

**The Corporation of the Town of Prescott**

**Sign & Display By-Law #16-2019**

## SIGN & DISPLAY BY-LAW #16-2019

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**THE CORPORATION OF THE TOWN OF PRESCOTT  
SIGN & DISPLAY BY-LAW #16-2019**

**A By-law for prohibiting or regulating the erection of signs, advertising devices, posting of notices, portable signs, merchandise and window displays within the Town of Prescott.**

**WHEREAS** pursuant to section 11 (3) Municipal Act, S.O. 2001, c. 25 a municipality may pass by-laws for prohibiting or regulating signs and other advertising devices, may define a class or classes of signs or other advertising devices and may specify a time period during which signs or other advertising devices in a defined class may stand or be displayed in the municipality and pursuant to section 99 of the Municipal Act S.O 2001 c 25 may require the removal of such signs or other advertising devices which continue to stand or be displayed after such time period has expired;

**AND WHEREAS** the Council of the Corporation of the Town of Prescott deems it advisable to pass this By-law and applicable to the whole of the Town;

**NOW THEREFORE** the Council of the Corporation of the Town of Prescott enacts as follows:

**SECTION 1.0 TITLE & BY-LAW SCHEDULES**

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**1.1 SHORT TITLE**

This By-law shall be known and cited as the “Sign and Display By-Law”

**1.2 SCOPE AND CONFORMITY REQUIREMENTS**

This By-Law shall apply to the whole of the Town of Prescott. The intent of the By-law is to regulate signs and displays for controlling community appearance, safety and the impact upon areas or buildings identified in this By-law for their historical or architectural significance and heritage. No sign, merchandise or window display shall be located or placed on property in the Town of Prescott except as permitted by the provisions of this by-law.

**1.3 BY-LAW SCHEDULES**

- Schedule “A” - Permit Fees & Summary Table
- Schedule “B” - Application for Sign Permit
- Schedule “C” - Hold Harmless Agreement
- Schedule “D” - Zoning By-Law Area Map
- Schedule “E” - Approved Sign Type Examples

**SECTION 2.0 INTERPRETATION**

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**2.1 DEFINITIONS FOR this By-law:**

2.1.1 “Accessory or Business Sign” means a sign, symbol, trademark, structure or similar device used to identify the use or the type of business activity pursued by the person, firm, corporation, business, service, commercial or industrial enterprise which is displayed upon the lot or premises occupied by such an enterprise.

2.1.2 “ALTER” means any change to the sign structure or sign face including business name, with the exception of:

- a) A change in the message being displayed, but not a change in the business name;

- b) Repair and maintenance, including replacement by any identical components as required by this By-law.
- 2.1.3 “Area of Sign” means the number of square meters 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.
- 2.1.4 “Awning” means a roof like projection supported entirely from the exterior wall of the building composed of rigid or non-rigid materials except for the supporting framework.
- 2.1.5 “Building” means a separate structure or connected group of structures belonging to one owner.
- 2.1.6 “Building Code” means the Ontario Building Code Act, as amended from time to time, and includes any regulations thereunder;  
“Building Permit” is a document issued by the Building Department as a requirement of Ontario’s Building Code enforcement. A building permit is required to construct, renovate, demolish or change the use of a building, in the majority of cases.
- 2.1.7 “By-law Enforcement Officer” means the person or persons designated by Council to enforce the municipal By-laws for the Town of Prescott.
- 2.1.8 “Canopy, Attached” means an architectural integral part of a building providing shelter from the elements, for entrances to buildings and walkways in unenclosed shopping centres, plazas, theatres, hotels, apartment buildings, places of entertainment and other similar building types, which does not project over publicly owned lands.
- 2.1.9 “Canopy, Free Standing” means a building or structure unenclosed on all sides, which structure may afford protection or shelter from the elements.
- 2.1.10 “Chief Building Official” means the Chief Building Official of the Town of Prescott or designate, appointed by Council pursuant to the provisions of the Ontario Building Code Act.
- 2.1.11 “Commercial Office Building” means a building used for business or professional office purposes.
- 2.1.12 “Corporation” means the Corporation of the Town of Prescott.
- 2.1.13 “Council” means the Council of the Corporation of the Town of Prescott.
- 2.1.14 “Erect” means the installation, placing or relocation of any sign or display or part thereof, and the posting of notices.
- 2.1.15 “Gas Bar and Service Station” means a place for sale of fuel, lubricants and accessories for motor vehicles or recreational vehicles to the consumer and having at least one (1) service bay where repairs essential to the actual operation of motor vehicles may be performed. Accessory uses may include rest rooms, the incidental sale of packaged foods, beverages and convenience goods. OR means one or more pump islands, each consisting of one or more gasoline pumps, and a building, structure or booth, which may be used by a sales attendant for the sale of gasoline products and convenience items (e.g. beverages, prepared foods, newspapers, sundries). A gas bar may also include sanitary facilities and an automated teller machine.
- 2.1.16 “Height of Sign” means 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.

- 2.1.17 “Length of Sign” means the distance between the border or frame of the sign measured horizontally and in the case of a sign without border or frame, it means the horizontal distance between the first and last extremities of the lettering, symbols or other parts of the sign.
- 2.1.18 “Lot” means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 53 of the Planning Act, R.S.O. 1990, c. P 13 would not be required for its conveyance. For the purposes of this paragraph, land defined in an application for a building permit shall be deemed a parcel of land and a reserve shall not form part of the street.
- 2.1.19 “Lot Line” means the division line between a utility or right-of-way and a lot, or the division line between two lots.
- 2.1.20 “Marquee” means an awning raised as a shelter from the curb to the door of a private or public building, which may or may not project over publicly owned lands.
- 2.1.21 “Merchandise Display” means any display of commercial goods or merchandise for sale, offer or promotion of professional services, situated on public or private property.
- a) “Merchandise Display Exterior” a display that is organized in such a way as to attract attention for retail sales. All such displays kept on private property and providing more than 1.5 (4.92’) meters for public allowance.
  - b) “Merchandise Display Exterior Sidewalk” a display that is organized in such a way as to attract attention for retail sales. All such displays shall only occur where the retail establishment has a 0 m front line set back. Any such display shall still need to be reviewed for public safety by the Chief Building Official or By-law officer.
  - c) “Merchandise Display on Public Street” a display that is placed in the normally travelled portion of a roadway. Such Displays will be subject to approval by the town to close the roadway for a period of time during a recognized special event permit.
- 2.1.22 “Not for Profit” means a not-for-profit corporation, which carries on its activities without the purpose of gain for its members. It is incorporated under the Corporations Act as a corporation that does not issue shares. It must have not-for-profit purposes, and use any profits to promote those purposes. The most common types are charitable (including religious organizations), social clubs, service clubs, sporting and athletic organizations, professional and trade associations, ratepayers' associations, and other community organizations.
- 2.1.23 “Permitted Use” is a use allowable within a zone pursuant to the applicable zoning by-law.
- 2.1.24 “Person” means an individual, association, firm, partnership or incorporated company.
- 2.1.25 “Premises” means the area of a building(s) or part thereof and/or land(s) or part thereof occupied by a user, in a multiple occupancy building, each single occupancy shall be considered a separate premise.
- 2.1.26 “Publicly Owned Lands” shall mean lands owned by a municipal, provincial or federal agency as well as those lands owned by a public agency including public utilities.

