

BY-LAW 2016-052

A by-law of the Township of Russell Respecting Signs and Other Advertising Devices
within the Township of Russell

OFFICE CONSOLIDATION

THIS OFFICE CONSOLIDATION IS UP TO DATE AS OF MARCH 16, 2020.

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FOR LEGAL REQUIREMENTS, PLEASE REFER TO COPIES OF THE OFFICIAL BY-LAWS OF THE TOWNSHIP OF RUSSELL.

Office Consolidation of By-law 2016-052 as amended by the following approved by-laws: 2017-009, 2017-052, 2018-001, 2018-019, 2018-035, 2018-044, 2018-056, 2018-119, 2018-126, 2018-137, 2018-158, 2018-170, 2018-182, 2019-029, 2020-035

CORPORATION OF THE TOWNSHIP OF RUSSELL

BY-LAW NO. 2016-052

**A By-Law Respecting Signs and Other Advertising Devices
within the Township of Russell**

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipal power shall be exercised by by-law; and

WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under that or any other Act; and

WHEREAS Section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that the powers of a municipality under this Act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues; and

WHEREAS subsection 11(3), paragraph 1 of the *Municipal Act, 2001*, S.O. 2001, c. 25, authorizes the Township of Russell to pass by-laws respecting highways over which it has jurisdiction; and

WHEREAS subsection 11(3), paragraph 7 of the *Municipal Act, 2001*, S.O. 2001, c. 25, authorizes the Township of Russell to pass by-laws respecting signs; and

WHEREAS subsection 8(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a by-law under section 11 of that Act respecting a matter may regulate or prohibit and, as part of the power to regulate or prohibit may require a person to do things, provide for a system of licenses permits, approvals or registrations and impose conditions as a requirement of obtaining, continuing to hold or renewing a licence, permit, approval or registration; and

WHEREAS subsection 63(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, authorizes the Township of Russell, if it passes a by-law for prohibiting or regulating the placing of an object on a highway, to provide for the removal of any object placed on a highway in contravention of that bylaw; and

WHEREAS section 436 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended provides that Council may, by By-law, provide that the municipality may enter on land at any reasonable time for the purpose of carrying out inspections to determine compliance with certain specified matters, including By-laws passed under the *Municipal Act, 2001*, directions or orders made under the *Municipal Act, 2001* or under a By-law passed under its authority, conditions of a licence issued under the *Municipal Act, 2001* or orders made under section 431 of the *Municipal Act, 2001*; and

WHEREAS subsections 446(1), 446(3) and 446(4) of *Municipal Act, 2001*, S.O. 2001, c. 25, authorize the Township of Russell, if it has authority by by-law or otherwise, to direct or require that a matter or thing be done, to direct in the same by-law that, in default of it being done by the person directed or required to do it, such matter or thing be done at the person's expense and to recover that expense by action or by adding it to the tax roll and collecting it in the same manner as taxes; and

WHEREAS section 446(5) of the *Municipal Act, 2001*, S.O. 2001, c. 25, authorizes the Township of Russell to include interest calculated at a rate of 15 per cent or such lesser rate as may be determined by the municipality, calculated for the period commencing on the day the municipality incurs the costs and ending on the day the costs, including the interest, are paid in full; and

WHEREAS section 446(6), 446(7), and 446(8) of the *Municipal Act, 2001*, S.O. 2001, c. 25, establishes that the amount of the costs, including interest, constitutes a lien on the land upon the registration in the proper land registry office of a notice of lien where the lien is in respect of all costs that are payable at the time the notice is registered plus interest accrued at the rate established to the date the payment is made and where upon receiving payment of all costs payable plus interest accrued to the date of payment, the municipality shall register a discharge of the lien in the proper land registry office; and

WHEREAS section 446 (2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, establishes that following failure to comply with an order directing or requiring the person that a matter or thing be done the municipality may enter upon the land at any reasonable time to perform the directed or required matter or thing be done at the persons expense; and

WHEREAS subsection 99(1) and 99(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, establishes that the municipality has the authority to charge for care, storage and disposal costs of removal of a sign erected or displayed in contravention of this by-law and all costs can be recovered by the municipality as debt; and

WHEREAS section 425 of the *Municipal Act, 2001*, S.O. 2001, c. 25, establishes that any person who contravenes any by-law of the Township of Russell is guilty of an offence; and

WHEREAS section 429 of the *Municipal Act, 2001*, S.O. 2001, c. 25, establishes that a municipality may establish a system of fines for offences under a by-law of the municipality; now therefore, be it

RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF RUSSELL ENACTS AS FOLLOWS:

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1 TITLE, SCOPE, AND INTENT

1.1 TITLE

1.1.1 This By-law shall be known and cited as the “Township of Russell Sign By-law”.

1.2 SCOPE

1.2.1 This by-law shall regulate the location, size, number, construction, alteration, repair and maintenance of all signs and advertising devices within the geographic boundaries of the Township of Russell.

1.2.2 All schedules attached to this by-law form part of this by-law.

1.2.3 All signs and advertising devices located on public and private property within the geographic boundaries of the Township of Russell are subject to the provisions of this by-law.

1.2.4 This by-law does not apply to signs erected, located, or displayed, or caused to be erected, located, or displayed by federal, provincial or municipal governments, the Conservation Authorities or a local board as defined in the *Municipal Act, 2001*, including, but not limited to, signs designating a public library, a public community centre, a public arena, or signs required by the Township of Russell to inform the public of planning applications submitted under the *Planning Act*.

1.3 INTENT

1.3.1 The purpose of this By-law is to regulate signs in the Township of Russell with the intent of authorizing signs that:

- a) are appropriate in size, number, and location to the type of activity or use;
- b) provide reasonable and appropriate means for the public to locate and identify;
- c) are compatible with their surroundings;
- d) protect and enhance the aesthetic qualities and visual character of the Township of Russell;
- e) are consistent with the Township of Russell’s planning, urban design, and heritage;
- f) do not create a distraction or safety hazard for pedestrians or motorists;
- g) minimize adverse impacts on nearby public and private property; and
- h) regulate signs while impairing the public’s right to expression as little as possible.

2 DEFINITIONS

In this By-law:

ADVERTISING DEVICE	means any device or object erected, located, or displayed so as to attract public attention to any goods or services or facilities or events and includes flags, banners, lights and any other objects intended for the said purpose.
ALTERATION	means any change to the sign structure or the sign face but does not include maintenance or a change in the message, and “altered” and “altering” have a corresponding meaning.
AFFILIATION SIGN	means a temporary sign which identifies association with or against a particular cause.
AGENT	means a person designated by another person to act on his behalf.
ANIMATED SIGN	means movement, motion or the appearance of motion by way of motion pictures, streaming video, television, LED screen or any technology that would facilitate motion or the appearance of motion.
AWNING SIGN	means a retractable structure, covered with fabric or like material that is attached and projects from the exterior wall of a building over a window or door and provides shade or other protection from the elements and that is or functions as a sign.
BANNER	means a temporary sign or advertising device made from vinyl, canvas, polyethylene, or other non-rigid material, supported from the structure to which it is attached and continuously mounted under tension so as to reasonably deter deformation. Banner, for the purpose of this by-law, includes pennants.
BILLBOARD	means a single or double face off-premises advertising that is mounted on a wall, or on the ground.
BUSINESS RELOCATION SIGN	means a temporary sign located on a one-residential property for the purpose of advertising the relocation of a business to and from another non-residential property or unit. (<i>amended 2018-019</i>)
CANOPY SIGN	means a non-retractable awning or roof-like structure that is not supported from the ground but instead is attached to and supported from the exterior wall of a building and that is or functions as a sign.
CHIEF OFFICIAL	BUILDING means the person and/or his or her designate so appointed by Council pursuant to the <i>Building Code Act, 1992</i> .

CONSTRUCTION INFORMATION SIGN	means a sign which identifies or provides information relating to or advertising the development or the construction of a building on the property on which the sign is erected, located, or displayed but does not include a new home development ground sign.
COUNCIL	means the Council of the Township of Russell.
DESIGNATED UTILITY POLE	means a utility pole, including a light standard, designated by the Township of Russell and fitted with a poster sleeve.
DESIGNATED OFFICIAL	means an employee of the Township of Russell who has been assigned the responsibility of administering and enforcing this by-law, or his designate.
DEVELOPMENT IDENTIFICATION SIGN	Means a sign identifying a subdivision, erected on the road allowance at the entrance of that subdivision (2018-044)
DRIVE-THRU SIGN	means an information sign containing specific pre-menu or menu information necessary for a restaurant that functions with a drive-thru service. A drive-thru sign containing pre-menu information may include a pre-menu video sign.
EASEL SIGN	means a temporary sign that is free standing and removable, and has no more than two facets joined to form an “A”-shaped structure.
ELECTION SIGN	means any temporary sign, including posters, promoting, supporting, opposing or taking a position with respect to: <ul style="list-style-type: none"> i) any candidate or political party in an election under the <i>Canada Elections Act</i>, the <i>Election Act (Ontario)</i> or the <i>Municipal Elections Act, 1996</i>; ii) an issue associated with a person or political party in an election under the <i>Canada Elections Act</i>, the <i>Election Act (Ontario)</i> or the <i>Municipal Elections Act, 1996</i>; or iii) a question, law or by-law submitted to the electors under the <i>Canada Election Act</i>, the <i>Election Act (Ontario)</i> or the <i>Municipal Elections Act, 1996</i>; and includes such signs erected or displayed by a “Registered Third Party”. (amended 2018-001)
ELECTRONIC MESSAGE DISPLAY	means an electronic display with variable or rotating text. Usually using LEDs.
ERECT	means the constructing, erecting, placing, locating, relocating or altering of a sign or part thereof; and includes the painting of a mural sign and the posting of notices, and “erected” and “erection” and “paint” and “painted” have a corresponding meaning.
EVENT	means a planned occasion or activity, such as a social gathering, but shall not include any for profit activity such as a retails sale, or real estate open house.

