

**THE CORPORATION OF THE COUNTY OF LANARK
BY-LAW NO. 2021-XX**

**BEING A BY-LAW TO RESCIND AND REPLACE BY-LAW 2011-27
REGULATING ADVERTISING SIGNS AND DEVICES ON PRIVATE PROPERTY
ADJACENT TO COUNTY ROADS**

**AND
TO EXEMPT THE ~~TOWNSHIP OF BECKWITH~~, TOWN OF CARLETON PLACE,
TOWN OF MISSISSIPPI MILLS AND THE TOWN OF PERTH FROM THIS BY-LAW
FOR COUNTY ROADS WITHIN THEIR RESPECTIVE URBAN BOUNDARIES.**

WHEREAS, in accordance with Section 5, Subsection 3 of the Municipal Act, S.O. 2001 c.25 municipal powers shall be exercised by by-law;

AND WHEREAS, Section 59 of the Municipal Act, S.O. 2001 c. 25 allows an upper tier municipality to prohibit or regulate the placing or erecting of any sign, notice or advertising device within 400 metres of any limit of an upper tier highway;

AND WHEREAS, it is deemed expedient to rescind By-L w 2011-27 and pass a By-Law regulating the location of signs on private and municipal property adjacent to county roads. which will conform to current regulations;

AND WHEREAS, ~~the Township of Beckwith~~, Town of Carleton Place, Town of Mississippi Mills and the Town of Perth have opted to be exempt from the County By-law and regulate within their respective jurisdictions **on County Roads listed in Schedule 1.**

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the County of Lanark enacts as follows;

1. GENERAL REGULATIONS

Definitions

"Road Authority" for the purpose of this by-law the road authority shall be the County of Lanark.

- i. The erection of permanent signs and signboards and the pasting and painting of signs or notices and the exposing of any advertising devices 400 metres from the limits of the road allowance and visible therefrom are hereby prohibited, unless and until permission in writing shall has been obtained from the regulating municipality but nothing contained herein shall extend to or affect the right of the road authority to erect signs.

- ii. The road authority may remove signs or signboards, notices or other advertising devices created, placed, kept or maintained on or at the margin of the highway or upon adjacent property in contravention of this By-law. The owner or holders of such property shall at their expense upon notice from the road authority remove the same within 30 days after receiving such notice.
- iii. The location of all signs under this By-law shall conform with the policy of the regulating authorities, notwithstanding, signs shall not be erected in a location where they would obscure sight-lines for vehicles travelling on the County road or accessing the County road from local municipal or private roads and entrances.
- iv. All signs shall be kept in proper repair and if in the opinion of the road authority any sign or signs are not kept in proper condition, the owner shall repair, repaint or remove them within thirty days of having received a written request from the road authority.
- v. For the purpose of this by-law, ~~the Township of Beckwith~~, Town of Carleton Place, Town of Mississippi Mills and the Town of Perth shall regulate in accordance with their respective policies and procedures ~~the County Roads listed in Schedule 1. The County of Lanark will regulate the remaining municipalities that have not been exempted from this by-law~~ all rural County roads.

2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

3. EFFECTIVE DATE

This By-Law will come into effect on the day of its passing.

4. BY-LAWS TO BE RESCINDED.

THAT By-Law No. 2011-27 is hereby rescinded.

This By-Law read a first and second time this 28th day of September, 2011.

This By-Law read a third time and finally passed this 28th day of September, 2011.

Schedule 1: List of County Roads within the urban boundaries of Mississippi Mills, Town of Carleton Place, and Town of Perth that are exempt from this By-Law

Schedule 2: Sign Policy

**APPLICATION FOR ADVERTISING SIGNS AND DEVICES ON
PRIVATE PROPERTY ADJACENT TO COUNTY ROADS
INFORMATION TO APPLICANTS**

This document contains excerpts from By-Law 2011-27 Regulating Advertising Signs and Devices on Private Property Adjacent to County Roads. A complete copy of the By-Law is available on the County Website at www.lanarkcounty.ca.

The primary function of the County Road system is to permit the safe and efficient movement of **through traffic** over relatively long distances at reasonable speeds. This important function is diminished where uncontrolled development adjacent to the road creates interfere with the free flow of traffic.

Too many advertising signs and devices may lead to speed reductions and hazards to through traffic movements resulting in the deterioration of service levels. Therefore, to maintain the integrity of the system, **advertising signs and devices on private property adjacent to County Roads will be permitted only when they meet the requirements of the regulating By-Law.**

Approvals for signs on private property in the following municipalities for roads listed in Schedule 1 should be applied for directly at the applicable local municipal office: Township of Beckwith, Town of Carleton Place, Town of Mississippi Mills and Town of Perth.