- 2.1.27 “Shopping Center” means a unified group of commercial establishments on a site designed, developed and managed as a single operating unit for which parking is provided in common areas, as opposed to a business area comprising of unrelated individual commercial establishments.
- 2.1.28 “Sight Triangle” means the area of a corner lot, which is formed by measuring from the projected point of intersection of the two streets curbs abutting the front and exterior side lot lines a distance of 5.0 meters (16.4’) along each street to two points, and the triangle area formed by the joining of those two points.
- 2.1.29 “Sign” includes an advertising device or notice and means any medium including its structure and other component parts, which is used or is capable of being used to attract attention to a specific subject matter, other than itself, for identification, information, or advertising purposes; regardless of whether the sign is fixed, unfixd, temporary or permanent.
- 2.1.30 “Sign Area” means the number of square meters on the surface of a sign, including the border and or frame if applicable.
- 2.1.31 “Sign, Awning” means a wall sign supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.
- 2.1.32 “Sign, Banner” means a band or strip of fabric so as to allow movement which is caused by atmospheric conditions that bears advertising copy, slogan, or event, that can be temporary or permanent in nature.
- 2.1.33 “Sign, Billboard means any sign directly supported on a central column, two columns, or level with the ground base, without the aid of any other building or structure, other than the sign structure.
- 2.1.34 “Sign, Canopy” means a sign erected as an integral part of an attached canopy or a free standing canopy.
- 2.1.35 “Sign, Commercial” means a sign accessory to the permitted main commercial use.
- 2.1.36 “Sign, Directional” means a sign for the public safety or which provides directional information for the control of vehicular traffic such as an entrance or exit sign or a loading area, and bearing no commercial advertising. A directional sign may take the form of a Ground Sign or Wall Sign.
- 2.1.37 “Sign, Double Faced” means a sign having two 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. This may include sandwich board signs.
- 2.1.38 “Sign, Election” means any sign advertising or promoting the election of candidates.
- 2.1.39 “Sign, Electronic Message Display” is that part of a sign which is electronically controlled and which displays information in a prearranged sequence, and on which the intensity of illumination is maintained at a constant level; which may also include time and temperature signs.
- 2.1.40 “Sign, Fascia” means a single faced sign located in an architectural sign band and/or above the ground floor window in such a manner that the sign is parallel to the main wall of the building to which it is attached. This includes building face mounted Banner and Awning signs.

- 2.1.41 "Sign, Flashing" means an illuminated sign, fixed or rotating upon which the source of artificial light is not stationary or the intensity or colour is not constant, but does not include illuminated signs indicating time or temperature.
- 2.1.42 "Sign, Ground" means any sign directly supported on a central column, two columns, or level with the ground base, without the aid of any other building or structure, other than the sign structure, and may include an Electronic Message Display.
- 2.1.43 "Sign, Home Business Occupation or Professional" means a sign identifying a permitted accessory use in a residential zoned area.
- 2.1.44 "Sign, Incidental" means a sign denoting specific sections of a Premises and includes but is not limited to a sign denoting the address, hours of operation, an open sign (including neon), memorial signs or tablets and signs denoting the date of erection and/or name of buildings, or a combination thereof; signs for public access/convenience (such as no trespassing, delivery, caution, entrance, construction or detour signs).
- 2.1.45 "Sign, Inflatable" means an instrument filled with air or gas and tethered to the ground, a vehicle, any structure, or any Premises, and shall include any balloon with commercial advertising that is tethered to the ground. Given the large variance in type and size of inflatable signs, size/placement requirements shall be determined on a case-by-case basis as permit applications are received.
- 2.1.46 "Sign, Illuminated" means a sign that is lighted by an external source, whereby the lighting mechanism is separate from the sign structure or lettering, and attached to the wall or sign board.
- 2.1.47 "Sign, Industrial" means a sign accessory to the permitted industrial use.
- 2.1.48 "Sign, Institutional" means a sign accessory to the permitted institutional use.
- 2.1.49 "Sign, Internal" means a sign visible to persons only when they are located on the premises on which the sign is situated.
- 2.1.50 "Sign, Luminous" means a sign that is lighted by an internal source whereby the lighting mechanism is contained within the sign structure or lettering.
- 2.1.51 "Sign, Off-Site" shall mean any advertising sign, symbol or structure erected at a location other than the location at which the goods or services advertised are made, manufactured, provided, sold or offered for sale. This includes placement of signage upon public land allowances. Given the large variance in type and size of inflatable signs, size/placement requirements shall be determined on a case-by-case basis as permit applications are received.
- 2.1.52 "Sign, Portable" means a free-standing sign not securely anchored to the ground or to a building or which because of its design may be moved. This includes Sandwich Board/A-Frame, Banners, and Inflatable signs.
- 2.1.53 "Sign, Projecting" means a sign mounted on a building or other structure, positioned along the first floor level of the façade, in such a manner as to allow movement due to wind, and which projects therefrom for a distance greater than 0.6 metres (1.97'), but does not include an Awning Sign. This includes projecting Banner signs.
- 2.1.54 "Sign, Public Information" means any of the following signs;



- a) Signs erected by or under the direction of a government agency.
- b) Signs designating public health facilities, schools operated by the Catholic District School Board of Eastern Ontario or the Upper Canada District School Board, the Prescott Public Library, Prescott Recreation Facilities, Tourism Attractions or other Town of Prescott Amenities.
- c) Signs required by the Municipality to inform the public of proposed planning applications.

2.1.55 “Sign, Real Estate & Real Estate Development” means a sign used by real estate companies, developers and other persons having an interest in the sale or lease of land and/or buildings to direct prospective customers to a real estate development or developments.

2.1.56 “Sign, Roof” means a sign supported by the roof of a building or a sign supported by a portion of a building or structure projecting above the surface of the roof.

2.1.57 “Sign, Sandwich Board” means a temporary “A” frame/curb stand style of sign, which is placed out at the beginning of the business day and taken in at the end of the business day. This type of sign shall:

- a) Not have a foot spread that exceeds 1.0 meter (3.28’)
- b) Not exceed 0.9 meter (2.95’), or be less than 0.6 meter (1.97’), in height.
- c) Not exceed 0.75 meter (2.46’) in width.

2.1.58 “Sign, Soffit” means a sign supported by the underside of a projecting canopy or soffit.

2.1.59 “Sign, Temporary” means a sign displayed for a temporary period for the purpose of public event promotion, or public notice of an ongoing construction/development project. The maximum display period and specifications for each sign type are as follows:

#### Temporary Construction Sign

- a) May be either securely OR not securely anchored to the ground or to a building or which because of its design may be moved;
- b) The sign display period shall be limited to a maximum of twelve (12) months in duration, unless otherwise approved in writing by the Municipality;
- c) No sign shall exceed 2.0 meter (6.56’) in height or 5.0 meter (16.4’) in width;
- d) No part of the sign shall encroach onto or over publicly owned lands.

#### Temporary Event Sign

- a) Not securely anchored to the ground or to a building or which because of its design may be moved;
- b) The sign display period shall be limited to a maximum of two (2) weeks leading up to the event in question, and shall be removed within twenty four (24) hours of the events final closure date, unless otherwise approved in writing by the Municipality;
- c) No sign shall exceed 0.5 meter (1.64’) height or 0.75 meter (2.46’) in width;
- d) Event signs may be placed on publicly owned lands, providing that no event sign is placed within 0.5 meter (1.64’) of a sidewalk, or where there is no sidewalk, within 2.0 meter (6.56’) of the roadway, and no more than two (2) event signs are placed along non-intersected street portions.

