

# THE CORPORATION OF THE TOWN OF AJAX

## BY-LAW NUMBER 122-2013

A By-law to regulate signs and other advertising devices in and for  
the Corporation of the Town of Ajax

WHEREAS pursuant to the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the Council of a local municipality may pass a By-law to regulate or prohibit signs and other advertising devices;

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

### **1. Short Title**

1.1 This by-law may be cited as the "Temporary Sign By-law".

### **2. Interpretation**

2.1 The necessary grammatical changes required to make the provisions hereof apply to corporations, partnerships, trusts and individuals, male and female, and to include the singular or plural meaning where the context so requires shall in all cases be assumed as though fully expressed.

2.2 The insertion of headings and the division of this by-law into sections and subsections are for the convenience of reference only and shall not affect the interpretation thereof.

2.3 Any reference in this by-law to any statutes, regulations or by-laws shall be deemed to be a reference to such statutes, regulations or by-laws, as amended, restated or replaced from time to time.

2.4 Permanent Signs shall be regulated by the "Sign By-law."

### **3. Definitions**

3.1 Unless otherwise defined in this by-law definitions from Zoning By-law 95-2003, as amended, shall apply to terms used in this by-law.

3.2 In this By-law:

- (a) "a-frame sign" means any temporary sign that is designed to stand freely by means of two board faces or one board face and a supporting leg(s).
- (b) "abandoned or obsolete sign" means a temporary sign located on a property which becomes vacant and unoccupied for a period of 90 days or more, or any sign which pertains to a time, event, or purpose which no longer applies.
- (c) "advertising device" means any device or object erected or located so as to attract public attention to any goods, services, facilities or events and includes signs, flags, banners, balloons, pennants, lights and posters.
- (d) "alter" means any change to the sign structure or sign face including the addition, deletion or re-arrangement of parts.
- (e) "animated sign" means any temporary sign which includes action or motion or colour changes of all or any part of the sign.
- (f) "approved message" means the message indicated on the application and approved by an Officer.
- (g) "campaign headquarters" means a industrial or commercially zoned building where a registered candidate has set up an office to conduct an election campaign.
- (h) "daylighting triangle" means an area of private land on a corner lot, which area is to be determined by measuring from the point of intersection of the street lines, 7.5 metres along each such street line and joining such points with a straight line. The triangular shaped land between the intersecting street lines and the straight line joining the points at the required distance along the street line is the daylighting triangle.

- (i) "directional sign" means a temporary sign directing the general public to a specific place.
- (j) "display surface" means the entire sign area which encloses the extreme limits of the message or announcement displayed on a sign. Decorations related to the specific nature of the message or announcement shall be included.
- (k) "election sign" means a temporary sign for an election or by-election, for or promoting the election of, a person or a political party seeking election for any public office.
- (l) "erect" means display, attach, affix, post, alter, construct, place, locate, install or relocate.
- (m) "illuminated sign" means a temporary sign that provides artificial light directly or from a source of light connected with such sign, or a sign illuminated by a light focused upon or chiefly directed at the surface of the sign.
- (n) "inflatable sign" means any temporary sign filled by air or other gas and either designed to be airborne or tethered to the ground, a vehicle, a roof or any other structure and includes balloons.
- (o) "Officer" means a Municipal Law Enforcement Officer appointed by the Council of the Town of Ajax to enforce municipal by-laws.
- (p) "portable sign" means any 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 concrete foundation for its structural support, and includes, but is not limited to, the type of signs which are commonly known as a portable trailer, mobile and read-o-graph signs.
- (q) "poster" means a printed notice conveying information intended to be displayed for a temporary period of time and includes, but is not limited to a bill, handbill, leaflet and placard.
- (r) "setback" means the horizontal distance measured at right angles to the boundary of a parcel, lot or block of land, between the said boundary and the sign structure.
- (s) "sign" means any advertising device containing words, symbols or pictures, including its structure or other component parts, which is used or is capable of being used to attract attention to a subject matter.
- (t) "sign area" means:
  - i) the area of the display surface including the border or the frame.
  - ii) all of the area of the display surface lying within the extremities of the sign, if the sign does not have a border or frame;
  - iii) in the case of a free standing number, letter or shape, the smallest rectangle which will enclose the number, letter or shape;
  - iv) in the case of groupings of free standing numbers, letters or shapes, or combinations thereof, the sum of the area of the smallest rectangle which will enclose the grouping of letters, numbers or shapes; and,
  - v) where used in connection with a sign having two display surfaces and a thickness not greater than necessary to accommodate the sign structure and with the thickness not used as a display surface, means the area of one display surface.
- (u) "sign height" means:
  - i) the height of a sign with border or frame shall be the vertical distance from the ground on which it stands to the highest extremity of the sign; or,
  - ii) the height of the sign, without border or frame, that is affixed to or mounted upon any building or other approved mounting, shall be the vertical distance from the ground to the top of the letter, symbol or other part of the sign that is highest.
- (v) "step stake sign" means a frame of wire, flat bar or unpainted wood pushed into the ground to support a sign.
- (w) "temporary sign" means a portable sign, a-frame sign, directional sign, poster sign, inflatable sign, yard sale sign or election sign.
- (x) "Town" means The Corporation of the Town of Ajax.
- (y) "yard sale sign" means a temporary sign advertising the sale of personal merchandise on a property zoned residential.
- (z) "zone" means the area of a defined land use zone in the Town's Zoning By-laws passed under the Planning Act, R.S.O. 1990 c. P. 13, as amended or any successor thereto.