No signs shall be permitted within the County Road Allowance without the prior written approval of the County of Lanark Public Works Department. **Approvals for placement within the road allowance will be permitted as per the attached policy only in exceptional circumstances.** ~~Applicants wishing consideration to place a sign within the road allowance shall submit a written request to the County of Lanark Director of Public Works.~~

Applicant: Means any person, group or corporate body who applies to the Corporation for permission to construct, install, relocate or alter a sign adjacent to a County Road.

Questions by property owners or their agents regarding the possible location of **new** signs will not be considered by Department staff until an application has been submitted. Upon receipt of the application Public Works Department staff shall visit the site and respond to the inquiry.

Application Process: Applications will be processed pending weather conditions. It is common that weather conditions make site inspections impossible or delayed between November 15th and March 15th.

Submission Requirements: All requests for new advertising signs shall be submitted, on the appropriate application forms, to the County Public Works Department. One application shall be submitted for each sign. Requests shall include:

- i) Completed Application form
- ii) Sketch of proposed advertising sign
- iii) Registered deed or Authorization of Landowner

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Application Review: Applications will be reviewed by County staff for completeness and compliance with the policy. **The County review process will not begin until receipt of a complete application package, as described above.** The application process, under normal circumstances, will not exceed **twenty business days** from the date that the completed application is received until the approval to install the sign is granted. Changes to the application by the applicant during the review process will increase the length of the review period.

First Site Inspection: A site inspection by Public Works staff shall normally be performed within 10 working days of receipt of the application. The site inspection shall determine if the application conforms to the County policy; identify the specific location of the sign and the requirement for brushing or other work.

Site Meeting with Applicant: If the application does not conform to the County Policy a **mandatory site meeting** shall be held with the applicant or their agent to review conditions in the field and discuss alternatives. No further action will be taken by the County in such cases until the mandatory site meeting has occurred.

Application Approval: Applicants will be notified in writing when their application has been approved. Notification shall include the specific location approved and any conditions of the installation.

Footing Details: All signs greater than 100 sq. ft. require the submission and approval of the footing design as part of the application.

Installation: No work shall commence until the owner has received the approval, a copy of which must be on the site while work is being done. The applicant shall be responsible for the sign construction, installation and any works associated with it. The applicant may engage a contractor to complete the work. The sign shall be installed in accordance with the written approval and all conditions.

Removal of Redundant Signs: Redundant signs that are created as a result of the approval of a new sign application shall be removed. Removal of existing signs will be completed coincident with the installation of the new sign, at the applicants cost, as specified in the sign approval.

Final Inspection: The applicant shall inform the Public Works Department immediately after the installation of the sign and the completion of any other work stipulated in the approval. The Public Works Department shall inspect the site within ten days of receiving notification of completion. If the inspection is not successful, the County shall notify the applicant of the deficiencies to be remedied.

File Completion: Within five days of a successful final inspection of the site by the Public Works Department the applicant will be notified that the work has been completed to our satisfaction and the file will be closed. The applicant should retain the final acceptance to ensure that it is available to future owners or if requested to produce evidence of approval.

Denial of Applications: Applications that do not conform to this policy shall be denied and the applicant shall be so informed in writing within ten days of the Director's decision.

Cancellation of Application: Where the sign has not been constructed and installed within one year of the date of the approval, then the application shall be null and void. A written request to extend the

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term of the application may be made to the County Public Works Department before the application expires. An extension may be approved or refused at the discretion of the Director. If the application expires the County may request the removal of all works associated with the sign, at no expense to the County, and the site shall be restored to its original condition.

Non-Compliance: Where a new sign constructed and/or installed or an existing sign is altered contrary to the standards provided, the applicant shall be advised of their non-compliance with the County policy by registered letter. Removal or correction of the non-compliant sign shall occur not less than thirty (30) days after this notification. If the non-compliant sign is not removed or corrected the sign shall be removed or corrected by the County Public Works Department. Costs to the County for corrective actions shall be charged to the applicant. The applicant shall not be entitled to any compensation or damages by reason of or arising out of the work associated with the non-compliant sign.

Maintenance of Signs: All signs shall be kept in proper repair and if, in the opinion of the road authority, any sign or signs are not kept in proper condition, the owner shall repair, repaint or remove them within thirty (30) days of having received a written request to do so.

Road Reconstruction/Rehabilitation: Existing signs that are affected by the reconstruction/rehabilitation of a County Road will be reinstated by the County. Any construction materials that are salvaged shall remain the property of the County.