- 2.1.60 “Sign, Trailer/Mobile/Readograph” means an advertising device, luminous or not, with or without a changeable message display, which base is designed and/or constructed so as to be relocated, whether or not the wheels have been removed or replaced with legs, and shall not exceed 1.5 meter (4.92’) in height or 2.0 meter (6.56’) in width, and shall include a sign located on a vehicle, other than a sign printed or painted on the side identifying ownership of a commercial vehicle, if such sign identifies, advertises or gives information in respect to a premises or a part thereof.
- 2.1.61 “Sign, Wall” means a sign which is erected against the wall of any building, the display area of which is parallel to the face of and supported by such wall and which does not project more than 0.5 meter (1.64’) from such wall.
- 2.1.62 “Sign, Window” means any sign, attached to the exterior or interior window of a building, which is intended to be seen from off the property on which the building is located and which is constructed in such a manner as intended to be of a permanent nature, but shall not include illuminated, luminous or flashing signs commonly used to advertise products sold on the premises.
- 2.1.63 “Sign, Yard Sale” means a sign both on and off site which indicates the location of a yard or garage sale.
- 2.1.64 “Sign Permit” is a document issued by the Building Department as a requirement of the Sign & Display By-Law. A sign permit is required under the conditions outlined in this agreement and Schedule “A” - Permit Fees & Summary Table.
- 2.1.65 “Soffit” means the underside of an architectural structure such as an arch, a balcony, or overhanging eaves.
- 2.1.66 “Storey” means the portion of a building other than the cellar, basement or unfinished attic, which lies between the surface of the floor and the surface of the next floor above, and if there is no floor above it, then the surface next above it, provided its height is not less than 2.3 meter (7.55’).
- 2.1.67 “Use, Category” means a Commercial Use, Industrial Use, Institutional Use, Non-Profit Use, Residential Use, or Recreational Use as defined in this by-law.
- 2.1.68 “Use, Commercial” means the use of any land, buildings, or structures, for the purposes of buying and selling of commodities or supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing and construction.
- 2.1.69 “Use, Industrial” means the use of any land, buildings, or structures for the purposes of warehousing, manufacturing, processing or assembly of goods or materials to a finished product or by-product, including the storage of such goods or materials.
- 2.1.70 “Use, Institutional” means the use of any land, buildings or structures for the purposes of any institution owned and operated by a religious, educational or charitable institution.
- 2.1.71 “Use, Recreational” means the use of any land, buildings or structures for the purposes of parks, playgrounds, tennis courts, lawn bowling greens, curling and skating rinks, athletic fields, picnic areas, swimming pools, day camps, community centres, snow skiing, walking trails, golf courses, miniature golf courses, golf driving ranges, and other similar uses.

- 2.1.72 "Use, Residential" means the use of any land, buildings, or structures for the purposes of human habitation and includes accessory home occupation uses permitted by the zoning by-law.
- 2.1.73 "Window Display" means the portion of a commercial storefront and adjacent area, which provides interior visibility to exterior pedestrian/vehicle traffic, and is used for the purpose of Merchandise Display, and/or the placement of Window Signs.
- 2.1.74 "Zone" means a designated area of land use as described in the Town's Zoning By-law.

### **SECTION 3.0 APPLICATION FOR PERMITS**

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- 3.1 No person shall erect, display, or alter any sign within the Town of Prescott without first obtaining a sign/display permit from the Chief Building Official or designate unless the sign is exempt under section 4.0 of this By-law.
- 3.2 Sign installations/alterations must comply with requirements based on property zone area, as established in Schedule "D" hereto.
- 3.3 No person shall make application for a sign permit who is not the owner or lessee, or the authorized agent of the owner or lessee of the property on which the work is to be performed. No person shall submit false or misleading information or documents or make omissions that may mislead in connection with any application for a sign permit, detail of construction, or revision thereto.
- 3.4 The application for the permit shall be accompanied by the following information and filed in duplicate:
- a) Completed application, drawings and specifications of what is to be erected or structurally altered, including, where applicable, details of supporting framework, including materials to be used and lighting;
  - b) A site plan sketch indicating the sign or display location on the site, street lines and other boundaries of the property and the location of the building(s) thereon; at the discretion of the Chief Building Official or designate a full to scale site plan may be required;
  - c) Required application fee as established in Schedule "A" hereto;
  - d) Professional certification of the structural adequacy of the sign, if deemed necessary by the Chief Building Official;
  - e) Submit the approval of other authorities having jurisdiction.
- 3.5 On receipt of a completed application, the Chief Building Official or designate shall review and approve all applications that conform to the regulations contained in this by-law. Notice of approval or rejection of such application shall be communicated to the applicant within ten (10) business days of the date of receipt of such completed application.
- 3.6 A decision of the Chief Building Official may be appealed to the "Planning Advisory Committee (PAC)". The Committee may upon application of any person, authorize variances from the by-law if in the opinion of the Committee the general intent and purpose of the by-law are maintained. The fees for this appeal are as established in Schedule "A" hereto.
- 3.7 In addition, the provisions of this by-law may be waived or altered by approval of a Site Plan Control Agreement within which signage on the subject site has been regulated.

## SECTION 4.0 PERMIT EXEMPTIONS

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No permit shall be required for:

- a) Any poster or sign of a candidate or cause in a Municipal, Provincial or Federal election;
- b) Public information signs as defined in section 2;
- c) Temporary signs at an active construction, development or home renovation site indicating the nature of the project and the developer, contractors and other professionals and trades involved in the development of the site. Refer to Section 2 – Temporary Sign definition for sign requirements;
- d) Temporary signs for the purpose of promoting public events taking place within Municipal boundaries. Refer to Section 2 – Temporary Sign definition for sign requirements;
- e) Real Estate/Real Estate Development signs not exceeding 1.0 sq.meter (10.76' sq. feet) in sign area for residential uses and 2.0 sq.meter (21.53' sq. feet) in sign area for all other use categories, which advertise the sale, rental, or lease of the premises or lot upon which said signs are located. Such real estate signs shall be removed within fourteen (14) days after the date of closing of the premises. A maximum of one (1) double facing sign shall be permitted per listing company per lot, per business frontage;
- f) Merchandise displays shall be exempt from certain provisions of this by-law with respect to location of displays and advertising on streets that have been closed by motion of Council;
- g) Yard sale signs not exceeding 0.5 sq. meter (5.38' sq. feet) in sign area may be posted after 5 PM the day proceeding the day of the sale and must be removed by 7 PM on the final day of the sale;
- h) Permanent or Temporary Signs which are wholly and completely upon private property and deal specifically with the activities that are a permitted use upon the property and meet all the zoning requirements of said signs. Signs, which require a building permit as per the Ontario Building Code, are still required to obtain said building permit. (Zoning requirements will be deemed in general compliance if it meets setbacks listed in 4.2.1 (g) in regards to Vehicle Shelters. 1 meter (3.28') setback to all rear and interior side yards from lot line and 1.5 meters (4.92') from all front yard and exterior side yards. Height cannot exceed 3 meters (9.84'). Should the CBO or By-Law officer deem it to be visual obstruction to traffic and/or constitutes a threat to public safety the owner will need to remove it immediately even though no permit was required;
- i) Directional signs not exceeding 0.5 sq.meter (5.38' sq. feet) in sign area;
- j) Flags bearing the crest or insignia of any corporation, government agency or religious, charitable, or fraternal organization to a maximum number of three (3) such flags per lot;
- k) Internal signs visible to interior occupants of the premises only;
- l) Incidental signs not exceeding 0.25 sq.m (2.69' sq. feet) in sign area;
- m) Sandwich Board signs which are placed out at the beginning of the business day and taken in at the end of the business day, refer to section 2 for sign area requirements.

