any sign advertising a business, person, activity, good, product or service that is principally available at the premises or on the lot where the sign is located.
- (23) **"Owner"** means the registered owner of the lot upon which a sign is or is to be erected. When used in context with a sign, Owner shall mean the owner of the sign.
- (24) **"Parapet"** means an extension of a wall of a building above the roof level of the building.
- (25) **"Person"** means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee and any heirs, executors, successors, assigns or other legal representatives of a person to whom a contract can apply according to law.
- (26) **"Portable Sign"** means a temporary sign which is specifically designed or intended to be readily moved from one location to another and which does not rely on a building or fixed foundation for its structural support, and which for purposes of this

By-Law includes any sign mounted on a trailer, a banner sign, and an inflatable sign, but does not include a sandwich board sign as defined herein.

- (27) **"Poster Panel Sign"** means a permanent off-premise sign that may be either self supporting or affixed to a building or other structure for support.
- (28) **"Private Thoroughfare"** means that portion of private property over which vehicular traffic has the right of passage, and without limiting the generality of the foregoing, shall include private roadways, laneways, driveways, and parking areas.
- (29) **"Projecting Sign"** means a permanent on-premise sign which projects perpendicularly from the wall of a building to which the sign is affixed for support.
- (30) **"Public Information Sign"** means any sign erected for or at the direction of any government authority, agency, board or committee for the purpose of providing information to the public concerning such authority, agency, board or committee, or any proceedings thereof, and shall include signs that advertise applications for Official Plan or Zoning By-Law amendments.
- (31) **"Read-o-graph"** means a permanent sign composed of manually or electronically interchangeable letters intended to convey a temporary message.
- (32) **"Real Estate Sign"** means a temporary on-premise sign erected on a lot or affixed to a building to advertise the availability of the real property for sale, lease or rent.
- (33) **"Roof Sign"** means a permanent on-premise sign, the face of which is above the roof level or parapet of the building upon which the sign is affixed.
- (34) **"Sandwich Board Sign"** means a temporary sign that is self-supporting on-grade, constructed of substantive weather-resistant materials, typically forming the shape of an 'A' when erected.
- (35) **"Sign"** means any advertising device or display upon which there is printed, projected or attached any announcement, declaration, or insignia, used for direction, information, identification, advertisement, business promotion or promotion of products, or availability of services, whether intended to be permanent or temporarily capable of being readily moved or relocated, and includes an inflatable model placed on a lot for the purpose of advertising, and also includes banners and vehicles used strictly as advertising devices, and shall include the sign structure and the sign face, but shall not include flags or other embellishments to a lot or building that are strictly for design or architectural purposes.
- (36) **"Sign Area"** means the surface area of a sign face, except on a double-faced sign where only the larger of the two sign faces shall be calculated as the sign area. Where letters, figures or symbols are affixed to a wall separately to constitute a sign, the sign area shall be deemed to be the area of the smallest rectangle, triangle, circle or oval or combination thereof which will enclose all of the sign message components. For purposes of this definition, a double-faced sign shall mean a sign with two sign faces back-to-back facing opposite directions.
- (37) **"Sign Face"** means that portion of a sign on which a message is intended to be displayed.
- (38) **"Sign Height"** means the distance measured from height of the ground directly beneath the sign to the highest point of the sign including the sign structure and the sign face.
- (39) **"Sign Structure"** means the supporting structure and framework that supports the sign face.

- (40) **"Signature Entrance Sign"** means a permanent ground sign erected on a street or other property used to identify the name of a development or a community or area of the Municipality.
- (41) **"Street"** means a highway as defined in the Municipal Act including highways under the jurisdiction of the Municipality and the Province of Ontario, and shall include all travelled and un-travelled portions of a highway, and shall include lanes and walkways owned by the Municipality, but shall not include a private thoroughfare.
- (42) **"Street Frontage"** means the linear distance of the street line of a lot.
- (43) **"Street Line"** means the common lot line that divides a street from a lot.
- (44) **"Unsafe"** means:
 - i) structurally inadequate or faulty; or
 - ii) in a condition or location that could be hazardous to any person or property.
- (45) **"Zone"** means zones established by City of Belleville Zoning By-Law Number 10245 as amended from time to time, Township of Thurlow Zoning By-Law Number 3014 as amended from time to time, and Township of Sidney Zoning By-Law Number 2076-80 as amended from time to time.

SECTION 2 – GENERAL PROVISIONS

2.1 Short Title

This By-Law may be cited as "The City of Belleville Sign By-Law".

2.2 Scope

- (1) This By-Law shall apply to all signs and other advertising devices within the limits of the Corporation of the City of Belleville except as otherwise provided in this By-Law.
- (2) This By-Law shall not apply to signs erected in the interior of any building except for such signs that are placed on the interior of windows or other building fenestrations that are intended strictly for external advertising.
- (3) This By-Law shall not apply to signs located on lots that display only municipal addresses or 9-1-1 property identifications, provided such signs:
 - i) are erected so as to not create a safety hazard;
 - ii) are properly maintained; and
 - iii) do not have a sign area exceeding 5 square feet (.46 square metres).
- (4) Measurements in this By-Law are provided in imperial and metric units. Where there is a conflict between the imperial and the metric measure provided in this By-Law, the imperial measure shall prevail.

2.3 Effect of By-Law

No person shall erect, display, alter, repair or maintain, or cause the same to be done to, any sign or other advertising device within the corporate limits of the City of Belleville that is in contravention of any provision of this By-Law.

2.4 Prohibited Signs

No person shall erect, place or display any sign or cause the same to be done in respect to any of the following:

- i) Signs that contravene the requirements of this By-Law, the Ontario Building Code or any other applicable regulation, as amended from time to time;
- ii) Electric spectacular signs;
- iii) Signs that overhang or encroach on municipal property including streets unless expressly authorized by this By-Law or the Municipality;
- iv) Signs that are unsafe, or endanger public safety by reason of their location or inadequate or improper construction or maintenance;
- v) Any sign that is located so as to obstruct the view of any pedestrian or motor vehicle driver so as to cause an unsafe condition;
- vi) Any sign that is located so as to obstruct or impede any flue, air intake, fire escape, fire exit, door, window, skylight or exhaust or so as to impede free access by fire fighters to any part of a premise;
- vii) Any sign that is attached or secured to a tree, shrub or bush, or utility pole;
- viii) Vehicles parked and located solely for the purpose of advertising a place of business, a product or a service;
- ix) Any sign other than a roof sign that is erected upon or supported by a parapet;
- x) Any sign located on a corner lot that is placed in the triangular space formed by the street lines for a distance of 25 feet (7.62 metres) from their point of intersection, with the exception of the area defined in Schedule 'A' hereto to which this clause shall not apply, or any lot from which the City has previously obtained a day-lighting triangle;
- xi) Any sign that may confuse passing motorists or interfere with the safe movement of traffic.

2.5 Maintenance

Every sign shall be kept clean, neatly painted, well maintained and in a good state of repair as to safety and appearance. No person shall permit any sign to become unsafe.

