

THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

BY-LAW NO. 2024-066

<u>BEING</u>	a by-law for prohibiting or regulating signs and other advertising devices, including municipal and school board election signs within the Township of South Stormont.
<u>WHEREAS</u>	Subsection 5(1) of the <i>Municipal Act, 2001, S.O. 2001, c. 25</i> provides that the powers of a municipal corporation are to be exercised by its Council;
<u>AND WHEREAS</u>	Subsection 5(3) of the <i>Municipal Act, 2001, S.O. 2001, c. 25</i> provides that the powers of every Council are to be exercised by by-law;
<u>AND WHEREAS</u>	Subsection 11(3) of the <i>Municipal Act, 2001, S.O. 2001, c. 25</i> provides that a by-law may be passed relating to the building of structures, including signs;
<u>AND WHEREAS</u>	Sections 9, 10 and 23.1 through 23.5 of the <i>Municipal Act, 2001, S.O. 2001, c.</i> authorize a municipality to delegate its powers and duties subject to restrictions;
<u>AND WHEREAS</u>	Section 63 of the <i>Municipal Act, 2001, S.O. 2001, c.</i> provides that a by-law may prohibit or regulate the placing or standing of an object on or near a highway, and may provide for the removal and impounding or restraining and immobilizing of any object placed or standing on or near a highway;
<u>AND WHEREAS</u>	Section 445 of the <i>Municipal Act, 2001, S.O. 2001, c.</i> provides that a municipality may make an order requiring a person who has contravened a by-law or who caused or permitted the contravention, or the owner or occupier of land on which the contravention occurred to do work to correct the contravention;
<u>AND WHEREAS</u>	Section 446 of the <i>Municipal Act, 2001, S.O. 2001, c.</i> provides that where a municipality has the authority to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and that the municipality may recover the costs of doing a matter or thing by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;
<u>AND WHEREAS</u>	Section 45 of the <i>Planning Act, R.S.O. 1990, c. P.13</i> authorizes a Council that has constituted a committee of adjustment to empower the committee of adjustment by by-law to grant minor variances from the provisions of any by-law of the municipality that implements an official plan, or from such by-laws of the municipality as are specified and that implement an official plan;
<u>AND WHEREAS</u>	the Official Plan of the United Counties of Stormont, Dundas, and Glengarry contains provisions relating to construction and use of accessory structures, including signs.

NOW THEREFORE Council of the Corporation of the Township of South Stormont enacts as follows:

1.0 DEFINITIONS

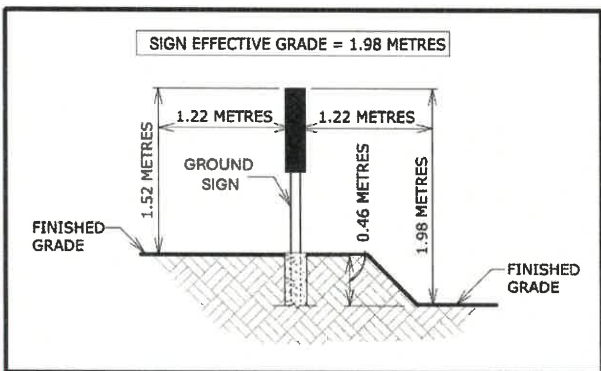
For the purposes of this By-law, the following definitions shall apply:

- 1.1 "A-Frame Sign" shall mean any Temporary Portable Sign, triangular in shape, designed with no less than two (2) sides of similar length forming its apex allowing it to stand freely on the ground and also commonly referred to as sandwich board signs.
- 1.2 "Banner Sign" shall mean a Sign made of cloth or other like material.
- 1.3 "Billboard Sign" shall mean a non-Temporary Sign for the general advertising of goods or services not manufactured or provided on the premises.
- 1.4 "Building" shall mean any permanent structure, used or intended to be used, for the shelter, accommodation or enclosure of persons, animals or goods.
- 1.5 "Candidate" shall mean, in relation to an election in a Municipality or School Board, an individual that is registered in accordance with the *Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched.* and the *Education Act, R.S.O. 1990, c. E.2.*
- 1.6 "Clerk" shall mean a person appointed by Council under the *Municipal Act, 2001, S.O. 2001, c. 25*, or designate, and who is the person responsible for conducting the election in the lower-tier Municipality in accordance with the *Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched.*
- 1.7 "Committee of Adjustment" shall mean the Committee of Adjustment, as appointed from time to time, by the Council of the Corporation of the Township of South Stormont, pursuant to Subsection 44(1) of the *Planning Act, R.S.O. 1990, c. P.13.*
- 1.8 "Construct" shall mean to do anything in the placement, erection, installation or alteration of a Sign and "construction" and "constructed" have corresponding meanings.
- 1.9 "Corner Lot" shall mean a Lot situated at the intersection of two or more Streets having an angle of intersection not exceeding 135 degrees. In the case of a curved Street, such angles shall be formed by their tangents drawn from the points where the side Lot Lines meet the Street line, but does not include a Lot abutting the bulb of a cul-de-sac or a turning circle.
- 1.10 "Effective Grade Level" shall mean the lowest level of ground at a particular location, taking into consideration the surrounding ground level for a horizontal distance of 1.22 metres, measured in any direction from the Ground Sign, and on either side of the location being considered.
- 1.11 "Fire Chief" shall mean the Fire Chief, as appointed from time to time, by the Council of the Corporation of the Township of South Stormont or their designate.

