



**CORPORATION OF THE TOWN OF INGERSOLL
BY-LAW NO. 82-3079**

**CONSOLIDATED 84-3134, 86-3251, 88-3333, 88-3374, 91-3512,
93-3588**

A By-law for prohibiting or regulating signs, awnings, and other advertising devices and the posting of notices within the Town of Ingersoll.

WHEREAS the provisions of Section 210, paragraphs 103, 141, 142, 143, 144 and 145 of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of a Municipality may pass by-laws for prohibiting or regulating devices and the posting of notices within the Municipality.

NOW THEREFORE the Council of the Corporation of the Town of Ingersoll enacts as follows:

THAT By-law 2539 of the Corporation of the Town of Ingersoll is hereby repealed.

SECTION 1 – TITLE AND SCOPE AND CONFORMITY REQUIREMENTS

- 1.1 **Short Title**
This By-law may be cited as the “Sign By-law”.
- 1.2 No sign or its structure, temporary or permanent, or awning, shall be erected or enlarged or placed for any purpose within the Town of Ingersoll except as permitted by this By-law and in conformity with the applicable provisions of the Ontario Building Code.

SECTION 2 – INTERPRETATION

- 2.1 In the By-law.
 - 2.1.1 “Accessory or Business Sign” means a sign, symbol, trademark, structure or similar device used to identify the use pursued by the person, firm, corporation, business, service, commercial or industrial enterprise which is displayed upon the lot or premises occupied by such an enterprise and the type of business activity in which it is engaged.
 - 2.1.2. “Awning” means a cover attached to a building and capable of being folded against the building.
 - 2.1.3. “Area of Sign” means the number of square feet on the surface of a sign including the border and frame and where there is no border shall include all the area of the surface lying within the extremities of the sign.
 - 2.1.4 “Billboard” means a standardized advertising sign, structure or symbol erected and maintained by a person, firm, corporation, business, service, commercial or industrial enterprise engaged in the sale or rental of space thereon to clientele upon which space there is displayed advertising copy describing one or more products or services which are not necessarily made, produced, assembled, stored or sold from the lot or premise upon which the advertisement is displayed.

- 2.1.5. “Chief Building Official” means the Chief Building Official of the Town of Ingersoll and his designated representative.
- 2.1.6 “Commercial Sign” means a sign accessory to the permitted main commercial use.
- 2.1.7 “Corporation” means the Corporation of the Town of Ingersoll.
- 2.1.8 “Council” means the Council of the Corporation of the Town of Ingersoll.
- 2.1.9 “Directional Sign” means sign indicating a direction to be followed to attain a certain destination with only the destination and/or distance identified.
- 2.1.10 “Direction Information Sign” means a sign indicating the direction with regard to pedestrian and or vehicular movement.
- 2.1.11 “Double Faced Sign” means a sign having two sign faces, each being of equal area and identical proportions to the other, and with each face located on the sign structure so as to be exactly opposite the other.
- 2.1.12 “Election Sign” means any sign advertising or promoting the election of candidates.
- 2.1.13 “Facia Sign” means a single faced sign located in such a manner that the sign face is parallel to the main wall of the building to which it is attached.
- 2.1.14 “Flashing Sign” means an illuminated sign, fixed or rotating, upon which the source of artificial light is not stationary or the intensity or colour is not constant, but does not include illuminated signs indicating time or temperature.
- 2.1.15 “Ground Sign” means any sign directly supported by the ground without the aid of any other building or structure, other than the sign structure.
- 2.1.16 “Height of Sign” means the vertical distance from the ground to the highest extremity of the sign including the border or frame and in the case of a sign without border or frame, the vertical distance from the ground to the top of the letter, symbol or other part of the sign that is the highest.
- 2.1.17 “Industrial Sign” means a sign accessory to the permitted industrial use.
- 2.1.18 “Lot Line” means the division line between a utility or road right of way and a lot, or the division line between two lots.
- 2.1.19 “Luminous and Illuminated Sign”
a) luminous sign means a sign lighted by an internal source;
b) illuminated sign means a sign that is lighted by an external source.
- 2.1.20 “Permitted Use” is a use allowable within a zone pursuant to the applicable restricted area by-law.
- 2.1.21 “Projecting Sign” means a sign attached and perpendicular to the main wall of the building.
- 2.1.22 “Real Estate Sign” means a notification advising that a property is to be sold, rented or leased, and which may also indicate to whom a person should inquire with regard thereto.
- 2.1.23 “Residential Sign” means a sign accessory to the permitted residential use.

