

THE CORPORATION OF THE TOWN OF HANOVER

BY-LAW NO. 2916-15

BEING a By-Law to regulate the erection and maintenance of signs, awnings, advertising devices, and marquee in the Town of Hanover.

WHEREAS the lands described hereinafter have been conveyed to The Corporation of the Town of Hanover for use as a public highway;

WHEREAS Section 11 (3) of the *Municipal Act, 2001, S.O. 2001, c.25* states that a lower-tier municipality may pass by-laws, respecting matters within certain spheres of jurisdiction, including structures, fences, and signs;

AND WHEREAS Section 99 (1) of the *Municipal Act 2001 S.O. 2001, c.25* states that a by-law of a municipality respecting advertising devices, including signs, does not apply to an advertising device that was lawfully erected or displayed on the day the by-law comes into force if the advertising device is not substantially altered, and the maintenance and repair of the advertising device or a change in the message or contents displayed is deemed not in itself to constitute a substantial alteration. 2006, c. 32, Sched. A, s. 39;

AND WHEREAS Section 99 (2) of the *Municipal Act, 2001, S.O. 2001, c.25* provides that all costs and charges incurred by a municipality for the removal, care and storage of an advertising device that is erected or displayed in contravention of a by-law of the municipality are a lien on the advertising device that may be enforced by the municipality under the *Repair and Storage Liens Act*;

AND WHEREAS Section 63 of the *Municipal Act, 2001, S.O. 2001, c.25* provides that a by-law may prohibit or regulate the placing or standing of an object on or near a highway and may provide for the removal and impounding or restraining and immobilizing of any object placed or standing on or near a highway;

AND WHEREAS Section 116 (2) of the *Municipal Act, 2001, S.O. 2001, c.25* provides that where a municipality has established a centralized communication system for emergency services it may at any reasonable time enter onto land to affix numbers on buildings or erect signs setting out numbers on land;

AND WHEREAS Section 391 (1) of the *Municipal Act, 2001, S.O. 2001 c. 25* states that section 11 authorizes a municipality to impose fees or charges on persons, for services or activities provided or done by the municipality;

AND WHEREAS Section 446 of the *Municipal Act, 2001 S.O. 2001, c.25* provides that where a council has the authority to direct or require by By-law or otherwise that any matter or thing be done, the council may by the same or by another By-law direct that, in default of its being done by the person directed or required to do it, such matter or thing shall be done at the person's expense, and the Municipality may recover the expense incurred in doing it by action or the same be recovered in like manner as municipal taxes;

NOW THEREFORE the Council of the Corporation of the Town of Hanover hereby enacts as follows:

SECTION 1 – ADMINISTRATION AND ENFORCEMENT

1.1 SHORT TITLE:

This By-Law may be cited as the "Sign By-Law"

1.2 SCOPE:

- a) All lands within the Corporate limits of the Town of Hanover are subject to the provisions of this By-Law.
- b) This By-Law shall be administered and enforced by the Chief Building Official or his or her designate, and the Municipal Law Enforcement Officer of the Corporation of the Town of Hanover.

1.3 EFFECT OF THIS BYLAW:

- a) No Person shall erect any sign or other advertising device or any class or classes thereof, or any notice on buildings or vacant lots, or erect any awning or marquee that projects over a street except in accordance with the provisions of this By-Law.
- b) Nothing in this By-Law shall relieve any person from complying with all other applicable statutes and by-laws including any requirement of the Ministry of Transportation that may apply to any sign or other advertising device, or any awning or marquee that projects over a street. The provisions of this By-Law shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning any sign or other advertising device, any awning or marquee erected pursuant to this By-Law for personal injury or property damage resulting from negligence or willful acts of such person, his agents, or employees, in the erection, maintenance, or removal of any sign or other advertising device, awning or marquee erected in accordance with a permit issued by the Town of Hanover under this By-Law, nor can it be construed as imposing upon the Town of Hanover or its officials any responsibility or liability by reason of the approval of any sign or other advertising device, or any awning or marquee under the provisions of this By-Law.

1.4 INTERPRETATION:

- a) In the case of conflict between the provisions of this By-Law and provisions of other By-Laws and statutes, the most restrictive By-Law or statute shall apply.
- b) In this By-Law the word "shall" is mandatory; words in the singular include the plural; words in the plural include the singular; words in the masculine include the feminine; words in the feminine include the masculine.
- c) Regulations in this By-Law are expressed in System International (SI) Units, which may be expressed in short form. The SI unit and its corresponding short form are as follows:

Meter: m

Square Meter: m²

1.5 MINOR VARIANCES:

The Committee of Adjustment for the Town of Hanover, upon application to the Committee, may authorize such minor variance from the provisions of this By-Law in respect of any provision as defined in this By-Law, provided that in the opinion of the Committee, the general intent and purpose of this By-Law and the Town of Hanover Official Plan and Zoning By-Law are maintained.

1.6 SIGN PERMITS & FEES:

- a) No person shall erect or cause to be erected in the Town of Hanover any sign or other advertising device, or any awning or marquee that projects over a street, (except political posters), contractor's signs, sandwich signs, personal identification signs, private directional signs, and private notice signs, unless a sign permit has been obtained from the Chief Building Official, or his or her designate of the Town of Hanover.
- b) The Chief Building Official, or his or her designate, shall not issue any sign permit for a proposed sign or other advertising device, or a proposed awning or marquee that projects over a street which is contrary to any provision of this By-Law, the *Ontario Building Code*, or any other applicable statute.
- c) The applicant for a sign permit shall supply any or all of the following information by drawings or in writing as may be required by the Chief Building Official, or his or her designate at his or her sole discretion:
 - The name and address of the owner of the lot.
 - The type, size and weight of the sign.
 - The location of the sign on the lot.
 - The minimum clear height and the maximum height of any sign.
 - Type and operation of lighting, if any, of the sign.
 - The means of support and manner of erection of the sign.
 - The location and size of other signs on the lot and on lots within the vicinity of the subject lot.

- The name and address of the owner of the sign.
 - The name and address of the erector of the sign.
 - The above requirements shall apply to any application for any other advertising device and any awning or marquee that will project over a street.
- i) The Chief Building Official, or his or her designate, may require approval on the structural details of a proposed sign or other advertising device, or a proposed awning or marquee that will project over a street, from a professional engineer or architect prior to issuance of a sign permit.
 - ii) Sign permits are not transferable.