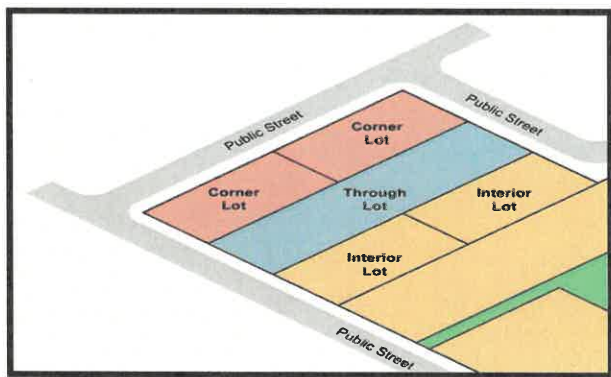
- 1.12 "Flashing and/or Animated Sign" shall mean a Sign which incorporates, in any manner, any flashing or moving illumination which varies in intensity or which varies in colour or other apparent visible movement achieved by electrical pulsations.
- 1.13 "Front Lot Line" shall mean, in the case of an Interior Lot, the line dividing the Lot from the Street. In the case of a Corner Lot, the shorter Lot Line abutting a Street shall be deemed the Front Lot Line. In the case of a Through Lot or Corner Lot where the Lot Lines are the same length, the Lot Line where the principal access to the Lot is provided shall be deemed to be the Front Lot Line.
- 1.14 "Front Yard" shall mean a Yard extending across the full width of the Lot between the Front Lot Line and the nearest part of the Main Building on the Lot.
- 1.15 "Ground Sign" shall mean a non-Temporary Sign which is freestanding in a fixed position and is supported by a Sign structure attached to, or affixed into, the ground and which is not supported by any Building or other structure and, without limiting the generality of the foregoing, shall include a Sign attached to or affixed or embedded into the ground by means of a base or sleeve(s) or other supporting structure which is attached to or affixed or embedded into the ground and into which a removable Sign structure may be inserted or attached.
- 1.16 "Height" shall mean the vertical distance above the Effective Grade Level or, if another reference is specified, to the highest point of the Sign.
- 1.17 "Interior Lot" shall mean a Lot situated between adjacent Lots and having frontage on only one Street or private right-of-way.
- 1.18 "Lot" shall mean a parcel of land which is capable of being legally conveyed in accordance with the provisions of the *Planning Act, R.S.O. 1990, c. P.13*, as amended.
- 1.19 "Lot Line" shall mean a boundary line of a Lot or a vertical projection thereof.
- 1.20 "Main Building" shall mean the Building on a lot in which the principal use permitted on that Lot is conducted.
- 1.21 "Mobile Sign" shall mean a freestanding Temporary Sign greater than, or equal to, 1.5 metres squared in area, which Sign (including its base or other supporting structure) is displayed on, but not anchored into, the ground or otherwise attached to, or affixed or embedded into, the ground or to a Building or structure in a permanent or semi-permanent manner, but shall not include: A-Frame Signs or a Sign attached to, or located on, a vehicle.
- 1.22 "Municipality" shall mean the Corporation of the Township of South Stormont.
- 1.23 "Municipal Election Sign" shall mean any Sign or poster displayed by, or on behalf of, municipal Council Candidates, Registered Third Party Advertisers or School Board Candidates.
- 1.24 "Municipal Law Enforcement Officer" shall mean a By-law Enforcement Officer of the Corporation of the Township of South Stormont or any Police Officer or Special Constable of the Ontario Provincial Police.