EXISTING	means existing as of the date of the enactment of the provision that contains the word “existing”.
FAÇADE	means the entire building wall including a parapet.
FARM SIGN	means a sign that: <ul style="list-style-type: none"> (a) is erected on premises that are zoned agricultural, general rural or rural industrial in the applicable zoning by-law; and (b) advertises or identifies the name of a farm or the farm related products or services offered on the premises or types of crops grown on the premises;
FRONTAGE	means the length of the property line of any one (1) property parallel to, and along each, legally accessible street.
GRADE	means the average surface elevation of the finished ground below a sign or which is in contact with a ground sign.
GROUND SIGN	means a sign which is free standing and is supported by a structure secured to the ground by a permanent foundation and which is not supported by any building or other structure.
HIGHWAY	means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
IDENTIFICATION SIGN	means a sign that is designed, used or intended to identify a place or business that is on the premises upon which the sign is located.
ILLUMINATED	means sign designed to emit artificial light either directly or by transparency, translucency or reflection and illuminated and illumination have a corresponding meaning.
INFLATABLE SIGN	means a temporary sign or an advertising device filled with air or gas and tethered to the ground, a vehicle or any structure and shall include balloons and any other inflatable advertising device.
INFORMATION SIGN	means a sign that provides information about the occupants of the building or premises upon which the sign is located; or directions that relate directly to a building or premises to the persons using that building or premises.
LOT	means a parcel of land where one or more buildings or structures are or could be located, or one or more uses could be made. This parcel of land must have its own "roll number" as provided by the Ontario Property Assessment Corporation.

MARQUEE SIGN		means a permanent canopy or a roof-like structure, often bearing a signboard, projecting or extending from the façade, over an entrance and that is or functions as a sign.
MAXIMUM PROJECTION		means the maximum distance a sign may stick out from the surface of the structure to which it is affixed.
MOBILE SIGN		means a temporary sign that is designed to be capable of being readily moved from one location to another, and is usually built on a trailer or other solid platform and may include wheels but does not include, <ul style="list-style-type: none"> i. a sign attached to a vehicle where the principle use of that vehicle is the transportation of people, goods, or other materials; or ii. a sign that is secured to the ground or mounted on the wall of a building or other structure.
MODEL HOME SIGN		means a temporary sign erected to identify a model home for a residential subdivision, located on the same lot as the model home where a model home is a house in a newly built development that is furnished and decorated to be shown to prospective buyers.
MURAL		means an on-premises or off-premises sign that is an expression of public art painted directly on the exterior of a building or on a backing that is affixed to the building and that has the consent of the property owner.
NEW DEVELOPMENT GROUND SIGN	HOME	means an on-promises sign that includes information relating to a new subdivision, development or the construction or renovation of a building or structure.
NEW DEVELOPMENT DIRECTIONAL SIGN	HOME	means an off-premises sign providing directions to a new subdivision or development by way a directional arrow on the sign face. A directional development sign may contain: <ul style="list-style-type: none"> (a) the development name or developer name or builder name; (b) the developer logo; and (c) the distance to the development.
NEW DEVELOPMENT PORTABLE SIGN	HOME	means a non-illuminated sign which is not permanently installed or affixed to the ground and where the purpose of the sign is to direct attention to the sale of new home developments.
NON-CONFORMING SIGN		means a permanent sign that was lawfully erected before the coming into effect of this by-law.
OFFICER		means a person appointed by the Council of the Township of Russell to enforce the provisions of this by-law and who may be referred to as an “Inspector” or “Officer”.

OFFICIAL SIGN	means any sign required by a federal or provincial statute or regulation or by a municipal by-law and shall include a traffic sign, street name sign or a permanent sign erected, located, or displayed on a street to inform the public of the location of Business Improvement Areas, public buildings, hospitals, public libraries, institutions, places of worship, parks, recreational or educational facilities. Signs erected by the Township of Russell or the United Counties of Prescott-Russell.
OFF-PREMISES SIGN	means a sign that directs attention to a business, commodity, service or entertainment that is conducted, sold or offered elsewhere than on the premises on which the sign is located.
ON-PREMISES SIGN	means a sign that directs attention to a business, commodity, service or entertainment that is conducted, sold or offered on the same premises on which the sign is located.
OWNER	means the registered owner of the property, or the person or the person's authorized agent in lawful control of a property
PARAPET	means a vertical wall section as a component part of the building structure that extends above a building roofline.
PARK	means land and land covered by water and all portions thereof, under the control or management or joint management of the Township, that is or hereafter may be established, dedicated, set apart or made available for use as public open space, including a natural park area and an environmentally significant area as defined, including buildings, structures, facilities, erections and improvements located or on such land; <i>(amended 2018-119)</i>
PERMIT	means a permit, issued under this by-law and includes a renewal thereof; "sign permit" has a corresponding meaning;
PERMIT HOLDER	means a person who has obtained a permanent sign permit.
PERMANENT SIGN	means a sign that is installed or affixed to any building or structure and includes a ground sign, wall sign, awning sign, canopy sign, projecting sign, mural sign, billboard sign and street ad sign.
PENNANT	means a relatively long tapering flag which can be hung from a horizontal or vertical post. Pennants shall be considered banners for the purposes of this by-law.
PERSON	means any individual, association, proprietorship, partnership, syndicate, company, corporation, firm, business, authorized agent, trustee and the heirs, executors or other legal representatives, or any combination of the foregoing.

POLE SIGN	means a sign erected by one or more uprights supported from the ground that is greater than 3.0 m in height (including the upright supports) and is directly supported from the ground without the aid of any other building or structure.
PORTABLE SIGN	means a free standing moveable sign not fastened by any means to the ground or any structure. Without limiting the generality of the forgoing, this definition shall include signs commonly referred as A-Frame, T-frame, sandwich board and menu board, flags and inflatables, but shall not mean or include any other sign as defined in this by-law. <i>(amended by by-law 2019-029)</i>
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, notice or placard.
POSTER SLEEVE	means a collar or other protective covering or identifier fitted by the Township of Russell to a designated utility pole.
PROJECTING SIGN	means a sign that projects on the perpendicular, or at an angle of more than five (5) degrees from the surface to which it is attached.
PREMISES	means specific property, and includes all buildings and necessary structures thereon.
PRIVATE PROPERTY	means property under private ownership.
PROPERTY	means all lands owned by an individual or a private or public corporation and includes all buildings and structures thereon.
PUBLIC	means equally open and available to all and does not, necessarily, denote ownership.
PUBLIC PROPERTY	means a real property owned by or under the control of the Township, including a Park, or any of its agencies, local boards, commissions or corporations but for the purposes of this By-law, does not include a street. <i>(amended 2018-119)</i>
PUBLIC UTILITY	means a board, commission, or corporation including the Township of Russell, that owns or operates a public service.
PROPERTY LINE	means the legal boundaries of a property and includes a street line.
REAL ESTATE DIRECTIONAL SIGN	means a temporary portable sign intended to direct traffic to a residence for sale or lease, but does not include a New Home Development Portable Sign.
REAL ESTATE SIGN	means a temporary. non-illuminated sign displayed on a property and advertising the sale, rent, or lease of the property.

REGISTERED PARTY	THIRD	means, in relation to an election in a municipality, an individual, corporation or trade union that is registered under section 88.6 of the <i>Municipal Elections Act, 1996</i> . (amended 2018-001)
ROADWAY		means the part of a street that is improved, designed or ordinarily used for vehicular traffic and includes a shoulder. (amended 2018-119)
ROOF SIGN		means a sign that is in any way supported by or affixed to the main roof of the building, and for the purposes of this definition, a roof does not include flat structures over entrances and structures deemed to be a building architectural feature and the top of a sign located on the flat structure does not project above the main roof.
SIGN		means any visual medium used to convey information by way of words, pictures, graphics, emblems or symbols, or any device used for the purpose of providing direction, information, identification, advertisement, business promotion or the promotion of a product, activity, service or idea.
SIGN FACE		means that portion of the sign upon, against or through which the message of the sign is displayed, but does not include the sign structure.
SIGN FACE AREA		means the total area of all sign faces on one sign structure.
SIGN HEIGHT		means the vertical distance between the grade and the uppermost extremity of the sign or sign structure, but excludes ancillary lighting fixtures.
SIGN STRUCTURE		means a structure that is constructed to support a sign face at ground level.
SNOW MARKER	CLEARING	means a marker erected or located by a snow clearing company to mark the location of a driveway for snow clearance where a contract exists to clear the driveway, and may include company information such as the company name, phone number, and address.
STREET		means a highway, road allowance or a lane, and includes the surface, grassed area, boulevard, ditch, curb, gutter, sidewalk, and any other structure constructed thereon by the Township of Russell or with the Township of Russell's approval.
TEMPORARY FARMERS SIGN	MARKET	Means a temporary sign erected, located or displayed to advertise a temporary farmers market as defined in the zoning by-law but does not include a farm sign, a temporary sign advertising the sale of seasonal farm produce or an event sign.
TEMPORARY SIGN		means a sign that is not permanently installed or affixed to a structure or building. This type of sign includes: "banner", "easel sign", "directional sign", "election sign", "inflatable sign", "real estate sign", "mobile sign", "poster sign", "portable sign" and similar "advertising devices".

TOWNSHIP RUSSELL VACANT	OF	means the Corporation of the Township of Russell.
		means a property separately assessed that does not have any building or any occupied building thereon.
SIGHT TRIANGLE		as defined in the zoning by-law of the Township of Russell. Sight triangle shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, or the triangular space formed by the street line and driveway line of a lot and a line drawn from a point in the street line to a point in the driveway line. Where two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.
WALL SIGN		means a sign erected, located, or displayed on or against a wall of a building, or supported by or through a wall of a building and having the sign face thereof on a plane approximately parallel to the plane of such wall.
WINDOW SIGN		means a sign painted, etched, adhered, or attached to the interior or exterior surface of a window which is intended to be seen from off the property. Window signs are not included in the total wall sign coverage for a building. <i>(amended by By-law 2018-137 on October 15, 2018)</i>
WORK SIGN	COMPLETED	means a sign advertising work completed, or the company who completed work, on the property on which the sign is located but does not include a construction information sign or a new home development ground, directional or portable sign.
ZONE		means any land use zone established in the zoning by-laws of the Township of Russell and passed under the <i>Planning Act</i> .
ZONING BY-LAW		means any of the zoning by-laws of the Township of Russell, as amended.

