

THE CORPORATION OF THE TOWN OF AMHERSTBURG
SIGN BY-LAW
BY-LAW 2025-001

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The Corporation of the Town of Amherstburg

BY-LAW NUMBER 2025-001

A BY-LAW TO REGULATE SIGNS AND OTHER ADVERTISING DEVICES IN THE TOWN OF AMHERSTBURG

WHEREAS subsection 5(3) of the Municipal Act, 2001 S.O. 2001, c.25 (“Municipal Act, 2001”), provides that a municipal power shall be exercised by by-law;

AND WHEREAS subsection 8(1) of the Municipal Act, 2001 provides that the powers of a municipality under this Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

AND WHEREAS subsection 8(3) of the Municipal Act, 2001 provides that a by-law may regulate or prohibit respecting the matter, require Persons to do things respecting the matter, and provide for a system of licenses respecting the matter;

AND WHEREAS subsection 11(1) of the Municipal Act, 2001 provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 11(2) of the Municipal Act, 2001 provides that a municipality may pass by-laws respecting: 5. Economic, social and environmental well-being of the municipality; 6. Health, safety and well- being of Persons; 7. Services and things that the municipality is authorized to provide under subsection (1); 8. Protection of Persons and property, including consumer protection; 10. Structures, including fences and Signs;

AND WHEREAS section 99 refers to specific municipal powers under Part III of the Municipal Act, 2001 for structures, including fences and Signs;

AND WHEREAS section 63 of the Municipal Act, 2001 provides that a by-law may prohibit or regulate the placing or standing of an object on or near a Highway, and may provide for the removal and impounding or restraining and immobilizing of any object placed or standing on or near a Highway;

AND WHEREAS section 445 provides that a municipality may make an order requiring a Person who has contravened a by-law or who caused or permitted the contravention, or the Owner or occupier of land on which the contravention occurred to do work to correct the contravention;

AND WHEREAS section 446 of the Municipal Act, 2001 provides that where a municipality has the authority to direct or require a Person to do a matter or thing, the municipality may also provide that, in default of it being done by the Person directed or required to do it, the matter or thing shall be done at the Person’s expense, and that the municipality may recover the costs of doing a matter or thing by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS section 11(3) of the Municipal Act, 2001, S.O. 2001, c.25, provides that a Municipality may pass by-laws respecting Signs, including the authority to grant Sign variances to the Town’s Sign By-law;

AND WHEREAS sections 9, 11, and 23.2(1)(c) of the Municipal Act, 2001, S.O. 2001, c.25, provide that a Municipality may delegate quasi-judicial powers under the Municipal Act, 2001 to an individual who is an officer, employee or agent of the Municipality;

AND WHEREAS section 88(7) of the Municipal Act, 2001, S.O. 2001, c.25, advises that If a Municipality is satisfied that there has been a contravention of section 88.3, 88.4 or 88.5, the Municipality may require a person who the municipality reasonably believes contravened the section or caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to remove the advertisement or discontinue the advertising;

AND WHEREAS Council wishes to delegate its authority to make decisions regarding Sign variances to the Manager of Planning Services, and in his or her absence, to the Manager of Licensing and Enforcement;

NOW THEREFORE the Council of The Corporation of Town of Amherstburg ENACTS AS FOLLOWS:

SECTION 1 - TITLE AND SCOPE

1.1 Short Title

1.1.1 This By-law shall be known and cited as the "Sign By-law".

1.2 Intent and Scope

- 1.2.1 This by-law shall apply to the whole of the Town of Amherstburg. The intent of the by-law is to regulate Signs for controlling community appearance, safety, and the impact upon areas identified for their historical or architectural Significance.
- 1.2.2 All schedules attached to this By-law form part of this By-law by reference.
- 1.2.3 This By-law does not apply to Signs Erected or Displayed, or cause to be Erected or Displayed by a Federal, Provincial or Municipal Government.

SECTION 2 - DEFINITIONS

In this by-law:

1. **Alter** means any change to the Sign structure or Sign Face, except for:
- a) A change in the message being Displayed; and/or
 - b) Repair and maintenance, including replacement by identical components as required by this by-law;
2. **Animated** means a Sign or part thereof, which has physical movement or kinetic motion by mechanical means. This definition does not include a Animation;
3. **Animation** means motion or appearance of motion Displayed on a Sign with Digital Illumination.
4. **Applicant** means the Owner, where such Owner is an individual, or means any individual authorized in writing, by the Owner to apply for a permit on the Owner’s behalf;
5. **Authority Having Jurisdiction** means an employee of the Town who has been assigned with the responsibility of administering and enforcing this By-law, or his or her designate;
6. **Building Code** means the Building Code Act, 1992, S.O. 1992, c.23, as amended from time to time, and includes any regulations thereunder;
7. **Building Frontage** means an Exterior Building Wall that faces (or fronts) towards a Street or parking area designated for public use;
8. **By-law Enforcement Officer** shall mean any person appointed by the Corporation of the Town of Amherstburg for the purposes of enforcing this by-law;
9. **Candidate** means a person who has been nominated under Section 33 of the Municipal Elections Act, 1996, S.O. 1996, c. 32;
10. **Canopy** 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’s buildings, places of entertainment and other similar building types. Canopies can also stand alone, such as at a gas station;
11. **Changing Copy** means the part of a Sign on which the copy can be periodically changed or rearranged. Types of changing copy include:
- 11.1. **Manual Changing Copy** means a Sign in which the letters or numerals conveying the message can be manually rearranged or changed.
 - 11.2. **Electronic Changing Copy** means a Sign that Displays Direct View Illuminated copy, such as an electronic screen, projection, television, computer video monitors, liquid crystal Displays (LCD), light emitting diode (LED) Displays, or other similar electronic, computer generated or digital technology
12. **Charitable Organization** means an incorporated association of Persons that is charitable

under the laws of Ontario or of Canada;

13. **Chief Building Official** means shall mean the Building Inspector (or his duly authorized representative), duly appointed by Council, under the provisions of the Building Code Act (Building Code Act, 1992, S.O. 1992, c. 23);
14. **Committee** means the Committee of Adjustments for the Town of Amherstburg;
15. **Community Organization** means a not for profit group of Persons whose primary purpose is to provide recreation, cultural, leisure or community services to the residents of Amherstburg;
16. **Council** means the Council for the Town of Amherstburg;
17. **Direct Access** means access to a covered or uncovered walkway, sidewalk, parking area or other outdoor public way, but shall not include an interior corridor;
18. **Display** (including cause to **Display**, **Displayed** and cause to be **Displayed**, and **Displaying**) means to attach, construct, exhibit, or locate any Sign for the purposes of being viewed;
19. **Erect** (including **Erected** and **Erecting**) means the placing or relocation of any Sign or part thereof but does not include copy changes on any Sign;
20. **Exterior Wall** means a portion of the perimeter wall of a building facing the outside;
21. **First-Party** means a Sign related to a business, enterprise, or other activity conducted within the building or upon the Lot on which the Sign is Erected;
22. **Heritage Overlay Area** means the Lots included in the area of the Town identified in Schedule C of this By-law, and includes the “Heritage Area” and “Heritage Adjacent Area.”
23. **Illumination** (including **Illuminate** and **Illuminated**) means the lighting of a Sign in whole or in part by way of an artificial light source for the purpose of viewing a Sign at night by way of an Illumination Type;
24. **Illumination Type** means the type or way that a Sign is Illuminated, the brightness and intensity of which are measured in lux and nits. Illumination Types includes:
 - 24.1. **Direct View Illumination** means artificial lighting sources that are directly viewed by the observer and include devices such as, Neon Tubes, Incandescent bulbs, rope lights;
 - 24.2. **External Illumination** means a Sign illuminated by an artificial light source focused upon, or chiefly directed at the Sign face, and also includes silhouette style Illumination where an opaque Sign face is contrasted by illuminating the surface in which the Sign is mounted and the artificial light source is not directly visible;
 - 24.3. **Internal Illumination** (also referred to as a backlit Sign) means the Sign is illuminated by light emitting from inside the Sign through any translucent material;
 - 24.4. **Non-Illuminated** means a Sign that is not have Illumination;
25. **Legal Non-Conforming Sign** means a Sign which was Lawfully Erected prior to enactment of this By-law and which does not conform to the applicable regulations of this By-law;
26. **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 Town of Amherstburg Building Permit shall be deemed to be a parcel of land and a reserve shall not form part of the Street;
27. **Lot Line** means any boundary of a Lot;
28. **Maintain** (including **Maintained**) means anything done to preserve, restore or repair the Sign according to the regulations of this By-law;
29. **Occupancy** means the Premises occupied by a single Use, Owner or tenant, which has a separate entrance directly to the outdoors or to an indoor walkway or hallway shared with other occupancies;