- 1.25 "Official Sign" shall mean a Sign placed by or under the jurisdiction of the Municipality, or under the authority of a statute, by-law, or provincial or federal authority.
- 1.26 "Owner" shall mean the registered Owner of land and a mortgagee in possession, lessee, tenant, or any person, including a corporation, entitled to a limited estate or interest in land or a trustee in which land is vested. Owner shall also mean the Owner of a Sign located on Private Property or Public Property, the property of which is owned by others.
- 1.27 "Permit" shall mean a Permit issued by the Fire Chief of the Municipality pursuant to Subsection 3.1 of this By-law.
- 1.28 "Portable Sign" shall mean a freestanding Temporary Sign, less than 1.5 metres square in area, which Sign (including its base or other supporting structure) is displayed on, but not anchored into, the ground, or otherwise attached to, or affixed or embedded into, the ground, in a permanent or semi-permanent manner. Without limiting the foregoing, this definition shall include signs commonly referred to as A-Frame Signs, T-Frame Signs and sandwich board Signs meeting this criteria, but shall not mean or include a Ground Sign or a Mobile Sign, including a T-Frame Sign larger than 1.5 metres squared in area or any other Sign defined in this By-law.
- 1.29 "Private Property" shall mean property not owned or leased by the Corporation of the Township of South Stormont and the United Counties of Stormont, Dundas and Glengarry and shall not include rights-of-way.
- 1.30 "Public Property" shall mean property owned or leased by the Corporation of the Township of South Stormont and the Corporation of the United Counties of Stormont, Dundas and Glengarry and shall also include their rights-of-way.
- 1.31 "Real Estate Sign" shall mean a Sign constructed on a Lot for purposes of advertising the sale, lease or future development of the Lot, Building(s), premises or structure(s) associated with the Lot that the Sign is constructed there upon.
- 1.32 "Rear Lot Line" shall mean, in the case of a Lot having four (4) or more Lot Lines, the Lot Line or intersection of the Side Lot Lines, opposite to, and most distant from, the Front Lot Line. If the Lot has less than four (4) Lot Lines, there shall be deemed to be no Rear Lot Line.
- 1.33 "Rear Yard" shall mean a Yard extending across the full width of the Lot between the Rear Lot Line and the nearest part of the Main Building on the Lot. In the case of a Lot with no Rear Lot Line, the Rear Yard shall be considered as the area extending across the full width of the Lot between the apex formed by the Side Lot Lines and the nearest part of the Main Building on the Lot.
- 1.34 "Registered Third Party Advertiser" shall mean, in relation to an election in the Municipality, an individual, corporation or trade union that is registered in accordance with the *Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched.*
- 1.35 "Residential Zone" shall mean those areas of the Municipality defined as such within the in-effect zoning by-law, as amended, adopted by the Municipality.

- 1.36 "Rural/Urban Settlement Area" shall mean those areas of the Municipality defined as such within the in-effect Stormont, Dundas and Glengarry Official Plan, as amended from time to time.
- 1.37 "School Board" means the English Public, French Public, English Catholic and French Catholic School Boards having authority within the Municipality.
- 1.38 "Side Lot Line" shall mean any Lot Line, other than a Front Lot Line or a Rear Lot Line.
- 1.39 "Side Yard" shall mean a Yard extending from the Front Yard to the Rear Yard and from the Side Lot Line to the nearest wall of the Main Building on the Lot.
- 1.40 "Sign" shall mean any advertising device or any surface upon which advertising or other identification of product or business is displayed, including any fixtures, wire, pipe, fitting, frame, truss, post or other supporting member.
- 1.41 "Street" shall mean any highway, as defined in the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, and includes all road allowances, opened and unopened, along with any lane shown on a registered plan of subdivision.
- 1.42 "Temporary" shall mean, when referenced to a Sign indicated in this By-law, a Sign intended to be placed at a location for a limited time, constructed within the Municipality, and shall include: Mobile Signs, Portable Signs, and T-Frame Signs.
- 1.43 "T-Frame Sign" shall mean any Temporary Sign supported by a base such that the Sign and base are similar in shape to an inverted "T".
- 1.44 "Vacant Lot" shall mean a Lot which does not contain a Main Building or a Main Building in the process of being constructed.
- 1.45 "Yard" shall mean the area of a Lot abutting a Building that separates the Building from a given Lot Line.



[Figure 1: Effective Grade Level](#)



[Figure 2: Lot Type Examples](#)

2.0 ALL SIGNS

- 2.1 No person shall Construct, or cause to be constructed, a Sign within the limits of the Municipality, save and except in compliance with the provisions of this By-law.