3 INTERPRETATION

- 3.1.1 This by-law includes the schedules annexed hereto and the schedules are declared to form part of this by-law and enact the regulation, the description or the map they contain.
- 3.1.2 The rules in this section apply to this by-law, unless a contrary intention is evident from the context.
- 3.1.3 Unless otherwise defined, the words and phrases used in this by-law have their normal and ordinary meaning.
- 3.1.4 Where a situation arises that is not covered by a specific regulation, or where two or more regulations are equally applicable, all provisions shall be complied with or, where it is not possible to comply with all the provisions applicable, the most restrictive provisions shall prevail.
- 3.1.5 This by-law is gender-neutral and, accordingly, any reference to one gender includes the other.
- 3.1.6 Words in the singular include the plural and words in the plural include the singular.
- 3.1.7 The following abbreviations and symbols stand for the words set out:

cm	Centimetre
m	Metre
mm	Millimetre
m ²	Square metre
%	Percent

- 3.1.8 It is declared that any section, subsection or part thereof be declared by any Court of Law to be bad, illegal or ultra-virus, such section, subsection, part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.
- 3.1.9 Headings are inserted for convenience of reference purposes only, form no part of this by-law and shall not affect in any way the meaning or interpretation of the provisions of this by-law.

3.2 Zone Classification

3.2.1 For the purpose of this By-law, all lands within the Corporation are divided into zones and are classified as follows:

ZONE	ZONE SYMBOL
<u>RESIDENTIAL</u>	
Residential One Zone	R1
Residential One-A Zone	R1A
Residential One-B Zone	R1B
Residential Two Zone	R2
Residential Three Zone	R3
Rural Residential Zone	RR
Mobile Home Residential Zone	RMH
<u>VILLAGE CORE</u>	
Village Core Zone	VC
<u>COMMERCIAL</u>	
General Commercial Zone	C
Highway Commercial Zone	CH
Local Commercial Zone	CL
<u>BUSINESS PARK & INDUSTRIAL</u>	
Business Park Zone	BP
Industrial Park Zone	MP
Agricultural Industrial Zone	MA
<u>AGRICULTURAL</u>	
Restricted Agricultural Zone	A1
General Agricultural	A2
<u>OTHER ZONES</u>	
Mineral Aggregate-Pit Zone	MAP
Mineral Aggregate-Quarry Zone	MAQ
Mineral Aggregate-Reserve Zone	MAR
Waste Disposal Zone	WD
Wrecking Yard Zone	WY
Wetlands Zone	WL
Flood Plain Zone	FP
Open Space Zone	OS
Leisure Zone	LS
Institutional Zone	I

3.2.2 Where a references is made to other zones it refers to all zones contained under other zones in section 3.2.1 and to all zones not otherwise mentioned in the table with respect to that sign.

4 ADMINISTRATION OF THE BY-LAW

4.1 GENERAL ADMINISTRATION

- 4.1.1 By-law enforcement and designated delegates will be responsible for the administration and enforcement of this by-law on all public and private property within the limits of the Township of Russell. Every sign may be subject to inspection by a by-law officer or designated delegate.
- 4.1.2 For any person who owns, erects or displays a sign, the provisions of this by-law do not relieve or limit the responsibility or liability of that person from penalties resulting from personal injury or property damage caused by the placement, display, erection, repair, removal or relocation of any sign.
- 4.1.3 A by-law officer or designated delegate may enter upon any property at any reasonable time to inspect a sign for the purposes of determining or effecting its compliance with this by-law, with any directions or orders made under the *Municipal Act, 2001* or under a By-law passed under its authority, conditions of a licence issued under the *Municipal Act, 2001* or orders made under section 431 of the *Municipal Act, 2001*.
- 4.1.4 No person shall obstruct a by-law officer or designated delegate or any agent of the Township of Russell while they are carrying out their duties under this by-law.
- 4.1.5 No provision of this subsection shall limit the enforcement by the Township of Russell of the provisions of this by-law by any other action or remedy permitted in law.
- 4.1.6 Every holder of a sign permit shall produce his or her permit upon being so directed by a by-law officer or designated delegate.

5 PERMITS

5.1 GENERAL

- 5.1.1 Any person wishing to erect, alter, enlarge, or use a permanent or temporary sign within the limits of the Township of Russell must have first obtained a “sign permit” unless exempted under this by-law.
- 5.1.2 Every person applying for a sign permit shall provide to the designated official:
- a) a completed application form as prescribed by the Township of Russell;
 - b) all plans, drawings and other materials as required by the Township of Russell;
 - c) the written authorization of the owner where the person applying for the sign permit is not also the owner of the property where the sign will be erected, located, or displayed;
 - d) where applicable, proof of approval for the proposed sign from all governmental authorities having jurisdiction; and,
 - e) all applicable permit fees as set out in Schedule “A11 of the applicable User Fees By-law”.
- 5.1.3 An application for a sign permit shall be accompanied by plans and drawings that contain the following information:
- a) a key map showing the location of the property on which the proposed sign is to be located and the nearest major street intersection;
 - b) a site plan showing the property where the sign is to be erected, located, or displayed, drawn to scale showing the dimensions of all property lines, existing or proposed buildings, location of proposed signs, and location of all existing signs on the same property;
 - c) drawings and specifications of the sign drawn to scale and showing sections and elevations of the sign to be erected, located, or displayed, construction details, supporting framework, foundations, materials, illumination details, height of the sign, sign area, length and width of the sign; and,
 - d) sufficient information for the Chief Building Official to determine that the sign has been designed and will be constructed in compliance with the applicable structural and fire prevention provisions of the *Ontario Building Code*.
- 5.1.4 The Chief Building Official may require certification by a Registered Professional Engineer of all plans and specifications covering the erection of the sign and supporting framework with respect to the structural adequacy of the sign.
- 5.1.5 The application of the *Ontario Building Code Act, 1992* to any sign permit application will be considered by the Township of Russell and where the Township of Russell determines that the *Ontario Building Code Act, 1992* applies to a sign, any sign permit issued pursuant to this by-law will be deemed to satisfy the requirements for a building permit under the *Ontario Building Code Act, 1992*.

5.2 SIGN PERMIT REFUSAL OR EXPIRY

- 5.2.1 A permit may be refused if the proposed sign does not comply with this by-law, any other by-law or federal or provincial statute or regulation.
- 5.2.2 The Township of Russell may revoke a permit under the following circumstances:
- a) the Township of Russell issued the permit in error;
 - b) the sign does not comply with this by-law or any other by-law, the Ontario *Building Code Act, 1992*, or any federal or provincial statute or regulation;
 - c) the Township of Russell issued the permit as the result of false, mistaken, incorrect, or misleading statements, information, or undertakings on the application;
 - d) the erection, location, or display of the sign has not commenced within six months after the issuance of the permit;
 - e) the erection, location or display of the sign, in the opinion of the designated official, has been substantially suspended or discontinued for a period of more than one calendar year;
 - f) the permit holder requests in writing that the permit be revoked; or
 - g) the business, product, activity or service to which the sign relates ceases to operate or is no longer available.

5.3 EXISTING SIGNS

- 5.3.1 Any sign that is lawfully erected, located, or displayed on the day this by-law comes into force may continue to be erected, located, or displayed provided it is not substantially altered in a manner that would bring it into non-compliance or increase its non-compliance with this by-law. Anything done to preserve the condition of a sign or to prevent the deterioration of a sign, including the restoration of a sign by removing or replacing worn out, missing, damaged or broken parts, or copy displayed by the sign does not in itself constitute a substantial alteration.
- 5.3.2 Every sign owner of a non-conforming sign permitted under the by-law of the time:
- a) May make changes to or replacement of the sign face, repair of the sign, including the sign structure, and replacement or repair of copy shall be deemed to be permitted provided that all dimensions and characteristics of the sign remain the same and there are no changes to the content of the copy;
 - b) Shall ensure maintenance and repair of an existing sign shall be in accordance with the provisions of Section 8.2 of this by-law;
- 5.3.3 Changes or replacement of the sign face of a sign which changes the content of the copy shall ensure the copy is in full compliance with all provisions of this by-law and shall require a sign permit where required based on sign type. Changes in copy on signs with changeable copy, including electronic signs, mobile signs and magnetic rotating signs, do not require an additional permit.
- 5.3.4 Replacement of a non-conforming sign structure in whole or in part, except to repair the structure, shall be in full compliance with all provisions of this by-law and shall require a sign permit.
- 5.3.5 Existing permanent signs not lawfully erected must be brought into compliance with this by-law.
- 5.3.6 An existing temporary sign shall be deemed to be in compliance with this by-law until the expiration of the sign permit for such sign.

5.4 REFUNDS

5.4.1 Subject to subsections 5.4.2 and 5.4.3, the designated official shall determine the amount of the fees, if any, that may be refunded in accordance with Schedule “A11 of the applicable User Fees By-law” where:

- a) the sign permit applicant requests in writing that the sign permit application be cancelled;
- b) the designated official refuses to issue the sign permit because the sign does not comply with this by-law or any other by-law, the Ontario *Building Code Act, 1992*, or any federal or provincial statute or regulation; or
- c) the Township of Russell issued the permit in error.

5.4.2 There shall be no refund where:

- a) the Township of Russell issued the permit as the result of false, mistaken, incorrect, or misleading statements, information, or undertakings on the application; or
- b) the sign, for which the permit application is made, has been erected, located or displayed prior to the issuance of a permit.

5.4.3 Refunds shall only be provided for ground sign, new home development ground sign, awning sign, canopy sign, marquee sign, parapet sign, projecting sign and wall sign permit applications.