## SECTION 5.0 PROHIBITED SIGNS

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No person shall erect, install, post, display, maintain or keep on a premises any of the following types of signs:

- a) Signs which by reason of size, location, content, colouring, manner of illumination, or flashing which varies in intensity and may obstruct or distract the vision of drivers or pedestrians, or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets and roads or which are located in a sight triangle; in the opinion of the Chief Building Official or designate.
- b) Luminous signs within Residential – R1-R3, Core Commercial-CC and Waterfront Mixed Use-CW Property Zone Areas.
- c) Billboard signs within Residential – R1-R3, Core Commercial-CC and Waterfront Mixed Use-CW and Institutional – I Property Zone Areas.
- d) Signs located within Core Commercial-CC Zone Area and Waterfront Mixed Use-CW Property Zone Areas that do not adhere to the design requirements for signage outlined in the Town of Prescott's Downtown Design Guidelines.
- e) Signs which make use of words such as "Stop", "Look", "One Way", "Danger", "Yield", or any similar words, phrases, symbols, lights, or characters in such manner as to tend to interfere with, mislead, or confuse traffic and which are not erected by a Public Authority.
- f) Signs located so as to obstruct or impede any required fire escape, fire exit, walkway, passageway, door, window, skylight, flue or air intake or exhaust or so as to prevent or impede free access of firefighters to any part of the building.
- g) Signs on or over public property or public right of way, unless erected and approved in writing by a government agency having jurisdiction.
- h) Signs painted on, attached to, or supported by a tree, stone, or other natural object or wooden utility pole.
- i) Signs painted on the exterior walls of any building, except as approved by the planning advisory committee (PAC).
- j) Roof Signs and signs erected in part or entirely above the surface of the roof of a building or structure.
- k) Ground Sign in excess of 2.1 meter (6.89') in height within 15 meter (49.21') of a traffic light.
- l) Signs attached to a projecting or freestanding canopy, except canopy signs and soffit signs.
- m) Signs advertising a business not legally entitled to operate within the Town of Prescott.
- n) Any obsolete sign, which no longer advertises a business, conducted, or a product sold at the sign location. Such obsolete signs shall be removed within 30 days of the closing of the business.
- o) In the case of vacant/unoccupied commercial storefronts or those undergoing renovation, Window Displays shall be covered with an acceptable material that restricts interior property visibility from exposure to the public **when the interior is in an unkempt condition.**

- p) Signs, which obstruct a required parking space or utilize such parking space for purposes of locating a sign.
- q) Banner signs displayed on the face of a building, within Residential – R1-R3, Core Commercial-CC and Waterfront Mixed Use-CW Property Use Areas.
- r) Electronic message display signs on privately owned properties, within Core Commercial-CC and Waterfront Mixed Use-CW and Residential – R1-R3 Property Use Areas.
- s) Trailer/Mobile signs within Core Commercial-CC, Waterfront Mixed Use-CW, Residential – R1-R3 and Institutional – I Property Use Areas.
- t) Off-Site signs within Core Commercial-CC, Waterfront Mixed Use-CW and Residential – R1-R3 Property Use Areas.

## **SECTION 6.0 GENERAL REGULATIONS FOR SIGNS**

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**The following provisions shall apply in all use categories:**

### **6.1 COMPLIANCE WITH ZONING BY-LAWS & PERMIT REQUIREMENTS**

No person shall erect or maintain a sign upon a parcel of land or building unless it is accessory to a use that is lawfully being operated on such land.

As per Building Code requirements, a Building Permit may be required, at the discretion of the Chief Building Official, in addition to a Sign Permit under the following conditions:

- a) When a sign requires ground or surface anchorage/footing. Example sign types that may require ground anchorage/footing include: ground and roof signs.
- b) When a sign is required to be engineered. Example sign types that may require engineering include: ground, billboard, roof and awning/fascia/projecting signs mounted to buildings.

### **6.2 LOCATION OF SIGNS**

- 6.2.1 No sign shall obstruct another sign.
- 6.2.2 No sign or advertising device shall be attached to or placed upon any building in such manner as to obstruct any fire escape or to interfere in any way with the work of the Fire Department, in case of fire.
- 6.2.3 No sign or advertising device shall be erected so as to interfere with the site triangle at intersecting streets.
- 6.2.4 No sign or advertising device, except portable signs and sandwich board signs in accordance with Section 6, shall be erected so as to extend over publicly owned lands beyond the limits specified herein 0.5 meter (1.64')
- 6.2.5 No banner, stringer or advertising device shall be suspended across any street without the prior approval of the Town of Prescott. A banner displayed on the face of a building, fence or other structure shall be considered in a like manner as a fascia sign. A banner mounted to project from a building or structure shall be considered in a like manner as a projecting sign.
- 6.2.6 No person shall attach any poster, incidental sign, handbill notice or advertisement to any pole or tree on any highway, or paint, print or impress anything on any sidewalk or roadway without permission to do so from the Corporation of the Town of Prescott.

### **6.3 PROHIBITED SIGN-LIKE DEVICES**

6.3.1 No vending machine, scale, news stand or such obstruction shall be placed on any publicly owned lands. This section shall not apply to temporary parking control signs erected by the P2olice Service or the Public Works Department of the Town.

6.3.2 No person shall affix any poster, hand bill, notice of advertisement on or to any structure, pole or tree on any street or private property without prior written permission of the owner of such structure, pole or tree.

### **6.4 HOLD HARMLESS AGREEMENT AND LIABILITY COVERAGE**

The owner or person in control of a marquee, awning, canopy, sign or other such device, extending unto or over publicly owned properties, streets, sidewalks or boulevards, shall execute a hold harmless agreement indemnifying the municipality against all loss, cost, damages or expenses incurred or sustained by, or recovered against the municipality, by reason of the construction or maintenance of said structure. A minimum of two million (\$2,000,000.00) of liability insurance shall be in full force.

The execution of a hold harmless agreement and the insurance certification referred to above shall be in the form prescribed by the Council and set out in Schedule "C" to this by-law.

### **6.5 ELECTRICAL WORK**

All electrical work in a sign shall conform to the applicable regulations of the Canadian Standards

Association, the Electrical Safety Authority and all other applicable permits, regulations or law.

### **6.6 MAINTENANCE**

6.6.1 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.

6.6.2 The appearance of every sign shall be maintained in a neat condition, free from corrosion, loose paint, fading surfaces and broken parts.

6.6.3 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.

### **6.7 INSPECTION**

The Owner or Installer shall notify the Town on completion of a sign installation in order that an inspection of the installation may be completed to ensure compliance with the by-law.

### **6.8 REMOVAL OF SIGNS**

6.8.1 Election signs shall be removed within 48 hours following the election.

6.8.2 All temporary signs shall be removed immediately upon completion of construction and all directional signs for public convenience shall be removed when their message is no longer applicable.

6.8.3 Any sign or appurtenance thereto which no longer advertises a bona fide business or service on the premises shall be removed within thirty days of termination of such business or service, and temporary window coverings installed, leaving the commercial facade in a suitable

condition as to not be detrimental to the surrounding streetscape. After thirty days, the Town may remove the offending sign and/or install window coverings at the property owner's expense.

6.8.4 Any sign advertising a yard sale must be removed by 7 p.m. the final day of the sale.

## **6.9 SIGNS IN VIOLATION**

6.9.1 Whenever the Chief Building Official, after inspecting a sign, finds such sign to be in violation of the provisions of this by-law, the Chief Building Official shall notify the owner of the property and/or tenant, if applicable by registered mail or by causing a notice to be delivered personally to such owner and/or tenant requiring them or either of them to repair, alter, change, or remove such sign within fourteen (14) days from issuance of such notice.

