

**The Corporation of the Town of Essex
By-Law Number 1350
Being a By-law Regulating the Erection of Signs in the Town of Essex**

Whereas Subsection 11(4) of the Municipal Act, R.S.O. 2001 authorizes Council to prohibit or regulate signs, other advertising devices and the posting of notices and whereas Council deems it expedient to exercise such powers;

Now Therefore the Council of the Corporation of the Town of Essex enacts as follows:

Section 1: Title and Scope

1.1 Short Title

- 1) This by-law may be cited as the "Sign By-Law".

1.2 Intent

The provisions of this by-law regulate the location, size, number, construction, alteration, repair, maintenance and replacement of all exterior signs and other advertising devices, temporary or permanent, on all lands and buildings and other structures within the limits of the Corporation of the Town of Essex.

1.3 Administration

- 1) This by-law shall be administered and enforced by the By-law Enforcement Officer (s) or such other person(s) so designated by Council.
- 2) Except for specifically exempted signs, a sign permit is required for any sign erected, displayed, altered or repaired. In addition to the fee payment, as set out in Building By-law 707. In order to obtain a permit, the applicant will submit two sets of drawings and specifications for the sign, a plan to scale showing the location of the sign on the property, building or other structure, and, if required by the By-law Enforcement Officer, structural drawings which have been stamped by a Registered Professional Engineer.
- 3) If the sign is located in whole or in part such that its placement is subject to the approval of an agency or authority having jurisdiction, prior written approval from that agency or authority is required before the issuance of a sign permit will be considered.
- 4) The permit will expire six months after its issuance if no action to place or erect the sign has commenced to the satisfaction of the By-law Enforcement Officer.

The permit may be extended up to an additional six months, if work has commenced to the satisfaction of the By-law Enforcement Officer.

- 5) A permit may be revoked by written or emailed notice to the applicant at any time after its issuance, where, in the opinion of the By-law Enforcement Officer, it is subsequently determined that the work does not comply with the provisions of this by-law or the Building Code of Ontario or such other applicable legislation or where the information provided in or with the permit application was deemed to be false or misleading.
- 6) The applicant for a sign permit and the owner and occupant of the land to which the sign is appurtenant shall jointly and severally indemnify the Corporation of the Town of Essex and each of its' officers, employees and agents from all loss, damage, costs, expenses, claims, demands, actions, suits and or other proceedings of every nature and kind arising from and in consequence of the construction, alteration, maintenance, repair and or removal of the sign, once the permit has been issued.
- 7) An application for an amendment to this by-law for special regulations that differ from one or more of the provisions of this by-law or for a sign that is not permitted may be submitted to the Town for approval by Council. The application will be accompanied by the applicable fee and any drawings required by Council and an explanation as to why the applicable provisions of the by-law cannot be met. Approval of the requested amendment(s), either in full or in part, or denial will be entirely at Council's discretion. Council may approve an amendment to this by-law by means of a site plan control agreement, by resolution or by a supplementary by-law, at Council's discretion.

1.4 Offences and Penalties

- 1) No person shall, within the limits of the Corporation of the Town of Essex, place, erect, alter or replace a sign, whether a temporary sign or a permanent sign, except as permitted by this by-law and in conformity with the applicable provisions of the Ontario Building Code, as the same may be amended from time to time, and such other applicable legislation.
- 2) Every person who contravenes any provision of this by-law or who knowingly concurs in the contravention is guilty of an offense and on conviction is liable to a fine of up to a maximum of two thousand dollars (\$2,000.00) on a first conviction and up to but not more than five thousand dollars (\$5,000.00) on a second and subsequent convictions, with every such fine being recoverable under the

provisions of the Provincial Offences Act, as the same may be amended from time to time.

- 3) The violation of any one provision of this by-law may be deemed to be a separate offence under this by-law and shall apply for each and every day such violation continues.
- 4) The conviction of any person for failing to comply with any requirements or obligations under this by-law will not be a bar to further prosecutions under this by-law for continuing failure on the part of such person to so comply or to effect compliance.
- 5) Each sign, whether intended to be temporary or permanent in duration, shall be maintained in good practice and not permitted to be or to become unsafe.

