

The Corporation of the City of Pembroke

By-law Number 2014 - 46

Being a by-law for prohibiting or regulating signs and other advertising devices and the posting of notices within the City of Pembroke

Whereas the Municipal Act, R.S.O. 2001, c. 25, Section 10(2), provides that a single tier municipality may pass by-laws for prohibiting or regulating signs, structures including fences and signs;

Now Therefore the Municipal Council of the Corporation of the City of Pembroke enacts as follows:

1. Title and Scope and Conformity Requirements

1.1 Short Title

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

1.2 No sign or its structure, temporary or permanent, shall be erected, altered, enlarged, maintained, or placed for any purpose within the City of Pembroke, except as permitted by this By-law and in conformity with the applicable provisions of the Ontario Building Code.

2. Definitions

2.1 "A-Board Sign" shall mean an "A" shaped sign or sandwich board which is set upon the ground and has no external supporting structure other than itself. An A-board sign shall have no more than two (2) faces parallel to each other. (Referred to in 2.42)

2.2 "Accessory or Business Sign" shall mean a sign, symbol, trademark, structure, or similar device used to identify the use pursued by the person, firm, corporation, business, service, commercial or industrial enterprise, which sign is displayed upon the lot or premises occupied by such an enterprise, but does not include an accessory or business sign painted on the wall of the building.

2.3 "Agricultural Sign" shall mean a sign accessory to the permitted agricultural uses.

2.4 "Area of Sign" shall mean the number of m^2 on the surface of a sign including the border and frame and where there is no border shall include all the area of the surface lying within the extremities of the sign.

2.5 "Awning" shall mean a shelter that:

- 1) projects from and is supported by the exterior wall of a building.
- 2) is constructed of non-rigid materials on a supporting framework.
- 3) is retractable.

2.6 "Banner Sign" shall mean a band or strip of fabric that bears advertising copy or slogan of a temporary nature erected to span a street.

2.7 "Billboard" shall mean a standardized outdoor advertising sign, securely anchored to the ground. A billboard sign is erected and maintained by a person or enterprise engaged in the sale or rental of space thereon; said space is used for the advertisement of one or more products or services which are not necessarily made, produced, assembled, sold or stored on the lot or premises upon which the advertisement is displayed.

2.8 "Canopy" shall mean any roof structure projecting not more than 0.61 m (2 ft.) from the face of a building, having a rigid frame and being attached to said building in such a manner as not to become an integral part thereof, but does not include retractable or fixed awnings or balconies.

2.9 "Chief Building Official" shall mean the Chief Building Official of the City of Pembroke or his designated representative.

2.10 "City Property" shall mean no signage of any kind is permitted on City property without approval from the City of Pembroke's Planning and Waterfront Committee.

2.11 "Commercial Sign" shall mean a sign accessory to the permitted main commercial use.

2.12 "Community Improvement Project Area" shall mean the lands, situate, lying and being in the City of Pembroke bounded by Mackay Street on the east Renfrew Street on the south, Christie Street on the west and the Ottawa River on the north as shown on Schedule 'A' attached.

2.13 "Corporation" shall mean the Corporation of the City of Pembroke.

2.14 "Council" shall mean the Council of the Corporation of the City of Pembroke.

2.15 "Directional Sign" shall mean a sign indicating a direction to be followed to attain a certain destination with only the destination and/or distance identified.

2.16 "Directional Information Sign" shall mean a sign indicating the direction with regard to pedestrian and/or vehicular movement.

2.17 "Double-faced Sign" shall mean a sign having two (2) sign faces, each face being of equal area and identical proportions to the other, and with each face located on the sign structure so as to be exactly opposite the other.

2.18 "Election Sign" shall mean any sign advertising or promoting the election of candidates but does not include a portable sign as defined in this By-law.

2.19 "Fascia Sign" shall mean a single-faced sign located in such a manner that the sign face is parallel to the main wall of the building to which the sign is attached.

2.23 "Ground Sign" shall mean any sign directly supported by the ground without the aid of any other building or structure, other than the sign structure.

2.24 "Height of Sign" shall mean the vertical distance from the ground to the highest extremity of the sign, including the border or frame, and in the case of a sign without border or frame, the vertical distance from the ground to the top of the letter, symbol or other part of the sign that is the highest.

2.25 "Home Occupation Sign" shall mean a sign identifying a home occupation permitted pursuant to the City's Comprehensive Zoning By-law.

2.26 "Identification Sign" shall mean a sign used for the identification of an institutional use, as defined as a non-residential use permitted in an Institutional zone, or the identification of a charitable, fraternal or non-profit organization. Such sign may include information on the operation of the establishment for which the sign is permitted; i.e. hours of meeting or service.

2.27 "Illuminated Sign" shall mean a sign that is lighted by an external source.

2.28 "Industrial Sign" shall mean a sign accessory to the permitted industrial use.

2.29 "Length of Sign" shall mean the distance between the border, frame or outer edge of the sign, measured horizontally. In the case of a sign which does not have a defined outer edge, border or frame, the length of sign refers to the horizontal distance between the extremities of the lettering, symbols or other parts of the sign.

2.30 "Lot Line" shall mean any boundary of a lot or the vertical projection thereof.