- 2.1.24 “Sign” includes an advertising device or notice and means any medium including its structure and other component parts, which is used or capable of being used to attract attention to a specific subject matter.
- 2.1.25 “Standard or Pylon Sign” means a sign supported and placed upon poles or standards.
- 2.1.26 “Portable Sign” means a sign no more than 5 square metres in area which may include wheels or skids and which is intended to be moved manually or by mechanical means.
- 2.1.27 “Permanent Awning” means a cover attached to a building which is not capable of being folded against the building.

SECTION 3 – APPLICATION FOR PERMIT

- 3.1. No person shall erect, cause to be erected or structurally alter any sign or awning within the Town of Ingersoll without first obtaining a building permit from the Chief Building Official.
- 3.2. Prior to the issuance of a permit an application for a permit shall be submitted to the Chief Building Official to be checked for conformity to this By-law.
- 3.3. The application for the permit shall be accompanied by the following information filed in duplicate with the application:
 - a) completed drawings and specifications of what is to be erected or structurally altered, including where applicable, details of supporting framework;
 - b) erection plans indicating the location of the sign or awning on the building relative to vehicle access, doors, windows and other existing signs on the site;
 - c) site plans to scale indicating location on site, street lines and other boundaries of the property and the location of the building thereon.
- 3.4. On receipt of a completed application and payment of the appropriate fee, the Chief Building Official shall issue a permit provided the application is in compliance with the regulations contained in this By-law and the Ontario Building Code.
- 3.5. Fees to be paid upon application for permit shall be as outlined in Schedule “A” attached hereto.

SECTION 4 – PERMIT EXEMPTIONS

- 4.1. No permit shall be required for:
 - a) any poster, banner, or sign of a candidate in a Municipal, Provincial or Federal election;
 - b) signs of public authority;
 - c) signs prescribed by law;
 - d) signs for public convenience (such as delivery, entrance, caution, construction or detour signs);
 - e) portable signs;
 - f) municipal exhibition or events signs;
 - g) real estate signs ten (10) square feet (1 square metre) or less;
 - h) no trespassing signs ten (10) square feet (1 square metre) or less.

SECTION 5 – GENERAL REGULATIONS

- 5.1 Lighting of Sign
No sign with lighting or rotating beacon resembling traffic light colours shall be located in such a fashion so as to:
- a) diminish or detract from the effectiveness of any traffic signal, or similar safety warning device;
 - b) fall within the vision of motorists in such a manner so as to create a traffic hazard.
- 5.2 Illuminated Sign
Illuminated signs shall be located so as to reflect light away from adjacent premises or streets to prevent any glare or blinding spillover effect.
- 5.3 Illuminated signs of an animated and/or flashing nature may be erected only in commercial and industrial zones, provided that they do not interfere with the quiet enjoyment of any adjacent residential uses.
- 5.4 Temporary Sign (Construction Sign)
One temporary sign per street frontage may be erected at a construction project indicating the nature of the project and the developers, contractors, architects, engineers, and related personnel or trades involved in the development of the site.
- 5.5 Portable Sign
No portable sign shall be located on any street allowance or other municipality-owned property and shall not be located as to fall within the vision of motorists in such a manner so as to create a traffic hazard.
- 5.6 Electrical Work
All electrical work in a sign shall conform with the applicable regulations of the Canadian Standards Association and the Canadian Electrical Code Part I, as revised.
- 5.7 Maintenance
- 5.7.1 Every sign and awning shall be kept in good repair and in a safe and secure condition so as not to endanger the safety of the public at any time.
- 5.7.2 When a sign is not constructed of galvanized or corrosive resistant materials, it shall be maintained in a clean and painted condition.
- 5.8 Housekeeping
It shall be the duty and responsibility of the owner or lessee of any sign to maintain the immediate premises occupied by the sign in a neat and tidy condition.
- 5.9 Signs
Every sign and awning for which a permit is required, shall be subject to inspection by the Chief Building Official when notified by the owner, or other person erecting the sign or awning, that the work has been completed.
- 5.10 Real Estate and Other Signs
No real estate or other signs including a portable sign shall be affixed to any tree, utility pole or Town standard or be erected or placed on Town or public property without the permission of the Chief Building Officer or his/her designate except for the following:
- a) a real estate “open house” and/or appropriate directional sign which shall not be displayed so as to impede pedestrian traffic.