#### **4. Administration**

- 4.1 The By-law Services Section of the Town shall be responsible for the issuance of permits for portable signs and inflatable signs, and shall be responsible for the enforcement of this By-law.
- 4.2 This By-law shall be read and interpreted in conjunction with Zoning By-law #95-2003, as amended, of the Town.
- 4.3 All dimensions are in metres (m) or square metres (m<sup>2</sup>) unless otherwise indicated and all submissions shall be dimensioned as such.

#### **5. Permits**

- 5.1 No person shall erect a portable sign or an inflatable sign or permit or cause a portable sign or inflatable sign to be erected without first obtaining a permit from the Town.
- 5.2 The applicant for a permit shall be the property owner, business owner or an authorized agent of the business.
- 5.3 The applicant for a permit for a portable sign or an inflatable sign shall be filed with the By-law Services Section of the Town.
- 5.4 The application for a permit shall be completed on the form provided by the Town.
- 5.5 The applicant shall obtain approval for the proposed sign, if required, from other governmental authorities having jurisdiction.

#### **6. Revocation of Permits**

- 6.1 The Town may revoke a permit under the following circumstances:
- (a) The permit has been issued in error by the Town,
  - (b) The sign does not conform to this By-law, or any other applicable regulation or legislation, or,
  - (c) The permit has been issued as a result of false, mistaken, incorrect, or misleading statements, information, or undertakings on the application.

#### **7. Expiry of Permits**

- 7.1 A permit issued by the Town shall expire:
- (a) Upon the expiry of any display period specified under this by-law or pursuant to the terms of the permit; or
  - (b) Immediately upon removal of the sign.

#### **8. Temporary Signs For Which Permits Are Not Required**

- 8.1 The requirement to obtain a permit shall not apply to the following temporary signs:
- (a) election signs erected in accordance with Table 12.1 and Section 18 of this by-law;
  - (b) signs for a blood donor clinic of the Canadian Blood Services;
  - (c) real estate signs not exceeding 0.80 m<sup>2</sup> in area in a residential zone and 2.0 m<sup>2</sup> in all other zones. Such real estate sign shall be removed within 14 days after the date of acceptance of an offer of purchase or lease of the premises;
  - (d) yard sale signs;
  - (e) a-frame signs, poster signs and real estate and open house directional signs;
  - (f) a temporary sign for a contractor undertaking landscaping, home repairs or renovations, provided such sign is erected no more than 2 days prior to commencement of the undertaking and is removed from the property within two days after the undertaking is completed;

**9. General Provisions**

- 9.1 No person shall erect or display or permit or cause the erection or display of a temporary sign that is not in accordance with the provisions of this by-law.
- 9.2 Except where otherwise permitted in this by-law, or authorized by the authority having jurisdiction, no person shall erect a temporary sign, poster or advertising device or permit or cause a temporary sign, poster or advertising device to be erected which overhangs or encroaches Town property, including a road allowance.
- 9.3 No person shall fail to remove, alter or repair a temporary sign which is not in compliance with the provisions of this by-law when so directed by an Officer.
- 9.4 A temporary sign shall not be erected within 3 m of any driveway where it intersects a highway.
- 9.6 A temporary sign shall not be erected within a daylighting triangle.
- 9.7 A temporary sign shall not be erected within 15 m of a traffic light standard, stop sign or other traffic control device.
- 9.8 The person who erected the temporary sign or caused the temporary sign to be erected and the owner of the temporary sign shall maintain such temporary sign in a proper state of repair so that such sign does not become unsafe or unsightly.