2.6 Minimum Clear Height

- (1) Except as may otherwise be provided for in this By-Law, the clear height for any sign erected over a private thoroughfare or portions of streets used for vehicular traffic shall be 14 feet (4.27 metres) minimum.
- (2) Except as may otherwise be provided for in this By-Law, the clear height for any sign erected over a sidewalk, walkway or trail shall be 8 feet (2.44 metres) minimum.

2.7 Illumination

- (1) Signs may be illuminated unless otherwise expressly prohibited by this By-Law.
- (2) No illumination of a sign shall spill beyond the face of the sign such that light interferes with the enjoyment of neighbouring lands or interferes with visibility on nearby streets.
- (3) No person shall erect a flashing sign in the City of Belleville.

2.8 Technical Requirements

- (1) No person shall erect any sign upon or attached to any building or other approved support unless such building or structure will carry the additional dead and wind loads due to the erection of such sign or without exceeding the stresses on the respective materials as may be set out in the Ontario Building Code.

- (2) Where required by the Chief Building Official, signs including their supporting structure, shall be designed by a professional engineer licensed to practice in the Province of Ontario.

2.9 Liability

The provisions of this By-Law shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning any sign for personal injury or property damage resulting from the placing or erecting of such sign or resulting from negligence or wilful acts of such person, or of his/her agents or employees in the construction, erection, maintenance, repair or removal of any sign erected in accordance with a sign permit issued hereunder, nor shall it be construed as imposing upon the Municipality or its officers or employees any responsibility or liability by reason of the approval of any sign, materials or devices under provisions of this By-Law.

2.10 Existing Signs

- (1) This By-Law shall not apply so as to require any sign that was legally erected before the date this By-Law comes into full force and effect, to be made to comply with this By-Law so long as the sign is not altered.
- (2) 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 to be substantially altered, the sign shall be replaced or upgraded only in accordance with all requirements of this By-Law.

SECTION 3 – SIGN CLASSIFICATIONS

3.1 Ground Signs

No person shall erect a Ground Sign, where permitted pursuant to the provisions of Section 4 of this By-Law, except in accordance with the following provisions:

- (1) Size and Number of Signs:
 - a) The maximum cumulative sign area for all Ground signs erected on a lot shall be either:
 - i) 1 square foot (.09 square metres) for each 1.75 feet (.53 metres) or part thereof of street frontage; or
 - ii) 1 square foot (.09 square metres) for each 300 square feet (27.87 square metres) or part thereof of lot area; or
 - iii) 60 square feet (5.57 square metres);whichever is the greater.
 - b) No individual Ground sign shall have a sign area in excess of 200 square feet (18.58 square metres).
- (2) Sign Setbacks:
 - a) Ground signs may be located adjacent to any lot line other than a street line, except lot lines abutting lots in a Residential zone, in which case Ground signs shall be set back minimum 50 feet (15.24 metres) from the said lot line.
 - b) Ground signs with a clear height of minimum 8 feet (2.44 metres) may be located immediately adjacent to a street line, and Ground signs with a clear height of less than 8 feet (2.44 metres) shall be set back minimum 5 feet (1.52 metres) from a street line.

- c) No Ground sign shall be located any closer than 50 feet (15.24 metres) to any other Ground sign located on another lot.
 - d) Where more than one (1) ground sign is located on a lot, a separation distance of 250 feet (76.2 metres) minimum between the signs shall be provided.
- (3) Sign Height:
No Ground sign shall have a sign height exceeding 35 feet (10.67 metres).
- (4) Sign Structure:
- a) Ground signs over 8 feet (2.44 metres) in height shall have a non-combustible sign structure.
 - b) Ground signs over 8 feet (2.44 metres) in height shall be set in concrete footings that extend to below frost depth which shall have sufficient size and weight to prevent overturning of the sign in heavy winds.
 - c) The sign structure of a Ground sign shall be free of any extra bracing, angle iron, guy wires, cables, or similar, and the supports shall be an integral part of the sign.

3.2 Poster Panel Signs

No person shall erect a Poster Panel sign, where permitted pursuant to the provisions of Section 4 of this By-Law, except in accordance with the following provisions:

- (1) Number of Signs:
No more than one (1) Poster Panel sign shall be erected on any one lot.
- (2) Sign Setbacks:
- a) No Poster Panel sign shall be located within 15 feet (4.57 metres) of a driveway leading to a street nor closer to a street line than:
 - i) 50 feet (15.24 metres) in the case of a sign with a sign area of 75 square feet (6.97 square metres) or less;
 - ii) 75 feet (22.86 metres) in the case of a sign with a sign area greater than 75 square feet (6.97 square metres) and less than 150 square feet (13.94 square metres); or
 - iii) 100 feet (30.48 metres) in the case of a sign with a sign area 150 square feet (13.94 square metres) or greater.
 - b) No Poster Panel sign with a sign face:
 - i) 75 square feet (6.97 square metres) or less shall be located within 100 feet (30.48 metres) of any lot within a Residential Zone; and
 - ii) exceeding 75 square feet (6.97 square metres) shall be located within 150 feet (45.72 metres) of any lot within a Residential Zone.
- (3) Size of Sign:
No Poster Panel sign shall have a sign face exceeding 300 square feet (27.87 square metres) in area.
- (4) Separation Distance of Signs:
- a) Within any Rural or Agricultural Zone:
 - i) no Poster Panel sign with a sign area in excess of 100 square feet (9.29 square metres) shall be located within a radius of 5,000 feet (1524 metres) from another Poster Panel sign; and

- ii) no Poster Panel sign with a sign area 100 square feet (9.29 metres) or less shall be located within a radius of 3,000 feet (914.4 metres) from another Poster Panel sign.
 - b) Within any Zone other than a Rural or Agricultural Zone where Poster Panel signs are permitted:
 - i) no Poster Panel sign with a sign area in excess of 100 square feet (9.29 square metres) shall be located within a radius of 2,000 feet (609.6 metres) from another Poster Panel sign; and
 - ii) no Poster Panel sign with a sign area 100 square feet (9.29 square metres) or less shall be located within a radius of 1,000 feet (304.8 metres) from another Poster Panel sign.
- (5) Sign Height:
No Poster Panel sign shall have a sign height exceeding 30 feet (9.14 metres).
- (6) Agreement of Land Owner:
All applications for a sign permit to erect a Poster Panel sign shall be accompanied with confirmation from the owner of the lot upon which the sign is to be placed that he/she consents to the sign being erected, where the applicant for the sign permit is not also the owner of the lot.
- (7) Businesses Not Located in Belleville:
Any business that does not maintain a place of business within the corporate limits of the City of Belleville shall not advertise on more than one poster panel sign within the City of Belleville at any one time.
- (8) Sign Structure:
- a) The supporting members of a Poster Panel sign shall be free of any extra bracing, angle iron, guy wires, cables, or similar, and the supports shall be an integral part of the sign.
 - b) Poster panel signs, except where supported by another structure such as the wall of a building, shall be set in concrete footings that extend to below the level of potential damage from frost and shall be of sufficient size and weight to prevent overturning the sign in heavy winds.
 - c) Poster panel signs over 8 feet (2.44 metres) in height shall have a non-combustible sign structure.