2.31 "Luminous Sign" shall mean a sign lighted by an internal source.

2.32 "Merchandising Display" shall mean the display of any goods or merchandising for sale, offer or promotion.

2.33 "Mobile Signs" shall mean a temporary portable sign not anchored to the ground, building or structure, but its usual character of being part of, or attached to, a wheeled trailer that is readily relocatable so as to serve the same purpose in another location. (Referred to in 2.37)

2.34 "Mural" shall mean a painting on a wall for which the authority and the control of the said mural lies within the Pembroke Heritage Murals Committee.

2.35 "Pembroke Heritage Murals Committee" shall mean a Committee of Pembroke City Council appointed by resolution of Council.

2.36 "Permitted Use" shall mean a use allowable within a zone pursuant to the City's Comprehensive Zoning By-law.

2.37 "Portable Sign" shall mean any sign which is specifically designed or intended to be readily moved from one location to another, and which does not rely on a building or fixed foundation for its structural support. This shall include all signs commonly known as "A-board signs" and "mobile signs".

2.38 "Projecting Sign" shall mean a sign attached to but not parallel to the main wall of the building.

2.39 "Read-O-Graph" shall mean any part of a sign which is designed so that any identification and/or advertisement affixed thereto is manually or electronically interchangeable letters or symbols.

2.40 "Real Estate Sign" shall mean a notification advising that a property is to be sold, rented or leased, and which may also indicate to whom a person should inquire with regard thereto. A real estate sign shall also include a sign used to advise of an open house or model home demonstration.

2.41 "Residential Sign" shall mean a sign accessory to the permitted residential use.

2.42 "Sandwich Board Sign", see 2.1 as defined by this By-law.

2.43 "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 (1) street to a point in the other street line, each such point being 6.0 m [19.69 ft.] from the point of intersection of the street lines (measured along the street lines). Where the two (2) 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.

- 2.44 "Sign" shall mean any medium including its structure and other component parts, which is used or capable of being used to attract attention to a specific subject matter, and shall include an advertising device or notice. A sign shall only advertise the business on a lot that the sign is erected on, except for billboard signs.
- 2.45 "Standard or Pylon Sign" shall mean a sign supported and placed upon standards or poles with the base of the sign not resting upon the ground or upon a roof and shall not include any specific advertising for businesses.
- 2.46 "Shopping Centre Sign" shall mean a sign for a lot with multiple commercial occupancy permitted pursuant to the City's Comprehensive Zoning By-law.
- 2.47 "Temporary Sign" shall mean a sign conveying a message applicable for a definable and specific limited time or related to an event of specific and short duration, and shall not include any specific advertising for businesses.
- 2.48 "Zone" shall mean a category of land use as defined by the City's Comprehensive Zoning By-law.

3. Application for Permit

- 3.1 Other than as provided in Section 4.1 of this By-law, no person shall erect, cause to be erected, or structurally alter any sign within the City of Pembroke without first obtaining a sign permit from the Chief Building Official.
- 3.2 Application for a Sign Permit shall be made upon a form provided by the Chief Building Official.
- 3.3 Prior to the issuance of a Sign Permit the application for a permit shall be submitted to the Chief Building Official to be checked for conformity to this By-law.
- 3.4 The application for the permit shall be accompanied by the following information, filed in duplicate with the application:
 - 1) completed drawings and specifications of what is to be erected or structurally altered including, where applicable, details of supporting framework.
 - 2) erections plans indicating the location of the sign on the building relative to vehicle accesses, doors, windows and other existing signs on the site.
 - 3) site plans to scale indicating location on the site, street lines and other boundaries of the property and the location of the buildings(s) thereon.
- 3.5 On receipt of a completed application, the Chief Building Official shall issue a Sign Permit provided the application is in compliance with the regulations contained in this By-law.
- 3.6 Fees to be paid upon application for sign permit as outlined in the current Fees and Service Charges manual for the City of Pembroke.
- 3.7 There shall be no refunds after a sign permit is issued.

3.8 Insurance and Indemnification:

Every applicant for a Sign Permit shall file with the City of Pembroke a satisfactory certificate of insurance to indemnify the City against any form of liability to a minimum of \$1,000,000.00. The insurance shall be maintained in full force and effect during the life of the sign and the insurance policy of certificate shall provide that the City be notified of any cancellation of the insurance ten (10) days prior to the date of cancellation.

As a condition to the issuance of a Sign Permit all persons engaged in the business of installing or maintaining signs which involves in whole or in part the erection, alteration, relocation, removal or maintenance of a sign or other work, shall agree to hold harmless and indemnify the City, its officers, agents and employees from any and all claims of negligence resulting from the erection, alteration, relation or maintenance of a sign or other sign work.

4. Permit Exemptions

4.1 No permit shall be required for:

- a) any poster, banner, or sign of a candidate in a Municipal, Provincial or Federal election.
- b) signs of public authority.
- c) signs prescribed by law.
- d) signs for public convenience, such as delivery, caution, entrance, construction or detour.
- e) temporary signs of a non-profit charitable organization.
- f) municipal exhibition or events signs.
- g) real estate signs, subject to the conditions of Section 5.2.
- h) no trespassing signs of 1 m² (10.75 ft.²) or less
- i) signs used to identify buildings of the Corporation or local board thereof.
- j) signs used for identification, directional or directional information in conjunction with hospitals; and
- k) banner signs on City property approved by the Planning and Waterfront Committee.