- 2.2 Any legally established Sign in existence on the date of the passing of this By-law shall be deemed to be in compliance with this By-law.
- 2.3 No person shall Construct, or cause to be constructed, a Sign on a Lot, other than their own Lot, without the express written permission of the Owner.
- 2.4 No person shall Construct, or cause to be constructed, a Sign that, in the opinion of the Municipal Law Enforcement Officer, constitutes an obstruction of view at Street intersections, pedestrian pathways, driveways or other points of access or egress of vehicular or pedestrian traffic.
- 2.5 No person shall Construct, or cause to be constructed, a Sign which is unstable or structurally unsound. In this regard, all Signs shall be made of materials of good quality and suitable for their intended purpose, arranged and supported in an orderly manner commensurate with the design of the entire Sign.
- 2.6 The Owner of a Sign may be required to provide confirmation of its structural stability by a qualified Professional Engineer, licensed in the Province of Ontario, should the safety of the Sign be questioned by the Municipal Law Enforcement Officer.
- 2.7 All Signs shall be constructed and maintained in a good and workmanlike manner.
- 2.8 Any defacement on the exterior surface of a Sign shall be removed by the Owner, and the Sign refinished to its original condition.
- 2.9 No person shall Construct, or cause to be constructed, any Sign that obstructs or interferes with the maintenance of adjacent Buildings or structures.
- 2.10 No person shall Construct, or cause to be constructed, a Sign on a fence, boarding or barricade, except the Owner of the Lot, who may place a Sign(s) thereon to indicate the place of business or the nature of the business being conducted thereon, which includes product advertisement specific to the place of business.
- 2.11 Except as otherwise permitted within this By-law, no person shall Construct, or cause to be constructed, a Sign on a vacant Private Property, save and except for a Billboard Sign constructed in conformance with Section 5.0 of this By-law or a Real Estate Sign constructed in conformance with Section 6.0 of this By-law.
- 3.0 PERMITS
- 3.1 No person shall Construct, or cause to be constructed, a Temporary Sign on, or that encroaches upon, lands or road allowances owned by the Municipality or the Corporation of the United Counties of Stormont, Dundas and Glengarry without first having obtained a Permit from the Fire Chief of the Municipality or the Corporation of the United Counties of Stormont, Dundas and Glengarry or both, as the case may be.
- 3.2 An application for a Permit required pursuant to Subsection 3.1 of this By-law shall be in the form required by the Fire Chief and shall be accompanied with the non-refundable fee, as set out in the

Municipality's applicable By-law, as amended from time to time. The completed application shall:

- (a) show the location of the Temporary Sign in relation to Lot Lines, adjacent Buildings and other existing Temporary and non-Temporary Signs;
- (b) provide complete details of the Temporary Sign, including, but not limited to, sign area and Height; and
- (c) provide proof of insurance adding the Municipality or the Corporation of the United Counties of Stormont, Dundas and Glengarry, as applicable, as an additional insured party; and
- (d) provide any other details and information required by the Fire Chief for determining compliance with this By-law and all other relevant municipal, provincial and federal laws.

3.3 The Fire Chief shall refuse to issue a Permit required pursuant to Subsection 3.1 of this By-law if:

- (a) the proposed Temporary Sign would contravene this By-law or any other relevant municipal, provincial or federal law; or
- (b) the required application fee under the applicable By-law has not been paid.

3.4 Notwithstanding Subsection 3.2 and Clause 3.3(b) of this By-law, no fee shall be applicable for the issuance of a Permit pursuant to Subsection 3.1 of this By-law for the construction of a Temporary Sign by a community group or a religious, educational or charitable organization in order to advertise a service offered or an event that is to be held within, or would benefit the residents of, the Municipality.

4.0 EXEMPTIONS

4.1 The provisions of this By-law shall not apply to Signs erected by, or for, the municipal, provincial or federal governments or their agencies, and bearing no commercial advertising, except promotion of government facilities and/or lands, and which are erected in the public interest.

4.2 The provisions of this By-law shall not apply to Signs which are subject to a Site Plan Control Agreement.

4.3 No person shall Construct, or cause to be constructed, a Flashing and/or Animated Sign within the Municipality.

4.4 The Lot located at 15 Dickinson Drive (County Road 14) shall be permitted one (1) Temporary Sign located on Public Property and the Sign shall not be subject to the provisions of Subsections 12.5, 12.8 and 12.9, nor Clauses 12.6(a), (c) and (h) of this By-law.

TYPES OF SIGNS

5.0 BILLBOARD SIGNS

5.1 The following provisions apply to the construction of Billboard Signs within the Municipality:

- (a) that such Signs shall not be constructed in a Residential Zone or within 45 metres of a Residential Zone;
- (b) that such Signs shall not exceed 18.58 square metres in Sign area, individually;
- (c) that such Signs shall be setback at least 7.62 metres from Lot Lines abutting a Street; and
- (d) that no Billboard Sign shall be constructed within 200 metres of another existing Billboard Sign.