30. **Owner** means the registered Owner of the land on which a permit is sought or obtained;
31. **Permit Holder** means the Owner as defined by this bylaw, the Person in possession of the property or Premises, including the lessee, a mortgagee in possession, or a person in charge of the property;
32. **Person** means an individual, partnership, association, firm or corporation, business entity or club, incorporated group or organization, school board, or group to whom the context can apply in accordance with the Interpretation Act of Ontario, as amended.
33. **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, where each single occupancy shall be considered a separate Premises;
34. **Private Property** means a parcel of real property, as it is described in the records of the land registry office and includes all buildings and structures thereon;
35. **Public Authority** means the Town, the Provincial Government, the Federal Government and any board, commission, Committee or body established or exercising any power or authority under a statute of Canada or Ontario with respect to any of the affairs or purposes of the Town;
36. **Public Boulevard Appurtenance** means any Town asset located above grade on the Boulevard and includes, but is not limited to, fire hydrants, hydro boxes, street lamps, street furniture, and Town trees or other plantings;
37. **Public Entrance** means an entrance to an indoor space in which the general public has access;
38. **Public Lands** means lands owned by the Town, and shall include but not be limited to the Boulevard, any Highway, lane, alley, square, place, viaduct or trestle, water, way or bridge, park, woodland, greenbelt, storm water management facility, open space, municipal golf course or cemetery, and all parts thereof, including any surface, grassed area, boulevard, ditch, curb, gutter and sidewalk, but does not include property owned by the Regional, Provincial, Federal Government, a Crown Corporation, Hydro, Utility or Railway Company;
39. **Registered Third-Party** means, in relation to an election in a municipality, an individual, corporation or trade union that is registered under section 88.6 of the Municipal Elections Act, 1996, S.O. 1996, c. 32;
40. **Sequential** in reference to Signs means when two or more Signs on an Exterior Wall used in series to convey a cohesive message related to the subject matter;
41. **Shopping Centre** 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 off-street areas, as opposed to a business area comprising of unrelated individual commercial establishments;
42. **Sight Triangle** as defined in the Town of Amherstburg's Zoning By-law 1999-52, as amended, or its successor by-law.
43. **Sign Face Area** means the number of square metres on the surface of a Sign including the border and/or frame, and where there is no border shall include all the area of the surface lying within the extremities of the smallest geometric form which can wholly enclose the surface area of the Sign;
44. **Sign** means any advertising device or notice and means any visual 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;
45. **Sign Classification** means a classification of Sign Types for Signs, such as:
- 45.1. **Incidental Signs** means a Sign secondary to the main occupancy or use on a lot which is not for the purpose of branding, selling, or the advertising of goods and services provided for on the Lot. These can include Sign Types such as: Directional Signs, Directory Signs, Municipal Address Signs, Menu Board Signs, or Business Information Sign.
- 45.2. **Permanent Sign** means a Sign attached to a building, structure, or the ground so as

to resist environmental loads, such as wind, and preclude its ready removal or relocation.

- 45.3. **Temporary Sign** means a Sign that is limited as to a specific and defined time that it can be Displayed, and generally removable or can be relocated;
46. **Sign Permit** means a permit issued by the Authority Having Jurisdiction pursuant to the provisions of this By-law to Erect or Display a Sign;
47. **Sign Type** means a Sign referenced by its means of support, manner of Displaying information and/or the information intended to be Displayed, and can be classified as an Incidental Sign, Permanent Sign, or Temporary Sign and includes the following types of Signs:
- 47.1. **A-Frame Sign** means a Sign not permanently anchored to the ground and constructed in a manner, and of such materials, which permit it to be repositioned by an individual without mechanical aid. This definition shall include Signs commonly referred to as Sidewalk Signs and Sandwich Board Signs;
- 47.2. **Awning Sign** means a Sign painted on, or otherwise affixed to, the surface of an Awning and such Sign does not project out from the Awning in any direction;
- 47.3. **Bow Flag Sign** means a Sign made from non-rigid, lightweight material attached to a pole, or device which is attached to the Exterior Wall of a building or to the ground, and includes Signs typically referred to as Feather Signs or Bow Signs;
- 47.4. **Billboard Sign** means a Ground or Fascia Sign, which the Copy is periodic replaced, which is owned and Maintained by a person engaged in the rental or leasing of the Sign Face Area for advertising goods, products, services or facilities that are not present or sold on the Lot on which the Sign is located;
- 47.5. **Building Identification Sign** means a Sign that depicts a formal name of building, not including the name of a business, or organization and does not advertise or display products, events, or services;
- 47.6. **Business Information Sign** means a Sign for a business or Occupancy that displays the hours of operation for the business or operations and whether they are open or closed;
- 47.7. **Canopy Sign** means a Sign affixed flat on the surface of a Canopy or hanging from the underside of a Canopy or placed on top of a Canopy, where such Sign does not extend beyond the side limits of such Canopy;
- 47.8. **Congratulatory Sign** means a Sign that promotes a private special occasion and does not contain a commercial message nor direct persons to a business or product;
- 47.9. **Construction Site Sign** means a Sign that provides information about the builder and trades and/or the building or structure currently under construction or proposed to be constructed and shall be removed upon completion of the project;
- 47.10. **Development Project Sign** means a Sign that advertises a proposed development and may include the name of the project, the name of the contractors, architects, engineers, information and personnel related to the project and shall be removed upon completion of the project.
- 47.11. **Directory Sign** means a Sign that identifies the occupants of a multi-occupancy building;
- 47.12. **Directional Sign** means a Sign that provides directional information for the control of pedestrian and vehicular traffic intended for public safety, such as an entrance, exit, loading area, product pickup area, or parking space identification Signs. A Directional Sign shall be under 0.5 square meter (5.4 square feet);
- 47.13. **Fascia Sign** means a Sign, which is painted on, affixed to and/or supported by an exterior building wall and Erected in a predominantly parallel manner to that building wall. Signs secured to standalone canopies, such as at a gas station, are considered Fascia Signs;
- 47.14. **Gas Price Sign** means a Sign Displaying the price of gasoline at a gasoline station;

- 47.15. **Ground Sign** means a Sign that is supported by a structure or supports Erected on or anchored in the ground for the sole purpose of supporting the Sign, and are not attached to any building or other structure;
- 47.16. **Hanging Sign** means a Sign mounted on a building or structure in such a manner as to allow movement due to wind;
- 47.17. **Inflatable Sign** means a Sign designed to be inflated and tethered to the ground, a building or any other structure;
- 47.18. **Lawn Sign** means a Sign board attached to spokes intended to be driven into a surface to stand the Sign in place;
- 47.19. **Menu Board Sign** means a Sign Erected as part of a drive-thru facility and used to list products, services and prices in association with a fast food restaurant/retailer business. These Signs are permitted to be direct view Electronic Changing Copy, and must not be visible from Public Land;
- 47.20. **Mobile Sign** means a Sign designed 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 definition does not include an A-Frame Sign;
- 47.21. **Municipal Address Sign** means a Sign, which is used to identify the municipal address of an Occupancy, Property and/or Lot;
- 47.22. **Off Site Sign** means a Sign which identifies or directs attention to a business, profession, commodity, service or products which are not produced, assembled, stored or sold from the Lot upon which the Sign is located;
- 47.23. **Projecting Sign** means a Sign which is affixed to a building, wall, or structure and which projects out horizontally from an Exterior Wall of a building in a predominately perpendicular manner therefrom for a distance greater than 0.6 m but does not include an Awning Sign;
- 47.24. **Pylon Sign** means a Sign supported and placed upon one or more poles, columns or standards and may be fixed or of a swinging nature;
- 47.25. **Public Information Sign** means any Signs Erected by or under the direction of a government agency or required by the Town to inform the public of proposed zoning changes, official plan amendments, severance, plans of subdivision on the property subject to the application;
- 47.26. **Real Estate Sign** means a Sign that advertises the sale, rent or lease of the property on which it is located;
- 47.27. **Real Estate Open House Directional Sign** means a Sign, which is intended to direct a person to a building or property offered for sale, rental or lease;
- 47.28. **Roof Sign** 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;
- 47.29. **Special Event Sign** means a Sign promoting events conducted and/or sponsored by Charitable Organizations or community associations; and,
- 47.30. **Window Sign** means any Sign, picture, image, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service located on that Lot which is placed inside a window or upon the windowpane or glass and is intended to be visible from the exterior of the window. Window Signs shall not be illuminated.
48. **Street** means a common and public street, road, alley, lane or highway, as defined in the Municipal Act 2001, but does not include a private road;
49. **Street Line** means the Lot Line dividing a Lot from a Street;
50. **Structure** means the supports, uprights, foundations, bracing and framework of a Sign;
51. **Traffic Control Device** means a traffic control Sign, traffic control Signal or other device placed

for the purposes of regulating or directing vehicular, pedestrian or other traffic within an intersection, railway crossings, pedestrian crossings, interchange or roundabout;

52. **Third-Party Election Sign** means a Sign that has the purpose of promoting, supporting or opposing a Candidate or “yes” or “no” question in line with the definition in the Municipal Elections Act, 1996, S.O. 1996, c. 32., but does not include an Election Sign Erected by or under the direction of a Candidate;
53. **Unlawful** means a Sign that does not comply with the applicable regulations of this By-law and does not comply with the regulations of the governing By-law in effect when the Sign Permit was issued for said Sign or when said Sign was Erected or Displayed;
54. **Unsafe** means a Sign which is structurally unsafe, or which constitutes a safety hazard, impedes the movement of vehicular or pedestrian traffic, or which otherwise constitutes a risk to the safety of persons or property;
55. **Use** (as a noun) means the purpose, for which any land, building or structure is designed, arranged or intended to be Occupied or for which it is Occupied and Maintained. Reference to a specific use in this By-law means a use defined in the Zoning By-law;
56. **Use** (as a verb) means anything done or permitted, either directly or indirectly, for the purpose making Use of a Lot or part thereof, building or part thereof, or other structure or part thereof;
57. **Zoning By-law** means ZONING BY-LAW 1999-52, as may be amended from time to time, or any successors thereof; and,
58. **Zones** and **Permitted Zone** refers to designated area of land use as per the Town of Amherstburg’s Zoning By-law 1999-52, as amended, or its successor by-law. For the purposes of the Sign By-law the following Permitted Zones include:

Zones Identified in the Sign By-Law:	Corresponding Zones from the Town of Amherstburg’s Zoning By-law;
Commercial General	Commercial General Zone; Resort Commercial; Recreation Zone Light Industrial Zone Special Industrial Zone
Commercial Highway	Commercial Highway Zone
Institutional	Institutional Zone
Agricultural	Agricultural Zone Agricultural Restrictive Zone
Heavy Industrial	Heavy Industrial Extractive Industrial Zone
Multi-Family Residential	Residential Multiple Second Density Zone.
Commercial Neighbourhood	Residential Office Zone; Commercial Neighbourhood Zone
Low Density Residential	Residential First Density Zone; Residential Type 1A Zone; Residential Type 1B Zone; Residential Second Density Zone; Residential Third Density Zone; Residential Heritage Zone; Residential Modula Home Park Zone; Resort Residential Zone Residential Multiple First Density Zone;

SECTION 3 – GENERAL REGULATIONS

3.1 Sign Compliance

- 3.1.1 Every Sign owner shall ensure that each Sign, including its Erection, Display, Alteration and maintenance, conforms to the following:
- (a) All applicable provisions and regulations of this By-law;
 - (b) All applicable municipal, provincial and federal legislation as may be amended from time to time;
 - (c) Be Erected or Displayed only with the express permission of the property Owner or lessee, or the authorized agent of the Owner or the lessee, on which the Sign is located; and
 - (d) Be Erected or Displayed only with the express permission of the Town on lands owned by or controlled by the Town.