4.2 Signs exempt from the requirements for a permit by Section 4.1 above, shall also be exempt from the conditions of Section 6, 7, 8, 9, 10, 11 and 12 of this By-law.

4.3 Prohibited Signs

No person shall erect, place or display or cause the erection, placement or display of:

- a) Any sign that contravenes any provisions of this By-law or the Ontario Building Code or any other applicable regulation, as amended from time to time;
- b) Any sign that is declared by the Chief Building Official to be unsafe, or a danger to public safety by reason of its location or inadequate or improper construction or maintenance.

- c) Any sign that is located so as to interfere in any way with the free use of any fire escape, fire exit, door, window, skylight flue, air intake or exhaust, or parking space.
- d) Any sign that is located as to obstruct the view of any pedestrian or motor vehicle driver so as to cause an unsafe condition.
- e) Any sign that is attached or secured to a tree, fence post, fence, utility or amenity pole on municipal property unless expressly authorized by this By-law.
- f) Any sign that may confuse passing motorists or interfere with the safe movement of traffic or within four (4) metres of a traffic or municipally owned sign.
- g) Any sign located within a sight triangle at intersecting streets.
- h) Any sign that obstructs a required parking space and prevents a space from being utilized as such.
- i) any obsolete sign which no longer advertises a business conducted, or a product sold at the sign location.
- j) any sign, except signs in accordance with this By-law shall be erected so as to not extend over publicly owned lands.
- k) Any banner display on the face of a building or other structure.
- l) Any sign or advertisement on a vehicle or trailer which is parked or located for the primary purpose of displaying said sign or advertisement.
- m) Any string lights, other than temporary holiday decorations that effect lighting of boulevards and streets
- n) Any roof top signs,
- o) Any sign advertising a business not located on the same property except for billboard signs; and
- p) Temporary sign unless the sign is:
 - An official sign required by or erected under a federal or provincial statute or a by-law
 - A real estate sign and an open house directional sign, subject to provisions of Section 5.2 of this By-law.
 - Meets the requirements of Section 5.3 of this By-law.
 - A sign promoting citizens participating in religious, civic, charitable or non-profit activities and events, or advertising festivals and community events.
 - A garage sale
 - An election sign

5. General Regulation

5.1 Every sign for which a permit is required shall be subject to inspection by the Chief Building Official. The owner, or other person erecting the sign, shall notify the Chief Building Official when the work on the sign has been completed.

5.2 Real Estate Sign

- a) Further to Section 4.1 (g), no real estate sign shall be affixed to any trees, utility poles or be erected or placed on public or private property without the permission of the municipality or the property owner.

- b) No “Open House” signs shall be placed except on private property, subject to the permission of the owner. Such open house signs may be erected not more than two weeks prior to the open house, or model home demonstration, and must be removed not more than two (2) days after the termination of such open house or demonstration.
- c) There shall be a limit of one (1) double-faced sign per property with a frontage of up to 46 m (150 ft.).
- d) Corner lots (lots facing two (2) streets) and lots exceeding 46 m (150 ft.) may carry two (2) double-faced signs.
- e) A real estate sign marking that a property is “sold” may appear for a limit of thirty (30) days from the date of an accepted offer to purchase the said property, or until occupancy by the new owners, whichever occurs first.
- f) A real estate sign shall not exceed 1 m² (10.75 ft.²) in area, with the exception of real estate signs on properties in Commercial Zones (except for “Local Commercial – “C1” zones) or properties in Industrial Zones; such signs shall not exceed 3 m² (32 ft.²) in these areas.
- g) No illuminate or luminous real estate signs are permitted.

5.3 Temporary Sign

- a) One (1) temporary sign per street frontage may be erected at a construction project indicating the nature of the project and the developers, contractors, architects, engineers and related personnel or trades involved in the development of the site.
- b) A temporary sign permitted by this section is to be removed from the site when the construction project is completed to the point of being ready for use or occupancy.
- c) All temporary signs, other than those erected in conjunction with a construction project, shall be removed on or before the date specified in the application for a sign permit.
- d) A temporary sign shall not exceed 1 m² (10.75 ft.²) in area, unless the associated construction project has a value exceeding \$1,000,000.00, in which case the sign shall not exceed 5.5 m² (60 ft. ²) in area and a sign permit is required.

5.4 Lighting of Signs

No sign shall be illuminated in such a fashion as to:

- a) diminish or detract from the effectiveness of any traffic signal or similar safety warning device, and
- b) fall within the vision of motorists in such a manner as to create a traffic hazard; as determined by the Chief of Police.

5.5 Illuminated and Luminous Signs

- a) Illuminated and luminous signs shall be located so as to reflect light away from adjacent premises or street to prevent any glare or blinding spillover effect.
- b) Illuminated signs may be erected only in Commercial, (except for “Local Commercial – C1” zones) Institutional and Industrial zones, provided that

they do not interfere with the undisturbed enjoyment of neighbouring properties.