6.9.2 Where the repair, alteration, change or removal is a matter of extreme urgency (safety concerns), the Chief Building Official or designate may give the notice verbally and may reduce the period within which such owner or tenant shall take action to a period which, in the Chief Building Official's opinion is adequate taking into account the circumstances at the time the notice was given.

6.9.3 Refusal to comply with the regulations of this By-Law will allow the Town to remove the offending sign without notice at the owner's expense.

6.9.4 Signs so removed shall be stored by the municipality for a period of time of not more than thirty (30) days, during which time the owner or his agent may be entitled to redeem such sign upon receipt by the Treasurer of the amount calculated by the Town of Prescott as the cost of removing and storing the sign.

6.9.5 Where a sign has been removed by the municipality 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 Municipality.

## **6.10 RECOVERY OF EXPENSES**

6.10.1 A copy of an invoice for any charges for removal of a sign together with a notice from the Town Clerk stating that:

- a) The invoice has been sent to the person(s) liable to pay the same;
- b) No payment or insufficient payment has been received for the invoice; and
- c) Payment of the invoice is overdue

Shall be sufficient authority to enter the amount of the unpaid balance of the invoice on the realty tax roll number of the owner of the property. The outstanding amount of such invoice shall then be collectable by the Tax Collector in a like manner as realty taxes as provided in Section 398(2) of the Municipal Act.

## **6.11 NON-CONFORMING SIGNS**

6.11.1 Every lawful sign, existing in the Town of Prescott on the day of the passing of this by-law shall be brought into conformity in the event of structural alteration, relocation or replacement. Maintenance and repair of the sign or advertising device or a change in message displayed shall not be deemed in itself to constitute an alteration.

6.11.2 Any sign that has been illegally installed or installed without a permit as required by the



provisions of any by-law in effect prior to the passage of this by-law and which does not conform to the provisions of this by-law shall be removed within 30 days of the passing of this by-law or brought into conformity with the By-law.

#### **6.12 ABANDONMENT/REVOCABILITY**

- 6.12.1 Neither the granting of a permit nor the approval of the plans and specifications nor inspections made by the Corporation or its representatives 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 law applicable thereto.
- 6.12.2 An application for a permit for any work shall be deemed to be abandoned three (3) months after the date of filing, unless such application has been diligently pursued or a permit has been issued.
- 6.12.3 Every permit shall expire and become null and void under the provisions of this by-law, if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of three (3) months or the sign has been removed.
- 6.12.4 If a permit has expired pursuant to subsection 6.12.3 hereof, 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 the current by-law at the time of the application for renewal.
- 6.12.5 A permit may be revoked by the Town of Prescott under the following circumstances:
- a) Where the sign does not conform to this by-law;
  - b) Where the sign does not conform to any regulation, law or requirements of any governmental authority having jurisdiction over the area where the sign is situated;
  - c) Where the permit has been issued as the result of false or misleading statements, or undertakings, in the application;
  - d) Where the permit has been issued in error.

#### **6.13 CONFLICT**

- 6.13.1 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 other by-laws, the provisions of this by-law shall prevail.

#### **6.14 PENALTY**

- 6.14.1 Any person contravening any of the provisions of this by-law is guilty of an offence and upon conviction shall be liable to a fine recoverable pursuant to the Provincial Offences Act. Pursuant to Part I of the Provincial Offences Act, set fines for contravention of various provisions may be established.
- 6.14.2 Each day or portion thereof that the offence continues may be considered a separate and distinct offence.
- 6.14.3 If the owner or person in control of a property fails to repair, alter or remove a sign or marquee or merchandise display, as the case may be, upon the order of the Chief Building Official, the Corporation of the Town of Prescott in addition to all other remedies:

- a) Shall have the right to repair, alter or remove the sign or marquee accordingly, and for this purpose with its servants and agents from time to time, to enter into and upon the property where the sign or marquee is situated; and
- b) Shall not be liable to compensate the owner, the person in control or any other person having an interest in the property by reason of anything done by or on behalf of the Corporation under the provision of this section; and
- c) Shall have the right to recover its expenses in carrying out any repair, alteration or removal such expenses may be recovered in like manner as municipal taxes.

**6.15     EXCEPTIONS**

6.15.1 Signs not covered by this By-Law must be approved by a Site Plan Control Agreement or a decision of Planning Advisory Committee (PAC).

**6.16     SEVERABILITY/EFFECTIVE DATE**

6.16.1 Should any part, section, subsection or portion of this by-law be repealed or declared by a court of competent jurisdiction to be illegal the same shall not affect the validity of this by-law as a whole or in part thereof, except for that which was declared to be invalid.

6.16.2 That Schedules “A”, “B”, “C” and “D” hereto are made a part of this by-law as fully and to all intents and purposes as though recited in full herein.

6.16.3 By-law No. 2-85 is hereby repealed in its entirety.

6.16.4 The provisions of this by-law shall come into force and take effect upon the final passing thereof.

**6.17     LIMIT ON NUMBER OF SIGNS**

Except as may otherwise be permitted in this by-law, the maximum number of signs that may be erected shall be:

- a) One (1) fascia or awning sign per property/business frontage;
- b) One (1) only of the following sign types per exterior wall per property/business frontage:
  - i) Wall sign,
  - ii) Canopy sign,
  - iii) Soffit sign,
- c) One (1) Projecting sign per property/business frontage;
- d) One (1) Window sign per property/business frontage;
- e) One (1) Ground sign per property/business frontage;
- f) One (1) Electronic Message Display sign per property/business frontage;
- g) One (1) Portable sign per property/business frontage;
- h) Notwithstanding the above,
  - i) One (1) additional ground sign may be erected for a lot having a street frontage greater than 125 meter (410.1’).

- ii) Where a lot abuts two or more streets an additional sign may be erected on the second street frontage provided that said street has a minimum frontage of 15.0 meter (49.21')

- i) A maximum of six (6) signs can be erected per business frontage.

## **6.18 MULTIPLE USE BUILDINGS**

Where a building or part of a building contains more than one use category as defined in Section 2 of this by-law, the signs permitted shall be in accordance with the portion of the building attributed to each use category.

## **6.19 REAL ESTATE SIGNS**

6.19.1 Further to Section 4.1(f) no real estate sign shall be affixed to any utility poles or municipal standards or be erected or placed on publicly owned lands without the permission of the owner.

6.19.2 A maximum of one (1) double facing sign shall be permitted per listing company per lot, per business frontage, not exceeding 1.0 sq. meter (10.76' sq. feet) in sign area for residential uses and 2.0 sq. meter (21.53' sq. feet) in sign area for all other use categories.

6.19.3 Corner lots, being lots facing two streets, may carry two double faced signs.

6.19.4 A real estate sign marking that the property as "sold" may appear for a limit of two weeks from the date of the closing of the transaction.

## **6.20 REAL ESTATE DEVELOPMENT SIGNS**

- a) Such signs must be located within the subdivision.
- b) Such signs may advertise only the subdivision in which the sign is located and not the sale of lots elsewhere or the Realtors, developers, or landowners business in general.
- c) A maximum of two (2) signs shall be permitted per builder and the total combined sign area shall not exceed 20.0 sq. meter (215.28' sq. feet).
- d) Illumination of such signs shall only be from an external source.
- e) No other signs shall be permitted within the subdivision.

## **6.21 ELECTION SIGNS**

6.21.1 Election Signs on Private Property:

No election sign is to be placed within 0.5 meter (1.64') of a sidewalk, or where there is no sidewalk, within 2.0 meter (6.56') of the roadway, provided that the sign is not place more than sixty (60) days immediately preceding the election date.