3.2 Electrical Regulations

- 3.2.1 Every Permit Holder shall ensure that all electrical Signs conform to the regulations of the Ontario Electrical Safety Authority and the Ontario Electrical Safety Code.
- 3.2.2 Every Permit Holder of Signs Erected or Displayed within 3.0 m of electrical distribution line(s) owned by a public utility shall ensure that the approval of the appropriate public utility is obtained.
- 3.2.3 Every Owner or Permit Holder of any Sign shall ensure all electrical wiring required to service any Ground Sign shall, if so available from the public utilities, be underground from such utility or alternatively be underground from the building or structure to the Sign.

3.3 Illumination Regulations

- 3.3.1 Every Owner or Permit Holder of an Illuminated Sign shall ensure that:
- (a) Lights used to externally illuminate a Sign shall be arranged to direct light away from adjacent lots and public road allowances;
 - (b) Flashing Illumination, Electronic Changing Copy or electronic Animation of Signs shall not be Erected within 60.0 meters of any Low Density Residential Zone, if the Sign face will be directly visible from any point in the Residential Zoning District.
 - (c) Electronic Change Copy Signs shall have an intensity of Illumination and luminance not to exceed the lesser of:
 - i. 3 lux (0.3 foot candles), or 300 nits (300 cd/m²) above ambient light conditions, during the hours between dusk and dawn; and,
 - ii. 3 lux (0.3 foot candles), or 5000 nits (5000 cd/m²) above ambient light conditions, during the daytime hours.
- 3.3.2 No Sign shall be Erected or cause to be Erected with flashing Illumination or Electronic Changing Copy, in which the flashing or changing of copy occurs at intervals of not less than 60 seconds.
- 3.3.3 All Electronic Changing Copy Signs must have installed an ambient light monitor which shall continuously monitor and automatically adjust the brightness level of the Display based on ambient light conditions consistent with the Illumination regulations of this By-law.
- 3.3.4 Electronic Changing Copy Signs that cycle static images will utilize an instant transition effect.

3.4 Identification of Signs

- 3.4.1 No Sign shall be Erected or cause to be Erected for which a Sign Permit is required by this By-law, unless such Sign Displays the name of the erector of the Sign in clearly legible lettering located in such a place on the Sign that it can be easily read.

3.5 Maintenance

- 3.5.1 The Permit Holder shall Maintain the Sign in good practice so that it does not become unsafe, defective or dangerous.
- 3.5.2 Every Permit Holder shall ensure that each Sign be maintained so that:
- (a) All exposed Sign and Sign structure surfaces are covered with a durable, weather resistant, protective finish;
 - (b) Repainting or refinishing is undertaken as often as is necessary to prevent peeling or flaking of paint or corrosion;
 - (c) All electric bulbs and tubes are continuously operative;
 - (d) All Sign faces and Sign structures are kept intact and operative and do not contain deteriorating, peeling, broken and/or cracked parts;
 - (e) Where a Sign face is required to cover and protect any electrical components, lamps and/or Sign box from weather elements, the Sign face must remain intact at all times. If a Sign face is removed for repair and/or replacement, a Sign face shall be reinstalled within ten (10) days of removal; and,
 - (f) All Electronic Changing Copy Signs shall be turned off if not in 100% working order.
- 3.5.3 Every Owner and Permit Holder shall maintain the immediate around the Sign in a clean, sanitary and healthful condition, free from debris.
- 3.5.4 Every Owner and Permit Holder or lessee of any Sign for which a permit is required shall Maintain such Sign:
- (a) In accordance with the approved plans authorizing its Erection;
 - (b) In a vertical plane unless otherwise Erected and approved, in which case the Sign shall be Maintained as Erected and approved;
 - (c) All bolts, cables and other parts of such Sign, unless galvanized, shall be kept painted and free from corrosion by the owner at all times; and,
 - (d) Where a Sign is repaired in any way so as to alter its dimension, manner of support, Illumination or location on the building, a new permit shall be required.

3.6 Existing Signs

- 3.6.1 Every Owner and Permit Holder shall ensure that:
- (a) For a Legal Non-Conforming Permanent Sign, which does not comply with the provisions of this By-law, changes to or replacement of the Sign face, repair of the Sign, including the Sign structure, and changing of copy shall be deemed to be permitted provided all dimensions and characteristics of the Sign remain the same;
 - (b) Replacement of a Legal Non-Conforming Sign structure in whole or in part, except to repair the structure, shall be in full compliance with all provisions of this By-law and shall require a Sign Permit; and,
 - (c) Maintenance and repair of a Legal Non-Conforming Sign shall be in accordance with the provisions of Section 3.5 of this By-law;
- 3.6.2 A Legal Non-Conforming Temporary Sign shall be deemed to be in compliance with this By-law until the expiration of the Sign Permit for such Sign.

3.7 General Restrictions

- 3.7.1 No Sign shall be Erected or Maintained or caused to be Erected or Maintained that is Animated, or has the appearance of Animation, in such a manner as to create a traffic hazard or otherwise endanger any person.
- 3.7.2 No Sign shall be Erected or Maintained or caused to be Erected or Maintained that overhangs or is located within a horizontal distance of 0.6 metres (2 feet) of a sidewalk or other pedestrian walkway unless the minimum vertical distance between grade and the bottom of the overhanging Sign face is at least 2.4 metres (8 feet).
- 3.7.3 No Sign shall use or cause to be used a rotating beam, beacon or flashing Illumination resembling an emergency light or lights in conjunction with any Sign so as to create a traffic hazard or in a manner to otherwise endanger any person.
- 3.7.4 No Sign shall be Erected or Maintained or caused to be Erected or Maintained at any

location where it may interfere with, obstruct the view of, or be confused with, an authorized traffic Sign, Signal or warning device, nor shall any Sign be illuminated in such a manner as to resemble a traffic regulating device.

- 3.7.5 No Sign shall be Erected or Maintained or caused to be Erected or Maintained if such Sign could obstruct the view of any pedestrian or driver of a motor vehicle or could interfere with vehicular movement to such a degree as could endanger any person or risk damage to any vehicle.
- 3.7.6 No Sign shall be Erected in a Sight Triangle unless otherwise provided for in this By-law.
- 3.7.8 Permanent Signs shall not be underneath overhead electrical infrastructure. The Building Code and the Ontario Electrical Safety Code require clearance under and adjacent to overhead electrical infrastructure.

3.8 Removal of Unlawful Signs

- 3.8.1 Every Owner or Permit Holder of any Sign shall ensure that any Sign or appurtenance thereto which advertises a business or service no longer on the Premises or which advertises products, commodities or merchandise no longer stocked or sold shall be removed within ten (10) days of termination or removal of such business or service or the cessation of sale of such product, commodity or merchandise.

3.9 Frontage on a County Road

- 3.9.1 Where a Sign is proposed to front on to a County Road, copies of the submitted plans will be circulated to the appropriate office for input prior to the issuance of a permit.

SECTION 4 – SIGNS REQUIRING PERMITS

- 4.1 Unless otherwise specifically provided in this By-law, no Person shall Erect, cause to be Erected, Display or cause to Display a Sign, advertising device or Sign structure on Private Property unless a Sign Permit has been issued by the Authority Having Jurisdiction for the following Signs:

- (a) All Permanent Signs; and,**
- (b) The following Temporary Signs in this By-law;**
 - Mobile Sign**

4.2 Application for a Sign Permit

- 4.2.1 Every person applying for a Sign Permit shall fully:

- (a) Complete a Sign Permit application in accordance with section 4.2;
- (b) Pay all applicable fees as set out in the Town's User Fee By-law as amended from time to time.

- 4.2.2 An application for a Sign Permit for a Temporary Sign shall be accompanied by plans and drawings that contain the following information:

- (a) A plan showing the location of the land on which the proposed Temporary Sign(s) is to be located and the nearest major intersection;
- (b) Drawings and specifications of the Sign, including dimensions; supporting framework; materials; height, length and width of Sign; and Sign Face Area;
- (c) Other information determined by the Authority Having Jurisdiction with respect to the Temporary Sign or the building as may be necessary to determine if the structure is capable, under the Building Code, of supporting the Sign or advertising device; and,
- (d) A site plan, drawn to scale and including dimensions, of the following all Lot Lines, street frontages, existing or proposed buildings and structures, location of proposed Signs, and location of all existing Permanent Signs on the same Lot.

- 4.2.3 An application for a Sign Permit for a Permanent Sign shall be accompanied by plans and drawings that contain the following information:

- (a) A plan showing the location of the land on which the proposed Permanent Sign(s) is to be located and the nearest major intersection;
- (b) A site plan, drawn to scale and including dimensions, of the following: all Lot Lines, street frontages, existing or proposed buildings and structures, location of proposed Signs, and location of all existing Permanent Signs on the same Lot;
- (c) Drawings and specifications of the Sign, drawn to scale and including dimensions, showing sections and elevations of the Sign to be Erected, construction details, supporting framework, foundations, materials, Illumination details, height of Sign and Sign Face Area, length and width of the Sign face;
- (d) Other information determined by the Authority Having Jurisdiction with respect to the Permanent Sign or the building, including architectural and structural drawings as may be necessary to determine if the structure is structurally capable, under the Building Code, of supporting the Sign or advertising device; and,
- (e) If Electronic Changing Copy is utilized as part of the Sign, the Sign Permit application will include confirmation from the Sign manufacturer that the Sign complies with the Illumination Regulations prescribed by this By-law.