1.5 Enforcement

- 1) The By-law Enforcement Officer shall give notice, served personally, by mail, by email or posted on the sign or property on which the sign is located, describing the nature of the contravention and ordering compliance or the immediate removal of the sign to any person who has:
 - i) erected or caused to be erected any sign without first having obtained a permit to do so, if a sign permit is required by this by-law;
 - ii) obtained a permit and has erected or caused to be erected a sign which is not in compliance with the approved plans for which a permit was issued, and
or
 - iii) erected a sign not in compliance with the regulations of this by-law, irrespective of whether a permit is required or not.
- 2) Where the removal of a sign or the need to bring a sign into conformity with this by-law is a matter of urgency, as it is deemed to be unsafe, the By-law Enforcement Officer may give notice verbally or by such other expedient manner to the owner of the land or to the owner of the sign or to both.
- 3) After an unsuccessful attempt to contact the owner of the sign in contravention of this by-law or the owner of the property on which the sign is located, the By-law Enforcement Officer shall have the authority to remove the sign using what legal means are available to the Town.
- 4) Failure to correct or to remove the contravening sign within fifteen (15) days after the giving of notice may result, upon conviction, in a fine and the payment of legal

costs incurred by the municipality.

- 5) Signs on Public Lands:
 - i) Any sign placed in whole or in part within a public right-of-way or on a municipally owned or occupied property, without the authorization of Council or its designate, can be removed by the By-law Enforcement Officer without giving prior notification to the sign owner.
 - ii) Except for signs set out in paragraph iv), of this subsection, upon removal, a contravening sign, if composed of durable materials, will be impounded and the sign owner notified, if the owner is known or clearly identified on the sign. It will be released to the owner upon payment of an impoundment charge of \$150.00 plus costs, if the sign is recovered within 45 days of the giving of notice.
 - iii) If the sign is not released within the prescribed time period, the By-law Enforcement Officer may permanently dispose of the sign, without further notification and the provisions of subsection 1.6, of this by-law related to the sign owner will apply.
 - iv) Within public rights of way, small signs placed on or secured to the ground and signs placed on trees, public utilities or similar structures within public rights of way may be removed without prior notice and the By-law Enforcement Officer has the option of notifying the owner subsequent to removal or not.

1.6 Recovery and Expenses

- 1) When the Town removes a sign that contravenes this by-law and it is unsuccessful in recovering the cost of removal from the sign owner, where the sign owner and the owner of the property on which the sign was located are one and the same, a copy of the unpaid invoice for any removal charges, together with a statement by the Treasurer indicating that:
 - i) the invoice has been sent to the owner of the land and or owner of the sign, according to the information contained in the Collector's Roll;
 - ii) no payment or insufficient payment has been received for the invoice, and or
 - iii) payment of the invoice is overdue,shall be sufficient authority to enter the amount of the unpaid balance on the Collector's Roll to be collected in the same manner as municipal taxes or by such other means available to the Town.

Section 2: Definitions

2.1 In This By-law

- 1) **a** means one or more than one when referring to a sign.
- 2) **Council** means the Council for the Corporation of the Town of Essex.
- 3) **Banner Sign** means any sign made of cloth, paper or fabric supported by ropes, wires and or cords attached to a building(s) or other structure(s) used for identification of the property and the use(s) on it, for advertising an on-site product or service, an on-site or off-site charitable or social event or any combination of them.
- 4) **Billboard** means a freestanding off-site sign permanently affixed to the ground used to identify or advertise an off-site use, activity, product or service.
- 5) **By-law Enforcement Officer** means the person or persons responsible for the enforcement of this by-law, which will include the Chief Building Official and or such other person so authorized by Council.
- 6) **Changeable Copy** means individual letters, numbers and symbols that can be physically mounted on a display panel to convey a message.
- 7) **Changeable Copy Portable Sign** means a sign, supported by wheels or legs for ease of movement and relocation, with a sign face capable of accommodating changeable copy, used for identification of the property and the use(s) on it, for conveying on-site information or direction and or for advertising a product or service or any combination of them.
- 8) **Clear Height** means the distance from highest elevation of the ground below the sign to the lowest elevation of the sign, exclusive of a supporting pole or poles, intended to maintain horizontal lines of sight.
- 9) **Commercial purposes** means to advertise or promote a use, activity, event or product for profit or gain.
- 10) **Construction Sign** means a temporary sign that identifies the development, the developer, the project contractors and or the real estate agency and it may also include, in combination therewith, advertising and promotional information related to the development, as well as, warning, restricted access and directional signage.
- 11) **Daylight Triangle** means a triangular shaped area on a lot measured from the point of intersection of the travelled portion of two roads or a road and a railway right-of-way, intended to maintain horizontal lines of sight.
- 12) **Designate** means a person authorized by Council to permit the erection or placement of a sign that is not generally permitted by this by-law or to remove an offending sign.