**10. Prohibited Signs**

- 10.1 The following temporary signs are prohibited under this by-law:
  - (a) abandoned or obsolete temporary signs;
  - (b) animated temporary signs,
  - (c) signs on trucks, trailers, or vehicles that are parked on a property in a manner that is unrelated to their normal use as vehicles and is more consistent with the use or intended use of the vehicle as a sign; and
  - (d) any temporary sign capable of being confused with a sign, such as a traffic sign, traffic signal or official sign, or a sign that directs the movement of traffic or a sign which hides the view of any official traffic sign or signal.

**11. Permitted Temporary Signs by Land Use Type /Zone**

Table 11.1 Permitted Temporary Signs by Land Use Type/Zone

Use	Temporary A-Frame	Temporary Portable	Temporary Inflatable	Election Signs
Commercial	✓	✓	✓	✓
Automotive	✓	✓	✓	✓
Residential				✓
Employment	✓	✓		✓
Rural / Open Space	✓	✓		✓
Institutional		✓		✓

## 12. Temporary Signs

12.1 No person shall erect, permit or cause to be erected, a temporary sign except in compliance with the provisions of Table 11.1 and this By-law.

Table 12.1 Temporary Sign Standards

	Max. Height	Max. Width	Max Area	Min. Set Back	Fee
<b>Portable Sign</b>	2.4m	2.4m	5.75m <sup>2</sup>	1m	\$60.00
<b>A-Frame Sign</b>	1m	1m	1m <sup>2</sup>	0m	n/a
<b>Inflatable Sign</b>	7m	6m	n/a	3m	\$60.00
<b>Election Sign – Road</b>	1.2m (1)	1m	1.2m <sup>2</sup>	n/a	n/a
<b>Election Sign – Residential</b>	1m	1m	1m <sup>2</sup>	0m	n/a
<b>Election Sign – Other Property</b>	1.5m	1.5m	1.5m <sup>2</sup>	0m	n/a
<b>Real Estate Directional</b>	1m	1m	1m <sup>2</sup>		n/a
<b>Open House Directional</b>	0.6m	0.7m	.4m <sup>2</sup>		n/a

(1) the maximum permitted height within 15 m of an intersection or driveway, is 0.8 m from top of curb

## 13. Portable Signs

- 13.1 A permit for a portable sign shall be valid for a period of 21 days.
- 13.2 Lettering and characters used on a portable sign shall be in the colours black or white only and lettering shall not be greater than 0.5 m in height.
- 13.3 A portable sign shall have the name and telephone number of the sign company affixed to it in a clearly visible location.
- 13.4 Portable signs shall be located on the lot where the business being identified by the said sign is located.
- 13.5 Flashing lights on portable signs are prohibited.
- 13.6 A portable sign permit is non-transferable, and shall only be used by the business for whom the application was submitted.
- 13.7 A portable sign shall only display an approved message.
- 13.8 No person or business shall be issued a permit to erect or display a portable sign unless a minimum of 90 consecutive days have passed since the expiry of a previous permit issued for the same business identified on the portable sign.
- 13.9 One portable sign shall be permitted on a lot at a time, or one portable sign shall be permitted for each 100 m of public road frontage on a lot, whichever is greater.
- 13.10 No portable sign shall be located closer than 15 m to any other portable sign.
- 13.11 Application may be made to the By-law Services Section to vary the times laid out in section 13.8 provided that no more than 3 permits are issued for a calendar year. Such application shall be made by the business and shall set out the reason for the request for a variance.

- 13.12 Application may be made to the By-law Services Section to permit a second person to use one display surface of portable sign for which a permit has been granted, provided that no more than 3 display surface permits are issued for each calendar year.
- 13.13 No portable sign shall be used for the purposes of an election sign.

#### **14. A-Frame Signs**

- 14.1 An a-frame sign shall be located on the lot where the business is located.
- 14.2 An a-frame sign shall only be displayed between 7:00 a.m. and 11:00 p.m. each day.
- 14.3 Where more than one a-frame sign is located on a lot, each sign shall be located a minimum of 9 m apart.
- 14.4 Only one a-frame sign per business shall be permitted in accordance with the provisions of this By-law.

#### **15. Real Estate and Open House Directional Signs**

- 15.1 Real estate and open house directional signs shall only be permitted in the Town on Saturdays and Sundays.
- 15.2 Real estate and open house directional signs shall not be placed on a centre median or a traffic island and may be erected on boulevards, not less than 1 m to the curb, or where there are no curbs, not less than 3 m to the edge of the travelled portion of the roadway.