3.3 Portable Signs

No person shall erect a Portable Sign, where permitted pursuant to the provisions of Section 4 of this By-Law, except in accordance with the following provisions:

- (1) Number of Portable Signs:
A maximum of one (1) Portable sign shall be permitted for each 200 feet (60.96 metres) or part thereof of street frontage of a lot, but in no case shall more than four (4) Portable signs be erected or maintained on a lot at any one time.
- (2) Duration of a Portable Sign:
A Portable sign may be erected for a period of up to 3 months pursuant to a permit issued under Section 5 of this By-Law, but a permit may be obtained from month to month or for three (3) month intervals with respect to the same sign.

(3) Sign Setbacks:

- a) Portable signs shall be located entirely on a lot and shall not be located on or permitted to encroach onto a street.
- b) The Sign Face of any Portable sign shall be set back:
 - i) 15 feet (4.57 metres) minimum from a driveway exiting onto a street;
 - ii) 5 feet (1.52 metres) minimum from any lot line other than a street line;
 - iii) 7 feet (2.13 metres) minimum from a public sidewalk; and
 - iv) 15 feet (4.57 metres) minimum from any curb line or edge of the travelled portion of a street.

(4) Sign Size and Height:

Except as may otherwise be provided:

- i) no Portable sign shall have a sign height exceeding 7 feet (2.13 metres); and
- ii) the maximum sign area of a Portable sign shall be 50 square feet (4.65 square metres).

(5) Illumination:

A Portable sign may be illuminated, but no Portable sign shall have any flashing or moving lights or be mechanized in any way.

(6) Off-Premise Portable Signs:

No off-premise Portable sign shall be erected without the written authorization of the owner of the lot on which the sign is to be erected being provided to the Chief Building Official.

(7) Portable Signs with No Message:

- a) Portable signs not displaying any message for a period of sixty (60) days shall be prohibited.
- c) For purposes of Part a) above, a Portable sign displaying a message identifying just the identity and/or contact information of the owner of the Portable sign and/or that the Portable sign is for rent shall be deemed to not be displaying any message and shall be prohibited.

(8) Sign Structure:

Portable signs shall be anchored, pinned, weighted, tied, or possess sufficient integral weight to prevent overturning in heavy winds.

(9) Inflatable Signs:

Notwithstanding any other provisions of this Section to the contrary, the following provisions shall apply to Inflatable signs:

- a) A maximum of one (1) Inflatable sign shall be permitted on a lot at any one time.
- b) The maximum number of days that an Inflatable sign may be erected on a lot in any one calendar year (January 1st to December 31st) shall be sixty (60).
- c) Inflatable signs may be erected on a lot in addition to any other type of Portable sign permitted by this By-Law.
- d) An Inflatable sign shall not be subject to any sign area limitations but shall not exceed 40 feet (12.19 metres) in height from the base of the Inflatable sign to the highest point of the Inflatable sign.

- e) Inflatable signs shall be anchored, pinned, weighted or tied to prevent shifting, moving or overturning in heavy winds. Where erected on the roof of a building or where attached to any structure on a lot, the Chief Building Official may require such sign be erected under the supervision and approval of a Professional Engineer.
- f) Models and other similar advertising devices shall be considered inflatable signs for purposes of this By-Law.

(10) Banner Signs:

Notwithstanding any other provisions of this Section to the contrary, the following provisions shall apply to Banner signs:

- a) A maximum of one (1) Banner sign shall be permitted on a lot at any one time.
- b) The maximum number of days that a Banner sign may be erected on a lot in any one calendar year (January 1st to December 31st) shall be ninety (90).
- c) Banner signs may be erected on a lot in addition to any other type of Portable sign permitted by this By-Law.
- d) Banner signs shall not be subject to any sign height limitations, and may have a sign area of 150 square feet (13.94 square metres) maximum.
- e) Where not affixed to and flush with the façade of a building, the provisions of Section 3.3 (3) of this By-Law with respect to setbacks shall apply to Banner signs.
- f) Banner signs shall be sufficiently tied or secured to permanent structures so as to prevent moving or release in heavy winds, and shall consist of weather-resistant material that will not rip in heavy winds or when wet.

(11) Search Lights and Other Similar Advertising Devices:

The use of search lights as an advertising device and other similar advertising devices shall be prohibited.

3.4 Fascia Signs

No person shall erect a Fascia Sign, where permitted pursuant to the provisions of Section 4 of this By-Law, except in accordance with the following provisions:

(1) Where Permitted:

Fascia signs may be erected or displayed on each side building façade that is clearly visible from a street, private thoroughfare, or sidewalk, walkway or trail.

(2) Minimum Clear Height:

- a) Where pedestrian access beneath a Fascia sign is prohibited, no minimum clear height shall be required.
- b) Where pedestrian access beneath a Fascia sign is possible, the lowest part of the Fascia sign shall not be less than 8 feet (2.44 metres) above the grade below the sign.

(3) Maximum Height and Projection:

- a) No Fascia sign shall extend above the building façade.

- b) For buildings located closer than 8 inches (.20 metres) to a street line, Fascia signs affixed to such buildings may project a maximum of 8 inches (.20 metres) over the street line provided a minimum clear height of 8 feet (2.44 metres) is provided.
- (4) Sign Area:
The maximum cumulative sign area of all Fascia signs affixed to any single building façade shall be 15% of the total area of the building façade to which the Fascia signs are affixed.
- (5) Sign Structure:
Fascia signs shall be securely fastened to a building façade.
- (6) Signs on Awnings:
 - a) Fascia sign lettering may be painted on an awning.
 - b) Within the area designated in Schedule 'A' hereto, Fascia sign lettering may be painted on an awning that projects over a street.
 - c) By-Law Number 11067 of the Corporation of the City of Belleville, as amended from time to time, shall apply to awnings that project over a street upon which Fascia sign lettering is to be displayed.

3.5 Roof Signs

No person shall erect a Roof Sign, where permitted pursuant to the provisions of Section 4 of this By-Law, except in accordance with the following provisions:

- (1) Number of Signs:
No more than one (1) Roof sign that may have either one (1) or two (2) sign faces shall be permitted on a lot.
- (2) Sign Height:
 - a) No Roof sign shall extend more than 5 feet (1.52 metres) above the maximum height of the roof upon which the Roof sign is erected.
 - b) Unless otherwise certified as acceptable by a Professional Engineer, every Roof sign shall maintain a vertical distance of minimum 3 feet (.91 metres) between the roof or parapet and the bottom of such Roof sign.
- (3) Sign Area:
No single sign face of a Roof sign shall exceed 200 square feet (18.58 square metres) in area.
- (4) Sign Structure:
 - a) Roof signs shall be secured to the building structure.
 - b) The sign structure of a Roof sign shall be free of any extra bracing, angle iron, guy wires, cables, or similar; the supports for a Roof sign shall be an integral part of the sign.
 - c) No Roof sign constructed either wholly or partly of wood shall be erected upon the roof of any building.