6.0 REAL ESTATE SIGNS

6.1 The following provisions apply to the construction of Real Estate Signs within the Municipality:

- (a) non-illuminated Real Estate Signs for selling, renting or leasing property are permitted to be constructed on the Lot on which is being advertised to be sold, rented or leased only, provided they are limited to an aggregated total Sign area of:
 - a. 0.74 square metres on Lots within a Residential Zone; or
 - b. 2.97 square metres on Lots in all other zones; and
- (b) are removed from the Lot immediately following the property having been sold, leased or rented.

7.0 CONSTRUCTION SIGNS

7.1 Construction Signs are permitted within the Municipality, provided they are architect's, engineer's or contractor's Signs located on the premises during construction or demolition only.

8.0 DIRECTIONAL SIGNS

8.1 Signs to direct on-premises vehicle or pedestrian traffic are permitted to be located on Private Property located within the Municipality.

9.0 SUBDIVISION SIGNS

9.1 Signs and gateways identifying an entrance to a particular subdivision shall be permitted, provided that their location and design is approved during review of the subdivision plan consistent with Section 51 of the *Planning Act, R.S.O. 1990, c. P.13*.

10.0 GROUND SIGNS

10.1 Ground Signs shall not be constructed at a Height greater than 10.67 metres.

10.2 Ground Signs shall be setback a minimum distance of 2 metres from all Lot Lines.

11.0 BANNER SIGNS

11.1 Every Banner Sign placed on a Building shall be strongly constructed, and securely attached, flat against the Building and shall be removed as soon as torn or damaged.

- 11.2 No Banner Sign shall be strung across any Street without the approval, in writing, from the Fire Chief. No Banner Sign shall be constructed of, or supported by, any metallic or other material that is capable of conducting electricity.
- 11.3 No Banner Sign shall be left in place more than 30 consecutive days without the approval, in writing, from the Fire Chief.

12.0 TEMPORARY SIGNS

PRIVATE PROPERTY

- 12.1 No person shall Construct, or cause to be constructed, a Temporary Sign on a Vacant Private Property, save and except for a Real Estate Sign constructed in conformance with Section 6.0 of this By-law.
- 12.2 No person shall Construct, or cause to be constructed, a Temporary Sign on a Private Property that advertises a business that does not operate within the Municipality.
- 12.3 No person shall Construct, or cause to be constructed, more than one (1) Temporary Sign on a Private Property at any given time, save and except for Corner Lots, in which not more than two (2) Temporary Signs are permitted on each Private Property, with not more than one (1) Temporary Sign permitted in each Street frontage at any given time.
- 12.4 The following provisions apply to the construction of Temporary Signs on Private Property:
- (a) that such Temporary Signs shall not impact the function of the Private Property by:
 - a. creating a safety hazard;
 - b. impeding or obstructing technical parking stalls and vehicular aisles;
 - c. impeding access to or obstructing a fire hydrant;
 - d. impeding or obstructing the passage of pedestrians where they are reasonably expected to walk; or
 - e. impairing or obstructing the visibility of vehicular or pedestrian traffic or a railway crossing.

PUBLIC PROPERTY

- 12.5 No person shall Construct, or cause to be constructed, a Temporary Sign on Public Property without first having obtained a Permit issued pursuant to Subsection 3.1 of this By-law.
- 12.6 No person shall Construct, or cause to be constructed, a Temporary Sign on a Public Property that advertises a business that does not operate within the Municipality.
- 12.7 The following provisions apply to the construction of Temporary Signs on Public Property within the Municipality:
- (a) no Temporary Sign shall be constructed within 60 metres of another Temporary Sign;
 - (b) no Temporary Sign shall exceed 2.97 square metres in Sign area, individually;

- (c) no Temporary Sign shall be located within a roadway, shoulder, median, planting bed, drain, ditch or watercourse;
- (d) no Temporary Sign shall impact the function of a Street by:
 - a. creating a safety hazard;
 - b. impeding or obstructing municipal maintenance or construction operations;
 - c. impeding access to or obstructing a fire hydrant;
 - d. impeding or obstructing the passage of pedestrians where they are reasonably expected to walk; or
 - e. impairing or obstructing the visibility of vehicular or pedestrian traffic or a railway crossing.
- (e) no Temporary Sign shall obscure or detract from the visibility or effectiveness of an Official Sign or a traffic control signal;
- (f) no Temporary Sign shall be powered with electrical wiring; and
- (g) no Temporary Sign shall be painted onto, affixed by an adhesive, taped or wired onto:
 - a. a tree, shrub or any other natural object;
 - b. a utility box, traffic signal control box, bridge, guiderail or any other road structure;
 - c. an Official Sign; or
 - d. the support of a luminaire, Official Sign, or any other traffic control device.
- (h) no Temporary Sign shall be constructed on Public Property for a period exceeding six (6) months, unless an extension has been granted pursuant to a Permit issued under Subsection 3.1 of this By-law.