CONTACT INFORMATION

Corporation of the County of Lanark
Public Works Department
99 Christie Lake Road
Perth, ON K7H 3C6
Phone: 613-267-1353
Toll Free: 1-888-952-6275
Fax: 613-267-2793
Email: roads@lanarkcounty.ca
Web: www.lanarkcounty.ca

REGULATING INFORMATION

This document contains excerpts from the By-Law Regulating Advertising Signs and Devices on Private Property Adjacent to County Roads. A complete copy of the by-law can be obtained at www.lanarkcounty.ca or requested by applicants by contacting the County of Lanark Public Works Department.

Signs shall NOT be erected in a location where they would obscure sight-lines for vehicles traveling on the County road or accessing the County road from local municipal or private roads and entrances.

Schedule 1 – List of County Roads that Local Municipalities will administer their Sign By Law

Town of Carleton Place

Cr 7B (Townline Road West) From PIN #342 East Lot limit to Bridge Street

Cr 7B (Townline Road East) From Bridge Street to Ramsay Con 8

Cr 29 (McNeely Avenue) From Highway 7 to Townline Road East

Town of Mississippi Mills

Cr16A (Perth Street) From County Road No 29 South to Bridge Street

Cr 16A (Bridge Street) From Perth Street to Queen Street

Cr 16A (Queen Street) From Bridge Street to

Martin Street South

Cr 16A (Martin Street South) From Queen Street to Ottawa Street

Cr 17 (Martin Street North) From Ottawa Street to Carss Street

Cr 29 (County Road No 29 North) From McWatty Road to Kinburn Side Road

Town of Perth

Cr 10 (South Street) From Pin #2030 East lot limit to Rideau Ferry Road

SCHEDULE 2
COUNTY OF LANARK
A POLICY REGARDING THE LOCATION OF SIGNS ON OR ADJACENT TO
COUNTY ROADS

Field Advertising Sign: ~~Signs of varying size, shape and color designed to advertise to the public.~~

- ~~— No sign shall be painted upon, attached to or made to form any part of any fence, building, rock or other surface adjacent to the road, except to advertise a business upon the property on which the advertisement sign is situated.~~
- ~~— No sign shall be affixed to or mounted upon a tree, public utility pole or utility standard.~~
- ~~— No sign shall be placed in a manner whereby the sign or any part thereof encroaches upon or overhangs the right-of-way of a County road.~~
- ~~— No sign shall be placed facing a sharp turn or a sharp change of alignment or grade or on a steep slope rock cut or any other location where it may create a traffic hazard, in the opinion of the road authority.~~
- ~~— No sign shall be placed closer than 300 feet from the nearest limit of an intersecting road or railway crossing with the exception of a sign affixed to a commercial establishment or service station identification signs.~~
- ~~— Signs shall not be erected closer than 100 feet to each other.~~
- ~~— Signs shall not be erected at points where they would reasonably be objectionable to residents of the road.~~
- ~~— Signs shall not be erected closer to the centre of the highway than is shown in the following schedule:~~

Length of Sign	Minimum Distance from Centreline of Road
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Less than 10 feet (3.05 metres)	100 feet (30.48 metres)
10 — 25 feet (3.05 — 7.62 metres)	200 feet (60.96 metres)
26 — 50 feet (7.92 — 15.24 metres)	300 feet (91.44 metres)

Private Identification Sign: Signs affixed to or placed on a private or residential property solely to name or identify the property or the owner.

— Signs greater than 1 foot (.3048 metres) by 2 feet (.6096 metres) in size are subject to County approval.

— Signs 1 foot (.3048 metres) by 2 feet (.6096 metres) or smaller in size may be placed without written approval from the County, at the limit of the road property adjacent to the entrance of the property.

No Hunting, No Trespassing, No Fishing Signs: Signs to notify the public of a restriction on the posted property.

Restrictive signs may be placed for the information of the public and may be affixed to a fence, gate, etc. which borders the right-of-way of a County road, without written permission of the County. These signs must not be placed on the right-of-way and must not exceed 2 square feet (.1858 square metres) in area.