3.6 Sandwich Board Signs

No person shall erect a Sandwich Board sign, where permitted pursuant to the provisions of Section 4 of this By-Law, except in accordance with the following provisions:

(1) Number of Signs:

No more than one (1) Sandwich Board sign shall be permitted for each 200 feet (60.96 metres) or part thereof of street frontage of the lot.

(2) Size of Sign:

Sandwich Board signs shall have a maximum height of 4 feet (1.22 metres) and a maximum width of 2 feet (.61 metres), except as may otherwise be provided for in this By-Law.

(3) Sign Location on a Lot:

Where located on a lot, Sandwich Board signs may be located adjacent to any lot line including a street line.

(4) Sign Location on a Street:

Sandwich Board signs shall not be located on any street except within the area defined in Schedule 'A' hereto, provided that the Sandwich Board sign:

i) shall be placed either:

- 1) directly adjacent to the street line such that the sign does not project more than 2 feet (.61 metres) from the street line, or
- 2) on the boulevard or sidewalk on the street provided it is set back minimum 2 feet (.61 metres) from the curb line; and

ii) shall be located either:

- 1) immediately in front of or adjacent to the business advertised on the Sandwich Board sign, or
- 2) within 150 feet (45.72 metres) of the business so advertised on the Sandwich Board sign subject to the concurrence of the property owner in front of which the sign will be so located; and

iii) shall only be erected on the street when the business advertised on the sign is open for business; and

iv) shall not impede pedestrian or vehicular traffic.

(5) Authorization Permit:

a) No person shall erect any Sandwich Board sign on a street in accordance with this By-Law without first obtaining from the Chief Building Official an authorization permit for such sign.

b) No more than one authorization permit shall be required for each Sandwich Board sign, which permit shall authorize the placement of such sign on a street in accordance with the provisions of this By-Law for the life of the sign.

c) The required fee for an authorization permit to erect a Sandwich Board sign on a street shall be \$25.00.

d) The Chief Building Official may place on any Sandwich Board sign for which an authorization permit has been issued, a validation tag or sticker to certify that an authorization permit has been issued for the said sign.

(6) Sign Structure:

Sandwich Board signs shall be anchored in place through weight or other support so as to prevent incidental movement of the sign through the impacts of wind.

3.7 Projecting Signs

No person shall erect a Projecting sign, where permitted pursuant to the provisions of Section 4 of this By-Law, except in accordance with the following provisions:

(1) Number of Signs:

The number of Projecting signs permitted on a lot shall be:

- i) a maximum of one (1) Projecting sign for each 100 feet (30.48 metres) or part thereof of length of each building façade; or
- ii) a maximum of one (1) Projecting sign for each separate business; whichever is the greater.

(2) Sign Area:

A Projecting sign shall have a maximum sign area of 6 square feet (.56 square metres).

(3) Clear Height:

Projecting signs shall have a minimum clear height of 9 feet (2.74 metres).

(4) Signs over a Street:

- a) Within the area designated in Schedule 'A' hereto, Projecting signs may project a maximum of 3 feet (.91 metres) over a street.
- b) Banners shall not be erected so as to project over a street without the approval of City Council.

3.8 Read-o-graphs

(1) A Ground or Fascia sign may contain a Read-o-graph as a component of the sign, provided that such Read-o-graph shall:

- i) not have a sign area in excess of 50% of the total permitted sign area; or
- ii) have a sign face exceeding 75 square feet (6.97 square metres); whichever is the lesser.

(2) Read-o-graphs that form a component of a permitted Ground or Fascia sign shall not be included in the calculation of the maximum sign area for such sign as set out in this By-Law.

3.9 Marquees

Marquees associated with a theatre may project over a street within the area defined in Schedule 'A' hereto, subject to the following provisions:

- a) The clear height beneath the marquee shall be a minimum of 9 feet (2.74 metres).
- b) The maximum distance that a marquee may project over a street shall be 10 feet (3.05 metres), but in no case shall any marquee project to within less than 3 feet (.91 metres) of a curb line, utility pole or tree.
- c) Where a sign is to be located on a marquee, for purposes of this By-Law, such signs shall be deemed to be Fascia signs.
- d) Projecting signs may be permitted as a separate structure and complementary to a marquee where a marquee is permitted by this By-Law, and such Projecting signs:
 - i) shall not project over the street more than 5 feet (1.52 metres);
 - ii) shall not have a sign face exceeding 75 square feet (6.97 square metres); and

- iii) shall have a minimum clear height of 9 feet (2.74 metres).
- e) Marquees shall be designed so as to prevent snow, ice or other matter from sliding or dropping from the marquee onto the municipal sidewalk.
- f) The Chief Building Official shall require submission of a plan certified by a professional engineer for any marquee or complementary Projecting sign prior to the issuance of any permit therefore.

3.10 Adult Entertainment Establishments

Notwithstanding anything in this By-Law to the contrary, no person shall erect any sign in support of an adult entertainment establishment (which for purposes of this By-Law shall include a body rub parlour) except in accordance with the following provisions:

- a) No off-premise sign shall be erected in support of an adult entertainment establishment.
- b) No sign or other advertising device in support of an adult entertainment establishment shall contain any pictures, pictograms, caricatures, or other similar images that are intended to cater or appeal to erotic or sexual appetites or inclinations.
- c) No sign in support of an adult entertainment establishment shall contain any words other than the phrase "Adult Entertainment" or derivations thereof, the business name, and business operational information such as hours of operation and licencing information, but nothing herein shall apply to prevent the use of words that advertise products or services that are available for sale at the premises but which are not related to the adult entertainment service, subject to compliance with all other provisions of this By-Law.
- d) No sign face of any sign in support of an adult entertainment establishment shall have a sign area exceeding 100 square feet (9.29 square metres).
- e) Read-o-graph signs, portable signs, or sandwich board signs shall not be used in support of an adult entertainment establishment.

SECTION 4 – ZONES WHERE SIGNS PERMITTED

4.1 Interpretation

Reference made in this By-Law to Zoning By-Laws of the Corporation of the City of Belleville shall mean:

- a) By-Law Number 10245 as amended from time to time, adopted by the Corporation of the City of Belleville on April 4, 1977; and
- b) By-Law Number 3014 as amended from time to time, adopted by the Corporation of the Township of Thurlow on August 12, 1987; and
- c) By-Law Number 2076-80 as amended from time to time, adopted by the Corporation of the Township of Sidney on October 27, 1980.

4.2 Signs Permitted in All Zones

Election signs, real estate signs, contractor's signs, developer's signs, directional signs, warning signs, and traffic control and public information signs shall be permitted in any zone and no permit shall be required for any of the foregoing signs.