6 PROHIBITED SIGNS

6.1.1 The following signs are prohibited under this by-law:

- a) Any sign which has flashing or sequential lighting, with the exception of an electronic message display as permitted under this by-law;
- b) any animated sign;
- c) any sign which has any mechanical or electronic device to provide, create or simulate motion, excepting electronic message displays as defined in section 8.3.3 and mechanical rotating signs that rotate not more than once every 30 seconds;
- d) any sign which creates any noise;
- e) any sign erected, located, or displayed within a visibility triangle;
- f) any sign displayed on a vehicle, trailer or truck which is parked or located on property in a manner that is unrelated to its normal use as a vehicle and is more consistent with the use of the vehicle as a sign;
- g) any sign which obstructs or is erected, located, or displayed in a parking space required by the zoning by-laws of the Township of Russell; or,
- h) any roof sign;

6.1.2 Where a sign is not expressly permitted by this by-law, it shall be deemed to be prohibited.

7 SIGNS NOT REQUIRING A PERMIT

7.1.1 No permit shall be required for the following signs:

- a) **Temporary election signs pertaining to municipal, county, provincial or federal elections.**
 - i) No person shall erect or display an election sign or a registered third party sign prior to the date of issuance of the writ of election for a provincial or federal election, or until 30 days prior to the municipal election-voting day as defined in the *Municipal Elections Act*. (amended 2017-009/2018-001)
 - ii) Election signs must be removed within ten (10) calendar days following the day of the election.
 - iii) (amended 2018-001/repeal 2018-119)
 - iv) No person shall erect, locate or display an election sign or registered third party sign on a private property unless having authorization from the owner or occupant of the property. (amended 2018-001)
 - v) No person shall erect, locate or display an election sign or registered third party sign on a private property in a manner as to interfere with the safe operation of vehicular traffic or with the safety of pedestrians. (amended 2018-001)
 - vi) No person shall erect, locate or display an election sign or registered third party sign on a property used as a polling station. (amended 2018-001)
 - vii) No election signs shall be erected on public properties relating to a by-election when a by-election is held between the fourth Tuesday of October and March 31 of any year.
 - viii) No election sign shall display a logo, trademark or official mark, in whole or in part, owned or licensed by the Township. (amended 2018-001)
 - ix) An election sign purchased by or under the direction of a candidate, shall display on the back of the sign, the name of the candidate and include a telephone number, mailing address or email address at which the candidate may be contacted regarding the sign. (amended 2018-001)
 - x) An election sign purchased by or under the direction of a registered third party, as defined in the *Municipal Elections Act*, shall predominantly display the name of the candidate, but shall display on the back of the sign, the name of the registered third party and include a telephone number, mailing address or email address at which the registered third party may be contacted regarding the sign. (amended 2018-001)
 - xi) No person shall place or permit to be placed an election sign or registered third party sign on any public property. (amended 2018-119)
 - xii) No person shall place or permit to be placed an election sign or registered third party sign in a park. (amended 2018-119)
 - xiii) No person shall place or permit to be placed an election sign or registered third party sign: (amended 2018-119)
 - (a) Within three (3) meters of a roadway within a road allowance;
 - (b) Between roadway and sidewalk;
 - (c) That impedes or obstructs the passage of pedestrians or vehicular traffic;
 - (d) In a median strip or roundabout;
 - (e) On a tree, or a fence, or a wall, or a gate or a utility pole located on public property or a street;
 - (f) In a roadway/shoulder that abuts a park;
 - (g) Within thirty (30) meters of another election sign of the same candidate;

- (h) On the shoulder without the consent of the owner or occupant of the abutting private property; and
- (i) Which is illuminated.

- b) **Drive-Thru Signs and On-premises Directional Signs**, including a sign identifying the entrance to and exit from a parking area or a drive-thru counter, provided that the sign area does not exceed 0.33 m² and is located a minimum of 1 m from any lot line;
- c) **Identification signs** with an area of less than 0.28 m² and located a minimum of 1 m from any lot line;
- d) **Residential temporary real estate signs** with an area not exceeding 1.0 m² that is erected, used or maintained on a residential property and that is not illuminated; these temporary signs shall be removed no later than 30 days after the sale of the property. *(amended 2017-052)*
- e) **Other temporary real estate signs** with an area not exceeding 4.0m² that are erected, used or maintained on any non-residential property and that are not illuminated; these temporary signs shall be removed no later than 30 days after the sale of the property; *(amended 2017-052)*
- f) **Official Signs**, including any signs posted by or on behalf of the Township of Russell, the United Counties of Prescott-Russell, or a public utility, any sign required by provincial or federal statute or regulation or by municipal by-law; any sign posted by the city of Ottawa, the Township of North Dundas, the Township of North Stormont, and the Nations Municipality with the approval of the Chief Administrative Officer; *(amended 2017-052)*
- g) **Interior signs**, located inside a building;
- h) **Historical inscriptions, commemorative plaques** and other non-promotional insignia, with a sign face area that does not exceed 1.2 m²;
- i) **Schedule of religious celebrations**, located at the site of worship with a sign face area that does not exceed 3 m² and located a minimum of 1 m from any lot line;
- j) **Restaurant or snack bar menus** located on the exterior wall of the building where food is being sold, with an area of less than 0.6 m²;
- k) **Temporary Events Signs** relating to a cultural, political, all nonprofit sporting, community or religious event or any other common, non-commercial event are permitted provided that the date(s) of the event are identified on the sign and the sign does not interfere with vehicular and pedestrian traffic or any road maintenance operations and is not illuminated. Temporary signs relating to events may remain in place for a period of time not exceeding thirty (30) days and must be removed within seventy-two (72) hours of the end of the event. The permitted size and amount of a temporary event sign is as follow:
 - i. A limit of four (4) signs per event with a maximum size of four (4) square meters each.
 - ii. No sign amount limit for signs up to 0.5 square meters.*(amended 2018-035/2018-126/2018-158)*
- l) **Temporary garage sale signs**, with a sign face area not exceeding 0.5 m². The date of the garage sale must be identified on the sign. Signs shall remain erected for a period of time not to exceed ten (10) days and must be removed within forty-eight (48) hours of the end of the garage sale.
- m) **Mural signs**;
- n) **Farm signs** with an area not exceeding 4.0 m² to be erected, located or displayed in keeping with the provisions under section 9.1 Ground Signs for Agricultural properties;
- o) **Temporary signs advertising the sale of seasonal farm produce**, on a property other than residential property, with an area not exceeding 3.0m², a height not exceeding 2.7 meters and a minimum setback of 3 meters from a lot line abutting a street; *(amended 2018-019)*

- p) **Temporary real estate directional signs** with a sign face area not exceeding 0.5 m². Temporary real estate directional signs shall not be erected, located, or displayed on a traffic median, traffic island, light standard or utility pole, must be located no closer than 0.3 m from the sidewalk. Real estate directional signs located off-premise must be removed within fourteen (14) days of acceptance of an offer. A maximum of one real estate wayfinding sign is permitted per property which is for sale;
- q) **Open house directional signs** with a sign face area not exceeding 0.5 m². Open house directional signs shall not be erected, located, or displayed on a traffic median, traffic island, light standard or utility pole, must be located no closer than 0.3 m from the sidewalk, and shall be displayed only between 9:00 am and 6:00 pm on the day of the open house;
- r) **Construction information signs** erected, located or displayed on lots zoned village core, industrial, commercial or business park with an area not exceeding 6.0 m² with a maximum height of 5.0 m and displayed after site plan approval has been received and for no longer than thirty (30) days after project completion. A maximum of one sign may be erected, located or displayed per lot at a time. Construction information signs must be erected, located or displayed in compliance with the minimum setback provisions set out in section 10.1 for New development ground signs.
- s) **Portable signs** with an area not exceeding 0.75 m² and a maximum height of 1.2 m. Maximum one (1) portable sign per business. Portable signs must be removed nightly and may be displayed between the hours of 7:00 am and 9:00 pm.
- t) **Posters** located on designated utility poles. Posters shall be made from or printed on paper or cardboard only with a maximum sign area of 0.22 m by 0.28 m. Posters shall only be affixed by tape, staple, tacks or push pins. A maximum of one poster per event, organisation or individual may be posted per location. Posters have a maximum display period of thirty (30) days and not more than three (3) days after the end of the advertised event. Notwithstanding the above and any general regulations applicable under this by-law, the Township of Russell may remove and dispose of posters without notice or compensation to any person.
- u) **Model home signs**, a maximum of one (1) model home sign for each model home in use at the time may be erected, located, or displayed within a subdivision provided the model home sign does not exceed a maximum sign area of 3.0 m².
- v) **Work completed signs** with a maximum area of 0.5 m² advertising work completed on the property may be erected, located or displayed on the lot where work is or was complete for not more than thirty (30) days total, and not more than 30 days after the work on the property was completed.
- w) **Affiliation signs** with a maximum area of 0.5 m² may be erected, located or displayed for not more than thirty (30) days.
- x) **Temporary farmers market signs** with a maximum sign face area of 0.5 m² erected located or displayed for thirty 30 days prior to the first farmers market of the season. Signs may be left erected up to 72 hours after the last farmers market of the year. A maximum of 1 sign per kilometer per street is permitted.
- y) **Snow clearing markers** on properties where a snow clearing company has a contract may be erected, located or displayed between November 1 and April 1 of any winter. Dimensions not to exceed 0.127 m in width by 1.524 m in height.

z) **Business relocation sign** with an area not exceeding 4m², erected, located or displayed on the property where the business is relocating from or relocating to or both for a period not exceeding 30 days prior to the relocation or/and 30 days after the relocation, with the property owners consent. (This is not applicable to residential properties.) *(amended 2018-019)*

aa) **Development Identification signs** erected on the road allowance:

- Must not be located in a sight triangle;
- Must not interfere with snow removal operations; and
- Its location, size and workmanship must be approved on a case-by-case basis by the Public Safety and Enforcement department and the Planning Department. *(amended 2018-044)*

bb) **Window Sign** as specified in section 10.4

The window sign shall meet all other requirements of this bylaw. *(amended 2018-137)*

7.1.2 Signs that do not require permits must still follow all applicable provisions in the sign by-law relating to the appropriate sign type.

8 RULES FOR ALL SIGNS

8.1 GENERAL PROHIBITIONS AND REGULATIONS

- 8.1.1 No person shall erect, locate, or display or cause to be erected, located, or display a sign:
- a) for which a permit has not been obtained, if a permit is required under this by-law;
 - b) which is not in compliance with this by-law or the conditions of any variance granted under this by-law;
 - c) which is not specifically permitted under this by-law;
 - d) which is on or over Township of Russell property except as permitted by this by-law, including roadways, road allowances and sidewalks;
 - e) which obstructs the view of any pedestrian or driver of a motor vehicle, obstructs the visibility of any traffic sign or device, or interferes with vehicular traffic in a manner that could endanger any person;
 - f) which illuminates any adjacent property or the path of vehicular traffic;
 - g) which is not maintained in a proper state of repair, becomes unsightly, becomes structurally inadequate or faulty, or could be hazardous to a pedestrian or motorist;
 - h) which the designated official has directed be removed; or,
 - i) which bears or displays the Township of Russell logo, crest or seal in whole or in part, without the express written permission of the Township of Russell.
- 8.1.2 A person shall be deemed to be erecting, locating, or displaying a sign if that person is the sign owner and directs, permits or fails to stop the erection, location, or display of the sign.
- 8.1.3 No person shall place, permit to be placed, or allow to remain in place on the property owned, rented, leased or occupied by such person, any sign without first having obtained a permit for the sign.
- 8.1.4 No person shall place, permit to be placed, or allow to remain in place on the property owned, rented, leased or occupied by such person, any sign other than in accordance with the provisions of this by-law.
- 8.1.5 Any sign located, erected or displayed within the road allowance of a County Road must ensure the sign complies with the provisions of the Corporation of the United Counties of Prescott-Russell By-law Number 2015-31, being a by-law to regulate and govern the placement of signs or other advertising devices upon or adjacent to County roads.
- 8.1.6 All signs must be erected, located or displayed on-premises except for the following signs which are permitted as off-premises signs:
- a) New home development directional signs as described in section 10.2;
 - b) New home development portable signs as described in section 10.3;
 - c) Temporary election signs as described in section 7.1.1;
 - d) Official signs as described in section 7.1.1;
 - e) Temporary event signs as described in section 7.1.1;
 - f) Temporary garage sale signs as described in section 7.1.1;
 - g) Temporary real estate directional signs as described in section 7.1.1;
 - h) Work completed signs as described in section 7.1.1;
 - i) Affiliation signs as described in section 7.1.1;

- j) Posters as described in section 7.1.1;
- k) Temporary farmers market signs as described in section 7.1.1;
- l) Directional open house sign as described in section 7.1.1; and
- m) Billboard signs as described in section 9.6.