PROPOSED POLICY BELOW

1. DEFINITIONS

1.1 In this Policy:

- a) "Director" means the Director of Public Works of the Corporation of County of Lanark appointed to administer and manage the provisions of this By-law and includes his authorized subordinates and assistants;
- b) "Road Allowance" means a County road allowance and includes all lands and structures contained within the outer limits of the allowance including grassed areas, ditches, curbs, gutters, sidewalks and other structures and includes a "Highway" as defined under the Highway Traffic Act (Ontario) which is under the jurisdiction of the Counties;
- c) "County or Counties" means the Corporation of the County of Lanark;
- d) "Owner" means any person described on the Sign, or whose name or address or telephone number appears on the Sign, or who installed the Sign, or who is in lawful control of the Sign, or who benefits from the message on the Sign, and for the purposes of this By-law there may be more than one Owner of a Sign.
- e) "Person" includes, but is not limited to, an individual, sole proprietorship, partnership, association or corporation.
- f) "Sign" shall include the Sign structure and shall mean any Sign or device having thereon letters, symbols, characters, illustrations or any combination thereof which identifies or advertises any person, place, business, enterprise, organization, project, product, service otherwise promote the sale of objects or identify objects for sale in such a way as to be visible from a highway under the jurisdiction of the Counties.

2. PROHIBITED SIGNS

2.1 No person shall erect, install, post, display, maintain or keep a Sign within the Road Allowance with the exception of those Signs specifically stated as exempt in this By-law.

2.2 No person shall erect, install, post, display, maintain or keep any of the following Signs within the Road Allowance:

- a) A Sign that may obstruct the flow of water in a drain, ditch or watercourse.
- b) A Sign that impacts the function of the road by:
 - i. Creating a safety hazard;
 - ii. Impeding or obstructing maintenance or construction operations;
 - iii. Impeding access to or obstructing a fire hydrant;
 - iv. Impeding or obstructing the passage of pedestrians where they are reasonably expected to walk;
 - v. Impairing or obstructing the visibility of vehicular or pedestrian traffic or a railway crossing; or
 - vi. Obscuring or detracting from the visibility or effectiveness of an official Sign or a traffic control signal;
- c) A sign that resembles an official sign or a traffic control sign or device in colour, shape, wording, content or location;
- d) A Sign affixed to a tree, utility pole, bridge structure or, painted or pasted on a rock surface.
- e) A Sign which does not comply with the provisions of the Building Code, Electrical Safety Code, the Occupational Health and Safety Act, the Construction Safety Act, or any other applicable governmental regulation.
- f) A Sign that contains or is accompanied with a device that creates noise or that resembles to an official light which is not used for its purpose of controlling the traffic or for the safety of workers under any Act. (ex: flashing beacon light attached or accompanying sign not used for traffic control).
- g) A Sign that is illuminated without the approval of the Director.
- h) A Sign that is obsolete and advertises an event that is over, a business or enterprise that is no longer conducted, or an activity, product, service or facility that is not in season or is no longer provided.
- i) A Sign which interferes with maintenance and the safe passage of vehicular or pedestrian traffic not in accordance with the Ontario Traffic Manual and Lanark County By-laws as amended
- j) A Sign which does not comply with the provisions of this By-law.

3. EXEMPTIONS

3.1 Real Estate Signs

- a) Means a sign advertising that a property is to be sold, rented, or leased and which may also indicate to whom one should enquire with regard thereto.
- b) Real Estate signs shall be removed two weeks after the sale of the property, item or the expiry of the listing.
- c) Real Estate signs shall be placed in a manner that will not restrict visibility of the travelling public.
- d) Real Estate signs located in the Road Allowance shall be located as near as practicable to the Road Allowance property line, at the location the property or item currently being listed for sale.
- e) Only one (1) Real Estate Directional sign shall be allowed per property that is to be sold, rented, or leased.
- f) Real Estate signs size shall be as follows:
 - i. On premise of the property for sale: Maximum size= 32 sq. ft. (4'x8')
 - ii. Within road allowance: Maximum size= 3 sq. ft. (18" x 24")
 - iii. Directional: Maximum size= 3 sq. ft. (18" x 24")

3.2 Election Signs

- a) Means any sign advertising or promoting the election of a candidate or political party participating in an election for public office.
- b) Election Signs may be placed within the Road Allowance without approval of the Director in accordance with the requirements of the Federal, Provincial and Municipal Elections Regulations.
- c) Election signs shall be a maximum size of 3 sq. ft., except for signs up to 32 sq. ft. (4'x8'), which are required to be placed at the property line.
- d) Election signs shall be placed in a manner that will not restrict visibility of the travelling public.
- e) Election Signs shall comply with the timeframe of the local municipality during which election signs can be erected within the local municipality.
- f) Election Signs may not be installed on any existing County signs or posts.

3.3 Information Signs

- a) Information signs includes the following (but not limited to):
 - i. Municipal Identification Signs (hamlets)
 - ii. Civic Addressing signs
 - iii. Service Clubs and Community Groups
 - iv. Recreational Signs (Recreational Trails)
 - v. Local Municipal Tourism Signs

- vi. Directional Signs
- b) Approval from the Director required.
- c) Installation to be completed by County Staff.