- 4.2.4 No person shall make an application for a Sign Permit who is not the Owner or lessee, or the authorized agent of the Owner or the lessee, of the property upon which the Sign is to be Erected or Displayed or upon which work on the Sign is to be performed. Each application will require a Sign off form from the property Owner.

- 4.2.5 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, details of construction, or any revisions thereto.

4.3 Issuance of a Sign Permit

- 4.3.1 A Sign Permit shall be issued when the Authority Having Jurisdiction is satisfied that all

documentation received complies and conforms to this By-law and any other applicable municipal, provincial and federal legislation.

- 4.3.2 A Sign Permit shall be issued when the business enterprise has received a required construction permit and/or municipal business license; with the exception of a Construction Site Sign and/or a Development Project Sign.

4.4 Sign Permit Fees

- 4.4.1 Prior to the issuance of a Sign Permit, every person applying for a Sign Permit shall pay a Sign Permit fee in accordance with the user fee by-law, as may be amended from time to time.

4.5 Expiration of a Sign Permit

- 4.5.1 A Sign Permit issued by the Authority Having Jurisdiction for a Permanent Sign shall expire after a period of six (6) months from the date of issue if the Erection of the Sign has not commenced or been completed within six (6) months.
- 4.5.2 Before a Sign Permit for a Permanent Sign has passed the expiration date, an application may be made to extend the Sign Permit for a further six (6) months. Prior to the extension of a Sign Permit, a Sign renewal permit fee shall be paid in accordance with the user fee by-law.
- 4.5.3 A Sign Permit issued by the Authority Having Jurisdiction to Display a Temporary Sign shall expire on the expiry date indicated on the said Sign Permit.

4.6 Revocation of a Sign Permit

- 4.6.1 The Town may revoke a Sign Permit at any time it if is determined by the Authority Having Jurisdiction that:
- (a) The Sign Permit has been issued in error by the Town;
 - (b) The Sign does not conform to this by-law, the Building Code, or any other applicable regulations or legislation;
 - (c) The Sign Permit has been issued as a result of false, mistaken, incorrect or misleading information, or undertaking shown on the Sign Permit application; and,
 - (d) The Sign is causing, will cause, or is contributing or will contribute to an unsafe Sign.

4.7 Encroachment Agreements

- 4.7.1 No person shall Erect any Sign for which an encroachment agreement has been entered into with the Town, unless the person has submitted proof of liability insurance in a form and in an amount satisfactory to the Authority Having Jurisdiction.

4.8 Inspections

- 4.8.1 A person, to whom a Sign Permit is issued, shall notify the Authority Having Jurisdiction at the following stages of construction so that the work may be inspected;

For Permanent Signs:

- (a) After completion of the excavation and prior to the installing of footings/foundation;
 - (b) After the Sign is fully Erected.
- 4.8.2 A person to whom the Sign Permit has been issued shall give notification requesting an inspection at least twenty-four (24) hours in advance of the required inspection time.
- 4.8.4 The Authority Having Jurisdiction may, at all reasonable times, inspect Signs in accordance with the provisions of this By-law.

SECTION 5 – PERMIT EXEMPTIONS

5.1 Signs that do not require a Permit

5.1.1 Notwithstanding any other provisions of this By-Law, a Permit to Erect a Sign is not required for:

- (a) An Incidental Sign;
- (b) Any poster, banner, or Sign of a Candidate in a Municipal, Provincial or Federal election;
- (c) Sign of Public Authority;
- (d) Signs prescribed by law;
- (e) Signs for the safety and convenience of the public, such as delivery, entrance, caution, construction or detour Signs;
- (f) Temporary advertisements or handbills of non-profit Charitable Organizations as approved by Council;
- (g) Special Event Signs are permitted to be Erected no more than 10 (ten) days prior to a special event and must be removed within 48 hours of the end of the special event. Special Event Signs are allowed to be placed on municipal property with the approval of the Special Event Committee.
- (h) Real Estate Signs 0.37 square metres (4 square feet) in area or less;
- (i) Building Identification Signs 0.37 square metres (4 square feet) in area or less;
- (j) Signs Erected by the Municipality, Provincial or Federal Authority or recognized historical society to commemorate an historical event, personage or structure, as approved by Council; and,

5.2 Signs that are Prohibited

5.2.1 Notwithstanding any other provisions of this By-Law, no person shall Erect or cause to be Erected any of the following Signs anywhere in the Town of Amherstburg, unless otherwise approved by Council:

- (a) Billboard Signs;
- (b) Off Site Signs;
- (c) A Sign attached to a tree;
- (d) A Sign attached to a fence;
- (e) A Roof Sign;
- (f) A Sign attached to a Public Boulevard Appurtenance;
- (g) A Sign Erected or painted on a vehicle where the vehicle is not in weekly operation for transportation and is parked in a manner so as to make the Sign visible from a Street for the purpose of functioning as an identification, information or advertising Sign;
- (h) A corporation flag or emblem exceeding 5.0 square metres (53.8 sq. ft.) in area and every corporation flag or emblem exceeding 3 per Lot;
- (i) A Sign that falls into more than one Sign Types unless such Sign complies with the provisions applicable to each Sign Type, and where a Sign is prohibited anywhere in this By-Law, the prohibition shall apply notwithstanding that the Sign may be permitted by other provisions of this By-Law;
- (j) Signs Erected on any accessory structure except Fascia or Projecting Signs that relate solely to an Occupancy or use carried on in conjunction with the accessory structure; and,
- (k) A Sign, other than an official Sign, that is located on a road allowance and attached to any utility pole or to any other official Sign structure, unless such attachment is authorized by Council or any other Authority Having Jurisdiction in the matter.
- (l) Window Signs that obstruct more than 25% of the area of glazing on a storefront, unless legislated by law.

SECTION 6 – SIGN REGULATIONS

- 6.1 Signs shall meet the requirements of the Sign By-law including regulations set out in “Schedule A – Permanent Sign Regulations” and “Schedule B – Temporary Sign Regulations,” for specific Sign Types.
- 6.2 Sign Types are classified as [Incidental Signs](#), [Temporary Signs](#), and [Permanent Signs](#). When a Sign can be identified as being more than one Sign Type or within more than one Sign Classification, the more stringent of the regulations apply.

6.2.1 Permanent Signs can include:

- | | | |
|-----|---------------------------------|--|
| (a) | Awning Sign | (Refer to Schedule A1) |
| (b) | Canopy Sign | (Refer to Schedule A2) |
| (c) | Fascia Sign | (Refer to Schedule A3) |
| (d) | Ground Sign | (Refer to Schedule A4) |
| (e) | Hanging Sign | (Refer to Schedule A5) |
| (f) | Projecting Sign | (Refer to Schedule A6) |
| (g) | Pylon Sign | (Refer to Schedule A7) |

6.2.2 Temporary Signs can include:

- | | | |
|-----|---|--|
| (a) | A-Frame Sign | (Refer to Schedule B1) |
| (b) | Bow Flag Sign | (Refer to Schedule B2) |
| (c) | Special Event Sign | |
| (d) | Congratulatory Sign | |
| (e) | Construction Site Sign | (Refer to Schedule B3) |
| (f) | Development Project Sign | (Refer to Schedule B4) |
| (g) | Inflatable Sign | |
| (h) | Mobile Sign | (Refer to Schedule B5) |
| (i) | Real Estate Sign | |
| (j) | Real Estate Open-House Directional Sign | |
| (k) | Window Sign | |

6.1.3 Incidental Signs can include:

- | | |
|-----|--|
| (a) | Business Information Sign |
| (b) | Building Identification Sign |
| (c) | Directory Sign |
| (d) | Directional Sign |
| (e) | Lawn Sign |
| (f) | Menu Board Sign |
| (g) | Municipal Address Sign |
| (h) | Public Information Sign |