6.21.2 Election Signs on Public Property:

- a) No person or entity shall place or cause to be place or allow to remain placed an election sign on a highway other than on an inner boulevard, **provided that the sign is not placed more than thirty (30) days immediately preceding the election date.**
- b) No election sign is to be placed within 0.5 meter (1.64') of a sidewalk, or where there is no sidewalk, within 2.0 meter (6.56') of the roadway.

- c) No election signs are to be placed on public property which fronts an institutional use such that it could give the impression that support has been provided without the written consent of the institution.
- d) Every election sign together with its appurtenances shall be removed from the premises within forty-eight (48) hours following the election date.

## **6.22 ILLUMINATED SIGNS**

6.22.1 Illuminated signs shall be located so as to reflect light away from adjacent premises or streets to prevent any glare or blinding spillover effect.

## **6.23 LUMINOUS SIGNS**

6.23.1 Luminous signs shall be located so as to reflect light away from adjacent premises or streets to prevent any glare or blinding spillover effect.

## **SECTION 7.0 PERMITTED COMMERCIAL AND INDUSTRIAL USE SIGN TYPES**

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Subject to the requirements in Section 6 General Regulations for Signs, no person shall erect, display or maintain any sign on a lot or building used for commercial or industrial purposes except in accordance with the following:

### **7.1 FASCIA, AWNING & BUILDING FACE BANNER SIGNS**

One fascia or awning sign may be permitted to be installed for each business facade provided:

- a) The sign is attached to and parallel with the main wall of the building;
- b) The sign is a minimum of 2.5 meter (8.2') above the finished sidewalk or grade;
- c) The sign is no longer than the horizontal measurement of the wall or building facade to which it is attached;
- d) The fascia sign does not project more than 0.5 meter (1.64') from the main wall of the building;
- e) The awning sign does not project more than 1.5 meter (4.92') from the wall of any building to which the sign is attached.
- f) If on a lane, the sign is a minimum of 4.5 meter (14.76') measured vertically from the surface of the lane;
- g) In the case of a one storey building the sign shall not extend above the eave of the roof; and
- h) In the case of a multiple storey building the sign shall not extend above the bottom of the second storey window.
- i) For businesses visible from more than one street, multiple signs equal to the number of streets are allowed. Above regulations apply.
- j) The area of a fascia sign shall not exceed 1 sq. meter (10.76 sq. feet)

### **7.2 PROJECTING SIGNS & BANNERS**

7.2.1 One vertical projecting sign may be erected on a business frontage provided:

- a) No portion of a projecting sign shall be less than 2.5 meter (8.2') above the finished grade or floor level immediately below such sign.

- b) No projecting sign shall exceed 1.0 sq. meter (10.76 sq. feet) in area per sign face.
- c) No projecting sign shall be luminous in nature.
- d) A projecting sign shall not be constructed as a free swinging sign.
- e) No projecting sign shall project more than 1.0 meter (3.28') from the wall of any building to which the sign is attached.
- f) The sign shall not have more than two (2) faces.

**7.3 PORTABLE & READOGRAPH SIGNS**

One portable sign may be erected at a place of business having a frontage of 4.5meter (14.76') or more provided:

- a) Refer to Section 2 sign definitions for maximum sign area specifications.
- b) The sign may not obstruct the view of vehicle traffic.
- c) The distance between portable signs shall not be less than 4.5m (14.76 feet).
- d) No part of the sign encroaches onto or over publicly owned lands.
- e) The sign shall not have more than two (2) faces.
- f) Portable signs shall be set back a minimum of 1.0 meter (3.28') from all street lot lines.
- g) Portable signs shall be setback a minimum of 1.5 meter (4.92') from any common lot boundary with an adjacent lot.
- h) A Portable sign including any part of its structure shall not be located closer than 1.0 meter (3.28') to any driveway.
- i) Portable signs are permitted during periods when businesses are open to the public and must be removed following the closure of the business at the end of each day.

**7.4 TRAILER OR MOBILE SIGNS**

- j) Refer to Section 2 sign definitions for maximum sign area specifications.
- k) The sign may not obstruct the view of vehicle traffic.
- l) Maximum allotted time shall not exceed 90 days with 30 days between permits issued.
- m) The minimum distance between these signs shall be 7 meter (22.97')
- n) Trailer/Mobile signs shall be set back a minimum of 2.0 meter (6.56') from all street lot lines.

**7.5 GROUND SIGNS**

The following regulations shall apply to all ground signs:

- a) Ground signs shall be set back a minimum of 2.0 meter (6.56') from all street lot lines.
- b) Billboard signs shall be set back a minimum of 5.0 meter (16.4') from all street lot lines.
- c) No ground sign shall exceed 2.0 m in height or 5.0 meter (16.4') in width.
- d) No billboard sign shall exceed 3.0 m in height or 7.0 meter (22.97') in width.

- e) No more than one (1) sign shall be mounted to the supporting structure of any ground or billboard sign.

Notwithstanding the foregoing, additions may be allowed to existing ground signs provided that additions are of the same design, material and shape as the existing sign.

- f) No ground sign shall exceed a maximum height of 7.0 meter (22.97') from the finished grade level at the base of the supporting structure of the said sign.
- g) No billboard sign shall exceed a maximum height of 10.0 meter (32.8') from the finished grade level at the base of the supporting structure of the said sign.
- h) Ground and billboard signs shall be setback a minimum of 1.5 meter (4.92') from any common lot boundary with an adjacent lot.
- i) A ground sign including any part of its structure shall not be located closer than 1.0 meter (3.28') to any driveway.
- j) A billboard sign including any part of its structure shall not be located closer than 4.5 meter (14.76') to any driveway.
- k) No ground or billboard signs shall be erected where the distance between a structure and the street line is less than 4.5 meter (14.76').

One ground sign per frontage may be erected between the building line and lot line provided that;

- a) The maximum height is not more than 2.5 meter (8.2');
- b) No ground sign shall exceed 2.0 meter (6.56') in any dimensions of the sign face.
- c) No part of the sign encroaches onto or over publicly owned lands.

## **7.6 CANOPY SIGNS**

The following regulations shall apply to all canopy signs:

- a) A canopy sign shall be designed as an integral part of the canopy fascia.
- b) No canopy sign shall extend beyond the limits of the canopy fascia.
- c) No portion of any sign shall be less than 2.5 meter (8.2') above the exterior finished grade level immediately below such sign.
- d) No canopy sign shall extend around the corners of the canopy upon which it is mounted, except that when a premises is located at the corner of a building, a canopy sign may extend round the corner on which it is mounted. Signs extending around the corner lawfully erected under this section shall be deemed to be two (2) signs for the purpose of calculating the permitted number of signs and permitted sign area.
- e) Canopy signs shall only be located on the storey having direct access to a street.
- f) A canopy sign shall not exceed 4.0 sq. meter (43.06' sq. feet)
- g) A canopy sign erected as an integral part of a free standing canopy shall not exceed 2.0 sq. meter (21.53' sq. feet) in area.

## **7.7 SOFFIT SIGNS**

The following regulations shall apply to all soffit signs:

- a) No portion of any soffit sign shall be less than 2.5 meter (8.2') above the finished grade or floor level immediately below such sign.
- b) No soffit sign shall be located above the first storey of any building.
- c) No soffit sign shall be closer than 0.2 m from the outer edge of the canopy upon which it is suspended.
- d) No soffit sign shall have a vertical dimension greater than 0.5 meter (1.64') or have a horizontal dimension greater than 2.0 meter (6.56').
- e) No soffit sign shall exceed 1.0 sq. meter (10.76' sq. feet) in sign area.