- c) Luminous signs may be erected in Commercial zones which includes – “Local Commercial-C1” zone, “Institutional” and “Industrial” Zones.

5.6 Electrical Work

All electrical work in a sign shall conform with the applicable regulations of the Ontario Electrical Standards Authority.

5.7 Maintenance

- a) Every sign shall be kept in good repair and in a safe and secure condition so as not to endanger the safety of the public at any time.
- b) Signs shall be maintained in a clean and clear condition.
- c) It shall be the duty and responsibility of the owner or lessee of any sign to maintain the immediate premises occupied by the sign in a neat and tidy condition.

5.8 Painted Signs

No sign shall be painted directly on the exterior walls of any building or structure.

5.10 Signs or Merchandising Display

- a) Signs or the displaying of merchandise is not permitted in City property except as approved in this by-law and where approval and a permit has been issued.
- b) Signs or merchandising displayed on City Property without permission of the Planning and Waterfront Committee shall be removed without notice by the City and the cost recovered as per Section 14.
- c) Only Merchandise Tables or clothing racks may be displayed on the sidewalks within the Community Improvement Project Area. Further, five (5) feet of unobstructed sidewalk must be provided for pedestrians.

5.11 Inflatable Signs

No person shall erect an Inflatable Sign except in accordance with the following provisions:

- a) An inflatable sign shall be permitted in “Highway Commercial-C2”, “Central Commercial-C3”, “Shopping Centre Commercial-C4”, “Industrial-I”, “General Industrial-M1” and “Economic Enterprise-M2” zones only.
- b) An Inflatable Sign shall only be permitted on a property with a minimum frontage of 30 metres.
- c) An Inflatable Sign shall be located:
 - i. a minimum of 3.0 metres from any property line;
 - ii. a minimum of 3.0 metres from any driveway entrance and exit;
 - iii. a minimum of 10.0 metres from ground or portable sign on the same property or abutting property;
 - iv. a minimum of 92 metres from a residential property; and
 - v. a minimum of 50 metres from a traffic light standard.

- d) An Inflatable Sign shall have a maximum height of 7.0 metres and a maximum width of 6.0 metres.
- e) One Inflatable Sign shall be permitted for each property at any one time.
- f) An Inflatable Sign may be erected or installed for a specific period not to exceed thirty (30) days. A maximum of 3 permits per annum shall be available to each business.
- g) All Inflatable Signs shall be properly secured to the satisfaction of the City.
- h) Power cords and/or supporting devices for Inflatable Signs shall not be placed on or over parking areas or pedestrian areas.

6. Residential Signs (“R1”, “R2”, “R3”, and “R4” Zones)

Accessory or business signs in Residential zones shall be permitted subject to the following conditions:

6.1 Identification Sign

One (1) decorative identification sign not exceeding 2 m² (21.5 ft.²) indicating the location of an institutional, charitable or fraternal establishment is permitted.

6.2 Home Occupation Signs

Home occupation signs may be erected for identification purposes at the front entrance of the premises provided that no sign is greater than 0.33 m² (3.5 ft.²)

7. Commercial Signs “Local Commercial – C1” Zone

Accessory or business signs in a “C1” zone shall be permitted subject to the following conditions:

7.1 General Conditions

One (1) fascia or ground sign may be erected for each place of business in this zone, or two (2) fascia signs may be erected on a corner lot provided such signs conform to the conditions in the following categories:

7.2 Fascia Sign

A fascia sign shall:

- a) be attached to and parallel with the wall of the building.
- b) be a minimum of 2 m (6.5 ft.) above the finished grade for illuminated fascia sign only.
- c) have no horizontal measurement in excess of the wall of the building façade to which it is attached.
- d) not project more than 0.61 m (2 ft.) from the main wall of the building, [notwithstanding the conditions of this By-law to the contrary, a fascia sign shall be permitted to overhang public property by up to 0.6 m (2 ft.)].
- e) not carry advertising copy on its ends.
- f) if on a lane, be a minimum of 4 m (13 ft.), measured vertically, from the surface of the lane.
- g) have an area not exceeding the lesser of: 10% of the area of the wall to which the sign is attached in the storey in which the sign is located.

- h) in the case of a commercial use on a corner lot, signs may be erected on both faces of the building fronting on a public street, provided that the area of any sign does not exceed the area which would be permitted for that particular building wall alone.

7.3 Ground Sign

One (1) ground sign per frontage may be erected between the building line and the lot line provided that:

- a) the maximum height is not more than 2 m (6.5 ft.).
- b) the maximum area is not more than 0.75 m² (8 ft.²).
- c) the sign is erected totally on private property.
- d) the sign is not located within a sight triangle.
- e) setback a minimum of 1.5 metres (5 feet) from the front property line; and
- f) a read-o-graph sign is not permitted in a “Local Commercial-C1” zone.

7.4 Canopy

The area of sign on the canopy shall not exceed 0.28 m² (3 ft.²) of sign area per linear horizontal metre of canopy fascia upon which such sign is to be located. No sign shall exceed 1 m² (10.75 ft.²) in sign area. The minimum height over a sidewalk shall be 2.5 m (8.2 ft.) and minimum height over the street or lane shall be 5 m (16.4 ft.).