- 13) **Directional Sign** means a sign displaying the requisite directional information to a site, location or use on the property and may include therewith the name of the facility.
- 14) **District** means a zoning district, as set out in the Town of Essex Comprehensive Zoning By-Law 1037, which is applicable to the property on which a sign is erected or proposed to be erected.
- 15) **Election Sign** means a sign promoting a candidate for political office or a political party, local board, commission or trusteeship, voters' lists or related notices or any sign which is intended to influence a vote for or against a candidate or issue.
- 16) **Electronic Media Sign** means a sign or part of a sign, exclusive of a flashing sign, comprising a video monitor or an electronic display for the display of images, words and or numbers in an animated format used exclusively for the purpose of conveying a message.
- 17) **Fascia Sign** means a single faced sign, where the sign face or individual letters and symbols forming a sign are mounted to the wall and parallel to it, used for identification of the property and the use(s) on it, for conveying on-site information or direction and, in part, for advertising an on-site product, activity or service or any combination of them.
- 18) **Flag Sign** means a traditional rectangular shaped flag, feather shaped flag, a teardrop shaped flag or similar device attached to a pole or rod, with a sign face devoted to advertising media, product or service depiction, an event or land use identification. It does not include the official flag of a country, state, province or association.
- 19) **Flashing Sign** means a lighted sign having flashing lights, rotating lights, animated lights or lights of varying colour and or intensity that are intended to attract attention but not to convey a message.
- 20) **Freestanding** means wholly supported by the ground.
- 21) **Ground Sign** means a free-standing sign, permanently affixed to the ground, having a sign height of 2.0 meters or less above the ground and used for: identification of the property and the use(s) on it; conveying on-site information or direction, and or advertising an on-site product or service, an on-site or off-site charitable event or any combination of them.
- 22) **Height** means the height of the sign from the ground immediately below it to the highest point of the sign above the ground.
- 23) **Inflatable Sign** means an inflated device, tethered to the ground or to any building or structure, intended to attract attention to advertise a use, activity, event or product.

- 24) **Instructional Sign** means a sign exclusively intended and used to convey instructions on the use of a facility or service, typically located as a ground sign adjacent to a drive through lane or on building wall.
- 25) **Lighted Sign** means a sign that is lit either internally or externally to enhance its visibility.
- 26) **Maximum** means not more than.
- 27) **Minimum** means not less than.
- 28) **Menu Board** means a ground or wall sign conveying information as to the on-site services or products offered, which may include a communication system.
- 29) **Non-accessory Sign** means a sign which does not relate to any activity, use, product or service located on the property on which the sign is located.
- 30) **Official Sign** means a sign required or erected under any statute, regulation, by-law or directive of any Federal, Provincial or Municipal government or agency, board or commission.
- 31) **Off-site Sign** means a sign which describes or advertises a land use, product, event or service not located on the same property as the sign.
- 32) **On-site Sign** means a sign which describes or advertises a land use, product, event or service located on the same property as the sign.
- 33) **One** means the singular.
- 34) **Pole Sign** means a free-standing sign permanently affixed to the ground by a pole or poles, with or without decorative cladding, having a sign height more than 2.0 meters above the ground and used for: identification of the property and the use(s) on it; conveying on-site information or direction, and or advertising an on-site product or service, an on-site or off-site charitable event or any combination of them.
- 35) **Portable Sign** means a free-standing sign not permanently affixed to the ground such that it can be moved freely from place to place.
- 36) **Poster** means a temporary bill or plaque used for advertising a service or event.
- 37) **Projecting Sign** means a sign affixed at one or more points to a wall with two or more sign faces projecting from the wall. A canopy, marquee or awning with a sign face area is also deemed to be a projecting sign.
- 38) **Property** means a lot or a contiguous parcel of land under one ownership, the boundaries of which are on record in the Land Registry Office of the County of Essex in the Registry of Land Titles Division.