## **7.8 WINDOW SIGNS**

The following regulations shall apply to all window signs:

- a) The maximum sign area of any window sign which obstructs exterior visibility to interior occupants, shall not exceed 25% of the area of the window in which the sign is located.

## **7.9 WALL SIGNS**

The following regulations shall apply to all wall signs:

- a) No wall sign shall extend above the top of the roof surface.
- b) No wall sign, or any part thereof, shall project more than 0.5 meter (1.64') from the wall upon which it is mounted.
- c) No portion of any sign shall be less than 2.5 meter (8.2') above the exterior finished grade level immediately below such sign.
- d) No wall sign shall extend beyond the extremities of the wall to which it is attached.
- e) No wall sign shall extend around the comers of the wall upon which it is mounted, except that when a premises is located at the comer of a building, a wall sign may extend around the corner on which it is mounted. Signs extending around the comer lawfully erected under this section shall be deemed to be two (2) signs for the purpose of calculating the permitted number of signs and permitted sign area.
- f) Wall signs shall only be located at the storey having direct access to a street, except that where a premises occupies all stories in a multi-storey building the wall sign may be erected on the next storey immediately above the storey having direct access to the street.
- g) The total area of a wall sign per business premises shall not exceed 15.0 sq. meter (167.46' sq. feet).
- h) On a multiple occupancy building, a directory sign will be permitted at first floor level, listing names of businesses not having direct access to a public way. The area of such sign shall not exceed 1.0 sq. meter (10.76'sq. feet).

## **7.10 OFF-SITE SIGNS**

7.10.1 One off-site sign may be permitted for a commercial or industrial enterprise subject to the approval of the required application and submission of the prescribed fee.

7.10.2 One off-site sign support structure may be used to display two (2) off-site signs, placed back to back as defined herein as a double faced sign.

7.10.3 No person shall erect or install an off-site sign in any zone other than a General Commercial or Industrial zone. Notwithstanding the zone designation, no off-site sign shall be located less than 15.0 meter (49.21') from a residence.

7.10.4 The minimum distance between off-site signs shall be 7 meter (22.97').

#### **7.11 PROVISIONS FOR MERCHANDISE & WINDOW DISPLAYS**

7.11.1 The property or sign to be displayed and governed by this by-law shall be so displayed only during business hours and all property including signs, racks, tables, merchandise or other property used to display or contain merchandise shall not be left on any Town property other than during normal business hours.

7.11.2 All property and signs shall be removed by the owner during snow removal operations. Application for and acceptance of a permit from the Town shall be considered an acknowledgement by the owner that the Town shall not be held responsible for damage to any sign or display caused during the course of normal snow removal operations.

7.11.3 No portable sign or merchandise display shall be placed so as to reduce the width of unobstructed sidewalk available to pedestrians to less than 1.0 meter (3.28') in width. Portable sign and display locations are to be noted on the application and shall be subject to the approval of the Chief Building Official.

7.11.4 Wherever a portable sign, or merchandise display is in violation of this section of the by-law, the By-Law Enforcement Officer shall notify the owner and tenant, if applicable, of such violation in writing, by causing a notice to be delivered personally or by first class prepaid mail service to such owner and/or tenant requiring them to remove such signs or displays within seven (7) day from receipt of such notice. Notwithstanding, if notice is by mail, such time limitation shall be within fourteen (14) days of the date of mailing.

7.11.5 Refusal to comply with the requirements of notice as outlined in section 6.9 will permit the Town to remove the portable sign or merchandise display or offending portion thereof at the owner's expense.

7.11.6 Window displays shall only be used for the purpose of Merchandise Display, and/or the placement of Window Signs. In the case of vacant/unoccupied commercial storefronts or those undergoing renovation, window display areas shall be covered with an acceptable material that restricts interior property visibility from exposure to the public.

#### **SECTION 8.0 PERMITTED RESIDENTIAL USE SIGNS**

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Subject to the requirements in Section 6, no person shall erect, display or maintain any sign on a lot or building used for commercial purposes in residential areas except in accordance with the following:

8.1 One decorative residential or identification sign, not exceeding the dimensions of a Home Occupation sign, indicating the owner's name and street address or the location of an institution, charitable or fraternal establishment therein, is permitted.

8.2 Home business occupation or professional signs may be erected for identification purposes near the front entrance of a premises provided no sign is greater than the maximum of 0.5 meter sq. (5.38' sq. feet).

8.3 Only one (1) ground sign per lot, identifying a Bed and Breakfast, Heritage Tourist Inn, Boarding



House, Retirement Living or Long Term Care Facility, or multi-unit residential developments shall be permitted.

a) Said sign shall not exceed a sign height of 2.0 meter (6.56') nor a sign area of 2.0 sq. meter (21.53' sq. feet).

b) Ground signs shall be set back a minimum of 2.0 meter (6.56') from all street lot lines.

c) No part of the sign shall encroach onto or over publicly owned lands.

8.4 Only one (1) portable sign per lot, identifying a Home Business, Bed and Breakfast, Heritage Tourist Inn, Boarding House, Retirement Living or Long Term Care Facility, or multi-unit residential developments shall be permitted.

a) Said sign shall not exceed a sign area of 1.0 sq. meter (10.76')

b) Signs shall be set back a minimum of 0.5 meter (1.64') from all street lot lines.

c) No part of the sign shall encroach onto or over publicly owned lands.

## **SECTION 9.0 PERMITTED INSTITUTIONAL USE SIGNS**

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Subject to the requirements in Section 6, no person shall erect, display or maintain any sign on a lot or building used for institutional purposes except in accordance with the following:

### **9.1 GROUND SIGNS**

The following regulations shall apply to all ground signs erected at an institution:

a) Ground signs shall be set back a minimum of 2.0 meter (6.56') from all street lot lines.

b) No ground sign shall exceed 4.5 meter (14.76') in any dimensions of the sign face.

c) No more than one (1) sign shall be mounted to the supporting structure of any ground sign.

d) No ground sign shall exceed a maximum height of 5.0 meter (16.4') from the finished grade level at the base of the supporting structure of the said sign.

e) Ground signs shall be setback a minimum of 1.5 meter (4.92') from any common lot boundary with an adjacent lot.

f) A ground sign including any part of its structure shall not be located closer than 2.0 meter (6.56') to any driveway.

g) No ground signs shall be erected where the distance between a structure and the street line is less than 4.5 meter (14.76').

One ground sign per frontage may be erected between the building line and lot line provided that;

a) The maximum height is not more than 2.5 meter (8.2');

b) No ground sign shall exceed 2.5 meter (8.2') in any dimensions of the sign face.

c) No part of the sign encroaches onto or over publicly owned lands.

### **9.2 WALL SIGNS**

9.2.1 Wall signs shall not exceed 6.0 sq. meter (64.58').

The following regulations shall apply to wall signs erected at an institution:

- a) No wall sign shall extend above the top of the roof surface.
- b) No wall sign, or any part thereof, shall project more than 0.5 meter (1.64') from the wall upon which it is mounted.
- c) No portion of any sign shall be less than 2.5 meter (8.2') above the exterior finished grade level immediately below such sign.
- d) No wall sign shall extend beyond the extremities of the wall to which it is attached.
- e) No wall sign shall extend around the comers of the wall upon which it is mounted.
- f) Wall signs shall only be located at the storey having direct access to a street, except that where a premises occupies all stories in a multi-storey building the wall sign may be erected on the next storey immediately above the storey having direct access to the street.