1.7 This By-Law shall apply to all new signs and all changes of signs.

SECTION 2 – DEFINITIONS

- 2.1. "ACCESSORY SIGN" means a sign that's principle purpose is identifying, advertising or directing attention to a business, profession, commodity, subject, service or entertainment which is located, conducted, sold or offered at the lot upon which the sign is located, and such sign may incorporate changeable message areas on which accessory or non-accessory messages may be displayed.
- 2.2. "ADVERTISING DEVICE" shall include any awning or marquee, whether projecting over a street or not, or other feature or structure, that has displayed thereon a message or symbol established for purpose of conveying a message.
- 2.3. "ANIMATED SIGN" shall mean any sign which includes action or motion of all or any part of the sign but shall not include colour changes.
- 2.4. "AREA" shall mean the zone established in the Comprehensive Zoning By-Laws passed under Section 34 of the *Planning Act* in force in the Town of Hanover.
- 2.5. "AWNING" means a retractable or non-retractable roof-like structure constructed of canvas or canvas-like material (which may have displayed thereon a message) supported by a frame that projects from, is attached to and is supported by a building.
- 2.6. "AWNING SIGN" shall mean a non-illuminated identification sign or logo painted or affixed flat to the surface of an awning which does not extend vertically or horizontally beyond the limits of such awning.
- 2.7. "BANNER SIGN" means a sign produced on cloth, paper, fabric, or other similar material of any kind, either with or without a frame, and not solidly fixed to the ground or any structure.
- 2.8. "BILLBOARD" shall mean a third party, non-accessory sign that advertises goods, products, services or facilities that are not available at the location where the sign is situated or that directs persons to a location different from that where the sign is located.
- 2.9. "BUILDING FACE" shall mean the total area of a building contained between the finished surface of the ground where it meets the exterior of the front of the building and the eaves (vertically); and, between the sidewalls of the building (horizontally).
- 2.10. "BUSINESS ESTABLISHMENT" means a commercial enterprise utilizing common personnel, facilities and space.
- 2.11. "CANOPY" shall mean any structure projecting from the face of the building having a rigid frame and being attached to a building in such a manner as not to become an integral part thereof, but does not include collapsible or fixed awnings or balconies.
- 2.12. "CHANGEABLE COPY SIGN" shall mean a sign on which copy can be changed through the use of attachable letters, numerals and pictorial panels, or automatically by electronic switching of lamps or illuminated tubes and shall be deemed not to mean time and temperature messages.
- 2.13. "CLEARANCE" shall mean the vertical distance between the lowest limit of a sign and the finished grade immediately below.
- 2.14. "CLEAR HEIGHT" means the distance between the highest elevation of the ground beneath a sign or awning and the lowest point of the sign (excluding support poles) or the awning, as the case may be.
- 2.15. "CONTRACTOR'S SIGN" means a single or double faced temporary accessory sign containing the name of the contractor or the name of the product being used for an on-going construction, renovation or maintenance project on a lot.

- 2.16. "COPY AREA" shall mean the entire area within a single square or rectangle or a combination of squares or rectangles which enclose the extreme limits of the advertising message or announcement. Decorations and logos related to specific nature of the advertising message or announcement shall be included in additional such squares or rectangles.
- 2.17. "DEVELOPER'S SIGN" means a single or double faced temporary accessory sign used to identify a development or redevelopment project on a lot or establishment of a subdivision, such sign to be removed upon completion of the development or redevelopment project or the subdivision.
- 2.18. "ERECT" means to build, construct, place, reconstruct, alter or relocate and, not to limit the generality of the foregoing, shall include any preliminary physical operation such as excavating, grading, piling, cribbing or filling, structurally altering, making an addition, deletion, enlargement or extension, but a change in the message of a sign or other advertising device shall not constitute an alteration so as to require a sign permit unless the sign frame or part thereof is changed, moved or removed.
- 2.19. "FASCIA SIGN" shall include a wall sign and every sign attached to, marked or inscribed on, or erected or placed against a wall, or other surface, whether forming part of a building or not, and having the exposed face thereof on a plane approximately parallel to the plane of such wall and projecting not more than 0.6m from the face of such wall and shall include a painted wall sign.
- 2.20. "FLASHING SIGN" shall mean a sign or advertising device which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted light source, but does not include an automatic changing sign such as time and/or temperature and/or date sign, or electrically controlled message centre.
- 2.21. "FREE STANDING SIGN" shall mean any sign, except billboards, supported independently or visibly separated from a building or other structure and permanently fixed to the ground.
- 2.22. "FREE STANDING DIRECTIONAL SIGN" shall mean a sign under 0.4m² in area (0.2 m² per face), supported independently of and visibly separated from a building or structure and permanently fixed to the ground and shall be used for the direction of pedestrian and/or motor vehicle traffic and shall not be used for identification or advertisement.
- 2.23. "FREE STANDING MODEL HOME REAL ESTATE SIGN" shall mean a non-illuminated sign which is permanently installed or affixed to the ground and the content of the sign is to direct attention to model homes at another location.
- 2.24. "GARAGE SALES / YARD SALES" - means any sale or intended sale described by the use of the following words or expressions or any enlargement, contraction or combination thereof:
 - garage sale, yard sale, lawn sale, moving sale or any other wording used to describe the selling of used goods from a person(s) property not in the ordinary course of a Retail Business and shall not include new articles brought to the sale for retail.
- 2.25. "GARAGE SALE/YARD SALE SIGN" means a sign advertising a garage/yard sale.
- 2.26. "GROUND SIGN" means a single or double faced accessory sign which rests on the ground or is mounted on one or more poles where the sign has a clear height of less than 3.0 m.
- 2.27. "HEIGHT OF SIGN" shall mean the vertical distance measured from the highest point of the sign of the finished grade immediately below such sign and shall include any support structure.
- 2.28. "IDENTIFICATION SIGN" shall mean a sign which is limited to the name, address and street number of a building, telephone number, structure, institution, or person and to the activity carried on in the building or institution, or the occupation of the person.
- 2.29. "LOT" means a parcel or tract of land which is held under separate ownership from adjacent lands according to the registration thereof in the Land Registry or Land Titles Office, or is a whole lot on a registered plan of subdivision, or more than one lot on a registered plan of subdivision constituting a single development parcel.
- 2.30. "LOT, CORNER" means a lot situated at the intersection of two or more streets, of which two adjacent street lines meet at an angle of not more than one hundred and thirty-five degrees, and where such adjacent street lines are curved, the angle of intersection of the adjacent street lines shall be deemed to be the angle formed by the intersection of tangents to the street lines drawn from the extremities of the adjacent