No person shall erect an election sign, real estate sign, contractor's sign, developer's sign, directional sign, or warning sign in any zone except in accordance with the following provisions:

(1) Election Signs:

- a) Election signs shall be permitted in any Zone following declaration of a Provincial or Federal election, or the day following the final day for filing nominations in a Municipal election, and shall be removed within one (1) week following the date of the election.
- b) Election signs shall be permitted on a lot provided:
 - i) the sign is affixed to the ground and is not nailed or fastened in any way to a tree, or any other similar plant or structure;
 - ii) the sign area of each sign does not exceed 32 square feet (2.97 square metres); and
 - iii) where the sign has a sign area in excess of 12 square feet (1.11 square metres), the sign is located in accordance with the provisions of Section 3.3 (3) of this By-Law.
- c) Election signs may be permitted on the un-travelled portion of streets provided:
 - i) such signs do not interfere with the safe movement of pedestrians and vehicles on such streets, or cause disruption to the maintaining or use of the street by the Municipality or any utility or other similar authority;
 - ii) the sign is affixed to the ground and is not nailed or fastened in any way to a utility pole, traffic control sign or device, tree, or any other similar plant or structure;
 - iii) the sign area of each sign does not exceed 12 square feet (1.11 square metres) with a maximum sign height of 3 feet (.91 metres);
 - iv) the owner of the lot immediately abutting the location of the sign on the street does not object to the election sign being located on the street next to his/her property; and
 - v) the election sign is located on a portion of the street between the street line and the curb line or the limit of the travelled roadway including the gravel shoulder, whichever is the case, provided that:
 - 1) the sign is set back from the edge of the travelled roadway or the gravelled shoulder of the roadway or curb line, as the case may be, minimum 10 feet (3.05 metres), and
 - 2) the sign is set back minimum 1 foot (.3 metres) from a sidewalk;
 - vi) where located on a street which is not under the jurisdiction of the Corporation of the City of Belleville, that authorization has been obtained from the necessary authorities.

(2) Real Estate Signs:

- a) Real Estate signs shall be permitted in any Zone on a lot which is for sale or available for lease or rent, and shall be removed within twenty-one (21) days following the confirmation of a sale or the leasing of the premises.
- b) Real Estate signs shall not have a sign area:
 - i) exceeding 10 square feet (.93 square metres) on any lot within a Residential Zone or on a lot containing a residential use; or
 - ii) exceeding 32 square feet (2.97 square metres) in any other zone; except however that the maximum sign area of any Real Estate sign may be doubled where the lot has a street frontage greater than 300 feet (91.44 metres).

Within Rural and Agricultural Zones, the maximum sign area of a Real Estate sign shall be as set out above, plus an additional 8 square feet (.74 square metres).

- c) The number of Real Estate signs permitted on any lot shall be:
 - i) a maximum of one (1) sign for each 200 feet (60.96 metres) or part thereof of street frontage; or
 - ii) a maximum of one (1) sign for each separate street frontage on a corner lot, which for purposes of this section includes frontage onto a navigatable waterway;whichever is the greater.
- d) Any Real Estate sign that has a sign area in excess of 10 square feet (.93 square metres) shall be located in accordance with the provisions of Section 3.3 (3) of this By-Law.

(3) Contractor's Signs:

- a) Contractor's signs shall be permitted in any Zone on a lot where there is active and ongoing construction by the business or person so indicated on the sign, and shall be removed upon completion of construction.
- b) Contractor's signs shall not have a sign area exceeding 16 square feet (1.49 square metres).
- c) Contractor's signs may be located adjacent to any lot line including a street line.

(4) Developers' Signs:

- a) Developer's signs may be permitted in any Zone on a lot that is subject to a current or proposed development or redevelopment project.
- b) A maximum of one (1) Developer's sign shall be permitted on a lot for each separate street onto which the lot subject to the development project fronts.
- c) Developer's signs shall be removed within twenty one (21) days from the date of completion of the development or redevelopment project.
- d) Developer's signs shall be deemed to be Ground signs for setback purposes.
- e) The maximum sign area for each Developer's sign shall be 1 square foot (.09 square metres) for each 5 feet (1.52 metres) or part thereof of street frontage, but in no case shall any sign face of a Developer's sign exceed 150 square feet (13.94 square metres) in area.
- f) The maximum sign height for a Developer's sign shall be 15 feet (4.57 metres).

(5) Directional Signs:

- a) Directional signs shall be permitted in any Zone along or adjacent to any private thoroughfare.
- b) Directional signs shall not have any sign face exceeding 6 square feet (.56 square metres) with the exception of signs used to display menus or convey similar information, which shall have a maximum sign area of 60 square feet (5.57 square metres).

(6) Warning Signs:

- a) Warning signs having a maximum sign area of 5 square feet (.46 square metres) for each sign face shall be permitted in any Zone on a lot.

(7) Traffic Control, Public Information and Other Signs:

- a) Nothing in this By-Law shall apply to prevent the Municipality from erecting or authorizing the erection of any sign on any street or on other property under the jurisdiction or control of the Municipality in any Zone:
 - i) to regulate traffic;
 - ii) to provide for the safety or protection of the public;
 - iii) to provide the public with information which shall include tourist directional signage and service club identification; or
 - iv) as a component of any bus shelter, bench seating or similar facility.
- b) Nothing in this By-Law shall apply to prevent the Provincial and Federal Governments from erecting or authorizing the erection of any sign on any street or on other property under the jurisdiction or control of the Provincial or Federal Government in any Zone:
 - i) to regulate traffic
 - ii) to provide for the safety or protection of the public,
 - iii) to provide the public with information which shall include tourist directional signage and service club identification; or
 - iv) as a component of any bus shelter, bench seating or similar facility.
- c) Public information signs shall be permitted in any Zone on a lot or on municipal property with the approval of the Municipality, or on a street under the jurisdiction of the Province of Ontario subject to obtaining approval from the Province.
- d) Where authorized by the Municipality through the provisions of a subdivision or development agreement, a land developer may erect a Signature Entrance sign in any Zone on a lot or on a street as set out in the said agreement.

4.3 Open Space Zones

- (1) Open Space Zone, as referred to herein, shall mean:
 - a) O1 to O3 zones inclusive established by By-Law Number 10245;
 - b) ES zones established by By-Law Number 3014; and
 - c) O1 zones established by By-Law Number 2076-80.
- (2) No person shall erect or display any sign or other advertising device on any lot in an Open Space Zone except:
 - a) Signs permitted pursuant to Section 4.2 of this By-Law;
 - b) Ground signs;
 - c) Fascia signs;
 - d) Projecting signs;
 - e) Roof signs;
 - f) Sandwich Board signs; and
 - g) Portable signs.
- (3) Nothing in this By-Law shall apply to prevent the erection of any Off-premise sign within any park under the jurisdiction of the Municipality or the Quinte Conservation Authority provided such signs are not intended to cater to traffic on abutting streets.