8.1.7 For the purposes of this by-law, the maximum sign face area is calculated by determining the total area contained within the rectilinear outline that uses the least number of horizontal and vertical lines to enclose the sign face and all other components of the sign that constitute the complete message.

8.1.8 A double-faced sign or multi-faced sign may have up to twice the maximum sign face area permitted where the sign face area is divided equally between all sign faces.

8.1.9 Notwithstanding provisions hereof to the contrary, a sign located within the village core areas of Embrun or Russell, as identified in the zoning by-law, may be located closer than otherwise permitted to a property line abutting a street provided it is not located closer than one—half of the distance between the main building on the lot and the property line abutting a street.

8.1.10 Despite any other provision of this by-law, where a sign that is within 400 m of a controlled access highway under provincial jurisdiction is visible from and oriented toward that highway, the approval of Minister of Transportation (Ontario) shall accompany an application for a permit for that sign.

8.1.11 Where a sign projects more than 5.0 cm from the surface to which it is attached, the owner of the sign shall ensure that the underside of the sign structure is:

- a) at least 2.5 m above the surface of a sidewalk, walkway or other route or area usually used by pedestrians on private property; and
- b) at least 4.3 m above a street, private road, lane, parking lot, or any other area usually travelled or used by vehicles on private property.

8.1.12 Despite any other provisions of this by-law, the following signs are permitted on or over Township of Russell property including road allowances, and municipal properties provided that the signs do not interfere with vehicular and pedestrian traffic or any road maintenance operations with express written permission of the Director of Public Safety and Enforcement or designate;

- a) Residential temporary real estate signs as described in section 7.1.1;
- b) Official signs as described in section 7.1.1 ;
- c) Historical inscriptions, commemorative plaques and other non-promotional insignia as described in section 7.1.1;
- d) Temporary events signs that exceed .5 square meters as described in section 7.1.1 as amended;
- e) Temporary garage sale signs that exceed .5 square meters as described in section 7.1.1;
- f) Temporary real estate directional signs that exceed .5 square meters as described in section 7.1.1;
- g) Portable signs as described in section 7.1.1;
- h) Temporary signs advertising the sale of seasonal farm produce as described in section 7.1.1;

i) New home directional signs as described in section 10.2.

The permission granted as described in section 8.1.12 may be revoked at any time. (*amended by bylaw 2018-126*)

8.1.13 The sign owner shall satisfy the liability insurance requirements of the Township of Russell for all signs permitted on Township of Russell property as per section 8.1.12.

8.2 MAINTENANCE OF SIGNS

8.2.1 Every owner of a permanent sign shall ensure that the sign is maintained in a proper state of repair so that such sign does not become unsafe, structurally unsound, unsightly or dangerous.

8.2.2 Every owner of a property on which a permanent sign has been defaced, damaged, or destroyed, shall immediately repair the sign to its original condition or remove it.

8.3 LIGHTING

8.3.1 No person shall erect or cause to be erected or maintain any illuminated sign, or any portion thereof, that is not visibly identified by the sign installer's or manufacturer's identification tag, including any applicable Canadian Standards Association and Electrical Safety Authority certification tags.

8.3.2 No sign shall be illuminated by or contain a flashing, sequential, intermittent, rotating or variable light, beam or beacon.

8.3.3 Electronic message displays conveying continuous messages with light patterns that form letters, numbers or illustrations shall be permitted within the sign face as long as the message is displayed for at least three (3) seconds, during which there shall be no movement or change in colour or intensity of the illumination.

8.3.4 Signs shall be illuminated either by an internal indirect light source or by an external light source directed towards the sign provided that no light or reflection thereof is directed toward any public road, pedestrian pathway, adjacent structure or residential property.

8.3.5 No illuminated sign shall be located closer than 10.0 m to any residential zone or any property used for residential purposes.

8.3.6 No illuminated sign which uses the colours red, green or amber shall be located within 90.0 m of a traffic control signal nor within 90.0 m of an intersection of two (2) or more streets.

8.3.7 No illuminated sign shall be less than 1.5 m above finished grade.

8.4 MESSAGE OR CONTENT

8.4.1 The message or content of any new exterior commercial signs shall be bilingual. The lettering of an exterior commercial sign (dimension and style) must be identical in French and in English. However, the name of a business can be unilingual for an exterior commercial sign.

8.4.2 The message, logos, and/or graphics displayed on any sign must:

- a) Not promote violence, hatred, contempt, or discrimination;
- b) Not be disrespectful or contain profanity or obscenities; and
- c) Not promote unlawful activity.

8.5 SIGHT TRIANGLE

- 8.5.1 No person shall erect, locate, display or maintain a permanent sign or a sign structure at a street corner within a sight triangle formed by measuring 6.0 m along the lot lines from the intersection of any two streets or at the intersection of two parts of the same street meeting at an angle of not more than 135 degrees.
- 8.5.2 In the case of any lot, no person shall place or cause to be placed a temporary sign that is greater than 75.0 cm in height at any point within a visibility triangle formed by measuring 2.0 m along the lot line and a driveway, at the intersection of the driveway and the lot line abutting the street or highway.
- 8.5.3 Despite Section 8.5.1, one column only supporting the upper portion of a sign structure is permitted within the triangle referred to in that section if the cross-sectional dimension of the column is 45.0 cm or less between grade and 3 m above grade.
- 8.5.4 Despite Section 8.5.1, the upper portion of a sign or a sign structure is permitted within the triangle referred to in that section if the underside of the sign and the sign structure is at least 3 m above grade.
- 8.5.5 In the case of a corner lot, no person shall place or cause to be placed a temporary sign that is greater than 75 cm in height at any point within a visibility triangle formed by measuring 6 m along the lot lines from the intersection of any two (2) streets or at the intersection of two (2) parts of the same street meeting at an angle of not more than one hundred and thirty-five degrees (135°).

8.6 RULES FOR TEMPORARY SIGNS

- 8.6.1 No person shall place or permit to be placed or allow to remain placed on the premise owned, rented, leased or occupied by such person, any temporary sign without first having obtained a temporary sign permit for that sign.
- 8.6.2 No person shall place, permit to be placed, or allow to remain in place on the property, a temporary sign that:
- a) is structurally unsafe;
 - b) constitutes a fire or safety hazard;
 - c) impedes the movement of vehicular or pedestrian traffic;
 - d) would constitute a risk to the safety of persons or property; or
 - e) is harmful to the environment.
- 8.6.3 The sign permit is valid only for the placement of the sign at the premise and location approved and on the date or dates set forth in the permit.

9 PERMANENT SIGNS

9.1 GROUND SIGNS

9.1.1 The area of the municipal address will not be calculated as part of the total sign face area provided the area of the municipal address does not exceed 1.0 m².

9.1.2 No ground sign shall be erected, located, or displayed within 10.0 m of a traffic signal or traffic control device.

TABLE 9.1: GROUND SIGNS

Aspect Regulated	Residential	Agricultural	Village & Local Commercial	Core Local	Other Uses	Agricultural zone lot used for residential purposes (column added - bylaw 2018-056)
(i) <i>Maximum Sign Face Area</i>	0.5 m ²	4.0 m ² (amended 2018-019)	4.0 m ²		6.0 m ²	1.2 m ²
(ii) <i>Maximum Height</i>	1.5m	3.0 m	3.0 m		3.0 m	3.0 m
(iii) <i>Illumination</i>	Not permitted		Permitted		Permitted	Not permitted
(iv) <i>Minimum distance to a front or exterior side lot line</i>	1.5 m	3.0 m				3.0 m
(v) <i>Minimum distance to side and rear lot lines</i>	1.5 m					1.5 m
(vi) <i>Minimum distance to other signs on the lot</i>	N/A	N/A	Ground signs and pole signs: 30.0 m if on the same frontage Billboard: 15.0 m			N/A
(vii)	<i>(amended (removed) by by-law 2017-009)</i>					
(viii) <i>Maximum number</i>	1	2 (amended 2018-019)	2		2 (including any pole signs)	1

9.2 POLE SIGNS

- 9.2.1 Pole signs are permitted in the General Commercial Zone, Highway Commercial Zone, Local Commercial Zone, Business Park Zone, and Industrial Park Zone.
- 9.2.2 Pole Signs must be erected in compliance with the Ontario Building Code as required. *(amended by By-law 2020-035, March 16, 2020)*
- 9.2.3 All pole signs shall refer only to the business(es) or service(s) available at the premises on which the pole sign is erected.
- 9.2.4 The area of the municipal address will not be calculated as part of the total sign face area provided the area of the municipal address does not exceed 1.0 m².
- 9.2.5 No pole sign shall be erected, located, or displayed within 10.0 m of a traffic signal or traffic control device.