- lots, provided that in the latter case, the corner of the lot shall be deemed to be that point on the street line nearest the point of intersection of the said tangents.
- 2.31. "MARQUEE" means a non-retractable roof-like structure constructed of metal, wood, plastic, plaster or similar materials projecting from, attached to and supported by a building, upon which there may be one or more sign faces which may be intended to have frequent message changes.
- 2.32. "MOBILE SIGN" shall be any sign or sign structure which was expressly designed for temporary placement or erection on a site and which is constructed to support, carry or display an area of changeable copy and/or a read-a-board sign.
- 2.33. "MUNICIPAL ADDRESS NUMBER" means the number used for the purpose of identifying a building or property on a particular street, and may include a letter or number used to identify a unit, suite, building or property.
- 2.34. "NON-ACCESSORY SIGN" shall mean a sign that advertises goods, products, services or facilities that are not necessarily available at the location where the sign is situated or that directs persons to a location different from that where the sign is located.
- 2.35. "OWNER" shall mean the person, corporation or agent controlling, or apparently in control of, or owner the property on which the sign is located.
- 2.36. "PAINTED SIGNS" means a sign painted on the wall or roof of a building and shall be deemed to be a fascia sign if the sign is accessory or a poster panel if the sign is non-accessory.
- 2.37. "PAINTED WALL SIGN" shall mean any sign painted upon any outside wall or other integral part of the building, without the use of independent supports or frames therefor.
- 2.38. "PERSON" means any human being, association, chartered organization, firm, partnership, corporation, agent or trustee, and their heirs, executors, or other legal representatives of a person to whom the context can apply according to the law.
- 2.39. "PERSONAL IDENTIFICATION SIGN" means a single or double faced accessory sign that identifies the residential occupants of the lot.
- 2.40. "PILLAR SIGN" means a non-accessory sign which is illuminated 24 hours per day located on a structure which may be cylindrical, spherical, rectangular, or triangular in shape, with a maximum horizontal diameter, diagonal or width, as the case may be, of 2.0 m and having a maximum height of 4.5 m above the ground immediately beneath the sign structure, erected on its own foundation directly on the ground.
- 2.41. "PLATE IDENTIFICATION SIGN" shall be a wall sign having the exposed face thereof on a plane parallel to the plane of such wall, projecting not more than 0.03 m from the face of such wall, shall not be internally illuminated and shall be used for identification, direction and liability notices.
- 2.42. "PORTABLE SIGN" means a single or double faced accessory or non-accessory sign which is positioned without a permanent means of anchorage to the ground, not permanently affixed thereto which shall be permitted only as a temporary sign, and to include signs that may be moved from place to place on wheels.
- 2.43. "POSTER PANEL" means a single or double faced non-accessory sign which is used for the display of a message produced on sheet paper and applied to the sign face or painted directly onto the sign face.
- 2.44. "PRIVATE DIRECTIONAL SIGN" means a single or double faced accessory sign that indicates points of ingress, egress, traffic circulation, rest rooms, parking areas or similar information on the lot.
- 2.45. "PRIVATE NOTICE SIGN" means a single faced accessory sign that directs a notice to the public such as no trespassing, beware of dog, no hunting, block parent or similar notice.
- 2.46. "PROJECTING SIGN" shall mean any sign other than a wall sign, canopy or fascia sign which is attached to and projects from a structure, building face or wall.
- 2.47. "READ-A-BOARD SIGN" shall mean a temporary sign or any part thereof:
- a) not permanently attached to the ground or to a building, and
 - b) designed for the temporary placing of copy, letters, or messages.
- 2.48. "PYLON SIGN" means an accessory sign having one or more sign faces mounted on one or more poles where the sign has a minimum clear height of 3.0 m and does not project more than 15.0 m above the ground immediately below the pylon sign.

- 2.49. "REAL ESTATE SIGN" means a single or double faced accessory sign used to advertise that the lot, building or structure is for sale or for lease or has been sold or leased.
- 2.50. "ROOF SIGN" means a single or double faced sign located upon and attached to the roof of a building and shall be deemed to be a poster panel if the sign is non-accessory. A roof sign shall not project more than 6.0 m above the roof immediately below the roof sign.
- 2.51. "ROTATING SIGN" shall mean any sign or portion of a sign which moves in a revolving or similar manner but not including trios and other multiple prism signs designed for multiple use of the same copy area.
- 2.52. "SANDWICH SIGN" means a free standing single or double faced temporary accessory sign having a maximum sign area of 0.5 m² for each sign face.
- 2.53. "SIGN" means a device or surface on which is displayed a message directing attention to a business, profession, commodity, subject, service or entertainment. A single faced sign means a sign containing only one sign face, and a double faced sign means a sign containing two signs faces opposite each other.
- 2.54. "SIGN FACE" means that portion of a sign on which a message is intended to be displayed.
- 2.55. "SIGN AREA" means the area of a sign face, excluding supports, frames, and other incidentals to the sign, except on a double faced sign where only the larger of the two sign faces shall be calculated as sign area. Where letters, figures, or symbols are affixed to a wall separately to constitute a sign, the sign area shall be deemed to be the area of the smallest rectangle, triangle, or combination thereof which will enclose each sign message that conveys a separate thought.
- 2.56. "STREET" means a highway as defined in the *Municipal Act, S.O 2001, c. 25*, and includes the travelled and non-travelled portions of a street allowance.
- 2.57. "STREET FRONTAGE" means the linear distance of all street lines on a lot. Where a lot does not abut a street, street frontage means the linear distance of the lot line closest to a street to which the lot has direct access.
- 2.58. "STREET LINE" means the limit of the street allowance and is the dividing line between a lot and a street.
- 2.59. "TEMPORARY OPEN HOUSE REAL ESTATE SIGN" shall mean any sign which is not permanently installed or affixed and the content of the sign is to direct attention to a real estate open house where the sign is located or at another location.
- 2.60. "TEMPORARY SIGN" means a single or double faced accessory or non-accessory sign which is capable of being readily moved or removed where the duration of the display time is intended to be limited as indicated on the sign permit issued in accordance with this By-law or as otherwise stipulated by this By-Law or as conveying a message applicable for a definable and specific limited period of display for holidays, public demonstration, or charitable organizations which has been approved by Town Council and shall exclude any sign otherwise defined in this by-law.
- 2.61. "ZONE" means a zone as delineated on the Zoning Maps attached to the Town of Hanover Zoning By-Law, as amended from time to time. Wherever a zone class as defined in the Town of Hanover Zoning By-Law is referred to, such reference shall mean all zones within the said zone class.