4.4 Residential Zones

- (1) Residential Zone, as referred to herein, shall mean:
 - a) R1 to R8 zones inclusive, plus RH and RS zones established by By-Law Number 10245;
 - b) R1 to R4 zones inclusive, plus RR, SR, ER and MHR zones established by By-Law Number 3014; and

- c) R1 to R4 zones inclusive, plus R2S, R4S, RR and SPR zones established by By-Law Number 2076-80.
- (2) No person shall erect or display any sign or other advertising device on any lot in a Residential Zone except:
 - a) Signs permitted pursuant to Section 4.2 of this By-Law;
 - b) Ground or Fascia signs:
 - i) used for personal identification, having a maximum sign area of 2 square feet (.19 square metres), provided a maximum of one (1) such sign shall be permitted for each lot;
 - ii) used to advertise boarding, lodging, tourist or apartment accommodation, or a home occupation located upon which property the sign is located, having a maximum sign area of 2 square feet (.19 square metres), provided a maximum of one (1) such sign shall be permitted for each lot; or
 - iii) used to advertise an apartment complex with a minimum of 8 separate apartment units, having a maximum sign area of 32 square feet (2.97 square metres), provided a maximum of one (1) such sign shall be permitted for each lot.
 - (3) No sign erected in a Residential Zone shall be mechanized.
 - (4) For any institutional or community facility use located in a Residential Zone, the provisions of Section 4.5 of this By-Law shall apply.
 - (5) For any open space use located in a Residential Zone, the provisions of Section 4.3 of this By-Law shall apply.

4.5 Community Facility Zones

- (1) Community Facility Zones, as referred to herein, shall mean:
 - a) CF and NH zones established by By-Law Number 10245;
 - b) CF zones established by By-Law Number 3014; and
 - c) CF and NH zones established by By-Law Number 2076-80.
- (2) No person shall erect or display any sign or other advertising device on any lot in a Community Facility Zone except:
 - a) Signs permitted pursuant to Section 4.2 of this By-Law;
 - b) Ground signs;
 - c) Fascia signs;
 - d) Sandwich board signs; and
 - e) Portable signs.
- (3) No sign erected in a Community Facility Zone shall be mechanized.

4.6 Commercial Zones

- (1) Commercial Zone, as referred to herein, shall mean:
 - a) C1 to C7 zones inclusive, and CR, CM, CC and CH zones established by By-Law Number 10245;
 - b) C1 to C4 zones inclusive established by By-Law Number 3014; and
 - c) CR, CH, MCH and CD zones established by By-Law Number 2076-80.
- (2) No person shall erect or display a sign or other advertising device on any lot in a Commercial Zone except:
 - a) Signs permitted pursuant to Section 4.2 of this By-Law;
 - b) Ground signs;
 - c) Fascia signs;
 - d) Roof signs;

- e) Projecting signs;
- f) Sandwich board signs;
- g) Portable signs; and
- h) Poster panel signs.

4.7 Rural and Agricultural Zones

- (1) Rural and Agricultural Zones, as referred to herein, shall mean:
 - a) RU and PA zones established by By-Law Number 3014; and
 - b) A1 and A2 zones established by By-Law Number 2076-80.
- (2) No person shall erect or display a sign or other advertising device on any lot in a Rural or Agricultural Zone except:
 - a) Signs permitted pursuant to Section 4.2 of this By-Law;
 - b) Ground or Fascia signs used for personal identification, having a maximum sign area of 25 square feet (2.32 square metres);
 - c) Fascia signs erected on a barn or other accessory building or structure used to advertise the name of the farm or the identity of the operators, having a maximum sign area of 150 square feet (13.94 square metres);
 - d) Temporary signs used to identify crops;
 - e) Sandwich board signs, having a maximum sign area of 20 square feet (1.86 square metres) per sign face;
 - f) Portable signs; and
 - g) Poster panel signs.

4.8 Industrial Zones

- (1) Industrial Zone, as referred to herein, shall mean:
 - a) M1 to M4 zones inclusive, and the MCP zone established by By-Law Number 10245, as amended from time to time;
 - b) M1 to M3 zones inclusive established by By-Law Number 3014; and
 - c) MR, MW, M1, MS, M1S, and M2 zones established by By-Law Number 2076-80.
- (2) No person shall erect or display a sign or other advertising device on any lot in an Industrial Zone except:
 - a) Signs permitted pursuant to Section 4.2 of this By-Law;
 - b) Ground signs;
 - c) Fascia signs;
 - d) Projecting sign;
 - e) Roof signs;
 - f) Sandwich board signs;
 - g) Portable signs; and
 - h) Poster panel signs.

4.9 Other Zones

- (1) No person shall erect or display a sign or other advertising device on a lot in any other zone except signs permitted pursuant to Section 4.2 of this By-Law or for signs for which a permit is not required by this By-Law.
- (2) For purposes of this By-Law, Holding "H" Zones shall be treated in the fashion of the underlying zone as if the Holding symbol were not attached.

4.10 Non-conforming Uses

For any legal non-conforming use as determined through the provisions of the City's Zoning By-Laws, no person shall erect any sign or other advertising device with the exception of

signs permitted pursuant to Section 4.2 of this By-Law or for signs for which a permit is not required by this By-Law, without first obtaining an amendment to this By-Law.

SECTION 5 – SIGN PERMITS

5.1 Sign Permit Required

- (1) Except as otherwise provided for in this By-Law, no person shall erect or install or cause to be erected or installed any sign without first applying for and obtaining a sign permit for such sign from the Chief Building Official.
- (2) Notwithstanding Part (1) above, a sign permit shall not be required for the erection of the following signs:
 - i) Contractor's Signs;
 - ii) Directional signs provided no sign face is larger than 6 square feet (.56 square metres);
 - iii) Displays consisting entirely of landscaping material;
 - iv) Signs erected on municipal property by or for the Municipality, including signs erected by the Provincial or Federal Government or the Municipality for the regulation, safety or guidance of traffic;
 - v) Public information signs, including Banner signs erected on or over streets;
 - vi) Election signs;
 - vii) Real estate signs;
 - viii) Warning signs (such as 'No Trespassing', 'Private Property' or 'Beware of Dog');
 - ix) Sandwich Board signs with the exception of an authorization permit where such sign is to be located on a street as set out in Section 3.6 (5) of this By-Law;
 - x) Crop signs having a maximum sign area of 10 square feet (.93 square metres);
 - xi) Any other sign having a sign area not exceeding 2 square feet (.19 square metres).
- (3) 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 and the sign is not modified in any other way.

5.2 Application for Sign Permit

Where required by this By-Law, applications for a sign permit shall be made to the Chief Building Official upon a form to be provided by the Chief Building Official which shall require the following information to be set out on or accompany such application:

- i) The name and address of the Contractor installing the sign;
- ii) The name and address of the owner of the premises upon which the sign is to be located and the name and address of the person in possession of the premises upon which the sign is to be located;
- iii) Drawings, plans and specifications showing:
 - 1) the location or proposed location of the sign on the premises;
 - 2) the location or proposed location of all other signs on the premises for which a permit is required; and
 - 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;
- iv) Proof of possession of all permits as may be required by any other applicable government authority including the Ontario Ministry of Transportation;

- v) The required fee as set out in Section 5.3 of this By-Law.
- vi) Other information as may be required by the Chief Building Official 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.
- vii) The consent of the person in possession of the lot or premises upon which the sign is to be erected, to permit entry upon the said premises by the Chief Building Official for the purpose of inspecting the sign in accordance with Section 6.3 of this By-Law, but nothing herein shall be construed to limit or restrict the right of the Chief Building Official to enter upon the premises in accordance with the provisions of the Building Code Act, the Provincial Offences Act or any other applicable statutory authority.