#### **16. Poster and Yard Sale Signs**

- 16.1 No person shall erect a poster sign greater than a dimension of 0.216 m x 0.356 m. (8 ½" x 11")
- 16.2 Every poster sign shall be made of paper or lightweight cardboard.
- 16.3 A poster sign shall only be affixed to a utility pole with tape and shall be installed as a wrap around sign affixed flush to the surface of the pole.
- 16.4 A poster sign shall not be erected on a centre median or traffic island.
- 16.5 A poster sign shall not be located more than 2 m above grade.
- 16.6 A poster sign shall not be erected for more than 14 consecutive days.
- 16.7 The date of posting shall be clearly identified on the front of a poster sign.
- 16.9 A poster sign shall be removed three days after any advertised event or promotion for which the poster sign has been erected.
- 16.10 No more than one poster sign shall be permitted to be affixed to a utility pole at any time.
- 16.11 A yard sale sign shall be permitted on the day before the sale and shall be removed by the end of the day on which the sale has occurred.

#### **17. Inflatable Signs**

- 17.1 One inflatable sign shall be permitted per lot at any one time.
- 17.2 A permit for an inflatable sign shall be valid for a period of 21 days.
- 17.3 The maximum number of times an inflatable sign shall be permitted on a lot per year is four.

## **18. Election Signs**

- 18.1 Election signs erected on a Highway under the jurisdiction of the Regional Municipality of Durham shall comply with the applicable By-law of the Region.
- 18.2 The candidate to whom the election sign relates shall be responsible for the erection or display of the election sign and shall ensure that all requirements of this by-law have been met.
- 18.3 Election signs shall be permitted on Harwood Avenue North and South, Rossland Road East and West, Church Street North and South, Salem Road North, north of Taunton Road, and Pickering Beach Road between Bayly Street and Dreyer Drive, provided that such signs shall not be located closer than 1 m from a curb or 3 m from the travelled portion of the road where there is no curb.
- 18.4 An election sign shall not be permitted on centre medians or traffic islands.
- 18.5 An election sign shall not be permitted within 25 m of any property line of a voting location.
- 18.6 An election sign shall not be permitted within 5 m of another election sign for the same candidate.
- 18.7 No candidate or any other person shall erect or display an election sign or permit or cause an election sign to be erected or displayed prior to the issuance of writs for a provincial or federal election or 6 weeks immediately preceding the day of a municipal election.
- 18.8 An election sign shall not exceed a maximum sign area of 1.5 m<sup>2</sup>, with the exception of those placed on a billboard or at a campaign headquarters located in an industrial or commercial zone.
- 18.9 An election sign shall be removed within 48 hours of the closing of voting places.
- 18.10 Where an election sign has been erected or displayed in contravention of any provisions of this by-law, an Officer may remove the sign immediately without notice.

## **19. Offences and Penalties**

- 19.1 Every temporary sign erected after the day this by-law comes into force shall comply with this by-law and with the relevant provisions of any other applicable by-law of the Town, failing which the temporary sign shall be removed by the owner thereof, the person who permitted or caused the temporary sign to be erected or by the owner of the land on which it is situated.
- 19.2 When a temporary sign is erected on or overhanging property owned by or under the jurisdiction of the Town, in contravention of this By-law, the temporary sign may be removed by an Officer without notice.
- 19.3 When a temporary sign is erected in contravention of this By-law, an Officer may forward a notice, by personal service, telephone or regular post, to the lessee or owner of the sign, or their agents, or to the person or agent having the use or the major benefit of the sign, requiring that the sign be removed within the time specified in the notice and thereafter not replaced with any sign in contravention of this By-law.
- 19.4 If a notice is not complied with, an Officer may require Town employees, or an independent contractor, to enter land and remove a temporary sign at the expense of the owner thereof, the person who permitted or caused the temporary sign to be erected or by the owner of the land on which it is situated. .
- 19.5 The Town may recover any expense incurred pursuant to Sections 19.2 or 19.4 by adding the cost to the tax roll and collecting it in the same manner as taxes.
- 19.6 A person wishing to recover a sign removed pursuant to Sections 19.2 or 19.4 shall pay a fee of \$25.00 for an a-frame sign and \$100.00 for a portable sign or the total expense of removing the sign, whichever is greater.

19.7 Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine or penalty for each offence, exclusive of costs as prescribed by the Provincial Offences Act.

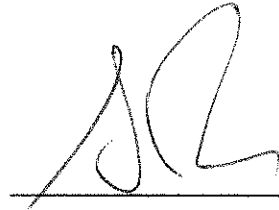
19.8 Should any provision of this by-law be declared by a court of competent jurisdiction to be void or ultra vires for any reason, the remaining provisions shall, nevertheless, remain valid and binding and the by-law shall be read as if the provisions had been struck out.

**20. Repeal**

20.1 That By-law Number 28-2009, as amended, is hereby repealed.

READ a first and second time this  
Sixteenth day of December, 2013.

READ a third time and passed this  
Sixteenth day of December, 2013.



Mayo



Clerk