SECTION 3 - GENERAL AND SPECIFIC PROVISIONS

3.1 SIGNS PERMITTED IN ALL ZONES:

- a) Notwithstanding the provisions of this By-Law, the following signs shall be permitted on any lot in any zone in accordance with the standards specified herein:
- i) Real Estate signs having a maximum sign area of 1.0 m² for each sign in R1-, R2-, R3-, R4- or R5- Zones or a maximum sign area of 5.0 m² for each sign in all zones other than R1-, R2-, R3- or R5- Zones, provided however, that not more than one real estate sign for each 50.0 m or part thereof of street frontage of the lot shall be permitted except on corner lots where such a requirement shall be applied on each separate street frontage of the lot, 6 m from the front lot line.
 - ii) One Personal Identification Sign for each dwelling unit on a lot having a maximum sign area of 0.2 m².

- iii) Any number of Private Directional Signs having a maximum sign area of 1.0 m² for each sign.
 - iv) Any number of Private Notice Signs having a maximum sign area of 0.5 m² for each sign.
 - v) Any sign advertising a proposed amendment to the Town of Hanover Official Plan or the Town of Hanover Zoning By-Law.
 - vi) Any number of Political Posters, as regulated, which may be erected upon the calling of a municipal, provincial or federal election but which shall be removed no later than one week following the day of the election.
 - vii) Any number of Contractor's Signs having a maximum sign area of 1.5 m² for each sign, such signs to be removed no later than one week following completion of the construction, renovation or maintenance project.
 - viii) Any number of Developer's Signs on each lot subject to development, redevelopment or subdivision, provided however such signs cumulatively shall not have a sign area exceeding 0.1% of the lot area of the lot on which the signs are erected.
- b) The signs listed in Section 3.1(a) of this By-Law may be located anywhere on a lot except as may be prohibited by the provisions of Section 3.2 of this By-Law.

3.2 SPECIAL REGULATIONS PERTAINING TO SIGNS:

- a) No person shall erect any sign or other advertising device that resembles any traffic control signal or sign in a manner which may confuse motorists, or which attempts to direct the movement of traffic on a street.
- b) No person shall erect any sign or other advertising device that obstructs visibility to and from any vehicular ingress or egress point onto a street.
- c) No person shall erect any sign or other advertising device which hides from view any traffic control signal or sign, or which directs a glare of light towards a street which would have the effect of impeding a motorist's visibility.
- d) No person shall erect or maintain any sign or other advertising device which is not in a safe condition or in a good state of repair. Where any sign or other advertising device is not maintained in safe condition or in good state of repair in the sole opinion of the Chief Building Official or Municipal Law Enforcement Officer, the owner of such sign shall forthwith upgrade the said sign or other advertising device to a safe condition or good state of repair, or otherwise remove the said sign or other advertising device.
- e) Except as may otherwise permitted pursuant to this By-Law, no person shall erect any temporary or permanent sign, advertising device, announcement, advertisement, sandwich board sign, notice, garage/yard sale sign, portable sign, bicycle stand, taxi stand, vending machine, weigh scales, newsstand, dodgers, hand bill, or similar device for whatever purpose, shall not be permitted to project over or extend across, or be placed upon any public highway, or in any manner be located on any curb, boulevard, sidewalk, attached to a public lamp, utility poles, trees, bridge piers hydrant, or any other structures or features located on any street or bridge, pier, or any other structure within the limits of any street within the Town of Hanover, without the written permission of the Town of Hanover.
- f) Notwithstanding Section 3.2 (e) of this By-Law, political posters, may be erected on the untraveled portion of a street allowance provided such signs have a maximum sign area of 1.5m² for each sign, are setback minimum 2.0 m from the travelled portion of the street allowance, have a maximum height of 1.25 m, are mounted on their own support affixed or secured directly to the ground, and are erected in accordance with Section 3.1 (a)(vi) of this By-Law.
- g) No person shall erect any sign or other advertising device in proximity to any fire alarm, telephone or other wire, cable or conduit carrying electrical current such that a hazard would be created, nor shall any person erect a sign or other advertising device that blocks any entrance or exit, window or ventilation system of a building.
- h) No person shall erect any lighted sign or other advertising device, or any lights to illuminate any sign or other advertising device, which will direct glare onto any street or neighbouring lot, and any sign or other advertising device incorporating flashing lights shall be at least 30.0 m from any lot in a R1-, R2-, R3-, R4- or R5-

Zone or any lot used for a single detached, duplex, semi-detached or converted dwelling.

- i) No person shall erect any sign in any R1-, R2-, R3-, R4- or R5- Zone which is mechanized in any way.
- j) On any corner lot in any zone, except however C1-, C2-, C3-, C4-or C6- Zones, no person shall erect any sign or other advertising device that exceeds 0.75 m in height which may have the effect of impeding visibility of a motorist, closer to the front and exterior side lot lines, so that any portion of the said sign or other advertising device extends beyond a line connecting two points equidistant 5.0 m along each lot line from the point of intersection of the said lot lines, such triangular area to be called a sight triangle . Where the point of intersection of the said streets constitutes an arc, the point of intersection shall be determined in accordance with the definition of "lot, corner" in this By-Law. The sign portion of a pylon sign may overhang a sight triangle provided the support pole(s) are located outside of the sight triangle.
- k) Unless stated otherwise in this by-law, signs shall be located in the yard adjacent to the building frontage, or the abutting public highway.
- l) No person shall erect any sign that fronts onto an adjacent property.

