

BY-LAW NO. 22-99

OF THE CORPORATION OF THE TOWN OF AYLMER

Being a By-Law to regulate the erection and maintenance of signs, marquees, canopies, awnings, and other advertising devices.

WHEREAS, It is expedient to regulate the erection and maintenance of signs, marquees, canopies, awnings, and other advertising devices;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF AYLMER HEREBY ENACTS AS FOLLOWS:

1. DEFINITIONS

In this By-Law:

- (a) "Awning" means any projecting window or door cover, made of cloth, canvas, metal, wood, plastic or other such material, whether roll-type, fold-type, accordion-type or rigid form.
 - (b) "Corporation" means the Corporation of the Town of Aylmer, or any person(s) designated by the Corporation for the enforcement of this By-Law.
 - (c) "Highway" means a common and public highway or public road allowance, and shall include a street and/or sidewalk.
 - (d) "Marquee/Canopy" means any non-moveable building decoration, either suspended from the building or supported by piers or pillars, and which may be structurally part of the building and extending horizontally from the building over a highway, street or public sidewalk.
 - (e) "Owner" means the person who has the occupation and/or control of a property and shall include a lessee or tenant under agreement of sale.
 - (f) "Pedestal" means a free standing architectural support, column or structure.
 - (g) "Property" means a parcel or tract of land fronting onto a street, the whole of which is held in private ownership.
 - (h) "Sandwich Board" means an advertising device of two separate sides, hinged or fastened at the top with the bottom edge spaced so that the Board is self supporting.
 - (i) "Sign" means any advertising device constructed wholly or partially of metal, wood, plastic, steel, glass or combinations thereof, either illuminated or non-illuminated by either direct or indirect light.
2. No person shall erect or cause to erect, maintain or use in the Town of Aylmer, any sign, marquee, canopy, awning, or other advertising device in such a manner that any part of which shall overhang any highway, street, sidewalk or other public place unless and until a permit therefor has been obtained from the Corporation.
3. (a) Any sign, marquee, canopy, awning, or other advertising device, projecting over two or more streets, shall be considered a separate unit for each street.
- (b) Any sign which does not form an integral part of a canopy, marquee, awning, shall be considered as a separate sign.

- (c) No person shall erect or cause to erect a pedestal on any property in the Town of Aylmer, upon which a sign or signs are mounted or affixed, without first obtaining the approval of the Corporation.
 - (d) The combined height of any pedestal or any sign or signs, mounted or affixed thereto, shall not exceed 7.5 metres.
 - (e) The maximum combined area of any sign or signs, mounted or affixed to any pedestal, shall not exceed 30.5 square metres.
 - (f) The maximum size for any sandwich board sign shall not exceed .6 metres in width by .91 metres in length.
4. No person shall re-erect, renew, add to, alter or extend, a sign, marquee, canopy, awning, or other advertising device, without first obtaining a permit from the Corporation.
5. (a) No sign, marquee, canopy, awning, or other advertising device, shall be attached to any post or support on the sidewalk or street, but shall be securely attached to a building or other satisfactory support, and the lowest part of any sign, marquee, canopy, awning, or other advertising device, shall not be less than seven (7') feet above the level of the sidewalk grade and project to a point twelve (12") inches, back of curb.
- (b) No fascia sign, either electric or non-electric, illuminated or non-illuminated, shall extend over the surface of a sidewalk, street or other public place, more than twelve (12") inches, and no lower than nine (9') feet from the level of the sidewalk grade.
- (c) Subsections (a) & (b) of this section do not apply to any sign, marquee, canopy, or other advertising device that was in existence prior to the passing of this By-Law or was contracted for but not yet completed.
6. (a) No person shall erect or cause to erect any sign, marquee, canopy, awning, or other advertising device, that is in close proximity to any telephone, telegraph or hydro electric service until the appropriate Utility has been notified and has approved its location.
- (b) The approval required in Subsection (a) above, shall be in writing, and a copy forwarded to the Corporation, and will form part of the permit requirements.
7. Any sign, marquee, canopy, awning, or other advertising device, containing an arrangement of lights coloured red, green or yellow, that are either stationary or automatic flashing, may be ordered removed or altered by the Corporation if conflicts arise with the traffic control lights, and the owner, tenant or lessee must comply with the said Order within seven (7) days upon receipt of the Order from the Corporation.
8. Advertising Handbills, Pictures, Posters
- (a) No person shall display, distribute or post any advertising handbill, picture or poster until such handbill, picture or poster has been reviewed by the Chief Building Official, and the applicant has received the appropriate approvals and permits, also, that every applicant shall pay to the Treasurer of the Town of Aylmer, the prescribed fee for such permit as set out in Schedule "A".
- (b) The applicant applying for a permit as per (a) above,