5.3 Fees for Sign Permits

- (1) Each application for a sign permit other than for Portable signs, Poster Panel signs, and Sandwich Board signs on a street shall be accompanied by a fee payable to the Corporation of the City of Belleville at a rate of \$10.00 per \$1,000.00, or part thereof, of the construction value (labour and materials) of the sign, or \$30.00, whichever is the greater.
- (2) Applications for a sign permit for a Portable sign shall be accompanied by a fee payable to the Corporation of the City of Belleville at a rate of \$10.00 for each week or part thereof that such sign is to be displayed, or \$15.50 per month, whichever is the lesser.
- (3) Applications for a sign permit for a Poster Panel sign shall be accompanied by a fee payable to the Corporation of the City of Belleville at a rate of \$25.00 per \$1,000.00, or part thereof, of the construction value (labour and materials) of the sign, or \$50.00, whichever is the greater.
- (4) An authorization permit shall be issued for each Sandwich Board sign that is to be erected on a street in accordance with the provisions of this By-Law, at a rate of \$25.00 for each sign, on a one time basis for each sign, as set out in Section 3.6 (5) of this By-Law.
- (5) All fees payable are non-refundable upon issuance of the sign permit.

5.4 Issuance of Sign Permit

- (1) The Chief Building Official shall issue a sign permit except where:
 - i) the proposed sign or other advertising device will not comply with this By-Law or the Ontario Building Code or will contravene any other applicable law; or
 - ii) the application for the sign permit is incomplete or any fees due are unpaid.
- (2) Any sign permit issued by the Chief Building Official shall attest to the compliance to the provisions of this By-Law, but issuance of a sign permit by the Chief Building Official shall not relieve the applicant from obtaining any other permit as may be required by any other authority having jurisdiction or any other agency having regulations which may apply, including the Ontario Ministry of Transportation in the vicinity of highways under the jurisdiction of the Province of Ontario.

5.5 Notice and Inspection Pursuant to a Sign Permit

- The person to whom a sign permit has been issued shall notify the Chief Building Official of:
- i) the readiness to construct the footings for the sign; and
 - ii) the completion of the erection, display, alteration, or repair of the sign for which the sign permit was issued;
- to facilitate inspection of the works.

5.6 Special Provisions for Sign Permits

(1) Revocation of Sign Permits:

The Chief Building Official may revoke a sign permit where:

- i) the sign permit was issued on mistaken or false information;
- ii) after six (6) months after its issuance, the erection, display, alteration or repair of the sign in respect of which the permit was issued has not, in the opinion of the Chief Building Official, been seriously commenced or has been substantially suspended or discontinued; or
- iii) a person to whom an order has been given in accordance with Section 6.3 of this By-Law has failed or refused to comply with such order.

(2) Special Provisions for Sign Permits for Portable Signs:

Notwithstanding any provisions of this By-Law to the contrary, the following provisions shall apply to sign permits for Portable signs:

- a) No sign permit shall be issued for a Portable sign more than twenty eight (28) days in advance of when the Portable sign for which the permit has been requested is to be erected.
- b) Where a sign permit for a Portable sign has been issued and the Portable sign for which the sign permit has been issued has not been erected within twenty eight (28) days of the date of issuance of the sign permit, the sign permit shall be void and may be revoked.
- c) No sign permit for a Portable sign shall be issued for any period of time exceeding three (3) months in duration.
- d) No person shall permit a Portable sign to be erected or displayed beyond the effective period for which the sign permit has been issued for the Portable sign.

(3) Return of Sign Permit Fees:

Where a sign permit is revoked as set out herein, any permit fees paid to the Municipality shall not be refundable.

SECTION 6 – ADMINISTRATION AND ENFORCEMENT

6.1 Chief Building Official

The Chief Building Official shall be responsible for the administration and enforcement of this By-Law.

6.2 Inspectors

The Chief Building Official may assign such building inspectors as necessary to carry out the duties and responsibilities granted to and imposed upon the Chief Building Official by this By-Law, who shall have all of the authorities and responsibilities attributed to the Chief Building Official by this By-Law.

6.3 Remedies

(1) Order to Comply:

- a) The Chief Building Official may issue an order to comply to require any person who:
 - i) having obtained a sign permit, has caused a sign to be erected, displayed, altered or repaired contrary to the approved plans in respect of which the sign permit was issued; or
 - ii) has erected, displayed, altered or repaired a sign contrary to the provisions of this By-Law, the Ontario Building Code or any other applicable law; to make such sign comply or to remove the sign within the time prescribed in the notice.
- b) The Chief Building Official may issue an order to comply to require any person who has caused or allowed an existing sign to become unsafe or abandoned to correct the situation to the satisfaction of the Chief Building Official in the manner and within the time prescribed in the order.
- c) If the person to whom an order to comply has been issued fails to comply with the said order, the Chief Building Official, at his/her option, may initiate procedures provided for in law to enforce this By-Law including authorizing the laying of charges and prosecuting persons for contravention of this By-Law, and the Chief Building Official may enter land and pull down or remove an existing sign, at the expense of the owner of the sign, if it is erected or displayed in contravention of this By-Law.

(2) Orders Written:

Orders issued by the Chief Building Official pursuant to this By-Law shall be given by registered mail addressed to:

- i) such person at his/her address as set out on the application for the sign permit;
 - ii) the owner of the lot on which the sign has been erected according to the last revised assessment roll; or
 - iii) where a sign permit was not applied for, the owner of the sign;
- and such order shall be effective as of the date on which such registered mail is posted.

(3) Removal of Signs Erected or Placed on Municipal Property:

- a) Where a sign has been erected or placed on municipal property or on facilities owned by or under the jurisdiction of the Municipality, including on any street:
 - i) without authorization;
 - ii) in contravention of any provision of this By-Law; or
 - iii) that has become unsafe;as an alternative to any other remedy provided for under this By-Law, the Chief Building Official or designate may remove and impound the sign without notice to the owner of the sign or the business advertised on the sign.
- b) Where the Chief Building Official or designate has removed and impounded a sign as set out in Part a) above, such sign shall be retained by the Municipality for a minimum three (3) months following its removal, unless reclaimed by the owner of the sign or the business advertised on the sign through payment of a \$50.00 removal and impound fee to the City.

If, after three (3) months following removal and impounding of the sign, the owner of the sign or the business advertised on the sign has not reclaimed the sign, the Chief Building Official or designate may dispose of such sign in any manner the Chief Building Official or designate sees fit, and no compensation

shall be payable by the Municipality to the owner of the sign or the business advertised on the sign.