3.3 MUNICIPAL ADDRESS NUMBER:

- a) Every building within the municipality shall have assigned to it a municipal address number provided by the Town of Hanover, or previously provided by the municipality before this By-law was enacted.
- b) Every owner of a building shall ensure that the building has affixed to it in a conspicuous and visible manner to the legal lot frontage determined by the Zoning By-law, the municipal address number provided by the Town of Hanover, or previously provided by the municipality before this By-law was enacted.
- c) No person shall affix or permit to be affixed to any building or property any municipal address number other than the municipal address number provided by the Town of Hanover, or previously provided by the municipality before this By-law was enacted.
- d) Every owner of a building, at the request of the municipality in writing, shall remove from a building or property any municipal address number that was not provided by the Town of Hanover, or provided by the municipality before this By-law was enacted.
- e) Where a municipal address number is removed pursuant to Section 3.3 (d) and a municipal address number has not been assigned to the building or property, the municipality may assign a municipal address number for the building or property and the Owner shall promptly affix the municipal address number to the building or property in accordance with this By-law.
- f) It is the sole responsibility of the owner of a building or property to obtain, affix and maintain a municipal address number in compliance with the provisions of this By-law.

3.4 ORDER TO REMOVE AND AFFIX MUNICIPAL ADDRESS NUMBER:

- a) Where the owner of a building or property does not remove a municipal address number in accordance with Section 3.3 (d), the Chief Building Official or Municipal Law Enforcement Officer may serve the owner with an Order requiring the owner to remove the Municipal Address Number in accordance with the requirements of this By-law and the Order shall specify the time allowed for compliance.
- b) Where the owner of a building or property does not affix the Municipal Address Number in accordance with Section 3.3 (b), the Chief Building Official or Municipal Law Enforcement Officer may serve the Owner with an order requiring the Owner to affix the Municipal Address Number in accordance with the requirements of this By-law and the order shall specify the time allowed for compliance.
- c) The Order requirements under Section 3.4 (a) and (b) may be combined in one Order where applicable.
- d) If an owner fails to comply with an Order made under Sections 3.4 (a), (b) or (c) the municipality may remove or affix or cause to be removed or affixed the Municipal Address Number on the building or property, as the case may be,

and the municipality may recover all expenses incurred in carrying out this work by adding the costs to the tax roll of the property and collecting them in the same manner as property taxes.

3.5 REGULATIONS PERTAINING TO THE LOCATION OF SIGNS:

- a) Except as may be otherwise provided for in this By-Law, no person shall erect any sign or other advertising device on any lot or attached to any building or structure except in accordance with the following provisions:
 - i) No sign shall extend over any lot line including over any street line, except however in C1-, C2-, C3-, C4- or C6- Zones where a sign may project a maximum of 0.5 m over a street from the street line provided such sign maintains a minimum clear height of 3.0 m, and where a minimum clear height of less than 3.0 m is provided, projection of a sign over a street shall not be permitted.
 - ii) Pylon signs shall not be erected within 3.0 m of any lot in a R1-, R2-, R3-, R4- or R5- Zone.
 - iii) Ground, sandwich and portable signs shall not be erected within 2.0 m of any street line.
 - iv) **A sign may project over a sidewalk in C1 Zone a maximum of 0.9 m from a building and maintain a clear height of 3.0 m only when the sign is designed and constructed in accordance with Schedule 'B' to this bylaw.**

Amended
By-Law 2974-17

3.6 POSTER PANELS:

No person shall erect any poster panel on any lot in any zone except in C1-, C2-, C3-, C4-, C6-, M1-, M2- Zones, and except in accordance with the following provisions:

- a) A poster panel shall not be located closer to any street line than 4.5 m but such a requirement shall not apply in C1-, C2-, C3-, C4-, C6- Zones.
- b) A poster panel shall not be located within 8.0 m of any lot used for a single detached dwelling, semi-detached dwelling, duplex dwelling, converted dwelling or multiple dwelling.
- c) A poster panel, when constructed on its own foundation, shall not exceed 6.0 m in height.
- d) The maximum sign area for each poster panel shall be 30.0 m².
- e) No more than two poster panels shall be permitted on any one lot, and no group of one or two poster panels shall be located within 30.0 m of any other group of one or more poster panels or any pillar sign.

3.7 PILLAR SIGNS:

No person shall erect any pillar sign on any lot in any zone except C1-, C2-, C3-, C4-, C6- M1-, M2- Zones and except in accordance with the following provisions:

- a) A pillar sign shall not be erected within 2.0 m of any street line, except in C1-, C2-, C3-, C4-, C6- Zones where such a requirement shall not apply.
- b) A pillar sign shall not be located within 3.0 m of any lot used for a single detached dwelling, semi-detached dwelling, duplex dwelling, converted dwelling, or multiple dwelling.
- c) A pillar sign shall not be located within 30.0 m of any poster panel of other pillar sign.

3.8 MARQUEES OVER A STREET:

- a) Marquees that project over a street existing on the effective date of this By-Law shall be permitted.
- b) No person shall erect any marquee that projects over a street except where the Council of the Corporation of the Town of Hanover has granted permission for a marquee that projects over a street.

3.9 AWNINGS OVER A STREET:

No person shall erect any awning over a street unless in accordance with the following provisions:

- a) Awnings shall be permitted to project over a street only in C1-, C3-, C4-, C6- Zones.

- b) Awning frames and supports shall have a minimum clear height of 3.0 m, and no part of any awning shall be less than 3.0 m above the ground or sidewalk surface, as the case may be, beneath the awning.
- c) Readily-retractable awnings may project a maximum of 2.0 m over a street from the street line, and awnings which are not readily retractable may project a maximum of 1.25 m over a street from the street line, but in no case shall any awning project to within less than 1.0 m of the curb face of a travelled street.
- d) Any message displayed on any awning shall be of a permanent nature, and shall be deemed a fascia sign for purposes of this By-law.
- e) Awnings shall be maintained in safe condition and in good repair to the satisfaction of the Chief Building Official or Municipal Law Enforcement Officer, and any awning which is not maintained in safe condition or in good repair in the sole opinion of the Chief Building Official or Municipal Law Enforcement Officer shall forthwith be upgraded to safe condition or good repair by the owner, or otherwise be removed.