12.8 Notwithstanding the provisions of Clause 12.6(a) of this By-law, the areas reflected in "Schedule B" to this By-law shall permit no more than four (4) Temporary Signs to be constructed within the defined area along County Road 2 and Moulinette Road (County Road 35) at any given time and shall be restricted to only the commercial businesses located within the defined area.

12.9 Notwithstanding the provisions of Clause 12.6(a) of this By-law, the areas reflected in "Schedule C" to this By-law shall permit no more than six (6) Temporary Signs to be constructed within the defined area along County Road 2, Dickinson Drive (County Road 14), Thorold Lane and Bank Street at any given time and shall be restricted to only the commercial businesses located within the defined area.

12.10 In order to determine fair and equitable usage of the allotted locations within the Public Property areas defined within "Schedules B and C" to this By-law, the Municipality is responsible for the allocation and any necessary rotation of permitted Temporary Signs in order to ensure fairness of usage.

13.0 ELECTION SIGNS

RESTRICTIONS AND ENFORCEMENT

13.1 No Municipal Election Sign shall be larger than 1.48 square metres in size.

- 13.2 Only Candidates, Registered Third Party Advertisers, or their agents, are permitted to Construct Municipal Election Signs.
- 13.3 No Municipal Election Sign shall be located within 100 metres of, or on, any voting location property, including the parking lot and road allowance in front of any voting location property.
- 13.4 No Municipal Election Sign shall be posted in the Municipality for a Candidate in another municipal jurisdiction.
- 13.5 No Municipal Election Sign shall be Constructed prior to the second Friday in September of an election year, or forty-five (45) days prior to voting day, in the case of a bi-election.
- 13.6 No Municipal Election Sign shall be Constructed on any property owned by the Municipality, other than a road allowance. This may include, but is not limited to, parks, trails, or sites with municipal Buildings (for example: fire halls, libraries and/or South Stormont Seniors' Support Centre).
- 13.7 Notwithstanding Subsection 13.6 of this By-law, when a municipal Building is secured within the provisions of the Municipality's Use of Corporate Resources During an Election Policy, Municipal Election Signage is permitted on the inside of the Building, as long as it is not visible from the outside. Furthermore, all Municipal Election Signage must be removed at the end of the event.
- 13.8 No Municipal Election Signs shall be placed so as to:
- (a) obstruct the visibility of any pedestrian or driver;
 - (b) obstruct the visibility of any traffic Sign or device;
 - (c) interfere with vehicular traffic in any manner;
 - (d) obstruct openings required for light, ventilation, ingress, egress, or fire or medical emergencies; or
 - (e) constitute a danger or hazard to the general public.
- 13.9 No Municipal Election Sign shall be posted on Private Property without the express consent of the Owner.
- 13.10 All other provisions included in the *Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched.* shall apply. It is the responsibility of Candidates and Registered Third Party Advertisers to ensure compliance with applicable legislation.

REMOVAL OF ELECTION SIGNS

- 13.11 Where Municipal Election Signs have been posted in contravention of this By-law, the Clerk or a Municipal Law Enforcement Officer may notify the Owner, Candidate or their agent to remove the Sign and take the necessary action to ensure that the Sign complies with the provisions of this By-law within 24 hours of notice.
- 13.12 Where action is not taken under Subsection 13.11 of this By-law, the Clerk or a Municipal Law Enforcement Officer may remove, cause to be removed or direct that the Sign(s) be removed.

14.0 CALCULATION OF SIGN AREA

- 14.1 Sign area shall be calculated as the area of the smallest triangle, circle or semi-circle, which can wholly enclose the surface area of the Sign.

Signs may be single or multi-faced. Where area regulations are given, they shall mean the area of one face of the Sign. Signs that are dual faced, therefore, may have double the one faced maximum area. In the case of multi-faced Signs, the total area of all faces of the Sign shall not exceed twice the area of the maximum for a one faced Sign.

When Signs or letters are attached to an architectural feature, such as a Building wall, fence, boundary wall or similar feature, and the Sign is indistinguishable from that architectural feature, the area shall be calculated as the area of the smallest triangle, rectangle, circle or semi-circle, which can wholly enclose the letters or figures used in such Sign.

15.0 LOT LINE SETBACKS

- 15.1 Except as otherwise required by this By-law, Lot Line setbacks (distance to property line) to Signs shall be in accordance with the Municipality's zoning by-law in effect at the time of installation.