- 39) **Real Estate Sign** means a sign advertising a property for sale, lease or rental and located thereon.
- 40) **Roof Sign** means any sign located on or supported by the roof or parapet of any building.
- 41) **Sidewalk Sign** means a small free-standing non-illuminated sign constructed of one or two panels of wood, metal or plastic, either connected at the top such that the sign will stand freely, when the bottom edges of the two panels are separated in an A-shaped position, or otherwise designed for temporary placement and it is portable by the efforts of one person. It may or may not be a changeable copy portable sign.
- 42) **Shall** means mandatory.
- 43) **Sign** means any device, including all its component parts and supporting structure, erected and used or capable of being used to:
 - i) identify the property and the use(s) on it;
 - ii) convey information or direction and or
 - iii) advertise a use, event, activity, service or product.
- 44) **Sign Face Area** means that part of the sign used or capable of being used for identification, the conveyance of information and or advertising. When the sign is composed of individual letters, numerals or symbols or any combination of them, the sign face area is the outside area of the sum of them.
- 45) **Special Occasion Sign** means a sign temporarily placed on a property specifically and exclusively for a onetime special occasion or event.
- 46) **Unsafe** means structurally inadequate, faulty or in a condition or location that could be hazardous to any person.
- 47) **Yard Sale Sign** means a sign used to advertise the sale of personal belongings and residential contents from inside and outside of the dwelling located on the same property as the site of the yard sale.

Section 3: Signs Not Permitted

- 3.1** Any sign not specifically permitted, as set out in Sections 4 to 11, of this by-law. For a temporary special occasion sign that is outside of its permitted time interval, as set out in the District in which it is located, such sign shall be removed from the property or hidden from public view elsewhere on the property.
- 3.2** A flashing sign, including an electronic media sign used as a flashing sign.
- 3.3** An illuminated portable sign.
- 3.4** An electronic media sign within 20.0 meters of the intersection of two street rights-of-way having traffic signalization.
- 3.5** A roof sign.

- 3.6 Unless specifically permitted by this by-law, any sign placed in a public right-of-way without the express permission of Council or designate.
- 3.7 In a daylight corner, a ground sign having a height of greater than 1.0 meter or a pole sign having a clear height of less than 2.4 meters.
- 3.8 Any sign, which, in the opinion of the By-law Enforcement Officer, by location or design, obstructs or impedes any flue, air intake or exhaust, window or door, a fire exit or fire escape, a site line, pedestrian or vehicular movement or access, either on-site or off-site, a government or utility service, either on or off site, or which creates an unsafe condition for pedestrian or vehicular movement or for emergency services.

Section 4: Signs Permitted in Public Rights-of-way

- 4.1 Unless otherwise specifically permitted by this by-law, no sign, whether temporary or permanent in nature, shall be placed within a public right-of-way without the express permission of Council or designate. The purpose, location, size and type of sign or signs will be the subject of Council's or designates consideration and approval. An application for the erection or posting of a sign within the public right-of-way will be accompanied by an explanation as to the purpose of the sign, the length of time the sign or signs will be in place and an application fee, as set out in Building By-law 707.
- 4.2 Notwithstanding the provisions of paragraph 4.1, special event signage may be placed within the untraveled portion of a road right of way by a non-profit or charitable organization, tourist oriented or seasonal business for the announcement of an event of limited duration, approved by resolution of Council and subject to the issuance of a sign permit. The sign permit issued for the event will specify the name or purpose of the event, the length of time that the signs may be placed, when they shall be removed, setback restrictions and the number of signs that may be placed in the public rights of way. Each sign shall be of a collapsible type placed by hand in or on the ground, have a maximum sign face area of 0.6 square meters (on one side) and it shall specify the date(s) on which the event is being held.
- 4.3 Notwithstanding the provisions of paragraph 4.1, a temporary real estate open house sign consisting of a sidewalk sign having a panel area of not more than 1.0 square meters per side or a collapsible ground sign having a maximum sign face area of 0.6 square meters on one side announcing and providing place-finding information to a property for sale to be placed for not more than 2 days prior to the open house and during the event and removed immediately thereafter.

Section 5: Signs Permitted in All Districts

- 5.1 An official sign.
- 5.2 An election sign, subject to the provisions of subsection 11.4 of this by-law.
- 5.3 A memorial or historical interest plaque.
- 5.4 A home occupation sign having a maximum sign face area (on one side) of 0.6 square meters showing the name of the home occupation and may include the home address, the service offered and hours of operation, but shall not be used for advertising purposes. For a home occupation permitted on a property having frontage on a highway having a maximum speed limit of 80 kilometers per hour, the maximum sign face area for such home occupation shall be 1.2 square meters (on one side).
- 5.5 A yard sale sign having a maximum sign face area on one side of 0.6 square meters.
- 5.6 An on-site or off-site special occasion sign used exclusively for or by a public agency, charity or other non-profit organization to advertise a specific upcoming event organized by it, provided such sign is located on the property for not more than 21 days prior to the event and is removed from the property within 7 days after the day or last day of the event.
- 5.7 An onsite or off-site temporary "open house" real estate sign, announcing and providing place-finding information to a property for sale, to be placed for not more than 2 days prior to the open house and during the event and removed immediately thereafter.
- 5.8 No sign permit is required for a sign listed in this Section.