shall agree to remove all advertising handbill, picture or poster and any such material used to secure said advertising handbill, picture or poster, as soon as is practicable, following the date of the advertised sale, event, etc., and not later than five (5) days following such sale, event, etc.

- (c) The applicant, as per (a) above, shall provide, as part of their application, a list of the street(s) or the areas slated for distribution, display or posting.

9. Portable Signs


- (a) No person shall erect or cause to erect, a portable sign, either illuminated or non-illuminated, without first obtaining approval from the Town, and paying the prescribed fee as set out in Schedule "A".
- (b) All portable signs shall be located solely within the limits of the applicant's property, and shall also be subject to the requirements of Section 7 of this By-Law.
- (c) Permission will not be given and a permit will not be issued where a portable sign is proposed and its location, in the opinion of the Town, may create a visual obstruction for operators of motor vehicles.
- (d) No portable sign, located in the Town of Aylmer, shall be permitted to remain for a period exceeding thirty (30) days, and no portable sign shall be permitted more than three (3) times per location, per calendar year.
- (e) The restriction as per Section (d) above, shall not apply where the applicant has appealed to the Chief Building Official and such request has been approved by Town Council.

- 10. Every application for a permit under this By-Law shall be accompanied by payment of the required fee. The application form and fee schedule is attached hereto as Schedule "A" and forms a part of this By-Law.
- 11. Every owner, tenant or lessee, to whom a permit has been issued, shall maintain, in good repair, any sign, marquee, canopy, awning, or other advertising device. In the event the Corporation is of the opinion that the said sign, marquee, canopy, awning, or other advertising device is in need of repair, replacement or removal, the owner, tenant or lessee shall take immediate steps, to remedy the deficiency, upon receipt of notification from the Corporation.
- 12. Notwithstanding the granting of a permit therefor under this By-Law, no responsibility for damages or otherwise shall be incurred or assumed by the Town, but all risk of loss, costs or damages, arising out of the erection, maintenance or non-repair of any sign, canopy, marquee, hood or awning or other advertising device, whether erected and maintained under and in accordance with the provisions of this By-Law or not, and whether erected and maintained on Town or private property, shall be assumed and borne by the person erecting or maintaining the same, and in the case of private property, by the owner of the land on which the same is erected or supported, who shall at all times, be under obligation to indemnify the Town against any action, suit or proceedings arising out of or in respect of the same and shall agree, in writing, to do so in his/her application for a permit, or at any time upon request of the Chief Building Official, or such other person as the Corporation may designate and this shall be a condition precedent of permitting the erection or continuance of any such sign, canopy, marquee, hood, awning, or other advertising device, that may extend over any street.

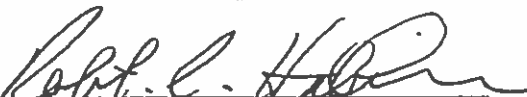
13. The provision for the erection of billboards shall not be considered under this By-Law and shall come before Council for approval through the site plan control process.
14. Any sign, marquee, canopy, awning, or other advertising device, intended as part of a new development shall receive approval under the Site Plan and Development Agreement process, prior to the permit being issued.
15. (a) Enforcement - Provincial Offences Act
- Every person who contravenes any of the provisions of this By-Law is guilty of an offence and is liable upon conviction, to a penalty as authorized by the *Provincial Offences Act*.
- (b) Enforcement - Municipal Act
- Where any person is directed or required by this By-Law to do any matter or thing, such matter or thing may be done in default of its being done by the person directed or required to do it, at that person's expense, and such expense may be recovered by action or as municipal taxes in the manner prescribed by the *Municipal Act*.
16. That By-Law No. 5-64, 40-76, 54-76, and any other By-Law in contravention of the provisions of this By-Law, are hereby repealed.