16.0 ORDERS

- 16.1 A Municipal Law Enforcement Officer may issue orders under this By-law directing an Owner to do such things or take such measures as are specified within the order if, in the opinion of such issuer, a Sign does not conform to the provisions of this By-law or causes an unsafe condition or hazard to exist.
- 16.2 An Owner in receipt of such an order shall satisfy the terms of the order within such time period as specified within the order.
- 16.3 If the Owner or occupant fails to satisfy the terms of the order within the approved time period, the Municipality, in addition to all other remedies, shall:
- (a) have the right to demolish or repair the Sign accordingly and, for this purpose, with its servants and agents from time to time, enter in and upon the property; and
 - (b) shall not be liable to compensate such Owner, occupant or any other person having an interest in the property by reason of anything done by, or on behalf of the Municipality, under the provisions of this Section of this By-law.
- 16.4 Where the Municipality demolishes or repairs property, as mentioned in Subsection 16.3 of this By-law, the Municipality may recover the expense incurred in respect thereof by any, or all, of the methods provided for in Section 446 of the *Municipal Act, 2001, S.O. 2001, c. 25*.
- 16.5 No person shall fail to comply with an order issued to them under this By-law, including any order made pursuant to Subsection 17.8 of this By-law.

17.0 ENFORCEMENT AND PENALTIES

- 17.1 This By-law shall be administered by the Fire Chief of the Municipality.

- 17.2 This By-law shall be enforced by a Municipal Law Enforcement Officer of the Municipality.
- 17.3 Pursuant to Section 436 of the *Municipal Act, 2001, S.O. 2001, c. 25*, the Fire Chief or a Municipal Law Enforcement Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not any provisions of this By-law are being complied with.
- 17.4 Pursuant to Subsection 426(1) of the *Municipal Act, 2001, S.O. 2001, c. 25*, no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law.
- 17.5 Every person who contravenes any provision of this By-law, and every director or officer of a corporation who concurs in such contravention by a corporation, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act, R.S.O. 1990, c. P.33*.
- 17.6 Every person convicted under this By-law is liable:
- (a) upon first conviction, to a maximum fine of \$5,000;
 - (b) upon any subsequent conviction, to a maximum fine of \$10,000.
- 17.7 Notwithstanding Subsection 17.6 of this By-law, where a person convicted is a corporation, the corporation is liable:
- (a) upon first conviction, to a maximum fine of \$10,000;
 - (b) upon any subsequent conviction, to a maximum fine of \$25,000.
- 17.8 Where a person has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy or penalty provided for by this By-law, make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 18.0 GENERAL PROVISIONS
- 18.1 Where "figures" are included in this By-law, they are provided for explanation purposes and do not form a part of this By-law.
- 18.2 The provisions of this By-law are severable. If any Section, Subsection, Clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.
- 18.3 Nothing in this By-law shall prevent strengthening, repairing or replacing an existing Sign that does not comply with the provisions of this By-law, providing that the following conditions be met:
- (a) the Sign legally existed on the date of the passing of this By-law; and
 - (c) the Height of the new Sign shall not exceed the Height of the Sign that is being replaced.

- 18.4 Notwithstanding Subsection 2.2 of this By-law, all Temporary Signs located within the Municipality on the date of the passing of this By-law shall conform to all provisions of this By-law in effect on the date of the passing of this By-law.
- 18.5 The Council of the Municipality hereby delegates authority for any minor variance to provisions of this By-law to the Committee of Adjustment under Subsection 45(3) of the *Planning Act, R.S.O. 1990, c. P.13*.
- 18.6 The Owner of the property, or authorized agent of the Owner, may make an application to the Committee of Adjustment for a minor variance from the provisions of this By-law.
- 18.7 The Committee of Adjustment may, subject to the criteria and procedures in Section 45 of the *Planning Act, R.S.O. 1990, c. P.13* and applicable regulations, grant or refuse any application for a minor variance, as the case may be, and that such relief, as it considers appropriate, be granted, either absolutely, or subject to conditions.
- 18.8 Schedule "A" (Short Form Wording and Set Fines) attached hereto does not form part of this By-law.
- 18.9 Schedules "B" and "C" appended to this By-law are incorporated into form and part of this By-law.
- 18.10 This By-law may be cited as the "Signs By-law".
- 19.0 REPEAL
- 19.1 By-law nos. 58-2002, 2012-070, 2018-027 and 2018-075 are hereby repealed in their entirety.
- 20.0 EFFECTIVE DATE
- 20.1 This By-law shall come into force and effect on October 9, 2024.

READ AND PASSED in open Council, signed and sealed this 9th day of October 2024.