7.5 Awning

Awnings provided it is retractable shall be a minimum height of 2.50 m (8.2 ft.) over a sidewalk with a maximum height not exceeding the second storey floor line. The maximum projection will be 2.13 m (7 ft.). The minimum height over a sidewalk shall be 2.50 m (8.2 ft.) and minimum height over the street or lane shall be 5 m (16.4 ft.).

8. Commercial Signs “Highway Commercial – C2” Zone

8.1 General Conditions

One (1) accessory or business sign in the form of a fascia and an additional business sign in the form of a read-o-graph, portable, ground, or pylon sign may be erected for each place of business in a “C2” zone, or two (2) fascia or ground signs may be erected on a corner lot subject to the following conditions:

- 8.2 Where a “C2” abuts a residential development, only fascia or ground signs are permitted subject to Section 8.3 and 8.5.

8.3 Fascia Sign

A Fascia Sign shall:

- a) Meet the requirements of Section 7, Subsection 7.2 (a) to (f) of this By-law;
- b) A fascia sign shall have an area not exceeding the lesser of 20% of the area of the wall to which the sign is attached; and
- c) In the case of a commercial use on a corner lot, signs may be erected on both faces of the building fronting on a public street, provided that the area of any sign does not exceed the area which would be permitted for that particular building wall alone.

8.4 Pylon Sign

One (1) pylon sign may be erected on a place of business having a lot frontage of 15 m (49.2 ft.) or more provided:

- a) the height of the sign shall not exceed a maximum of 10 m (32.5 ft.).
- b) the area of the sign shall not exceed 9.5 m² (102 ft. ²).
- c) the bottom of the sign shall not be closer than 2.44 m (8 ft.).
- d) the sign shall be erected totally on private property.

8.5 Ground Sign and Read-O-Graph Signs

One (1) ground sign or read-o-graph sign per frontage may be erected between the building line and the lot line provided that:

- a) the maximum height is not more than 2.4 m (8 ft.),
- b) the maximum area is not more than 5 m² (53.8 sq. ft.),
- c) the sign is erected totally on private property,
- d) setback a minimum of 1.5 metres (5 feet) from property line,
- e) the sign is not located within the sight triangle; and
- f) No changeable messages on Read-O-Graph signs shall be faster than five second intervals

8.6 Billboard Sign

A billboard sign may be erected, altered and maintained subject to the following conditions:

- a) No billboard sign shall be erected adjacent to churches or within 60.96 m (200 ft.) of a residence.
- b) No billboard sign shall be erected, altered or maintained within a road allowance or a railway right-of-way.
- c) A billboard sign shall not be erected in such a manner that the rear of the sign would be exposed to any street, unless advertising copy is maintained on both the front and the rear of the sign.
- d) Billboard signs may, subject to the other conditions of this By-law, be joined together. Where billboard signs are joined, they shall be treated, for purposes of this By-law, as a single sign installation.

A distance of 91 m (300 ft.) shall be maintained between installation of billboard signs.

- e) The maximum area of a billboard sign shall be related to the frontage of that lot, as set out below:

Lot Frontage	Maximum Area of Billboard Sign
15 m (50 ft.)	23 m ² (250 ft. ²)
30.50 m (100 ft.)	46 m ² (500 ft. ²)
61 m (200 ft.)	70 m ² (750 ft. ²)

- f) Not more than three (3) billboard signs may be erected facing in any one direction on any lot. Notwithstanding the foregoing, not more than two (2) billboard signs may be erected on a corner lot.
- g) A billboard sign shall be set back a minimum distance of 7.62 m (25 ft.) from the street line, except that where buildings adjacent to, and with 61 m (200 ft.) of, the proposed sign installation have been built closer than 7.62 m (25 ft.) to the street line, the required setback for the billboard sign shall be the same as the actual setback of those adjacent buildings.

Notwithstanding the foregoing, on a corner lot no billboard sign shall be erected within the triangular space formed by the intersecting street lines and a line drawn between the point on each street line which lies 6.10 m (20 ft.) from the intersection of said street lines.
- h) The maximum height of a billboard sign shall not exceed 7.62 m (25 ft.), as measured perpendicular to the level of the ground at the base of the sign.

8.7 Portable Signs

i. A-Board Signs

- a) Fees to be paid upon application for sign permit as outlined in the current Fees and Service Charges manual for the City of Pembroke. The permit shall be renewed when the business changes ownership.
- b) Each application shall include a plan of the sign, the location, a copy of the Owner's liability insurance (\$1,000,000.00) and a written agreement to indemnify the Corporation against any liabilities as a result of the placing of the sign.
- c) No application shall be required for one (1) only A-board sign outside the store building on private property.
- d) A permit shall be required for one (1) A-board sign per business to be erected on City property, subject to approval, and shall be located clear of pedestrian or vehicular traffic.
- e) An A-board sign shall be maximum of 1.22 m (4 ft.) high by .76 m (2.5 ft.) wide, having an area of 0.93 m² (10 ft.²) and shall not reduce the sidewalk clear passage of less than 1.52 m (5 ft.) or encroach on any street or laneway.
- f) An A-board sign shall be removed at the close of business hours and shall be removed by the Owners during snow removal operations or severe wind and weather conditions.
- g) An A-board sign shall not have any projections from the sides or bottom beyond the maximum parameters set out in 8.8 (e) above, nor shall any part of the sign be designed so as to create a hazard to pedestrians. The sign shall be of professional appearance and be aesthetically pleasing.

ii. Mobile Signs

Upon application to the Chief Building Official for a sign permit, one (1) mobile sign per frontage may be erected on a place of business between the building line and the lot line under the following conditions:

- a) Fees to be paid upon application for sign permit as outlined in the current Fees and Service Charges manual for the City of Pembroke.