3.10 MOBILE SIGNS AND READ-A-BOARD SIGNS:

Mobile signs and read-a-board signs are permitted only in accordance with the following regulations:

- a) No person shall install, erect or display, or cause to be installed, erected or displayed, any mobile sign or read-a-board sign unless:
 - i) An application for a permit therefor has been submitted to the Town of Hanover and such application has been endorsed by the person for whom or on whose behalf the sign is proposed to be installed, erected or displayed, or by such person's agent other than the lessor of such sign;
 - ii) A permit has been issued and is valid for the date or dates upon which such sign is displayed;
 - iii) Such sign is displayed within thirty (30) days of the date of issuance of such permit;
 - iv) Temporary sandwich board, mobile signs and read-a-board signs on the effective date of this By-Law shall be removed after sixty (60) days;
 - v) Portable signs to announce a new business shall be permitted to locate for sixty (60) consecutive days for the first six (6) months of opening.
- b) No permit shall be issued to permit a mobile sign or read-a-board sign to be displayed for any one **business** for a period of less than one week, for a consecutive number of days longer than one (1) month or thirty (30) days or for a cumulative period of more than sixty (60) days in any calendar year; provided, however that for the purpose of this clause, each tenant of a multiple-occupancy commercial building shall be deemed to occupy a separate property.
- c) No mobile sign or read-a-board sign shall be installed, erected or displayed except on an automobile service station site or in a commercial zone established in a restricted area (zoning) by-law passed pursuant to Section 34 of the *Planning Act, R.S.O. 1990, Chapter P.13*, and only except for one or more of the following purposes:
 - i) to announce a change of use, occupancy or ownership;
 - ii) to announce the opening of a new store or establishment;
 - iii) to make a public service announcement;
 - iv) to announce a special sale;
 - v) to announce a closing out sale or bankruptcy sale; provided, however, no mobile sign or read-a-board sign is displayed for such purposes for a period exceeding two weeks;
 - vi) to provide a substitute for a permanent sign which has been damaged or is being replaced; provided however that any purpose for which the mobile sign or read-a-board sign is displayed shall relate exclusively to the business conducted by the person to whom, or on whose behalf, the permit for such sign is issued on the property upon which the sign is displayed.

Amended
By-Law 3217-22

- d) No person shall install, erect or display any mobile sign or read-a-board sign which does not have permanently affixed thereto in a readily identifiable location, the name and current business address of the owner of such sign.
- e) No person shall install, erect or display a mobile sign or read-a-board sign which:
 - i) has any sign face greater than 6.7 m²;
 - ii) is higher than 3.0 m;
 - iii) is within the 9.0m site triangle to the intersection of two street lines or to the intersection of a driveway with any street line.
- f) No person shall install, erect or display more than one mobile, sign or read-a-board sign at any one time on any service station site or any property having less than 18.5 m frontage on a public road; and in no case shall a mobile sign or read-a-board sign be installed, erected or displayed closer than 18.5 m to another mobile sign or read-a-board sign already displayed on the same or another property.
- g) Notwithstanding any other provisions of this by-law, no mobile sign or read-a-board sign shall be installed, erected or displayed on any public road allowance or other public lands.

3.11 REMOVAL OF SIGNS AND OTHER ADVERTISING DEVICES, AWNINGS AND MARQUEES THAT PROJECT ON OR OVER A STREET:

Where any sign or other advertising device, within the Town of Hanover (or awning or marquee that projects onto or over a street), under the provisions of this By-Law, the owner of such sign or other advertising device, awning or marquee shall remove such a structure within twenty-four hours or such longer period of time as provided for in the Notice. Upon the giving of a Notice to the owner by the Chief Building Official or Municipal Law Enforcement Officer, removal of the sign or other advertising device, awning or marquee shall be done at the sole expense of the owner. Where, in the opinion of the Chief Building Official or Municipal Law Enforcement Officer the need to remove the structure is an emergency, the Chief Building Official or Municipal Law Enforcement Officer may provide for a period of time less than twenty-four hours in the required notice.

3.12 AUTOMOBILE SERVICE STATIONS, AND GAS BARS:

Notwithstanding the provisions of Section 4 of this By-Law, no person shall erect any sign or other advertising device on a lot used for an automobile service station, or gas bar except:

- a) One pylon sign having a maximum sign area of 20.0 m², and further accessory signs cumulatively having a maximum sign area of 6.0 m² attached to the bottom of the pylon sign, or on the pole of the pylon sign, for the purpose of stating the hours of business, mechanic on duty, prices, and other pertinent information provided that the minimum clear height of such accessory signs is 3.0 m; and
- b) One fascia sign having a maximum sign area of 20.0 m² erected on the main building for each separate street frontage; and
- c) Any number of fascia signs indicating information relative to service bays having a maximum sign area of 2.0 m² for each sign; and
- d) One fascia sign and any number of spinner or complementary signs cumulatively having a maximum sign area of 25.0 m² per canopy face on a gasoline pump island canopy; and
- e) One portable sign having a maximum sign area of 5.0 m², and one sandwich sign indicating the prices of fuel or other products.

SECTION 4 - SIGNS PERMITTED IN VARIOUS ZONES

4.1 RESIDENTIAL ZONES (R1-, R2-, R3-, R4-, R5-)

No person shall erect any sign or other advertising device on a lot in any R1-, R2-, R3-, R4-, R5- Zone except:

- a) One unlighted sign for each dwelling unit having a maximum sign area of 0.2m² located on the interior surface of a window or glass door or erected as a fascia sign; and

- b) One ground or fascia sign containing the name of the house complex for a lot occupied by a housing complex having minimum 8 dwelling units, such sign having a maximum sign area of 3.0 m²; and
- c) For schools and churches located in an Institutional or R1- or I Zones, the provisions of this Section shall apply, and for all other non-residential uses (excluding home occupations), and tourist homes located in a R1-, R2-, R3-, R4-, or R5- Zone, one ground, sandwich or fascia sign having a maximum sign area of 2.0 m² shall be permitted on each lot.
- d) **Exceptions and Limitations** - In the case of a permitted home occupation or a building of non-conforming use: one (1) sign is permitted providing it is no larger than 0.745 m² in size. The sign may be suitably placed on the building or in the front yard, providing the top of the sign is not more than 1.0 m above ground level, and back a minimum of 3.0 m from the front and side property line.