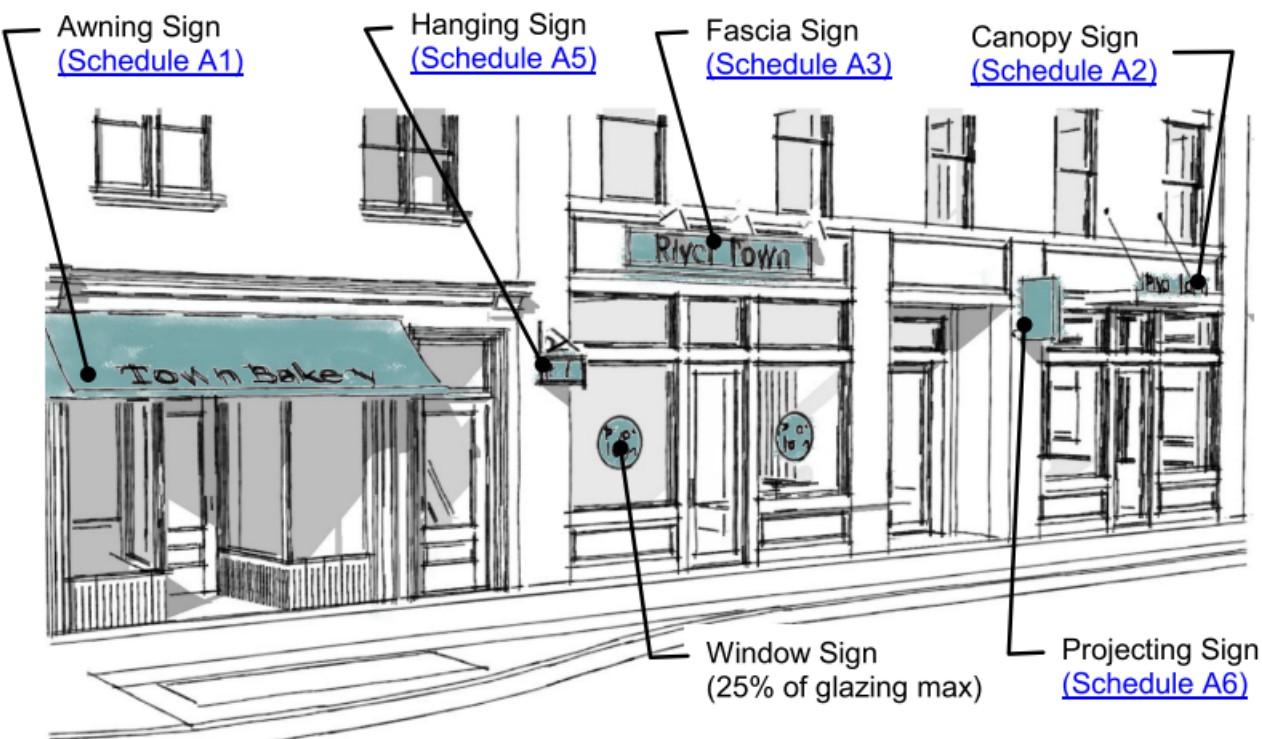


Figure 1 - Graphic Representation of Sign Types

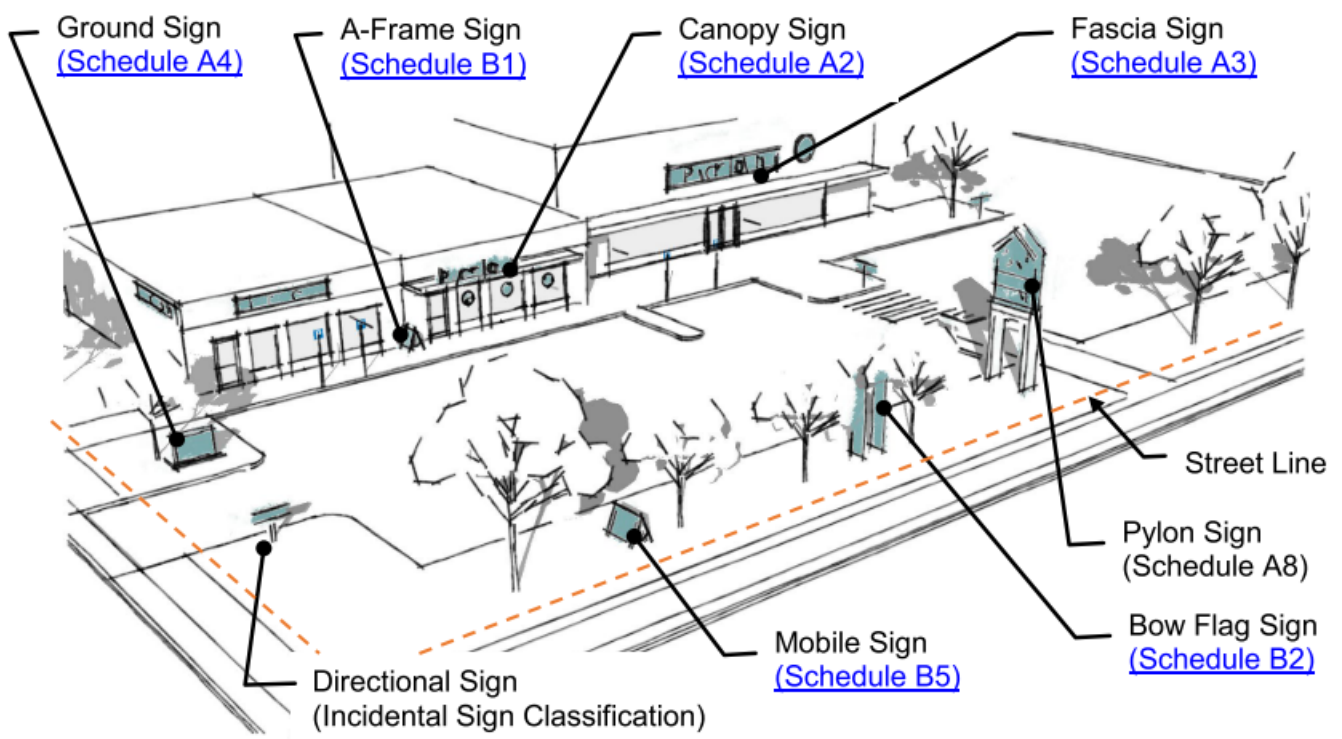


Figure 2 - Graphic Representation of Sign Types

SECTION 7 – PENALTIES

- 7.1 No person shall Erect, cause to be Erected, Display or cause to Display a Sign, Sign structure or advertising device except in accordance with this By-law.
- 7.2 Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction, is liable to a fine pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended, or any successor thereof.

SECTION 8 – RECOVERY OF REMOVAL, STORAGE AND DISPOSAL COSTS OF UNLAWFUL SIGNS

- 8.1 When the Town has removed, stored or disposed of a Sign, a copy of the unpaid invoice for the costs of removal, storage or disposal, together with a statement from the Treasurer, will be sufficient authority to enter the amount of the unpaid balance on the Collector's Roll and to be collected in the same manner as municipal taxes. The statement by the Treasurer shall include information that:
- (a) The invoice has been sent to the Owner of the property and/or owner of the Sign, according to the information contained in the assessment roll, pursuant to the provisions of the Municipal Act or the Sign Permit; or
 - (b) No payment or insufficient payment has been received; or
 - (c) Payment of the invoice is overdue.
- 8.2 The Authority Having Jurisdiction may serve written notice, by regular first-class mail or personal service, to the Sign owner for any Unlawful Sign identified under the provisions of subsection 8.5 of this By-law that was Erected or Displayed in contravention of this By-law.
- 8.3 The written notice shall contain the particulars of the non-compliance with this By-law, a specified time limit in which to effect compliance and either an Order to comply with the By-law within the time limit specified in the Order, or an Order to remove the Sign within the time limit specified in the Order.
- 8.4 When a Sign is not brought into compliance within the specified time limit or where the Sign is not removed in accordance with the Order, the Authority Having Jurisdiction may otherwise direct removal of the Sign further notice and at the entire expense of the Sign owner.
- 8.5 The Authority Having Jurisdiction may enter onto property and pull down or remove a Sign, Sign structure or advertising device, at the expense of the Sign owner, that is:
- (a) An abandoned Sign; or
 - (b) Erected or Displayed after the date of passage of this By-law and not in full compliance with this By-law; or
 - (c) Erected or Displayed without a Sign Permit, if such permit is required by this By-law; or
 - (d) Erected or Displayed contrary to the plans approved by the Authority Having Jurisdiction prior to the issuance of the Sign Permit; or
 - (e) Not in compliance with all applicable provisions of this By-law, irrespective of whether or not a Sign Permit is required; or
 - (f) Determined by the Authority Having Jurisdiction to be unsafe and a potential or probable danger to any person or property; or
 - (g) Erected or Displayed in whole or in part on or partly over lands owned by or under the jurisdiction of the Town, without the prior authorization of the Town.
- 8.6 Any Sign removed by the Town will be stored for a period of not less than thirty (30) days. During this time, the Sign owner or agent may claim the Sign upon:
- (a) Completing a Signed release form;
 - (b) Making payment to the Town of \$200.00 or the Town's actual cost of removing the Sign, whichever is the greater; and
 - (c) Making payment to the Town of a storage charge of \$20.00 per day or part thereof, or \$2.00 per square metre of Sign Face Area per day or part thereof, whichever is the greater.
- 8.6.1 A Permanent Sign, which has not been claimed by the Sign owner before the end of the

thirty (30) day period, may be disposed of by the Town, without prior notice to the owner of the Sign and the Town will recover the disposal costs in like manner as municipal taxes.

- 8.6.2 At the discretion of the Authority Having Jurisdiction, any Sign Erected or Displayed on public property and public road allowance without prior approval of the Town may be removed and disposed of at any time by the Town without notice to the Sign owner.

SECTION 9 – ADMINISTRATION OF THE BY-LAW

- 9.1 The Authority Having Jurisdiction will be responsible for the administration and enforcement of this By-law on all public and Private Property within the limits of the Town. Every Sign may be subject to inspection by the Authority Having Jurisdiction.

- 9.1.1 For any person who owns, Erects or Displays a Sign, the provisions of this By-law do not relieve or limit the responsibility or liability of that person from penalties resulting from personal injury or property damage caused by the placement, Display, Erection, repair, removal or relocation of any Sign.

- 9.1.2 The Authority Having Jurisdiction may enter upon any property at any reasonable time to inspect a Sign for the purposes of determining or effecting its compliance with this By-law.

- 9.1.3 No person shall obstruct an Authority Having Jurisdiction or any agent of the Town while they are carrying out their duties under this By-law.

- 9.1.4 No provision of this subsection shall limit the enforcement by the Town of the provisions of this By-law by any other action or remedy permitted in law.

- 9.1.5 An application for a variance from this by-law may be submitted to Planning Dept., which application shall be accompanied by:

- (a) Completed drawings and specifications detailing what is to be Erected or Altered, including materials to be used and where applicable, details of supporting framework, foundation materials, Illumination details, height of Sign, Sign Face Area, length and width of Sign face;
- (b) In the case of Signs affixed to any wall, Erection plans drawn to scale detailing the elevation of the building on which the proposed Sign is to be Erected relative to electrical service connections where applicable, any doors, windows, vehicle accesses and other openings, wall area, any other Signs on the building and the proposed location of the Sign; and,
- (c) A detailed site plan drawn to scale indicating location on the site, Street Lines and other boundaries of the property and the location of the building thereon and other buildings on the site, as well as the locations of buildings and Signs on adjacent lands.

SECTION 10 – VALIDITY AND SEVERABILITY OF THE BY-LAW

- 10.1 If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law, and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.

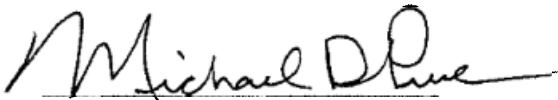
- 10.2 Where a provision of this By-law conflicts with the provision of another By-law in force within the Town, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

SECTION 11 – REPEAL AND TRANSITION OF THE BY-LAW

- 11.1 By-law Number 2006-26, as amended, is hereby repealed.