- b) a private garage sale sign not to exceed 1 metre by 1 metre may be placed on Town property where the sale is to be held, provided such sign is placed the day of the sale and removed the same day and does not impede pedestrian or vehicular traffic.
- c) a portable “A” type sign may be placed on a Town owned sidewalk extending no more than .50 metres from any building or structure.

SECTION 6 – RESIDENTIAL SIGN

- Signs in residential areas are permitted subject to the following conditions:
- 6.1 A non-illuminated ground sign not exceeding 10.8 square feet (1 square metre) in area advertising for sale, rental or lease of any building, structure or lot.
 - 6.2 One identification ground sign for an apartment development except that where such development abuts on more than one street, two such signs are permitted.
 - 6.3 One illuminated ground sign of a directory type for a townhouse development indicating the internal road pattern and unit numbers.

SECTION 7 – COMMERCIAL SIGN

Signs in commercial areas are permitted subject to the following conditions:

- 7.1 **General Conditions**
One facia, ground, multiple-faced projecting or pylon sign may be erected for each place of business in a commercial area, or for every twenty-five (25) feet (7.6 metres) or fraction thereof, of continuous frontage facing on a street or public lane provided that such sign conforms to the conditions in the following categories.
- 7.2 **Facia Sign**
A facia sign shall:
 - a) be attached to and parallel with the main wall of the building’
 - b) be a minimum of seven (7) feet (2.1metres) above the finished sidewalk or wall grade;
 - c) be no longer than the horizontal measurement of the wall or building façade to which it is attached;
 - d) not projecting more than eighteen (18) inches (45 centimetres) from the main wall of the building;
 - e) not carrying advertising copy on its ends;
 - f) if on a lane, be a minimum of fourteen (14) feet (4.3 metres) measured vertically from the surface of the lane.
- 7.3 **Projecting Sign or Canopy**
Projecting signs or canopies are prohibited in the Town of Ingersoll.
- 7.4 **Standard or Pylon Sign**
One standard or pylon sign may be erected on a place of business having a frontage of thirty-five (35) feet (10.5 metres) or more provided;
 - a) the height of the sign shall not exceed a maximum of thirty (30) feet (9.2 metres);
 - b) the area of the sign shall not exceed two hundred (200) square feet (18.6 square metres);
 - c) the sign and pylon is located wholly on the owner’s property.

7.5 Direction Information Sign

Exempt under Section 4.1 (d)

7.6 Ground Signs

One ground sign per frontage may be erected between the building line and lot line provided that:

- a) the maximum height is not more than seven (7) feet (2.1m);
- b) the maximum area is not more than eighty (80) square feet (7.4 square metres);
- c) the location will not interfere with traffic vision.

SECTION 8 – INDUSTRIAL SIGN

Signs in industrial areas are permitted subject to the provision of Section 7.

SECTION 9 – AWNINGS

Awnings are permitted subject to the following conditions:

- 9.1 All awnings which overhang the sidewalk will be supported by a steel framework secured to the building. No awning shall be supported from the sidewalk.
- 9.2 All awnings will not be less than eight (8) feet (2.4 metres) above the established grade of the sidewalk.
- 9.3 No awning which overhangs any street shall carry any sign or advertising matter other than the name and character of the business to which it relates.
- 9.4 Awnings shall be made of material which is capable of being folded up against the building and when folded do not project more than twelve (12) inches (30 centimetres) over the street line.
- 9.5 Permanent awnings will be permitted provided that such awning does not project out over the street more than three (3) feet from the face of the building to the widest part of the awning. All such awnings shall be subject to the conditions of Section 9.1, 9.2 and 9.3.
- 9.6 The owner of any permanent awning, which has been installed pursuant to Section 9.5, shall save harmless the Corporation from all claims and demands for injury or loss of life or damage to property or otherwise occurring on Town owned lands arising out of the use of a permanent awning and shall maintain in force at all times such public liability insurance coverage as the Corporation may require from time to time in order to protect the Corporation and shall provide the Corporation with proof of such coverage.