TABLE 9.2: POLE SIGNS

Aspect Regulated		Commercial, Industrial, and Business Park (excluding local commercial)	Other Uses
(i)	<i>Maximum Sign Face Area</i>	12.0 m ²	Not Permitted
	<i>Minimum height</i>	3.0 m	
(ii)	<i>Maximum Height</i>	10.0 m	
(iii)	<i>Illumination</i>	Permitted	
(iv)	<i>Minimum distance to a front or exterior side lot line</i>	3.0 m	
(v)	<i>Minimum distance to side and rear lot lines</i>	1.5 m	
(vi)	<i>Minimum distance to other signs on the lot</i>	Ground signs and pole signs: 30.0 m if on the same frontage Billboards: 15.0 m	
(vii)		<i>(amended (removed) by bylaw 2017-009)</i>	
(viii)	<i>Maximum number</i>	2 (including ground signs)	

9.3 WALL AND PARAPET SIGNS

- 9.3.1 A wall sign may be permitted on any wall of a building.
- 9.3.2 No wall sign or parapet sign shall extend beyond the extremity of the wall façade on which it is erected, located, or displayed.
- 9.3.3 No wall sign or parapet sign shall be erected, located, or displayed unless it is parallel to the wall to which it is attached.
- 9.3.4 For a sign attached to a building, the permitted sign face area calculation relates to the exterior wall area of the building façade frontage, controlled by the enterprise, on which the sign is located.
- 9.3.5 No wall or parapet sign shall be erected, located or displayed unless it is on the same building façade used to calculate the maximum sign area of the sign.
- 9.3.6 In a multi-occupant building the area of a wall or parapet sign for tenants shall be in direct proportion to the linear distance each occupant controls on the applicable façade on the storey on which the sign is to be erected.
- 9.3.7 In a multi-occupant building where a tenant has no linear frontage facing the street or main parking area, a wall sign may be permitted with permission of the building owner on a wall facing the street or main parking area. The area for any such sign will be included and counts towards the maximum sign face area for the wall or parapet on which the sign is erected. (by-law 2017-009)

TABLE 9.3: WALL & PARAPET SIGNS

Aspect Regulated	Residential	Agricultural	Village Core	Other Uses
(i) <i>Maximum Sign Face Area</i>	0.5 m ²	Maximum area not exceeding 15% of the surface of the wall.	Maximum area not exceeding 15% of the surface of the wall.	Maximum area not exceeding 25% of the surface of the wall.
(ii) <i>Maximum Height</i>	Not to exceed building or parapet height			
(iii) <i>Maximum projection</i>	0.5 m			
(iv) <i>Illumination</i>	Not permitted	Not permitted	Permitted	Permitted
(viii) <i>Maximum number</i>	1	N/A	N/A	N/A

9.4 PROJECTING SIGNS

9.4.1 Where two or more signs are on or attached to a building, the owner of the signs shall ensure that the signs are of uniform height and arrangement.

9.4.2 An owner shall ensure that a projecting sign does not project above the roofline of the building it is on.

TABLE 9.4: PROJECTING SIGNS

Aspect Regulated		Residential	Agricultural	Other Uses
(i)	<i>Maximum Sign Face Area</i>	0.5 m ²	1.0 m ²	1.0 m ²
(ii)	<i>Maximum Height</i>	Not to exceed building height	Not to exceed building height	Not to exceed building height
(iii)	<i>Maximum projection</i>	1.0 m	1.0 m	1.0 m
(iv)	<i>Illumination</i>	Not permitted	Not permitted	Permitted
(vii)	<i>Minimum distance to other signs on the lot</i>			
(viii)	<i>Maximum number</i>	1	1	2

9.5 AWNING, CANOPY, AND MARQUEE SIGNS

- 9.5.1 An owner shall ensure that a canopy sign does not project above the roofline of the building it is on.
- 9.5.2 Awning, canopy and marquee signs shall be identification signs only.
- 9.5.3 Signs extending around the corner shall be deemed to be two (2) signs for the purpose of calculating the permitted number of signs and the permitted sign area.

TABLE 9.5: AWNING, CANOPY AND MARQUEE SIGNS

Aspect Regulated	Residential	Agricultural	Other Uses
(i) <i>Maximum Sign Face Area</i>	Not permitted	4.0 m ² (area containing the message)	4.0 m ² (area containing the message)
(ii) <i>Maximum Height</i>		0.3 m above the height of the building where a sign is on the wall of the building canopy	0.3 m above the height of the building where a sign is on the wall of the building canopy
(iii) <i>Maximum projection</i>		0.3 m	0.3 m
(iv) <i>Illumination</i>		Not permitted	Permitted
(vii) <i>Minimum distance to other signs on the lot</i>		N/A	N/A
(viii) <i>Maximum number</i>		1	2

9.6 BILLBOARDS

9.6.1 Billboards shall be erected, located, or displayed on vacant, undeveloped property (with owner authorization). If the property ceases to be vacant or undeveloped, the sign owner shall remove the billboard

9.6.2 All billboards must be in compliance with MTO requirements and must be in compliance with the Ontario *Building Code Act, 1992*.

TABLE 9.6: BILLBOARDS

Aspect Regulated		Industrial	Other Uses
(i)	<i>Maximum Sign Face Area</i>	20.0 m ² (per face)	Not permitted
	<i>Minimum Sign Face Area</i>	10.0 m ² (per face)	
(ii)	<i>Maximum Height</i>	10.0 m	
(iii)	<i>Minimum lot frontage required</i>	75.0 m	
(iv)	<i>Illumination</i>	Internal or external permitted	
(v)	<i>Minimum distance to a lot line abutting a street</i>	10.0 m	
(vi)	<i>Minimum distance to side and rear lot lines</i>	10.0 m	
(vii)	<i>Minimum distance to other billboards</i>	400.0 m	
(viii)	<i>Minimum distance to a residential zone or a lot used for residential purposes</i>	100.0 m	
(x)	<i>Maximum number</i>	1	

10 TEMPORARY SIGNS

10.1 NEW HOME DEVELOPMENT GROUND SIGNS

- 10.1.1 No new home development ground sign shall be permitted to be erected, located, or displayed unless draft plan approval has been granted to the plan of subdivision it advertises.
- 10.1.2 No person shall erect or cause to be erected or maintain a development ground sign within 30.0 m of another development ground sign on the same street frontage.
- 10.1.3 Where the development sign is a wall sign, the owner of the sign shall ensure that it is not on the same building face as another development sign.
- 10.1.4 Notwithstanding any section or subsection of this by-law to the contrary, development signs shall be removed within 30 days of the date that the sale of homes in the subdivision has ended.
- 10.1.5 No more than two (2) new home development ground signs may be erected, located, or displayed in a subdivision
- 10.1.6 Illumination will be permitted only on new home development signs for projects located at an on-site sales centre. Lighting shall be external, task oriented and directed downwards.
- 10.1.7 No new development ground sign shall be erected, located, or displayed within 15.0 m of a traffic signal or traffic control device.

TABLE 10.1: NEW HOME DEVELOPMENT GROUND SIGNS

Aspect Regulated		Projects of four (4) residential lots or less	Projects of four (4) to 25 residential lots	Projects of more than 25 residential lots
(i)	<i>Maximum Sign Face Area</i>	2 m ²	12.0 m ²	14.0 m ²
(ii)	<i>Maximum Height</i>	3.0 m	5.0 m	7.0 m
(iii)	<i>Maximum projection</i>	N/A	N/A	N/A
(iv)	<i>Illumination</i>	Permitted	Permitted	Permitted
(v)	<i>Minimum distance to a lot line abutting a street</i>	5.0 m	5.0 m	5.0 m
(vi)	<i>Minimum distance to side and rear lot lines</i>	5.0 m	5.0 m	5.0 m
(vii)	<i>Minimum distance to other development ground signs</i>	30.0 m	30.0 m	30.0 m
(viii)	<i>Maximum number</i>	1	2	2
(ix)	<i>Display period</i>	Up to 30 days after the sale of homes in the project has ended	Up to 30 days after the sale of homes in the project has ended	Up to 30 days after the sale of homes in the project has ended

10.2 NEW HOME DEVELOPMENT DIRECTIONAL SIGNS

- 10.2.1 No person shall erect or cause to be erected or maintain a new home development directional sign that is not a ground sign or a wall sign;
- 10.2.2 Notwithstanding any section or subsection of this by-law to the contrary, new home development directional signs shall be removed within 30 days after the date that the sale of homes in the subdivision has ended.
- 10.2.3 New development directional wall sign shall be located on commercial or industrial buildings and shall not be located on the front wall of the building.
- 10.2.4 No new home development directional signs being erected as ground signs shall be erected, located, or displayed within 15.0 m of a traffic signal or traffic control device.
- 10.2.5 All new development directional signs erected, located or displayed on the wall of a building shall be considered as wall signs for the calculation of maximum sign face area.
- 10.2.6 New development Directional Signs in the village core shall meet all the provision for maximum sign face area, maximum height, and maximum projection set out in Wall Signs, section 9.3, and Ground Signs, Section 9.1.
- 10.2.7 No person shall erect or cause to be erected a new home development directional ground sign unless:
- It is located within a 12.0 km radius from the development to which the sign applies;
 - It is located on the right side of the road adjacent to the flow of traffic towards the property identified on the sign;
 - The development or construction project to which the sign refers must consist of at least one house under construction by a registered builder under the Ontario New Home Warranty program; and
 - The sign is erected on lands held in private ownership.

TABLE 10.2: NEW HOME DEVELOPMENT DIRECTIONAL SIGNS

Aspect Regulated	Village Core	Other Uses
(i) <i>Maximum Sign Face Area</i>	Ground: 3.0 m ² Wall: as per wall signs section 9.3	Ground: 11.0 m ² Wall: as per wall signs section 9.3
(ii) <i>Maximum Height</i>	3.0 m	5.0 m
(iii) <i>Maximum projection</i>	Wall: 0.5 m	N/A
(iv) <i>Illumination</i>	Not permitted	Not permitted
(v) <i>Minimum distance to a lot line abutting a street</i>	Ground: 3.0 m	3.0 m
(vi) <i>Minimum distance to side and rear lot lines</i>	1.5 m	1.5 m
(vii) <i>Minimum distance to other ground signs</i>	30.0 m	30.0 m
(viii) <i>Maximum number</i>	2 per street to a maximum of 6	2 per street to a maximum of 6
(ix) <i>Display period</i>	Up to 30 days after the sale of homes in the project has ended	Up to 30 days after the sale of homes in the project has ended

10.3 NEW HOME DEVELOPMENT PORTABLE SIGNS

10.3.1 The new home development portable sign shall not be erected, located or displayed where it impairs or obstructs the visibility or movement of vehicular or pedestrian traffic, or where it impairs or obstructs the visibility of warning devices for railways, traffic signals, traffic control devices or official or authorized signs.

10.3.2 New home development portable sign shall not be erected, located, or displayed on a traffic island or median or attached to a light standard or utility pole.

~~10.3.3 Notwithstanding any section or subsection of this by-law to the contrary, no more than ten (10) permits per year shall be issued for new home development portable signs advertising the sale of homes for the same subdivision. (repealed as per by-law 2018-019)~~

10.3.4 The maximum number of new home development portable signs permitted at each intersection shall be one (1) for each builder.