SECTION 12 – EFFECTIVE DATE OF THE BY-LAW

12.1 This By-law shall come into force on the day of the final passing thereof


MICHAEL PRUE, MAYOR


KEVIN FOX, CLERK

First Reading – January 27, 2025
Section Reading – January 27, 2025
Third Reading - January 27, 2025

SCHEDULE A - PERMANENT SIGN REGULATIONS

SCHEDULE A1 – AWNING SIGNS

Regulations	Permitted Zones					
	Commercial General	Commercial Highway	Institutional	Agricultural And Heavy Industrial	Multi-Family Residential	Commercial Neighbourhood
(a) Number of Signs per Occupancy	No Limit	No Limit	No Limit	1 per Public Entrance	1 per Public Entrance	1 per Occupancy
(b) Minimum Height to bottom of Sign	2.44m (8'-0")	2.44m (8'-0")	2.44m (8'-0")	2.44m (8'-0")	2.44m (8'-0")	2.44m (8'-0")
(c) Double Sided Sign	NA	NA	NA	NA	NA	NA
(d) Maximum Sign Face Area	Awning Signs, Fascia Signs, and Projecting Signs may have a combined Sign Face Area less than 20% of the External Wall area per Building Frontage for an Occupancy.					
(e) Permitted Changing Copy	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted
(f) Illumination	Light sources for Externally Illuminated Signs shall be directed towards the Sign copy.					
(g) Permitted Illumination Type	External	External	External	External	External	External
(h) Minimum distance from Lot Line	<p>There is no minimum distance from a property line.</p> <p>Awning Signs shall not extend over Public Lands without an approved Encroachment Agreement with the Town of Amherstburg.</p>					
(i) Special Provisions	<p>(i) Awning Sign Face Area shall be calculated as the area of the building wall that is being obstructed by the Awning.</p> <p>(ii) Sign structures shall be designed and Erected in accordance with the Building Code.</p> <p>(iii) Building Frontage per Occupancy is calculated as the area of an exterior building wall for an Occupancy of the building wall that faces a Street Line, and includes all windows, doors, and parapet.</p>					
(j) Sign Restrictions	<p>(i) An Awning Sign shall not extend beyond the top of a building, not extend beyond the ends of the wall to which it is secured.</p> <p>(ii) An Awning Sign located in an alley shall have a minimum height to the bottom of the Sign of 4.57 m (15'-0").</p>					
(k) Heritage Overlay Area - Schedule C	<p>(i) No Awning Sign shall be Erected that will cover or obscure Heritage Attributes of a building. Including: decorative elements, cornice, friezes, columns, pilasters, corbels, dentils, etc.</p> <p>(ii) Anchoring systems for an Awning Sign shall not Alter or be secured to Heritage Attributes.</p> <p>(iii) Wood, metal or synthetic material shall be used for the construction of Signs provided that any metal part of such Sign has a painted or finished surface.</p>					

SCHEDULE A2 – CANOPY SIGNS

Regulations	Permitted Zones				
	Commercial General	Commercial Highway	Institutional	Agricultural And Heavy Industrial	Multi-Family Residential
(a) Number of Signs per Occupancy	1 per Public Entrance	1 per Public Entrance	1 per Public Entrance	1 per Public Entrance	1 per Public Entrance
(b) Minimum Height to bottom of Sign	2.44m (8'-0")	2.44m (8'-0")	2.44m (8'-0")	2.44m (8'-0")	2.44m (8'-0")
(c) Double Sided Sign	NA	NA	NA	NA	NA
(d) Maximum Sign Face Area	When attached to the underside or placed on top of a Canopy				
	1 sm (10.7 sf)	2 sm (21.5 sf)	2 sm (21.5 sf)	2 sm (21.5 sf)	1 sm (10.7 sf)
	When attached to the outside of a Canopy. Not to exceed the area of the outside face of the Canopy to which it is attached.				
(e) Permitted Changing Copy	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted
(f) Illumination	Internally illuminated Sign Face shall not be directly visible from any point in a Low Density Residential Zone within 60m of the Sign. Light sources for Externally Illuminated Signs shall be directed towards the Sign copy.				
(g) Permitted Illumination Type	External, Internal	External, Internal	External	External	External, Internal
(h) Minimum distance from Lot Line	There is no minimum distance from a property line. Canopy Signs shall not extend over Public Lands without an approved Encroachment Agreement with the Town of Amherstburg.				
(i) Special Provisions	(i) Sign structures shall be designed and Erected in accordance with the Building Code. (ii) Canopy Signs shall not extend out more the 0.30m (1'-0") beyond the face of the Canopy that it is secured to. (iii) Canopy Signs shall be attached to and parallel with the Canopy in which it is secured. (iv) A standalone Canopy as part of a gas station with Signs secured to the edge of the Canopy is not considered a Canopy Sign. For the purposes of this by-law, such Signs attached to a stand along Canopy will be considered Fascia Signs.				
(j) Sign Restrictions	(i) A Canopy Sign located in an alley shall have a minimum height to the bottom of the Sign of 4.57 m (15'-0").				
(k) Heritage Overlay Area - Schedule C	(i) No Canopy Sign shall be Erected that will cover or obscure Heritage Attributes of a building. Including: decorative elements, cornice, friezes, columns, pilasters, corbels, dentils, etc. (ii) Anchoring systems for a Canopy Sign shall not Alter or be secured to Heritage Attributes. (iii) Wood, metal or synthetic material shall be used for the construction of Signs provided that any metal part of such Sign has a painted or finished surface.				

SCHEDULE A3 – FASCIA SIGNS

Regulations	Permitted Zones					
	Commercial General	Commercial Highway	Institutional	Agricultural And Heavy Industrial	Multi-Family Residential	Commercial Neighbourhood
(a) Number of Signs per Occupancy	1 per Building Frontage	3 per Building Frontage	1 per Building Frontage	1 per Lot, or 1 Ground Sign	1 per Building Frontage	1
(b) Minimum Height to bottom of Sign	2.44m (8'-0")	2.44m (8'-0")	2.4m (8'-0")	3m (9'-10")	2.4m (8'-0")	2.4m (8'-0")
(c) Double Sided Sign	NA	NA	NA	NA	NA	NA
(d) Maximum Total Sign Face Area	Awning Signs, Fascia Signs, and Projecting Signs may have a combined Sign Face Area less than 20% of the External Wall area per Building Frontage for an Occupancy.					3 sm (32.3 sf) per Fascia Sign
(e) Permitted Changing Copy	Manual	Manual	Manual	Manual	Not Permitted	Not Permitted
(f) Illumination	Internally illuminated Sign Face shall not be directly visible from any point in a Low Density Residential Zone within 60m of the Sign. Light sources for Externally Illuminated Signs shall be directed towards the Sign copy.					
(g) Permitted Illumination Type	External, Internal	External, Internal	External, Internal	External	External	External, Internal
(h) Minimum distance from Lot Line	There is no minimum distance from a property line. Fascia Signs shall not extend over Public Lands without an approved Encroachment Agreement with the Town of Amherstburg.					
(i) Special Provisions	<p>(iv) Sign structures shall be designed and Erected in accordance with the Building Code.</p> <p>(v) Fascia Signs shall not extend more the 0.30m (1'-0") beyond the face of the wall that it is secured to.</p> <p>(vi) Fascia Signs shall be attached to and parallel with the wall of the building in which it is secured.</p> <p>(vii) Building Frontage per Occupancy is calculated as the area of an exterior building wall for an Occupancy of the building wall that faces a Street Line, and includes all windows, doors, and parapet.</p> <p>(viii) A standalone Canopy as part of a gas station with Signs secured to the edge of the Canopy is not considered a Canopy Sign. For the purposes of this by-law, such Signs attached to a stand along Canopy will be considered Fascia Signs.</p>					
(j) Sign Restrictions	<p>(i) Fascia Signs are not permitted on Agricultural Lots that do not have farming activity.</p> <p>(ii) Commercial Neighbourhood shall have a Ground Sign or a Fascia Sign, but not both.</p> <p>A Fascia Sign shall not extend beyond the top of a building, not extend beyond the ends of the wall to which it is secured.</p> <p>(iii) A Fascia Sign located in an alley shall have a minimum height to the bottom of the Sign of 4.57 m (15'-0").</p>					
(k) Heritage Overlay Area - Schedule C	<p>(i) Fascia Signs in the Heritage Overlay Area shall be Externally Lit.</p> <p>(ii) No Fascia Sign shall be Erected that will cover or obscure Heritage Attributes of a building. Including: decorative elements, cornice, friezes, columns, pilasters, corbels, dentils, etc.</p> <p>(iii) Wood, metal or synthetic material shall be used for the construction of Signs provided that any metal part of such Sign has a painted or finished surface.</p>					