- b) The permit may be reviewed after six (6) months provided that a beautification plan be submitted with the application in place.
- c) Each application shall include a plan of the sign, its location and a copy of the Owner's liability insurance (\$1,000,000.00) and a written agreement to indemnify the Corporation against any liabilities as a result of the placing of the sign.
- d) A mobile sign shall be permitted only on private property. The mobile sign shall only advertise the business on that lot.
- e) A mobile sign shall not be located in a sight triangle.
- f) A mobile sign shall be set back a minimum of 1.5 metres (5 feet) from the property line.
- g) There shall be no flashing lights on the sign surface.
- h) A mobile sign can be 2.44 m by 1.52 m (8 ft. by 5 ft.) or 3.05 m by 1.22 m (10 ft. by 4 ft.) or there in between, with stands and frames from 0.40 m to 0.61 m (1.3 ft. to 2 ft.) from the ground to the bottom of the sign; and
- i) A mobile sign shall not be permitted in a parking space.

9. Commercial Signs – Central Commercial – C3 Zone and the “Community Improvement Project Area”

One (1) accessory or business sign in the form of a fascia and additional business sign in the form of a read-o-graph, ground, portable, projecting or pylon sign may be erected for each place of business in a “C3” zone or two (2) fascia, ground or projecting signs may be erected on a corner lot subject to the following conditions:

9.1 Fascia Sign

Refer to Section 7, Subsection 7.2 (a) to (h) of this By-law.

- a) Fascia signs shall have an area not exceeding the lesser of 20% of the area of the wall to which the sign is attached.
- b) In the case of a commercial use on a corner lot, signs may be erected on both faces of the building fronting on a public street, provided that the area of any sign does not exceed the area which would be permitted for that particular building wall alone.

9.2 Ground Sign

Refer to Section 8, Subsection 8.5 of this By-law.

9.3 Pylon Sign

Refer to Section 8, Subsection 8.4 (a) to (c) of this By-law.

9.4 Billboard Sign

Refer to Section 8, Subsection 8.6 (a) to (i) of this By-law.

9.5 Portable Sign

i. A-Board Signs

- a) Refer to Section 8, subsection 8.7 (i) of this By-law.

ii. Mobile Signs

- a) Refer to Section 8, Subsection 8.7 (ii) of this By-law.
- 9.6 Projecting Sign
 - a) **Fastening:** A projecting sign shall not be constructed as a free-swinging sign. As per Ontario Building Code requirements – rigid metal bracket only, attached to main wall of building.
 - b) **Projection from main wall of building:** Maximum of 1.22 m (4 ft.).
 - c) **Sign Size:** Maximum 0.75 m² (8 ft.²). Projecting signs shall be designed as double faced.
 - d) **Location:** Street face or main access to business. Sign is located as close as possible to the horizontal centre of the building or business frontage, except on a corner lot, a projecting sign may be located at the corner of the building or business frontage in lieu of one (1) sign on each frontage.

There shall be no overhanging structures or wires from the roof of any building where a projecting sign is allowed.

- e) **Lighting:** No projecting sign which encroach onto or over publicly-owned lands shall be luminous or illuminated.
- f) **Number:** One (1) sign per business.
- g) **Height above finished sidewalk:** Minimum of 2.44 m (8 ft.).
- h) **Materials:** Limited to wood or wood-like products for sign and wrought iron for the bracket or like durable materials.
- i) **Limitations:** Sign shall not carry advertising copy on its ends.

In the case of a one-storey building, the sign shall not extend above the eave of the roof.

In the case of a multiple storey building, the sign shall not extend above the bottom of the second storey window.

Only one (1) sign assembly shall be permitted where two (2) or more businesses share the above same entrance.

Projecting signs shall be limited to the following boundary bounded by Mackay Street on the east, Renfrew Street on the south, Christie Street on the west and the Ottawa River on the north. The properties within this boundary must be zoned C3.

9.7 Murals

Murals shall be permitted in the “C3” zone with the approval of the Pembroke Heritage Murals Committee.

9.8 Canopy

Refer to Section 7, Subsection 7.4 of this By-law.

9.9 Awning

Refer to Section 7, Subsection 7.5 of this By-law.

10. Commercial Signs – “Shopping Centre Commercial – C4” Zone

10.1 General Conditions

One (1) ground, fascia, portable, read-o-graph, or pylon sign shall be permitted for each street frontage in a Shopping Centre Commercial – “C4” zone and shall be subject to the following conditions:

10.2 Pylon Sign

- a) The area of the sign shall not exceed 23 m² (250 ft.²).
- b) The bottom of an illuminate or luminous sign shall not be closer than 2.50 m (8.2 ft.) to finished grade.
- c) The sign shall be erected totally on private property.
- d) The height of the sign shall not exceed 10 m (32.5 ft.).