Mayor



Clerk



Township of South Stormont
Part I Provincial Offences Act
By-law No. 2024-066: Signs By-law

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	Construct, or cause to be constructed, a Sign on lands, other than Owner's property	Sec. 2.3	\$200.00
2	Construct, or cause to be constructed, a Sign that constitutes an obstruction of view at street intersections, pedestrian pathways, driveways or other points of access or egress of vehicular or pedestrian traffic	Sec. 2.4	\$200.00
3	Construct, or cause to be constructed, a Sign which is unstable or structurally unsound	Sec. 2.5	\$200.00
4	Owner fail to remove defacement on the exterior surface of a Sign within a reasonable time	Sec. 2.8	\$150.00
5	Construct, or cause to be constructed, a Sign that obstructs maintenance of adjacent structures	Sec. 2.9	\$200.00
6	Construct, or cause to be constructed, a Sign on a fence, boarding or barricade, except the Owner of the Lot, etc.	Sec. 2.10	\$150.00
7	Construct, or cause to be constructed, a Sign on a vacant Lot	Sec. 2.11	\$200.00
8	Construct, or cause to be constructed, a Flashing and/or Animated Sign	Sec. 4.3	\$300.00
9	Construct, or cause to be constructed, a Temporary Sign on a Vacant Private Property	Sec. 12.1	\$200.00
10	Construct, or cause to be constructed, a Temporary Sign on a Private Property that advertises a business that does not operate within the Municipality	Sec. 12.2	\$200.00
11	Construct, or cause to be constructed, more than one Temporary Sign on a Private Property, that is not a Corner Lot	Sec. 12.3	\$200.00

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
12	Construct, or cause to be constructed, more than two Temporary Signs on a Private Property, that is a Corner Lot	Sec. 12.3	\$200.00
13	Construct, or cause to be constructed, a Temporary Sign on Public Property without Permit	Sec. 12.5	\$300.00
14	Construct, or cause to be constructed, a Temporary Sign on Public Property that advertises a business that does not operate within the Municipality	Sec. 12.6	\$200.00

NOTE: The general penalty provision for the offences indicated above is subsection 17.5 of By-law no. 2024-066, a certified copy of which has been filed.

THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

Schedule "B" to By-law No. 2024-066



THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

Schedule "C" to By-law No. 2024-066



THE HONOURABLE
W. VINCENT CLIFFORD
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
EAST REGION

COURTHOUSE
161 ELGIN STREET, 6TH FLOOR
OTTAWA, ONTARIO
K2P 2L1



L'HONORABLE
W. VINCENT CLIFFORD
JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
RÉGION DE L'EST

PALAIS DE JUSTICE
161, RUE ELGIN, 6^E ÉTAGE
OTTAWA (ONTARIO)
K2P 2L1

TELEPHONE/TÉLÉPHONE (613) 239-1520
FAX/TÉLÉCOPIEUR (613) 239-1572

November 4, 2024

james@southstormont.ca

Township of South Stormont
P.O. Box 84, 2 Mille Roches Road
Long Sault ON K0C 1P0

Attention: James Morin, Chief Building Official

Dear James Morin:

**Re: Set Fines – Provincial Offences Act – Part I
By-Law No. 2024-066: Signs**

Enclosed herewith is the original Order (Part I) dated November 4, 2024, and original schedule of set fines for By-Law No. 2024-066, the By-Law indicated in the schedule.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

Please ensure that a copy of the said documents is forwarded to the Provincial Offences Office, which has jurisdiction for the Township of South Stormont.

Yours truly,

W. Vincent Clifford

W. Vincent Clifford
Regional Senior Justice
Ontario Court of Justice
East Region

/nl

Enclosures

c.c.: Melissa Adams
Crown Counsel, Crown Law Office - Criminal
Municipal Set Fines

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 2024-066, of the Township of South Stormont attached hereto is the set fine for that offence. This Order is to take effect on November 4, 2024.

Dated at Ottawa, this 4th day of November 2024.

Electronic Signature:

A handwritten signature in black ink that reads "W. Vincent Clifford". The signature is written in a cursive style with a large, stylized 'C' at the end.

W. Vincent Clifford
Regional Senior Justice
Ontario Court of Justice
East Region

Township of South Stormont
Part I Provincial Offences Act
By-law No. 2024-066: Signs By-law

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W.V.C., R.S.G.

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NOTE: The general penalty provision for the offences indicated above is subsection 17.5 of By-law no. 2024-066, a certified copy of which has been filed.

The fine amounts listed above have been approved by the Regional Senior Justice.

Dated: November 4, 2024

Electronic Signature:

W. Vincent Clifford

W. Vincent Clifford
Regional Senior Justice
Ontario Court of Justice - East Region