Section 6: Other Signs Permitted in Residential Districts

- 6.1 For a rest home, lodging home, multiple dwelling, residential compound, association or subdivision one **identification ground sign** having a maximum sign face area (on one side) of 2.0 square meters. A maximum of 50 percent of the permitted sign face area may be used to advertise a vacancy or special event exclusively related to the facility. An electronic media sign is not permitted.
- 6.2 For a rest home, lodging home or a multiple dwelling, one wall sign having a maximum sign face area of 1.5 square meters. A maximum of 50 percent of the permitted sign face area may be used to advertise a vacancy or special event exclusively related to the facility.
- 6.3 An on-site **temporary special occasion sign**:
 - 1) for a one time non-commercial celebratory event;
 - 2) provided such sign is located on the property for not more than 21 days prior to the event and is removed from the property within 7 days after the day or last day of the event;
 - 3) an electronic media temporary special occasion sign is not permitted.

- 6.4** Any on-site directional ground or wall sign used specifically and exclusively to regulate traffic direction and speed, for property identification, legal notices, instructions, warnings and or cautions, each sign having a maximum sign face area (on one side) of 0.6 square meters.
- 6.5** One site **temporary real estate sign** per street frontage, such sign having a maximum sign face area of on one side of 2.0 square meters.

Section 7: Other Signs Permitted in Commercial Districts

- 7.1** One on-site **ground sign** per street frontage, such sign having a horizontal length of not more than one and one half times its permitted height of 2.0 meters and
- 1) a maximum of 50 percent of the sign face area may be a changeable copy or an electronic media sign;
 - 2) each ground sign shall have a minimum setback from a public right-of-way of 3.0 meters, if located within 6.0 meters of a driveway, and not less than 1.2 meters otherwise.
- 7.2** Subject to the provisions of Section 3, of this By-law, one on-site **pole sign** per street frontage, such sign having a maximum height of:
- 1) 4.5 meters on a lot having a frontage of 12 meters and less than 20 meters;
 - 2) 6.0 meters on a lot having a frontage of 20 meters and less than 30 meters;
 - 3) 6.0 meters for a lot having a frontage of 30 meters plus 1.0 meter for each additional 10 meters of lot frontage, and
 - 4) the maximum width of the sign shall be equal to 40 percent of the height of the sign,
 - 5) a maximum of 50 percent of the sign face area may be a changeable copy or electronic media sign, and
 - 6) if located within 3.0 meters of a public right-of-way or driveway, the pole sign shall have a clear height of 2.4 meters.
 - 7) A pole sign is not permitted where the exterior lot line is less than 12.0 meters in length.
- 7.3** Where the property has a street frontage of 45.0 meters or greater in length, on that street frontage there may be a combination of one ground sign and one pole sign or two of the same sign type, each sign in conformity with the provisions of this section. Otherwise, if the street frontage is less than 45.0 meters in width, there shall be permitted either one ground sign or one pole sign per street frontage.

7.4 On an exterior wall:

- 1) **fascia signs** and **banner signs**;
- 2) one **projecting sign** per business establishment, which
 - i) may consist of a sign on a canopy, marquee or awning or
 - ii) a projecting sign which is not a canopy, marquee or awning, provided that the sign shall have a maximum projection of 1.2 meters from the wall to which it is attached and a maximum sign face area (on one side) of 0.4 square meters;
- 3) all fascia, banner and projecting signs shall not exceed, either individually or in combination, a total area equal to 25 percent of the area of the main wall on which they are located or anchored. That part of a canopy or awning that is not part of the sign face area is not included in the calculation of the sign size;
- 4) a maximum of 50 percent of the sign face area may be a changeable copy sign;
- 5) no wall sign or projecting sign shall extend above the eaves or parapet of the wall on which it is located;
- 6) each projecting sign shall have a minimum clear height of 2.4 meters;
- 7) an electronic media sign is not permitted.