4.2 OPEN SPACE ZONES (OS-):

No person shall erect any sign or other advertising device on a lot in any OS- Zone except:

- a) One pylon or ground sign for each 50.0 m or part thereof of a street frontage of the lot, each sign having a maximum sign area of 10.0 m²; and
- b) No more than two fascia, projecting or accessory roof signs for each building on the lot, each sign having a maximum sign area of 10.0 m².

4.3 MANUFACTURING ZONES (M1- & M2-):

No person shall erect any sign or other advertising device on a lot in any M1 or M2 Zone except:

- a) One pylon, ground, fascia, projecting or accessory roof sign for thereof of gross floor area of all buildings on the lot, such signs cumulatively to have a maximum sign area of 10.0 m² for each 100.0 m² or part thereof of gross floor area of all buildings on the lot; and
- b) One portable sign for each 100.0 m or part thereof of street frontage of the lot, each sign having a maximum sign area of 5.0 m².

4.4 DOWNTOWN COMMERCIAL ZONE (C1-)

No person shall erect any sign or other advertising device on a lot in any C1- Zone except:

- a) One or more fascia, projecting, accessory roof, pylon or ground signs, such signs cumulatively to have a maximum sign area of 10.0 m² for each 5.0 m or part thereof of street frontage of the lot, but in no case shall more than one ground or pylon sign be permitted for each 30.0 m or part thereof of street frontage of the lot; and
- b) One portable sign having a maximum sign area of 6.7 m² which shall not project onto a street line.

4.5 OTHER COMMERCIAL ZONES (C2-, C3-, C4-, C6-)

No person shall erect any sign or other advertising device on a lot in any C2-, C3-, C4- or C6- Zone except:

- a) One or more fascia, projecting, accessory roof, pylon or ground signs, such signs cumulatively to have a maximum sign area of 15.0 m² or 10.0 m² for each 15.0 m or part thereof of street frontage of the lot, whichever is the greater, but on a corner lot only the largest of the street frontages shall be used to calculate maximum sign area, but in no case shall more than one ground or pylon sign be permitted for each 75.0 m or part thereof of street frontage of the lot; and
- b) One portable sign having a maximum sign area of 5.0 m², or one sandwich board sign, for each 75.0 m or part thereof of street frontage of the lot.

4.6 LANDS NOT ZONED:

No person shall erect any sign or other advertising device on a lot which is not zoned under any effective Zoning By-law of the Town of Hanover, except:

- a) one ground or fascia sign having a maximum sign area of 3.0 m²; and
- b) one portable sign having a maximum sign area of 5.0 m².

4.7 THIS BY-LAW SHALL NOT APPLY TO:

- a) Signs or traffic control devices installed or erected on travelled and non-travelled portions of streets for the control of traffic and parking; or for street names and direction by or for the Corporation of the Town of Hanover, the Province of Ontario or the Government of Canada;
- b) Awnings and marquees that do not project over a street except that any signage thereon shall be subject to this By-Law;
- c) Street decorations installed or authorized by the Council of the Town of Hanover;
- d) Signs permitted by an *Elections Act* or municipal election signs;
- e) Temporary signs placed by Funeral Directors for organized parking, before, during, and after a funeral;
- f) Signs requiring repairs, renovations are not subject to this by-law. Modifications in size or superstructure must comply with all requirements of this by-law.

4.8 MISCELLANEOUS

- a) Signs that are not specifically permitted by this By-Law are prohibited in the Town.
- b) Legal Non-Conforming Existing Permanent Signs.
That all existing permanent signs that do not conform on the effective date of passing of this by-law, are hereby considered legal.
- c) All mobile, portable and sandwich board signs existing, upon notice in writing, must be removed within 60 days of the given notice, upon final reading of this by-law.
- d) This By-Law shall hereby repeal and rescind By-Law Nos. 1742-89 and 2761-12.

4.9 SEVERABILITY:

If, for any reason, any section, clause or provision of this By-Law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-Law as a whole or any part thereof, other than the part which was declared to be invalid.

4.10 OFFENCES, PENALTIES & REMEDIES:

- a) Every person who contravenes any of the provisions of this By-law is guilty of an offence and, on conviction, is liable to a fine pursuant to the *Provincial Offences Act, R.S.O. 1990, c. P 33*, as amended;
- b) Any person who contravenes any of the provisions of this by-law or who fails to comply with the written Notice or Order of an Officer is guilty of an offence and on conviction is liable to a fine as set out in Schedule "A" of this by-law or as provided for in the *Provincial Offences Act, R.S.O 1990, c P.33* as amended;
- c) Every person who contravenes any provision of this By-law, or who fails to comply with the written Notice or Order of an Officer issued under this Bylaw, is guilty of an offence;
- d) Every person who is convicted of an offence under this By-law shall be subject to a fine not exceeding \$10,000.00 for each offence and such fine shall be recoverable under the *Provincial Offences Act*;
- e) A director or officer of a Corporation who knowingly concurs in a contravention of this By-law by the Corporation is guilty of an offence and is liable upon conviction to a fine not exceeding \$100,000.00 for each offence and such fines shall be recoverable under the *Provincial Offences Act*;
- f) An offence under this By-law constitutes a continuing offence and for each day or part of a day that the offence continues, the fine shall not exceed \$10,000.00;
- g) The conviction of a person under this By-law shall not operate as a bar to a prosecution against the same person upon any continued or subsequent breach of any provision of or order under this By-law and the court may convict such person repeatedly for continued or subsequent breaches of this By-law and the provisions of section 431 of the *Municipal Act, 2001* shall further apply to any continued or repeated breach of this By-law;

- h) Upon a conviction being entered, the court in which the conviction was entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed in this Bylaw, make an order prohibiting the continuation or repetition of the offence by the person convicted;
- i) In addition to any other remedy provided for in law, the Corporation of the Town of Hanover, upon giving of notice to the owner of land by registered mail or personal service at the address as shown in the last revised assessment roll, may remove or pull down any sign or other advertising device, awning or marquee that is erected in contravention of this By-Law, or that is unsafe and poses a danger to the public, and any expenses incurred by the Town in so doing may be collected by action or in like manner as municipal taxes

5.0 SCHEDULES

- a) Schedule "A" (Short Form Wording and Set Fines) attached hereto does not form part of this By-law.
- b) The fees for all Sign Permits shall be set out in accordance with the Table of Fees as established in the Rates & Fees By-law.

READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED this 21st day of **December, 2015.**

Susan Paterson, Mayor

Marilyn Zettler, Deputy-Clerk

SCHEDULE 'A' TO BY-LAW NO. 2916-15

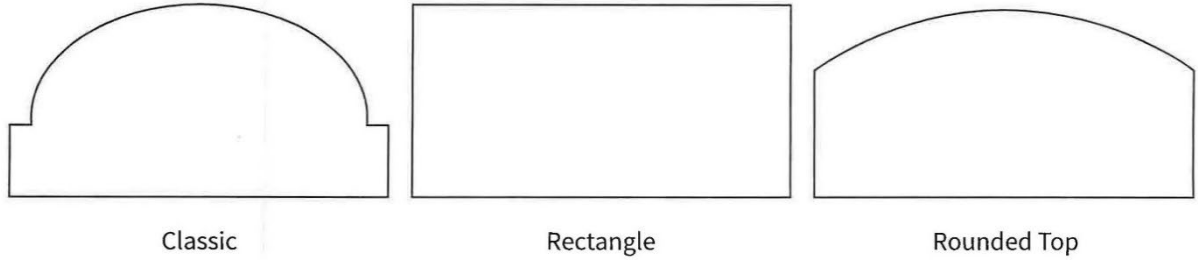
PART 1, PROVINCIAL OFFENCES ACT

BEING a Bylaw to regulate the erection and maintenance of signs, advertising devices, awnings, and marquees, in the Town of Hanover.

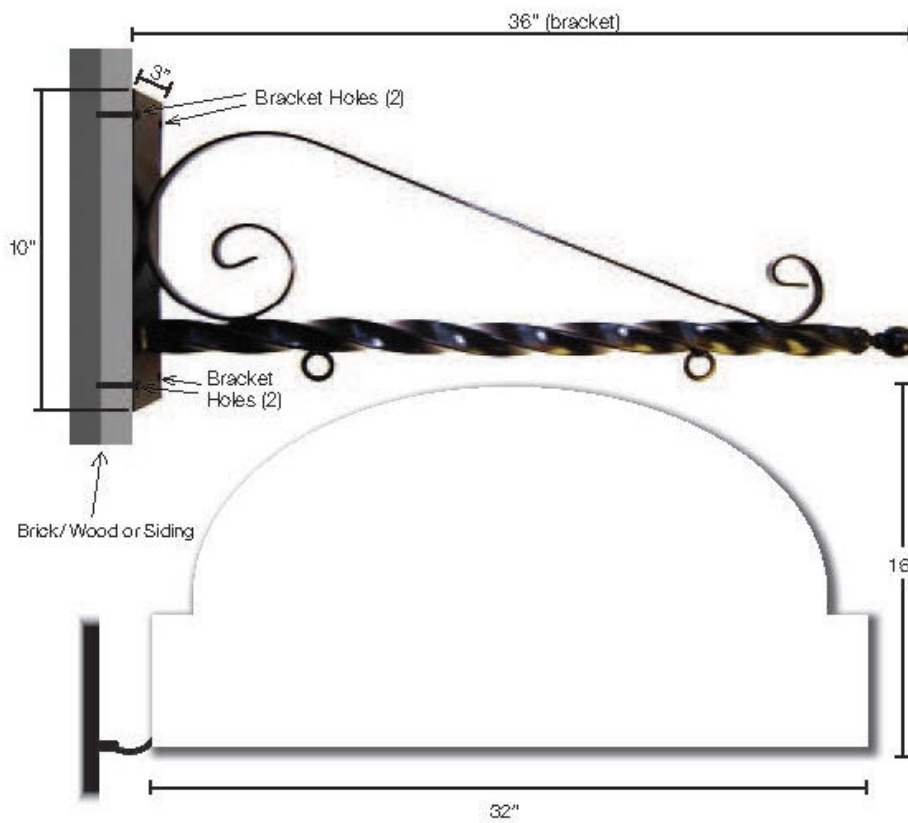
Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1.	Erect sign or advertising device that obstructs visibility	Section 3.2 (b)	\$150.00
2.	Erect sign that obstructs view of any traffic control signal or sign	Section 3.2 (c)	\$ 150.00
3.	Erect sign that directs glare that would impede motorist's visibility	Section 3.2 (c)	\$ 150.00
4.	Fail to erect sign or advertising device in a safe condition	Section 3.2 (d)	\$ 150.00
5.	Fail to maintain sign or advertising device in a safe condition	Section 3.2 (d)	\$ 150.00
6.	Attach a sign without authorization	Section 3.2 (e)	\$ 150.00
7.	Erect sign/advertising device on or over a street without approval	Section 3.2 (e)	\$ 150.00
8.	Erect a sign that creates a hazard	Section 3.2 (g)	\$ 150.00
9.	Erect an advertising device that creates a hazard	Section 3.2 (g)	\$ 150.00
10.	Erect a sign in a residential zone that directs glare	Section 3.2 (h)	\$ 150.00
11.	Erect sign on corner lot that forms a visual obstruction	Section 3.2 (j)	\$ 150.00
12.	Fail to comply with an Order	Section 3.4 (d)	\$ 150.00
13.	Erect a marquee over a street without authorization	Section 3.8 (b)	\$ 150.00
14.	Erect mobile sign without a permit	Section 3.10 (a)(ii)	\$ 250.00
15.	Fail to remove mobile sign on permit expiry date	Section 3.10 (a)(ii)	\$ 250.00

SCHEDULE 'B' TO BY-LAW NO. 2916-15, and amended by Bylaw 2974-17

Sign Shape Options: 31.5" wide x 16" tall



Sign Hardware:



- Material: UV Laminated Vinyl mounted to Alupanel. (Aluminum and Plastic)
- Hung from bracket with closed hooks secured with lock-tight.
- Bottom of sign adjacent to wall. Tethered to wall with galvanized chain.
- Bracket attached with 1/4" diameter 3" tapcon or lag bolt.
- Bracket and sign weighs a maximum of 10 pounds.
- Street to bottom of sign height 10ft. (120").