3.4 Sandwich Board Signs

- a) Means a sign which consists of one or two panels, hinged or attached at the top or side, designed to be movable and stand on the ground.
- b) The Sandwich Board sign shall only be used for a limited period of time as approved by the Director.
- c) The Sandwich Board shall be placed outside the shoulder of the roadway.
- d) The Sandwich Board sign shall not be left in place continuously.
- e) The Sandwich Board sign shall be a maximum size of 6 sq. ft. (3'x2')

3.5 Private Identification Signs

- a) Means signs affixed to or placed on a private or residential property solely to name or identify the property or the owner.
- b) Signs greater than 1.5 foot by 2 feet in size require a permit, see 4.5.
- c) Signs 1.5 foot by 2 feet or smaller in size may be placed without written approval from the County, at the limit of the road property adjacent to the entrance of the property.

3.6 Restrictive Signs

- a) Means signs to notify the public of a restriction on the posted property such as:
 - i. No Hunting
 - ii. No Fishing
 - iii. No Trespassing
- b) Restrictive signs may be placed for the information of the public and may be affixed to a fence, gate, etc. which borders the right-of-way of a County road, without written permission of the County.
- c) Restrictive signs must not be placed on the right-of-way and must not exceed 2 square feet in area.

4. PERMITS

4.1 Business Signs

- a) Means a sign, symbol, trademark, structure, or similar device used to identify the main permitted use pursued by the person, firm, corporation, business, service, commercial or industrial enterprise which is displayed upon the lot or premise occupied by such an enterprise and the type or business activity in which it is engaged.
- b) Only one sign per business location. A second sign will be allowed when located on a building face on the property.
- c) Business signs shall be a maximum size as follows:
 - i. 0m to 3m from property line = 32 sq. ft.
 - ii. 3m to 10m from property line= 100 sq. ft. (10ft x 10ft)
 - iii. Greater than 10m from PL, size as approved by the Director on a case-by-case basis.
- d) Any sign 100 sq. ft or greater must provide footing details.
- e) Permit Required to approve sign size and location and ensure no conflicts with sight lines and maintenance.
- f) Not permitted in Road Allowance.

4.2 Billboard Signs

- a) Means an off-premises sign which advertises goods, products, services or facilities, or directs persons to a location that may be different from that upon which the sign is located.
- b) Permit Required to approve sign size, location, and advertisement.
- c) Any sign 100 sq. ft or greater must provide footing details.
- d) A total of two (2) Billboard signs shall be permitted at each location.
- e) There shall be a minimum spacing of 3200 metres (2 miles) between Billboard locations.
- f) Billboard signs shall have a minimum 150 metre setback from dwellings.
- g) Billboard sign sizes allowed shall be size as follows:

Length of Sign	Minimum Distance from Centreline of County Road and any Intersecting Road
Less than 8 ft.	50 ft.
8 ft. – 20 ft.	150 ft.
20 ft. – 30 ft.	300 ft.
Greater than 30 ft.	Not Permitted

4.3 Temporary Signs

- a) Means a sign or advertising device which is not permanently installed or affixed to the ground, any structure or building, or any sign located upon any movable device. This definition includes banners, event signs, & sandwich board signs.
- b) Permit Required to approve sign size and location and ensure no conflicts with sight lines and maintenance.
- c) The sign shall only be used for a limited period of time as approved by the Director.

4.4 Digital Signs

- a) Means computer-controlled LED displays or electronic controlled off premise signs capable of displaying ads, words, symbols, figures, content, or images that can be digitally or electronically changed by remote or automatic means.
- b) Digital signs require a permit and shall be approved by the Director on a case-by-case basis.

4.5 Private Identification Signs

- a) Means signs affixed to or placed on a private or residential property solely to name or identify the property or the owner.
- b) Signs greater than 1.5 feet by 2 feet in size require a permit.
- c) Signs less than 1.5 feet by 2 feet see 3.5.

5. Existing Signs

- 5.1 All signs with an existing permit prior to the passing of this By-law will be considered grandfathered and are permitted to stay in place. If the sign suffers damage or deterioration, the Owner shall bring the Sign into conformity with this By-Law and Policy, or the sign will be removed.
- 5.2 All signs that meet the requirements of the new By-law and Policy, but do not have an existing permit, are permitted to stay in place, but the Owner is required to obtain a permit.
- 5.3 All signs that do not meet the requirements of the new By-Law and Policy, the Owner is required to obtain a permit.
- 5.4 Any person who maintains a non-permitted sign is subject to all requirements of this By-law and Policy regarding safety, maintenance, and repair.