TABLE 10.3: NEW HOME DEVELOPMENT PORTABLE SIGNS

Aspect Regulated	All Uses
(i) <i>Maximum Sign Face Area</i>	0.5 m ²
(ii) <i>Maximum Height</i>	1.2 m
(iii) <i>Maximum projection</i>	N/A
(iv) <i>Illumination</i>	Not permitted
(v) <i>Minimum distance to the curb or travelled roadway (where there is no curb)</i>	1.5 m
(vi) <i>Minimum distance to a public sidewalk or driveway</i>	1.5 m
(vii) <i>Minimum distance to other ground signs</i>	N/A
(viii) <i>Maximum number</i>	4 permits per year per builder for each development (year long permits) <i>(amended bylaw 2016-019)</i>
(ix) <i>Display period</i>	No earlier than 12:00 pm on any Friday, and removed by no later than 12:00 pm on the following Monday*

* Provided that where a statutory holiday falls on a Friday, the new home development portable sign shall be displayed no earlier than 12:00 pm on the preceding Thursday, and where a statutory holiday falls on a Monday, the new home development portable sign shall be removed by no later than 12:00 pm on the following Tuesday.

10.4 WINDOW SIGNS

TABLE 10.4: WINDOW SIGNS

Aspect Regulated		Residential & Agricultural	Village Core	Other Uses
(i)	<i>Maximum Sign Face Area</i>	Not permitted	50% of the window display area	100% of the window display area
(ii)	<i>Maximum Height</i>		Shall be in a window on the storey where the business is located	Shall be in a window on the storey where the business is located
(iii)	<i>Maximum projection</i>			0.0 m
(iv)	<i>Illumination</i>		Permitted	Permitted
(vii)	<i>Minimum distance to other signs on the lot</i>		N/A	N/A
(viii)	<i>Maximum number</i>		Variable, based on window display area	Variable, based on window display area
(ix)	<i>Display period</i>		Unlimited	Unlimited

10.5 MOBILE SIGNS

10.5.1 Any person who places, permits to be placed, or allows to remain in place on the property a mobile sign shall ensure that the temporary sign has internal illumination only and illumination and the sign are arranged to direct light away from any adjacent residential properties and/or streets and downward so as to reduce night light pollution.

10.5.2 A mobile sign shall be erected, located, or displayed entirely on private property and only in the front or exterior side yard of a property.

10.5.3 No mobile sign shall be erected, located, or displayed on a vacant property unless the mobile sign relates to a social event.

10.5.4 A mobile sign shall be erected, located, or displayed on the property where the business or activity being advertised on the mobile sign is located, unless the mobile sign relates to a social event.

10.5.5 A mobile sign shall display the name and telephone number of the sign owner in a clearly visible location.

10.5.6 No mobile sign shall be erected, located, or displayed within:

- a) 15.0 m of an intersection or traffic signal or traffic control device;
- b) 3.0 m of a driveway;
- c) parking spaces required under the zoning by-laws of the Township of Russell;

10.5.7 A business or organization may apply for a total of four (4) temporary sign permits, mobile signs, banners or inflatable signs. Permits shall be issued for a period not exceeding thirty (30) consecutive days within a calendar year from January 1st to December 31st of that same year. Permits may not be issued consecutively or concurrently. A period of fifteen (15) days between permits must be observed. *(By-law 2018-170 repealed) (amended by By-law 2018-182)*

TABLE 10.5: MOBILE SIGNS

Aspect Regulated	Residential	Village Core	Other Uses
(i) <i>Maximum Sign Face Area</i>	Not permitted	4.8 m ²	4.8 m ²
(ii) <i>Maximum Number of sign faces</i>		2	2
(iii) <i>Maximum Height</i>		2.7 m	2.7 m
(iv) <i>Maximum projection</i>		N/A	N/A
(v) <i>Illumination</i>		Permitted	Permitted
(vi) <i>Minimum distance to a lot line abutting a street</i>		0.75 m	1.0m
(vii) <i>Minimum distance to side and rear lot lines</i>		3.0 m	3.0 m
(viii) <i>Minimum distance to other</i>		10.0	10.0 m

	<i>ground signs on the lot</i>			
(x)	<i>Maximum number</i>		1 per lot at a time, 4 per year, see 10.5.7	1 per lot at a time, 4 per year, see 10.5.7
(xi)	<i>Maximum display period</i>		30 days (15 days between permits)	30 days (15 days between permits)

10.6 BANNERS

10.6.1 No person shall place a banner sign or cause a banner sign to be placed:

- on any premise where a temporary sign has already been installed or placed advertising the same business;
- that is hung from any utility pole or light standard, or tree;
- on any residential property.

10.6.2 Banners may be erected, located, or displayed on fencing adjacent to a street, or from a pole erected for this purpose and shall be considered Ground based banners.

10.6.3 Banners erected, located or displayed on a building façade shall be hung from the exterior wall of the building and shall be considered wall mounted.

10.6.4 Only banners advertising a special event organized by a charity, non-profit organization or community organization may be erected, located or displayed off-premises with permission of the owner of the property on which the sign is located, displayed or erected.

10.6.5 A business or organization may apply for three a total of four (4) temporary sign permits mobile signs, banners or inflatable signs. Permits shall be issued for a period not exceeding thirty (30) consecutive days within a calendar year from January 1st to December 31st of that same year. Permits may not be issued consecutively or concurrently. A period of fifteen (15) days between permits must be observed. *(amended by By-law 2018-182)*

TABLE 10.6: BANNERS

Aspect Regulated	Residential	Other Uses
(i) <i>Maximum Sign Face Area</i>	Not permitted	4.8 m ²
(ii) <i>Maximum Height</i>		Wall: not to exceed building height Ground: 2.7 m
(iii) <i>Maximum projection</i>		N/A
(iv) <i>Illumination</i>		Not permitted, indirect lighting only
(v) <i>Minimum distance to a lot line abutting a street</i>		1.5 m
(vi) <i>Minimum distance to side and rear lot lines</i>		3.0 m
(vii) <i>Minimum distance to other signs on the lot</i>		Ground: 15.0 m to other ground sign

(viii)	<i>Maximum number</i>		1 per lot at a time 4 per year, see 10.6.5
(ix)	<i>Maximum display period</i>		30 days (15 days between permits)

10.7 INFLATABLE SIGNS

10.7.1 The inflatable sign shall be located at least 9.0 metres from a traffic control device;

10.7.2 The inflatable sign shall be affixed to the ground and properly secured to the satisfaction of the officer;

10.7.3 Inflatable signs shall be for the businesses or uses currently on the lot on which the sign is to be placed.

10.7.4 Inflatable sign blowers may only be run between 7:00 am and 9:00 pm.

10.7.5 Inflatable signs may be illuminated by internal illumination only and all illumination should direct light away from any adjacent residential properties and/or streets and downward so as to reduce night light pollution.

10.7.6 A business or organization may apply for three a total of four (4) temporary sign permits mobile signs, banners or inflatable signs. Permits shall be issued for a period not exceeding thirty (30) consecutive days within a calendar year from January 1st to December 31st of that same year. Permits may not be issued consecutively or concurrently. A period of fifteen (15) days between permits must be observed. *(amended by By-law 2018-182)*

TABLE 10.7: INFLATABLE SIGNS

Aspect Regulated		Commercial, Park, & Industrial	Business	Other uses
(i)	<i>Maximum Sign Face Area</i>	5.0 m high by 4.0 m wide		Not permitted
(ii)	<i>Maximum Height</i>	5.0 m		
(iii)	<i>Maximum projection</i>	N/A		
(iv)	<i>Illumination</i>	Permitted		
(v)	<i>Minimum distance to a lot line abutting a street</i>	3.0 m from lot lines and from all driveway entrances and exits		
(vi)	<i>Minimum distance to side and rear lot lines</i>	3.0 m		
(vii)	<i>Minimum distance to other signs on the lot</i>	10.0 m from other temporary signs		
	<i>Minimum distance to a residential lot</i>	15.0 m		
(viii)	<i>Maximum number</i>	1 per lot at a time 4 per year, see 10.7.6		
(ix)	<i>Maximum display period</i>	30 days (15 days between permits)		

10.8 Portable Signs

10.8.1 A portable sign may be placed, located or displayed entirely on private property and only in the front or exterior side yard of a property.

10.8.2 A portable sign is not permitted on properties zoned residential or used primarily for residential purposes.

10.8.3 A portable sign shall be erected, located or displayed on the property where the business is located.

10.8.4 A portable sign can only be displayed during business operating hours and must be removed daily when the business is closed.

10.8.5 No portable signs shall be erected, located or displayed within:

- a) 15.0 m of an intersection or traffic control signal or traffic control device;
- b) 3.0 m of a driveway;
- c) in a parking space required under the zoning by-laws of the Township.

10.8.6 No portable sign shall be erected on or over Township property including road allowances, unless approved by the Director of Public Safety and Enforcement or designate.

10.8.7 A portable sign permit is required. A business may apply for one (1) portable sign permit per operating location per year. Permits will be issued for a period of one (1) year. Portable signs with an area that do not exceed 0.75 m² and have a maximum height of 1.2 m do not require a permit (see section 7.1.1.s)

10.8.8 No person shall place, permit to be placed or allow to remain in place, a portable sign that:

- a) is structurally unsafe;
- b) constitutes a fire or safety hazard;
- c) impedes the movement of vehicular, pedestrian traffic or any road maintenance operations;
- d) is illuminated;
- e) would constitute a risk to the safety of persons or property; or
- f) is harmful to the environment; and
- g) must not be affixed to create a health or safety issue to the user or anyone in the vicinity.

10.8.9 A portable sign must meet all other requirements of this by-law.

TABLE 10.8: PORTABLE

Aspect Regulated		Residential	Other Uses
(i)	<i>Maximum number</i>	Not permitted	One (1) per business location per year
(ii)	<i>Maximum display period</i>		business operating hours
(iii)	<i>Maximum projection</i>		Not permitted
(iv)	<i>Illumination</i>		Not permitted
(v)	<i>Minimum distance from laneway</i>		3.0 m
(vi)	<i>Minimum distance to intersection or traffic control signal or traffic device</i>		15.0 m

(section 10.8 added by by-law 2019-029)

11 MINOR VARIANCES

11.1.1 Despite any other provision of this by-law, the Committee of Adjustment may, upon the application by any person affected, authorize such minor variance from the provisions of this by-law that, in the opinion of Committee of Adjustment, maintains the general intent and purpose of the by-law.