READ A First and second time this 22nd day of March 1999.


MAYOR


CLERK

READ A Third time and finally passed this 12th day of July, 1999.


MAYOR


CLERK

SCHEDULE "A" TO BY-LAW 08-11

Town Of Aylmer Municipal Fee & Rental Rates

Item	Amount	Plus applicable taxes
Interest on outstanding taxes	1¼% penalty charge	n/a
Interest on unpaid accounts	2% interest charge	n/a
NSF Charge	\$25.00	n/a
Commissioner of Oaths	\$10.00	HST
Certified True Copies	No charge	n/a
Burial Permit	\$10.00	n/a
Dog Tags	\$14.00 + Additional \$2.00 if late	n/a
Lottery Licence	3% of prize value	n/a
Marriage Licence	\$85.00	n/a
Parking Permit – Monthly	\$20.00	n/a
Parking Permit – Bi-Annual	\$114.00	n/a
Parking Permit – Yearly	\$216.00	n/a
Town Flags – Cloth	\$117.00	HST
Town Maps	\$1.00	HST
Poster "Where Memories Begin"	\$7.00	HST
Heritage Poster	\$20.00	HST
Zoning Certificate	\$45.00	n/a
Tax Certificate	\$45.00	n/a
Photocopies (if more than 10 pages)	.20 ea	HST

Official Plan Amendment	\$1,300.00	n/a
Zoning By-law Amendment	\$1,000.00	n/a
Minor Variance Application	\$400.00	n/a
Development Charges		
Single Detached	\$5,115.64	n/a
Apartment	\$3,489.75	n/a
Other Dwelling	\$3,950.82	n/a
Commercial and Industrial	n/a	n/a
Site Plan Review	\$200.00	n/a

Building Permits	Base Line	Adjusted Fee (no taxes)
Group 'C' – Low Density Residential	\$1,500.00/dwelling unit up to 1,500ft ²	\$1.00/ft ² for buildings with a floor area over 1,500 ft ² or (\$10.00/\$1,000 value of construction equivalent). \$1,500.00 minimum fee.
Group 'C' – Multiple Residential	\$1,500.00/dwelling unit up to 1,500ft ²	\$1.00/ft ² for buildings with a floor area over 1,500 ft ² or (\$10.00/\$1,000 value of construction equivalent) \$1,500.00 minimum fee.
Group 'C' – Residential – Major Alterations, Additions	\$500.00 up to 1,500 ft ²	\$0.333/ft ² for buildings with a floor area over 1,500 ft ² or (\$3.33/\$1,000 value of construction equivalent)
Group 'C'-garage, carport ,accessory building, deck, minor alterations, demolition & other permits ie. change of use, conditional, transfer, moving,sign	\$200.00 up to 300 ft ² or \$200.00/	\$0.666/ft ² for buildings with a floor area over 1,500 ft ² or (\$3.33/\$1,000 value of construction equivalent)
Group 'A', 'B', 'C', 'D', 'E', 'F' – new construction	\$1,800 up to 2,500 ft ²	\$0.720/ft ² for buildings with a floor area over 2,500 ft ² (\$5.14/\$1,000 value of construction equivalent)
Group 'A', 'B', 'C', 'D', 'E', 'F'- major additions or alterations	\$800 up to 2,500 ft ²	\$0.320/ft ² for buildings with floor area over 2,500 ft ² (\$2.28/\$1,000 value of construction equivalent)
Non-Residential minor additions, Alternations, demolitions, transfer, moving	\$200.00	n/a
Occupancy Certificate	\$30.00	n/a