SECTION 10 – BILLBOARD SIGN

- 10.1 Billboard signs are not permitted in the Town of Ingersoll.

SECTION 11 – REMOVAL OF SIGNS WHEN REQUESTED

- 11.1 Any sign or appurtenance thereto which no longer advertises a bona fide business or service on the premises shall be removed within sixty (60) days of termination of such business or service.
- 11.2 Signs and Awnings in Violation

11.2.1 Whenever the Chief Building Official after inspecting a sign or awning finds such a sign or awning to be in violation of the provisions of this by-law, he shall notify the owner of the property and the owner of the sign in writing by registered mail or by causing a notice to be delivered personally to such owners, requiring them or either of them to repair, alter or change or remove such sign or awning within ten (10) days from the receipt of such notice in writing.

11.2.2 Where the repair, alteration or change or removal is a matter of extreme urgency, the Chief Building Official may give the notice verbally and may reduce the period within which such owners or owner has to take action to a period, which in the Chief Building Official's sole discretion, is adequate, taking into account the circumstances at the time the notice was given.

11.2.3 Where removal is appropriate, such notice as provided in Subsections 1 or 2 hereof shall terminate the relevant permit.

SECTION 12 – RECOVERY OF EXPENSES

12.1 A copy of an invoice for any charges for removal of a sign or awning together with a certificate by the Treasurer:

- a) the invoice has been sent to the persons liable to pay the same;
 - b) no payment or insufficient payment has been received for the invoice;
 - c) payment of the invoice is overdue;
- shall be sufficient authority to enter the amount of the unpaid balance of the invoice on the Collector's Roll and be collected in the same manner as taxes.

SECTION 13 – APPLICATION TO EXISTING SIGNS AND AWNINGS

13.1 Every sign and awning existing in the Town of Ingersoll on the day of the passing of the by-law shall be brought into conformity in the event of structural alteration.

SECTION 14 – APPEAL FOR A SIGN VARIANCE

14.1 The Municipality recognizes that there may be exceptions to the rule and an appeal to Council may be made for a variance to the sign by-law. The applicant must forward to the Clerk in writing the reason for such variance along with the required documents as set out in Section 3.

SECTION 15 – ABANDONMENT

15.1 Neither the granting of a permit nor the approval of the plans and specifications nor inspections made by the Corporation shall in any way relieve the owner or any other person from full responsibility for carrying out work or having the work carried out in complete accordance with the by-law or any other by-law applicable thereto.

15.2 An application for a permit for any work shall be deemed to be abandoned six (6) months after the date of filing, unless such application has been diligently pursued or a permit has been issued.

15.3 In case of abandonment, all plans and specifications shall be returned to the applicant.

15.4 Every permit shall expire by limitation and become null and void under the provisions of this by-law, if the work authorized by such permit is not commenced, within six (6) months of the date of the permit issuance, or if the

work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of six (6) months or the sign has been removed.

- 15.5 If a permit has expired pursuant to subsection 2 hereof, before such work can be commenced, the original permit shall be first renewed upon payment of the prescribed fee and upon the Chief Building Officer being furnished with satisfactory proof that the plans and specifications conform with the requirements of this by-law at the time of the application for renewal.

SECTION 16 – CONFLICT

- 16.1 Notwithstanding the provisions of any other by-law to the contrary, in the event of a conflict between the provisions of this by-law and any other by-law, the provisions of this by-law shall prevail.

SECTION 17 – PENALTY

- 17.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence and on summary conviction is liable to a fine of not less than twenty-five dollars (\$25.00) and not more than one thousand dollars (\$1,000.00), exclusive of costs.

READ a first and second time this ____ 14 ____ day of ____ April ____ 1982.

READ a third time and finally passed this ____ 14 ____ day of ____ April ____ 1982.

Douglas Harris, Mayor

G. R. Staples, Clerk

SCHEDULE "A"

By-Law No. 82-3079

PERMIT FEES

For construction, structural alterations or reconstruction of signs, billboards and awnings, a fee of five dollars (\$5.00) per sign or awning will be paid.