### **9.3 PORTABLE SIGNS**

One portable sign may be erected at an institution having a frontage of 4.5 meter (14.76') or more provided:

- a) Refer to Section 2 sign definitions for maximum sign area specifications.
- b) The sign may not obstruct the view of vehicle traffic.
- c) The distance between portable signs shall not be less than 15.0 meter (49.2').
- d) No part of the sign encroaches onto or over publicly owned lands.
- e) The sign shall not have more than two (2) faces.
- f) Portable signs shall be setback a minimum of 1.5 meter (4.92') from any common lot boundary with an adjacent lot.
- g) A Portable sign including any part of its structure shall not be located closer than 2.0 meter (6.56') to any driveway.

### **9.4 PROJECTING SIGNS**

9.4.1 One vertical projecting sign may be erected on an institution frontage provided:

The following regulations shall apply to all projecting signs:

- a) No portion of a projecting sign shall be less than 2.5 meter (8.2') above the finished grade or floor level immediately below such sign.
- b) No projecting sign shall exceed 1.0 sq. meter (10.76' sq. feet) in area per sign face.
- c) No projecting sign shall be luminous in nature.
- d) A projecting sign shall not be constructed as a free swinging sign.
- e) No projecting sign shall project more than 1.0 meter (3.28') from the wall of any building to which the sign is attached.
- f) The sign shall not have more than two (2) faces.

10. This by-law shall come into force and take effect upon final passage.

11. That any other By-Laws, resolutions or actions of the Council of the Corporation of the Town of Prescott that are inconsistent with the provisions of this By-Law are hereby rescinded.

**READ A FIRST AND SECOND TIME THIS 25<sup>th</sup> DAY OF MARCH, 2019.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**READ A THIRD AND FINAL TIME AND PASSED THIS 25<sup>th</sup> DAY OF MARCH, 2019.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



## Schedule "A" to By-Law #16-2019

### Permit Fees & Summary Table

#### SIGN BY-LAW PERMIT FEES

The following fees shall be paid to the Town of Prescott at the time of application for a sign permit:

All signs which require a permit will be \$75.00 plus any Building Permit Fees required. **The maximum fees at any given time for signage will be capped at \$225.00**

Should a special exception be requested regarding this By-Law it can be submitted for consideration for a fee of \$500.00. Any arguments for said exception can be included with the application form of said sign. Special exception requests will be heard by the Planning Advisory Committee.

**SIGN BY-LAW SUMMARY TABLE**

Sign/Display Type	Section	Permit Required Y/N	Commercial - General	Commercial - Downtown Core/Waterfront	Industrial	Institutional	Residential
			Permitted Uses				
Awning	7.1	Y	✓	✓	✓	x	x
Banner (Building Face)	7.1	Y	✓	x*	✓	x	x
Banner (Projecting)	7.2	Y	✓	✓	✓	✓	x
Billboard	5.0, 7.4	Y	✓	x	✓	x	x
Canopy	7.5	Y	✓	✓	✓	x	x
Directional	4(l)	N	✓	✓	✓	✓	✓
Election	6.21	N	✓	✓	✓	✓	✓
Electronic Message Display	5(S), 7.4, 9.1	Y	✓	x*	✓	✓	x
Fascia	7.1	Y	✓	✓	✓	x	x
Flashing	5(A)	N/A	x	x	x	x	x
Ground	7.4 & 9.1	Y	✓	✓	✓	✓	x*
Home Business Occupation or Professional	8	Y	x	x	x	x	✓
Incidental	4(L)	N	✓	✓	✓	✓	✓
Internal	4(O)	N	✓	✓	✓	✓	✓
Illuminated	6.22	Y	✓	✓	✓	✓	✓
Luminous	5(C), 6.33	Y	✓	x*	✓	✓	x*
Off-Site	5(U), 7.9	Y	✓	x	✓	x	x
Portable	7.3 & 9.3	Y	✓	✓	✓	✓	x
Projecting	7.2 & 9.4	Y	✓	✓	✓	✓	x
Public Information	4 (B)	N	✓	✓	✓	✓	✓
Real Estate/Real Estate Development	6.19, 6.20	N	✓	✓	✓	✓	✓
Roof	5 (K)	N/A	x	x	x	x	x
Sandwich Board	7.3, 9.3	N	✓	✓	✓	✓	x
Soffit	7.6	Y	✓	x	✓	x	x
Temporary Signs	4 (C,D)	N	✓	✓	✓	✓	✓
Trailer/Mobile/Readograph	5(T), 7.3	Y	✓	x	✓	x	x
Wall	7.8, 9.2	Y	✓	✓	✓	✓	x
Window	7.7	Y	✓	✓	✓	x	x
Yard Sale	4(G)	N	✓	✓	✓	✓	✓
Merchandise/Window Display	7.10	N	✓	✓	✓	✓	x

See By-Law Section 2 for sign type definitions

\* Exceptions Apply in Certain Cases



Schedule "B" to By-Law #16-2019

Application for Sign Permit

Name of Applicant: \_\_\_\_\_

Name of Company (if applicable): \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Address of Subject Property: \_\_\_\_\_

Zoning Designation of Subject Property: \_\_\_\_\_

Size of Sign: \_\_\_\_\_ Sign Type: \_\_\_\_\_

General Location on Property: \_\_\_\_\_

\_\_\_\_\_

Site Plan Attached (Where Applicable): Yes\_\_ No\_\_

General Content of Sign: \_\_\_\_\_

\_\_\_\_\_

Permanent Installation: \_\_\_\_\_ Temporary Installation: \_\_\_\_\_

Enclose required application attachments outlined in section 3.3 of by-law.

Signature of the Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

**Office Use Only - Approval Status:**

Approved \_\_\_\_\_

Approval is hereby granted to erect signs in accordance with the above application, subject to the following conditions (if any): \_\_\_\_\_

\_\_\_\_\_

Declined \_\_\_\_\_

The application for sign permit has been declined on the following basis: \_\_\_\_\_

\_\_\_\_\_

Temporary signs are to be removed not later than: 12:00 midnight \_\_\_\_ Day of \_\_\_\_\_ 20

\_\_\_\_\_ Date

\_\_\_\_\_ Chief Building Official/Town of Prescott

Receipt #		Permit #		Fee\$		HST		Total Fee:	
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## Schedule 'C' to Sign By-Law #16-2019

### Hold Harmless Agreement

**THE UNDERSIGNED** hereby agree and save harmless the Corporation of the Town of Prescott, its officers, employees and officials from all claims or cause of action against the Corporation of the Town of Prescott, because of injury or damage to property of others arising from the placement of a sign or other property of the undersigned and placed on, into or above property on premises of the Town of Prescott.

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Applicant Signature

Print Name:	
Date:	

---

Witness Signature

Print Name:	
Date:	

**Insurance Certification**  
**(RE: By-Law #16-2019 - Sign & Display By-Law)**

**THE UNDERSIGNED** hereby certifies that insurance coverage is in full force and effect for the above named with the (Insurance Company) \_\_\_\_\_, under policy number \_\_\_\_\_ with liability limits not less than \$ 2,000,000.00 and covering all business premises and operations. Further, that the Town will be given fifteen (15) days notice of cancellation or non-renewal of this policy of insurance and further, that this policy acknowledges the above agreement.

**Signed by:** \_\_\_\_\_ Dated this \_\_\_ day of \_\_\_\_\_, 20 \_\_\_  
(authorized insurance representative)

\_\_\_\_\_  
(name, please print clearly)

Personal information contained on this form is collected under the authority of the Municipal Act and the Corporation's By-law No 16-2019, and will be used to determine eligibility for the application licence.





# Schedule "D" to Sign By-Law #16-2019

## Zoning By-Law Area Map