- c) For purposes of this By-Law, the City's Superintendent of Public Works shall be deemed a designate of the Chief Building Official with respect to the removal and impounding of signs located on municipal property or on municipal facilities in contravention of the provisions of this By-Law.

6.4 Offences

- (1) Every person who:
 - i) 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;
 - ii) fails to comply with any order, notice, direction or other requirement given in accordance with or pursuant to this By-Law; or
 - iii) contravenes any provision of this By-Law;is guilty of an offence and shall be liable upon conviction to the penalties prescribed by the Provincial Offences Act, R.S.O. 1990, Chapter P.33 or any legislation passed in succession thereto.
- (2) 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.

6.5 Minor Variances

- (1) Where a person cannot comply with the provisions of this By-Law, application may be made to the Council of the Corporation of the City of Belleville for a minor variance to the provisions of this By-Law.
- (2) Application to Council for a variance shall clearly set out why the provisions of the By-Law can not be met and shall be accompanied by a fee in the amount of \$250.00, which fee shall be non-refundable.

Notwithstanding the foregoing, no fee shall be payable respecting:

- i) any application to permit a Sandwich Board sign on a street outside the area set out in Schedule 'A', or
- ii) any application to erect a banner over a street in the area set out in Schedule 'A' hereto.
- (3) Council may, upon receipt of an application for a minor variance from the provisions of this By-Law, authorize such minor variances as may be requested provided in the opinion of the Council the general intent and purpose of this By-Law are maintained.
- (4) Council may delegate its authority to approve minor variances to this By-Law as permitted by law.

6.6 Additional Provisions for Signs on and over Streets

- (1) Signs and marquees permitted by this By-Law to project over or to be located on a street are permitted at the pleasure of the Municipality, and the Council of the Corporation of the City of Belleville reserves the right to amend this By-Law to prohibit such encroachments, whereupon such encroachments shall be removed.
- (2) The Municipality reserves the right to require that an owner of a sign or marquee that projects over or is located on a street to enter into an encroachment agreement with the Municipality and provide any liability insurance to the Municipality as it may require.

6.7 Validity

If any section, clause or provision of this By-Law is for any reason declared by a 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 of this By-Law that all the remaining sections, clauses or provisions of this By-Law shall remain in full force and effect until rescinded, notwithstanding that one or more provisions thereof may be declared to be invalid.

6.8 Rescind

By-Law Number 8409 adopted by The Corporation of the City of Belleville in 1967, By-Law Number 11786 adopted by The Corporation of the City of Belleville in 1985, By-Law Number 13845 adopted by The Corporation of the City of Belleville in 1995, and By-Law Number 3093-94 adopted by the former Corporation of the Township of Sidney in 1994, and all amendments thereto, are hereby repealed.

6.9 Effective Date

This By-Law shall come into force and take effect immediately upon its final passing thereof.

Read a first time this 27 day of **March, 2006**.

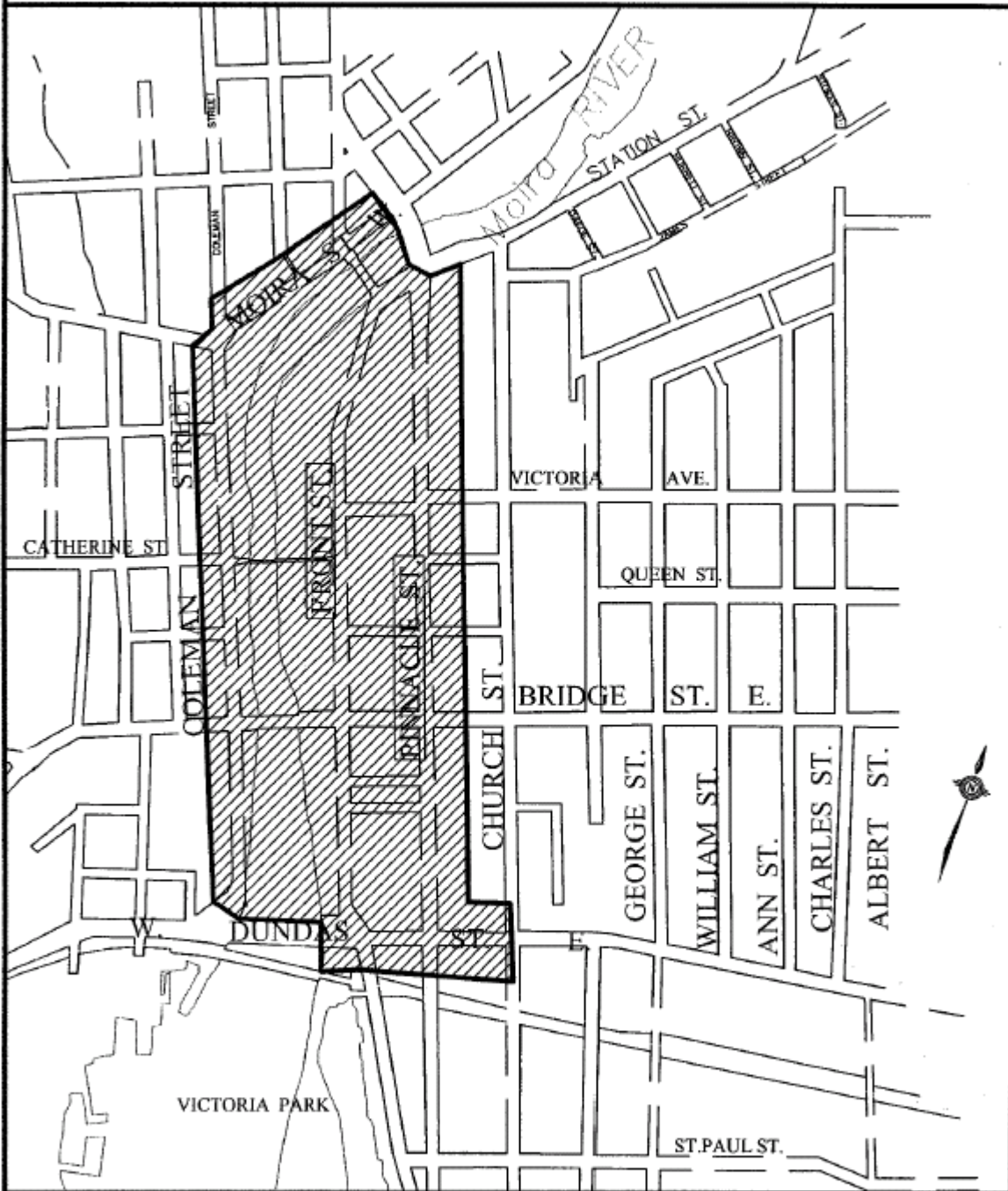
Read a second time this 27 day of **March, 2006**.

Read a third time and finally passed this 27 day of **March, 2006**.

MARY-ANNE SILLS, MAYOR

JULIE C. ORAM, CITY CLERK

SCHEDULE "A"
THE CITY OF BELLEVILLE SIGN BY-LAW



AREA SUBJECT TO SPECIAL PROVISIONS
RESPECTING SIGNS