SCHEDULE A4 - GROUND SIGNS

Regulations	Permitted Zones					
	Commercial General	Commercial Highway	Institutional	Agricultural And Heavy Industrial	Multi-Family Residential	Commercial Neighbourhood
(a) Number of Signs	1 per Street Line	1 per 25m of Street Line to a maximum of 3	1 per Street Line	1 per Lot or 1 Fascia Sign	1 per Lot	1 per Lot or 1 Fascia Sign
(b) Maximum Height	1.5m (5'-0")	2m (6'-6")	1.5m (5'-0")	3m (9'-10")	1.1m (4'-0")	1.1m (4'-0")
(c) Double Sided Sign	Yes	Yes	Yes	Yes	Yes	Yes
(d) Maximum Sign Face Area	2.8sm (30sf) per Sign Face	3sm (32.3sf) per Sign Face	2.8sm (30sf) per Sign Face	3sm (32.3sf) per Sign Face	1.1sm (12sf) per Sign Face	1.1sm (12sf) per Sign Face
(e) Permitted Changing Copy	Manual	Manual	Manual	Manual	Not Permitted	Not Permitted
(f) Illumination	Internally Illuminated Sign Faces shall not be directly visible from any point in a Low Density Residential Zone within 60m of the Sign. Light sources for Externally Illuminated Signs shall be directed towards the Sign copy.					
(g) Permitted Illumination Type	External, Internal	External, Internal	External, Internal	External	External	External, Internal
(h) Minimum distance from Lot Line	2m (6'-6")	2m (6'-6")	0.61m (2'-0")	3m (9'-10")	0.61m (2'-0")	1m (3'-3")
(i) Special Provisions	<div><div>(i) The construction of a Sign structure must be reviewed by an architect or a professional engineer.</div><div>(i) Sign structures shall be designed and Erected in accordance with the Building Code.</div><div>(ii) Commercial Neighbourhood shall have a Ground Sign or a Fascia Sign, but not both.</div><div>(iii) Ground Signs in Agricultural Zones are permitted exclusively for the sale of Produce.</div><div>(iv) Ground Signs for gas stations are permitted to have Electronic Changing Copy and Direct View Illumination for Displaying the price of gasoline/fuel sold on the Lot regardless of distance to a Low Density Residential Zone.</div></div>					
(j) Sign Restrictions	<div><div>(i) Only 1 Electronic Changing Copy Sign is permitted per Lot.</div><div>(ii) Ground Signs are not permitted along a Lot Line that has a Pylon Sign on the same Street Line.</div><div>(iii) No Ground Sign shall be located so that the rear of any Sign shall be exposed to a Street.</div><div>(iv) No Ground Sign shall be located closer than 2m to any residential dwelling, multifamily residential building, or space occupied as residential use.</div><div>(v) Ground Signs are not permitted on Agricultural Lots that do not have farming activity.</div><div>(vi) The maximum height of a Ground Sign in a Sight Triangle shall be 0.61m (2'-0")</div></div>					
(k) Heritage Overlay Area - Schedule C	<div><div>(i) Ground Signs in the Heritage Overlay Area shall be Externally Lit.</div><div>(ii) Wood, metal or synthetic material shall be used for the construction of Signs provided that any metal part of such Sign has a painted or finished surface</div><div>(iii) Material supporting a Ground Sign may be brick, stone, wood or painted metal. Unfinished metal will not be permitted.</div><div>(iv) Notwithstanding regulation (h) of this schedule, the permitted distance from the Lot Line to a Ground Sign shall be 0.91m (3'-0") from the Property Line.</div></div>					

SCHEDULE A5 - HANGING SIGNS

Regulations	Permitted Zones					
	Commercial General	Commercial Highway	Institutional	Agricultural And Heavy Industrial	Multi-Family Residential	Commercial Neighbourhood
(a) Number of Signs per Occupancy	1 per Public Entrance	1 per Public Entrance	1 per Public Entrance	1 per Public Entrance	1 per Public Entrance	1 per Public Entrance
(b) Minimum Height to bottom of Sign	2.44m (8'-0")	2.44m (8'-0")	2.44m (8'-0")	2.44m (8'-0")	2.44m (8'-0")	2.44m (8'-0")
(c) Double Sided Sign	Hanging Signs are to be double sided					
(d) Maximum Sign Face Area	0.5 sm (5.4 sqft)	0.5 sm (5.4 sqft)	0.5 sm (5.4 sqft)	0.5 sm (5.4 sqft)	0.5 sm (5.4 sqft)	0.5 sm (5.4 sqft)
(e) Permitted Changing Copy	Changing Copy is not permitted for Hanging Signs.					
(f) Illumination	Not Permitted					
(g) Minimum distance from Lot Line	There is no minimum distance from a property line. Hanging Signs shall not extend over Public Lands without an approved Encroachment Agreement with the Town of Amherstburg.					
(h) Special Provisions	(i) If secured to a wall, Hanging Signs shall not extend out more the 1m (3'-3") from the wall to which they are secured. (ii) Hanging Signs shall be attached to be perpendicular from the building wall containing the Public Entrance that the Sign is related too.					
(i) Sign Restrictions	(i) A Hanging Sign located in an alley shall have a minimum height to the bottom of the Sign of 4.57 m (15'-0").					
(j) Heritage Overlay Area - Schedule C	(i) No Hanging Sign shall be Erected that will cover or obscure Heritage Attributes of a building. Including: decorative elements, cornice, friezes, columns, pilasters, corbels, dentils, etc. (ii) Anchoring systems for a Hanging Sign shall not Alter or be secured to Heritage Attributes. (iii) Wood, metal or synthetic material shall be used for the construction of Signs provided that any metal part of such Sign has a painted or finished surface.					

SCHEDULE A6 - PROJECTING SIGNS

Regulations	Permitted Zones				
	Commercial General	Commercial Highway	Institutional	Agricultural And Heavy Industrial	Multi-Family Residential
(a) Number of Signs	1 per Occupancy	1 per Occupancy	1 per Lot	1 per Lot	1 per Lot
(b) Minimum Height to bottom of Sign	2.75m (9'-0")	2.75m (9'-0")	2.75m (9'-0")	2.75m (9'-0")	2.75m (9'-0")
(c) Double Sided Sign	Projecting Signs are to be double sided.				
(d) Maximum Sign Face Area	Awning Signs, Fascia Signs, and Projecting Signs may have a combined Sign Face Area less than 20% of the External Wall area per Building Frontage for an Occupancy.				
	1.5sm (16 sf) per Sign Face	1.5sm (16 sf) per Sign Face	1.11sm (12 sf) per Sign Face	1.11sm (12 sf) per Sign Face	1.11sm (12 sf) per Sign Face
(e) Maximum Projection from wall	1.22m (4'-0")	1.22m (4'-0")	1.22m (4'-0")	1.22m (4'-0")	1.22m (4'-0")
(f) Permitted Changing Copy	Changing Copy is not permitted for Projecting Signs.				
(g) Illumination	Internally illuminated Sign Faces shall not be directly visible from any point in a Low Density Residential Zone within 60m of the Sign. Light sources for Externally Illuminated Signs shall be directed towards the Sign copy.				
(h) Permitted Illumination Type	External Internal	External Internal	External	External	External
(i) Minimum distance from Lot Line	There is no minimum distance from a property line. Projecting Signs shall not extend over Public Lands without an approved Encroachment Agreement with the Town of Amherstburg.				
(j) Special Provisions	(i) The construction of a Sign structure attached to a building must be reviewed by an architect or a professional engineer if the Projecting Sign weighs more than 115 kg. (ii) Sign structures shall be designed and Erected in accordance with the Building Code. (iii) Projecting Signs shall be attached to be perpendicular from the wall to which they are attached.				
(k) Sign Restrictions	(i) No auxiliary Sign shall be attached to or suspended from an existing Projecting Sign, unless permanently attached in an approved manner. (ii) No wire or supporting apparatus for a Projecting Sign shall be suspended from or attached to any portion of a roof. (iii) Projecting Signs shall not be Erected in an alley.				
(l) Heritage Overlay Area - Schedule C	(i) Projecting Signs in the Heritage Overlay Area shall be Externally Lit. (ii) No Projecting Sign shall be Erected that will cover or obscure Heritage Attributes of a building. Including: decorative elements, cornice, friezes, columns, pilasters, corbels, dentils, etc. (iii) Wood, metal or synthetic material shall be used for the construction of Signs provided that any metal part of such Sign has a painted or finished surface.				

SCHEDULE A7 - PYLON SIGNS

Regulations	Permitted Zones		
	Commercial General	Commercial Highway	Agricultural And Heavy Industrial
(a) Number of Signs	1 per Lot if the Street Line is greater than 25m in length	1 per 25m of Street Line to a maximum of 2	1 per Lot
(b) Maximum Height	8m (26'-3")	10m (32'-10")	8m (26'-3")
(c) Clearance under Sign	2.44m (8'-0")	2.44m (8'-0")	2.44m (8'-0")
(d) Double Sided Sign	Permitted	Permitted	Permitted
(e) Maximum Sign Face Area	10sm (108sf)	12sm (129sf)	10sm (108sf)
(f) Permitted Changing Copy	Manual Changing Copy is permitted for up to 2.8sm (30sf) of the Sign Face Area	Manual and Electronic Changing Copy are permitted for up to 3sm (32.3) of Sign Face Area	Manual Changing Copy is permitted for up to 3sm (32.3) of Sign Face Area
(g) Illumination	Internally illuminated Sign Faces shall not be directly visible from any point in a Low Density Residential Zone within 60m of the Sign. Light sources for Externally Illuminated Signs shall be directed towards the Sign copy.		
(h) Permitted Illumination Type	Internally Lit Externally Lit	Internally Lit Externally Lit	Internally Lit Externally Lit
(i) Minimum Distance from a Lot Line	2m (6'-6")	2m (6'-6")	3m (9'-10")
(j) General Provisions	<p>(i) Pylon Signs shall only be permitted for uses which have a street level location/entrance.</p> <p>(ii) The construction of a Sign structure must be reviewed by an architect or a professional engineer.</p> <p>(iii) Sign structures shall be designed and Erected in accordance with the Building Code.</p> <p>(iv) A Street Line measuring less that 25m shall not have a Pylon Sign.</p>		
(k) Special Provision	<p>(i) Pylon Signs for gas stations are permitted to have Electronic Changing Copy for Displaying the price of gasoline/fuel sold on the Lot regardless of distance to a Low Density Residential Zone.</p>		
(l) Sign Restrictions	<p>(i) Only 1 Electronic Changing Copy Sign is permitted per Lot.</p> <p>(ii) Pylon Signs shall in permitted only in the Zones list in this schedule.</p> <p>(iii) Pylon Signs shall be located along a Street Line.</p> <p>(iv) Pylon Signs shall not be permitted along a Street Line that has a Ground Sign along the same Street Line.</p> <p>(v) Vehicles and pedestrian paths of travel are not permitted under Pylon Signs.</p> <p>(vi) Regardless of ownership a Pylon Sign shall be no closer than 15.24m (50'-0") to any other Pylon Sign.</p>		
(m) Heritage Overlay Area - Schedule C	<p>(i) Notwithstanding Regulation (a) of this schedule, Pylon Signs are prohibited on a Lot in the Heritage Overlay Area.</p>		