11.1.2 In considering an application for a variance, Committee of Adjustment shall have regard for:

- a) design guidelines for signs set out in the secondary plans and site specific policies of the official plan;
- b) physical impediments or obstructions;
- c) topography;
- d) sign visibility;
- e) public safety; and,
- f) whether the variance is desirable in the circumstances.

11.1.3 An application under section 11.1.1 shall be:

- a) filed with the Director of Planning or Director of Public Safety and Enforcement, and
- b) accompanied by:
 - i. such plans, specifications, documents or other information as the Director may require,
 - ii. the full application fee, and
 - iii. any supporting documentation that the applicant considers appropriate.

11.1.4 Where an application under section 11.1.1 is incomplete, the Director may refuse to accept the application.

11.1.5 For the purpose of subsection 11.1.4, an application is incomplete where,

- a) it is not in the form approved by the Director or a reasonable facsimile thereof; or
- b) it is not accompanied by:
 - i. the full application fee for a minor variance; and
 - ii. such information as the applicant is required to provide under 11.1.3.

12 PENALTIES AND ENFORCEMENT

12.1 GENERAL

- 12.1.1 Every person who contravenes or causes or permits any contraventions of any of the provisions of this By-law is guilty of an offence and upon conviction, is liable to a fine as provided for in the *Provincial Offences Act* or any successor.
- 12.1.2 In addition to any penalty imposed and any other remedy, a court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order:
- Prohibiting the continuation or repetition of the violation by the person convicted; and
 - Requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.
- 12.1.3 Where a sign is erected, located, or displayed on, over, partly on, or partly over, a property owned by or under the jurisdiction of the Township of Russell and not in accordance with the regulations of this by-law, the sign may be removed immediately by the Township of Russell without notice or compensation.
- 12.1.4 Where a sign is erected, located, or displayed in contravention of this by-law, the designated official may immediately pull down or remove any sign that this by-law determines constitutes a safety hazard or a concern without notice or compensation.
- 12.1.5 Where a sign does not comply with this by-law or a permit issued under this by-law, the designated official may order the sign owner to remove or bring the sign into compliance in the manner and within the time specified in the order.
- 12.1.6 The order mentioned in section 12.1.5 may be served:
- by personal service upon the sign owner;
 - by prepaid registered mail sent to the last address of the sign owner, shown on the records of the Township of Russell; or,
 - by prominently posting a copy of the order either on the sign in respect of which the order is made, or on the property upon which the sign is erected, located, or displayed.
- 12.1.7 The written order shall contain the particulars of the non-compliance with this by-law, a specified time limit in which to effect compliance and either an order to comply with the by-law within the time limit specified in the order, or an order to remove the sign within the time limit specified in the order.
- 12.1.8 Where the order is served in accordance with section 12.1.6, it is deemed to have been received by the party being served upon the mailing or posting of the order.
- 12.1.9 Where a sign is not removed or is not brought into conformity as required by an order under section 12.1.5, the designated official may have the sign removed without notice or compensation. For this purpose, the designated official, an inspector and their contractor or other agent may enter upon the property at any reasonable time.
- 12.1.10 The cost incurred by the Township of Russell in removing a sign under this part of the by-law is deemed to be municipal taxes and may be added to the collector's roll and collected in the same manner as municipal taxes. Despite the foregoing, the cost incurred by the Township of Russell in removing a sign under this part of the by-law is a debt payable to the Township of Russell and may be recovered in any court of competent jurisdiction.

- 12.1.11 Any sign removed by the Township of Russell shall be stored by the Township of Russell for twenty-eight (28) days, during which time the sign owner may redeem such sign upon payment of the applicable fee prescribed in Schedule "A11 of the applicable User Fees By-law".
- 12.1.12 Where a sign has been removed by the Township of Russell and has been stored for a period of twenty-eight (28) days and has not been redeemed by the sign owner, such sign may be destroyed or otherwise disposed of by the Township of Russell without notice or compensation.
- 12.1.13 This by-law may be enforced by any of the following:
- a) Municipal Law enforcement Officer
- 12.1.14 No person shall obstruct, hinder or interfere with the Municipal Law Enforcement Officer in the lawful performance of his duties.

12.2 RIGHT OF ENTRY

- 12.2.1 Every person enforcing this by-law shall have the right of entry on any property for the purpose of carrying out an inspection to determine whether this by-law is being complied with and for the enforcement of this by-law pursuant to section 436 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended from time to time.

12.3 UNLAWFUL SIGNS

- 12.3.1 A by-law officer or designated delegate may enter onto a property and pull down or remove a sign, sign structure or advertising device, at the expense of the sign owner, that is:
- a) an abandoned sign;
 - b) erected or displayed after the date of passage of this by-law and not in full compliance with this by-law;
 - c) erected or displayed without a sign permit, if such permit is required by this by-law;
 - d) erected or displayed contrary to the plans approved by a by-law officer or designated delegate prior to the issuance of the sign permit;
 - e) not in compliance with all applicable provisions of this by-law, irrespective of whether or not a sign permit is required;
 - f) determined by the by-law officer or designated delegate to be unsafe and a potential or probably danger to any person or property; or
 - g) Erected or displayed in whole or in part on, or partly over, lands owned by, or under the jurisdiction of the Township of Russell, without the prior authorization of the Township of Russell.
- 12.3.2 No person shall erect, cause to be erected, display or cause to be displayed a sign, sign structure or advertising device except in accordance with this by-law.

13 VALIDITY AND SEVERABILITY

- 13.1.1 Every provision of this by-law is severable and if any provisions of this by-law should for any reason be declared invalid by any court, it is the intention and desire of this council that the remaining provisions shall remain in full force and effect.
- 13.1.2 Where a provision of this by-law conflicts with the provision of another by-law in force within the Township of Russell, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

14 LIABILITY

14.1.1 This by-law is not be construed at any time in such fashion as to hold the Township of Russell or its officers liable for failing to ensure that persons comply with the provisions of this by-law.

15 REPEAL

15.1.1

That By-law # 29-77, being a by-law to regulate signs in the Township of Russell, previously approved on October 5, 1977 as well as all its amendments, be and the same are hereby repealed as of the day on which this by-law comes into force and effect.

16 ENACTMENT

16.1.1 That this by-law shall come into force and effect upon final reading thereof.

READ A FIRST TIME THE 16TH DAY OF MAY, 2016.

READ A SECOND TIME THIS 3RD DAY OF OCTOBER, 2016.

READ A THIRD TIME AND FINALLY PASSED THIS 7TH DAY OF NOVEMBER 2016.

Pierre Leroux
Mayor

Joanne Camiré Laflamme
Clerk

SCHEDULE 1 to By-law 2016-052 Township of Russell Sign By-law: SUMMARY TABLE OF PERMITTED AND PROHIBITED SIGNS BY ZONE

To determine if a sign type is permitted on a given lot:

- 1) Use the Zoning By-law to identify the zoning of the property.
- 2) Look at the list of signs and identify the desired sign type.
- 3) Look under the appropriate zoning column to determine if the sign type is permitted, Y means permitted X means not permitted.
- 4) The section column identifies the section where more detailed information regarding a sign type can be found.
- 5) The permit required column identifies if a sign permit application is required for this sign type.

Type	Section	Permit Required	Village Core	Commercial & Business Park	Industrial	Agricultural	Residential	Other Uses
Affiliation	7.1.1	No	Y	Y	Y	Y	Y	Y
Animated	6.1.1	Not permitted	X	X	X	X	X	X
Awning, Canopy, Marquee	9.5	Yes	Y	Y	Y	Y	X	Y
Banner	10.6	Yes	Y	Y	Y	Y	X	Y
Billboards	9.6	Yes	X	X	Y	X	X	X
Construction information	7.1.1	No	Y	Y	Y	Y	X	X
Drive-thru	7.1.1	No	Y	Y	Y	X	X	X
Election	7.1.1	No	Y	Y	Y	Y	Y	Y
Event	7.1.1	No	Y	Y	Y	Y	Y	Y
Existing	5.3	Yes/No	Y	Y	Y	Y	Y	Y
Farm	7.1.1	No	X	X	Y	X	X	X
Farmers Market	7.1.1	No	Y	Y	Y	Y	Y	Y
Garage Sale	7.1.1	No	Y	Y	Y	Y	Y	Y
Ground	9.1	Yes	Y	Y	Y	Y	Y	Y
Historical	7.1.1	No	Y	Y	Y	Y	Y	Y
Identification	7.1.1	No	Y	Y	Y	Y	Y	Y
Inflatable	10.7	Yes	X	Y	Y	X	X	X
Interior	7.1.1	No	Y	Y	Y	Y	Y	Y
Menu display	7.1.1	No	Y	Y	Y	X	X	Y
Mobile	10.5	Yes	Y	Y	Y	Y	X	Y
Model home	7.1.1	No	X	X	X	X	Y	X
Mural	7.1.1	No	Y	Y	Y	Y	Y	Y
New development directional	10.2	Yes	Y	Y	Y	Y	Y	Y
New development ground	10.1	Yes	Y	X	X	X	Y	Y
New development portable	10.3	Yes	Y	Y	Y	Y	Y	Y
Official	7.1.1	No	Y	Y	Y	Y	Y	Y
On-premise directional	7.1.1	No	Y	Y	Y	Y	Y	Y
Parapet	9.3	Yes	Y	Y	Y	Y	Y	Y
Pole	9.2	Yes	X	Y	Y	X	X	X

Portable	7.1.1	No	Y	Y	Y	Y	Y	Y
Poster	7.1.1	No	Y	Y	Y	Y	Y	Y
Produce (Farm)	7.1.1	No	X	X	X	Y	X	X
Projecting	9.4	Yes	Y	Y	Y	Y	Y	Y
Real estate	7.1.1	No	Y	Y	Y	Y	Y	Y
Real estate directional	7.1.1	No	Y	Y	Y	Y	Y	Y
Religious schedule	7.1.1	No	Y	Y	Y	Y	Y	Y
Roof	6.1.1	N/A	X	X	X	X	X	X
Snow clearing markers	7.1.1	No	Y	Y	Y	Y	Y	Y
Wall	9.3	Yes	Y	Y	Y	Y	Y	Y
Window	10.4	Yes	Y	Y	Y	X	X	Y
Work completed	7.1.1	No	Y	Y	Y	Y	Y	Y