10.3 Fascia Sign

One (1) fascia sign may be erected for each store, subject to the following conditions:

- a) the fascia sign shall be attached and parallel to the main wall of the building.
- b) The sign shall not project more than 0.61 m (2 ft.) from the main wall of the building.
- c) Where a canopy is erected in front of, and attached to, the main wall of the shopping centre, a fascia sign may be attached to the main wall above the canopy, providing it does not exceed 0.91 m (3 ft.) in height.

10.4 Ground Signs

Refer to Section 8, Subsection 8.5 of this By-law.

10.5 Other Accessory and Business Signs

In the case of a shopping centre with canopy, a sign shall be permitted as an integral part of the canopy, subject to the other conditions of this By-law. No sign shall be suspended from, or supported by, such a canopy.

10.6 Portable Sign

Refer to Section 8, Subsection 8.7 of this By-law.

10.7 Canopy

Refer to Section 7, Subsection 7.4 of this By-law.

10.8 Awning

Refer to Section 7, Subsection 7.5 of this By-law.

11. Institutional Signs – “Institutional – I” Zone

Accessory or business signs shall be permitted subject to the following conditions:

11.1 General Conditions

One (1) accessory or business sign in the form of a fascia and one read-o-graph, portable, ground or pylon sign may be erected for each place of business in an “I” zone or two (2) fascia or ground signs may be erected on a corner lot subject to the following conditions:

11.2 Where an “I” zone abuts a residential development, only a fascia or ground sign are permitted subject to Sections 8.3 and 8.5.

11.3 Fascia Sign

Refer to Section 8, Subsection 8.3 of this By-law.

11.4 Pylon Sign

Refer to Section 8, Subsection 8.4 of this By-law.

11.5 Ground Sign and Read-O-Graph Signs

Refer to Section 8, Subsection 8.5 of this By-law.

11.6 Portable Signs

Refer to Section 8, Subsection 8.7 of this By-law.

12. Industrial Signs – General Industrial and Economic Enterprise – M1 and M2

Accessory or business signs shall be permitted subject to the conditions:

12.1 General Conditions

One (1) accessory or business sign in the form of a fascia and an additional business sign in the form of a ground, read-o-graph, portable, or pylon sign may be erected for each place of business in a “M1” or “M2” zones or two (2) fascia or ground signs may be erected on a corner lot subject to the following conditions:

12.2 Where a “M1” and “M2” zone abuts a residential development, only fascia and ground signs are permitted subject to Section 8.3 and 8.5.

12.3 Fascia Sign

Refer to Section 8, Subsection 8.3 of this By-law.

12.4 Ground Sign and Read-O-Graph Sign

Refer to Section 8, Subsection 8.5 of this By-law.

12.5 Pylon Sign

Refer to Section 8, Subsection 8.4 of this By-law.

12.6 Billboard

Refer to Section 8, Subsection 8.6 of this By-law.

12.7 Portable Sign

Refer to Section 8, Subsection 8.7 of this By-law.

13. Removal of Signs and Enforcement

13.1 Any sign or appurtenance thereto which no longer advertises a bona fide business or service on the premises shall be removed within sixty (60) days of termination of such business or service.

13.2 Signs in Violation

a) Whenever the Chief Building Official, after inspecting a new sign installation, finds such sign to be in violation of the conditions of this By-law, he shall notify the Owner of the property in writing by registered mail,

or by causing a notice to be delivered personally to the Owner, requiring the repair, alteration, or removal of such sign within **seven (7)** days from the receipt of such notice in writing.

- b) When a sign is erected, displayed, altered, repaired, or is not maintained, in contravention of the provisions of this by-law, such sign shall be removed immediately, by the City, without notice, if located on, over, partly on, or partly over, property owned by or under the jurisdiction of the City at the expense of the Owner and under section 427 of the Municipal Act, may recover costs as per Section 14.
- c) When an A-Frame sign or Mobile/portable sign is erected, displayed, altered, repaired, or is not maintained, in contravention of the provisions of this by-law, such sign shall be removed at the direction of the City without notice, at the expense of the Owner and under section 427 of the Municipal Act, may recover the costs as per Section 14.
- d) Where the number of A-Frame signs or Mobile/portable signs erected or displayed on any business premises exceeds the maximum number of A-Frame signs or Mobile/portable signs erected or displayed on such business premises shall be removed at the direction of the City at the expense of the Owner and under Section 427 of the Municipal Act, may recover the costs as per Section 14.
- e) Where a sign has been removed by the City and stored for a period of thirty (30) days and has not been redeemed, such sign may be forthwith destroyed or otherwise disposed of by the City.
- f) Where removal is appropriate, such notice as provided in Section 13, Subsection 13.2 (a) and (b) above, shall terminate the relevant sign permit.
- g) When a sign or a merchandise is erected or displayed partially or solely on City property, it shall be removed without notice unless as permitted in Section 5.10.