SCHEDULE B – TEMPORARY SIGN REGULATIONS

SCHEDULE B1 – A-FRAME SIGNS

Regulations	Permitted Zones			
	Commercial General	Commercial Highway	Agricultural	Commercial Neighbourhood
(a) Number of Signs	1 per Occupancy	1 per Occupancy	1 per Occupancy for the sale of produce	1 per Occupancy
(b) Maximum Height	1.2m (4'-0")	1.2m (4'-0")	1.2m (4'-0")	1.2m (4'-0")
(c) Double Sided Sign	Single or Double Sign Face	Single or Double Sign Face	Single or Double Sign Face	Single or Double Sign Face
(d) Maximum Sign Face Area	1.0sm (10.7sf) per Sign Face	1.0sm (10.7sf) per Sign Face	1.0sm (10.7sf) per Sign Face	1.0sm (10.7sf) per Sign Face
(e) Permitted Changing Copy	Manual	Manual	Manual	Manual
(f) Illumination	A-Frame Signs shall not be illuminated.			
(g) Permitted Illumination Type	NA	NA	NA	NA
(h) Minimum distance from a Lot Line	2m (6'-6")	2m (6'-6")	3m (9'-10")	2m (6'-6")
(i) Special Provisions	(i) Shall be Displayed only during hours of business operations and removed and stored.			
(j) Sign Restrictions	(i) No part of any A-Frame Sign shall: a) Be on Public Lands, including a public road allowance or sidewalk. b) Be Displayed within 2.0 m of a driveway entrance; c) Be permitted for an Occupancy that has a permanent Electronic Changing Copy Sign or a Mobile Sign. d) Be permanently anchored to the ground or other structure.			
(k) Heritage Overlay Area - Schedule C	(i) Notwithstanding regulation (h) of this schedule, an A-Frame Signs in the Heritage Overlay Area are permitted to be located up to the Lot Line as long as it does not obscure the public sidewalk or AODA requirements.			

SCHEDULE B2 – BOW FLAG SIGNS

Regulations	Permitted Zones			
	Commercial General	Commercial Highway	Institutional	Agricultural
(a) Number of Signs	3 per Lot	3 per 25m of Street Line to a maximum of 6	3 per Lot	3 per Lot
(b) Maximum Height	3m (9'-10")	4m (13'-2)	3m (9'-10")	3m (9'-10")
(c) Double Sided Sign	Permitted	Permitted	Permitted	Permitted
(d) Maximum Sign Face Area	3.0sm per Sign face	3.6sm per Sign face	3.0sm per Sign face	3.0sm per Sign face
(e) Permitted Changing Copy	Not Permitted	Not Permitted	Not Permitted	Not Permitted
(f) Illumination	Not Permitted			
(g) Permitted Illumination Type	NA	NA	NA	NA
(h) Minimum distance from Lot Line	2m (6'-6")	2m (6'-6")	2m (6'-6")	3m (9'-10")
(i) Special Provision	(i) Bow Flag Signs can be Displayed for a maximum of 120 days in any calendar year.			
(j) Sign Restrictions	(i) No part of any Bow Flag Sign shall: a) Be Displayed on a vacant Lot. b) Be Displayed within 10.0 m of a Residential property. c) Be Displayed within 2.0 m of a Lot Line. d) Be Displayed within 2.0 m of a driveway. e) Be Displayed within a Sight Triangle. f) Be permitted within Public Lands. g) Be Displayed within 10.0 m of any permanent ground Sign or Pylon Sign. h) Be permitted for an Occupancy that has a permanent ground Sign and/or Pylon Sign with electronic or Manual Changing Copy on the same Street Line.			
(k) Heritage Overlay Area - Schedule C	(i) Bow Flag Signs are prohibited in the Heritage Overlay Area.			

SCHEDULE B3 – CONSTRUCTION SITE SIGNS

Regulations	Permitted Zones					
	Commercial General	Commercial Highway	Institutional	Heavy Industrial	Multi-Family Residential	Commercial Neighbourhood
(a) Number of Signs	1 per Street Line					
(b) Maximum Height	5m (16'-5")	5m (16'-5")	5m (16'-5")	5m (16'-5")	5m (16'-5")	3m (9'-10")
(c) Double Sided Sign	Permitted					
(d) Maximum Sign Face Area	6sm (64 sf)	6sm (64 sf)	6sm (64 sf)	6sm (64 sf)	6sm (64 sf)	3sm (32 sf)
(e) Permitted Changing Copy	Construction Site Signs shall not have Changing Copy.					
(f) Illumination	Construction Site Signs shall not be illuminated.					
(g) Minimum distance from Lot Line	2m (6'-6")	2m (6'-6")	2m (6'-6")	3m (9'-10")	2m (6'-6")	1m (3'-3")
(h) Special Provision	<p>(i) Construction Site Signs are permitted to be a collection of smaller Signs that represent individual companies working on the project. The total maximum Sign Face Area shall not be exceeded.</p> <p>(ii) A Construction Site Sign shall not be Erected on a property until all applicable Planning Act approvals are in place. A Construction Site Sign shall be removed within sixty (60) days of the substantial completion of the project.</p>					
(i) Sign Restrictions	<p>(i) No part of any Construction Site Sign shall:</p> <p>a) Be Displayed on a vacant Lot where an active construction project is not taking place.</p> <p>b) Be Displayed within 2.0 m of a driveway.</p> <p>c) Be Displayed within a Sight Triangle.</p> <p>d) Be permitted within Public Lands.</p>					

SCHEDULE B4 – DEVELOPMENT PROJECT SIGNS

Regulations	Permitted Zones					
	Commercial General	Commercial Highway	Institutional	Heavy Industrial	Multi-Family Residential	Commercial Neighbourhood
(a) Number of Signs	1 per Street Line					
(b) Maximum Height	7.5m (24'-6")	7.5m (24'-6")	7.5m (24'-6")	7.5m (24'-6")	7.5m (24'-6")	3m (9'-10")
(c) Double Sided Sign	Permitted					
(d) Maximum Sign Face Area	15sm (160 sf)	15sm (160 sf)	15sm (160 sf)	15sm (160 sf)	15sm (160 sf)	3sm (32 sf)
(e) Permitted Changing Copy	Development Project Signs shall not have Changing Copy.					
(f) Illumination	Illuminated Sign Faces shall not be directly visible from any point in a Low Density Residential Zone within 60m of the Sign. Light sources for Externally Illuminated Signs shall be directed towards the Sign copy.					Not Permitted
(g) Permitted Illumination Type	External	External	External	External	External	Not Permitted
(h) Minimum distance from Lot Line	2m (6'-6")	2m (6'-6")	2m (6'-6")	3m (9'-10")	2m (6'-6")	1m (3'-3")
(i) Special Provision	(i) A Development Project Sign shall not be Erected on a property until an application for Planning Act approvals has been submitted to the Town. A Development Project Sign shall be removed within 1 year of the substantial completion of the project.					
(j) Sign Restrictions	(i) No part of any Development Project Sign shall: a) Be Displayed on a vacant Lot where an active construction project is not taking place. b) Be Displayed within 2.0 m of a driveway. c) Be Displayed within a Sight Triangle. d) Be permitted within Public Lands.					

SCHEDULE B5 - MOBILE SIGNS

Regulations	Permitted Zones				
	Commercial General	Commercial Highway	Institutional	Agricultural	Commercial Neighbourhood
(a) Number of Signs	1 per Lot, or for Lots having 4 or more Occupancies, 1 per 4 Occupancies to a max of 3 per Lot	1 per Lot, or for Lots having 4 or more Occupancies, 1 per 4 Occupancies to a max of 3 per Lot	1 per 25m (max 2) or 1 Pylon Sign.	1 per Lot	1 per Occupancy if there is not a Ground Sign or Fascia Sign
(b) Maximum Height	2.6m	2.6m	2.6m	3m	2.6m
(c) Double Sided Sign	Permitted	Permitted	Permitted	Permitted	Permitted
(d) Maximum Sign Face Area	3.5sm per Sign face	3.5sm per Sign face	3.5sm per Sign face	3.5sm per Sign face	3.5sm per Sign face
(e) Permitted Changing Copy	Manual	Manual	Manual	Manual	Manual
(f) Illumination	Mobile Signs shall not be illuminated				
(g) Minimum distance from Lot Line	2m (6'-6")	2m (6'-6")	2m (6'-6")	3m (9'-10")	2m (6'-6")
(h) Special Provision	<p>(i) Time Limitations.</p> <p>a) A maximum of 60 consecutive days per Sign Permit;</p> <p>b) Not more than 200 days for the same Occupancy in the same calendar year;</p> <p>c) With a minimum of a 14 consecutive days break between the issue of another Mobile Sign Permit for the same Occupancy.</p>				
(i) Sign Restrictions	<p>(ii) No part of any Mobile Sign shall:</p> <p>a) Be Displayed on a vacant Lot.</p> <p>b) Be Displayed within 10.0 m of a Residential property.</p> <p>c) Be Displayed within 2.0 m of a front Lot Line.</p> <p>d) Be Displayed within 2.0 m of a side Lot Line, rear Lot Line and/or driveway.</p> <p>e) Be Displayed within a Sight Triangle.</p> <p>f) Be permitted within Public Lands.</p> <p>g) Be Displayed within 25.0 m of any other Mobile Sign on the same Lot.</p> <p>h) Be Displayed within 10.0 m of any permanent ground Sign, with a Sign face less than 2.6 m clearance on the same Lot.</p> <p>i) Be permitted for an Occupancy that has a permanent ground Sign and/or Pylon Sign with Manual Changing Copy on the same Street Line.</p>				
(j) Heritage Overlay Area - Schedule C	<p>(i) Mobile Signs are prohibited in the Heritage Overlay Area.</p>				

SCHEDULE C – HERITAGE OVERLAY AREA

The Heritage Overlay Area comprises the Heritage Area and Heritage Adjacent Area. Regulations referencing the Heritage Overlay Area apply to both the Heritage Area and Heritage Adjacent Area.