14. Recovery of Expenses

- 14.1 A copy of an invoice for any charges for removal or repair of a sign, together with a certificate by the Treasurer advising that:
 - a) The invoice has been sent to the person liable to pay the same,
 - b) No payment or insufficient payment has been received for the invoice,
 - c) Payment of the invoice is overdue,

shall be sufficient authority to enter the amount of the unpaid balance of the invoice on the Collector's Roll.

15. Appeal

- 15.1 The Municipality recognizes there may be exceptions to the rules and an appeal to the Planning and Waterfront Committee may be made:
 - a) For a variance to the Sign By-law.
 - b) If, in the opinion of the applicant for a sign permit, the interpretation of this By-law by the Chief Building Official was not justified.
- 15.2 The applicant must submit a written appeal to the Chief Administrative Officer, within thirty (30) calendar days of the refusal by the Chief Building Official to issue the sign permit, stating the reason for the appeal along with the required documents as set out in Section 3 of this By-law.

Liability of Damages

15.3 The provision of this By-law shall not be construed as relieving or limiting the responsibility or liability of any persons erecting or owning any sign or display. Nor can it be construed as imposing upon the City of Pembroke or its officers or employees, any responsibility or liability by reason of the approval of any signs materials or devices infer provisions of this By-law.

16. Abandonment

16.1 Neither the granting of a permit nor the approval of the plans and specifications nor inspections made by the Chief Building Official shall in any way relieve the Owner or any other person from full responsibility for carrying out work or having the work carried out in complete accordance with this By-law or any other by-law applicable thereto.

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

16.3 Every permit shall expire by limitation and become null and void under the provisions of this By-law, if the work authorized by such permit is not commenced within six (6) months of the date of the permit issuance, or if the work authorized by such permit is suspended or abandoned, at any time after the work is commenced, for a period of six (6) months, or if the sign has been removed.

16.4 If a permit issued pursuant to Subsection 16.1 above, has expired before such work can be commenced, the original permit shall be first renewed upon payment of the prescribed fee and upon the Chief Building Official being furnished with satisfactory proof that the plans and specifications conform with the requirements of this By-law at the time of the application for renewal.

17. Conflict

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

18. Penalty

Every person who contravenes any of the provisions of this By-law is guilty of an offence, and on summary conviction under The Provincial Offences Act is liable to a fine not to exceed **\$5,000.00**.

19. That By-law 2000-18 and any other By-law inconsistent with the provisions contained in this By-Law are hereby repealed.

This By-law shall come into force and take effect upon the final passing thereof.

Read a first and second time this 8th Day of July 2014

Mayor

Chief Administrative Officer/Clerk

The Corporation of the City of Pembroke

2014-63

Being a By-Law for prohibiting or regulating signs and other advertising devices and the posting of notices within the City of Pembroke

Whereas The Municipal Act, R.S.O. 2001, c.25, Section 10(2), provides that a single tier municipality may pass by-laws for prohibiting or regulating signs, structure including fences and signs;

And Whereas the Council of the Corporation of the City of Pembroke deems it expedient to amend By-law 2014-46, being a by-law for prohibiting or regulating signs and other advertising devices and the posting of notices within the City of Pembroke;

Now therefore, the Municipal Council of the Corporation of the City of Pembroke enacts as follows:

Section 1 Title and Scope and Conformity Requirements

1. That Section 2 – Definitions of By-law 2014-46 be amended by adding thereto the following:

Section 2.34(A) Off-lot sign – shall mean a portable sign which identifies or advertises a business, activity, good, product or service, which is not normally related to, or available at the lot where the sign is located.
2. That Section 5 – General Regulations of By-law 2014-46 be amended by adding thereto the following:

Section 5.12 Off-Lot Signs

No person shall erect an Off-Lot Sign except in accordance with the following provisions:

- a) An off-lot sign shall only identify or advertise business operations located with the boundaries of the City of Pembroke;
- b) Only one off-lot sign shall be permitted on a property;
- c) Off-lot signs shall be permitted on vacant lots only in Commercial and Industrial zones, such location and approval being subject to the submission of written approval of the property owner to the Chief Building

Official with the application. A vacant lot shall be defined as having no main building on a lot;

- d) No off-lot sign shall be located within 150 metres (492) feet of another off-lot sign;
- e) Off-lot signs shall be no closer than 30 metres (98.4 ft) to permanent billboards on the same side of the street; and
- f) All provisions and regulations as stated in Section 8.7(ii) Portable Signs of Sign By-law 2014-46 must be adhered to.

3. That Section 4 – Permit Exemptions of By-law 2014-46 be amended by adding thereto the following:

Section 4.4 Temporary Signs of a Non-Profit Charitable Organization

The Chief Administrative Officer is hereby authorized, under authority of the Municipal Act, c.25, S.O. 2001, to review and approve requests to allow non-profit charitable organization signs on City property.

- 4. Every person who contravenes any section of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, as amended.
- 5. This By-law shall come into force and take effect upon the final passing thereof.

Read a first and second time this 18th day of November, 2014.

Chief Administrative Officer

Mayor

Read a third time and passed this 18th day of November, 2014

Chief Administrative Officer

Mayor