7.6 One **sidewalk sign** having a maximum panel area (on each side) of 1.0 square meter per business establishment or other facility. Such sign may be located in the public right-of-way, within 1.0 meter of a building wall, but not within 1.8 meters of a utility pole, bench, planter or other existing obstruction to pedestrian movement.

7.7 An on-site **temporary special occasion sign used for commercial purposes**, when not in conflict with the provisions of Section 3, of this By-law, may be placed on a property on the following basis:

- 1) not more than one such special occasion sign on the property at any one time and a maximum for 4 such signs per calendar year;
- 2) the provision of paragraph 7.7 1) does not apply to a property having 4 or more individual businesses on it;
- 3) where a property has 4 or more individual businesses on it, a special occasion sign is permitted at a ratio of one sign for each group of 4 businesses to a maximum of 4 such signs per calendar year per individual business;
- 4) the sign shall be located on the property for not more than 21 days prior to the special event and shall be removed from view within 7 days immediately following the day or last day of the event;
- 5) when such special occasion sign is a changeable copy portable sign, the maximum sign face area (on one side) shall be 4.0 square meters;
- 6) an electronic media temporary special occasion sign is not permitted.

7.8 Any on-site directional ground or wall sign used specifically and exclusively to regulate traffic direction and speed, for property identification, legal notices, instructions, warnings and or cautions, each sign having a maximum sign face area (on one side) of 1.0 square meter.

7.9 One on-site **temporary real estate sign** per street frontage, such sign having a maximum sign face area on one side of 4.0 square meters.

7.10 Special Sign Restrictions:

1) A pole sign, an electronic media sign and a changeable copy portable sign, exclusive of a sidewalk sign, are not permitted on properties fronting on:

In Essex Centre:

- i) Talbot Street from Victoria Avenue to Laird Avenue;
- ii) Centre Street from Talbot Street to Alice Street; Laird Avenue from Talbot Street to Alice Street;
- iv) Wilson Avenue from Talbot Street to Fox Street;
- v) Gordon Avenue from Talbot Street to Fox Street;

In Harrow:

- vi) King Street from Walnut Street to Erie Street;
- vii) Queen Street from King Street to Sinasac Street.

Section 8: Other Signs Permitted in Institutional and Manufacturing Districts

8.1 One on-site **ground sign** per street frontage, such sign having a horizontal length of not more than one and one half times its permitted height of 2.0 meters and

- 1) a maximum of 30 percent of the permitted sign face area may be a changeable copy or an electronic media sign;
- 2) each ground sign shall have a minimum setback of 3.0 meters from a public right-of-way, if located within 9 meters of a driveway, and not less than 1.2 meters otherwise.

8.2 One on-site **pole sign** per street frontage, such sign having a maximum height of:

- 1) 4.5 meters on a lot having a frontage of 12 meters or greater;
- 2) not permitted on a lot having a lot width of less than 12 meters;
- 3) the maximum width of the sign shall be equal to one third of the height of the sign;
- 4) a maximum of 50 percent of the sign face area may be a changeable copy or electronic media sign;
- 5) if located within 3.0 meters of a public right-of-way, the pole sign shall have a clear height of 2.4 meters.
- 6) A pole sign is not permitted where the exterior lot line is less than 12.0 meters in length.

8.3 Where the property has a street frontage of 45.0 meters or greater in length, on that street frontage it may have a combination of one ground sign and one pole sign or two of the same sign type, each sign in conformity with the provisions of this section. Otherwise, if the street frontage is less than 45.0 meters in width, there shall be permitted either one ground sign or one pole sign per street frontage.

8.4 On an exterior wall:

- 1) **fascia signs** and **banner signs**;
- 2) one **projecting sign** per business establishment, which
 - i) may consist of a canopy, marquee or awning, or
 - ii) a projecting sign which is not a canopy, marquee or awning, provided that the sign shall have a maximum projection of 1.2 meters from the wall to which it is attached and a maximum sign face area (on one side) of 0.5 square meters;
- 3) all fascia, banner and projecting signs shall not exceed, either individually or in combination, a total area equal to 25 percent of the area of the main wall on which they are located or anchored. That part of a canopy or awning that is not part of the sign face area is not included in the calculation of the sign size;
- 4) no wall sign or projecting sign shall extend above the eaves or parapet of the wall on which it is located;
- 5) each projecting sign shall have a clear height of 2.4 meters;
- 6) an electronic media sign is not permitted.

8.5 An on-site **temporary special occasion sign used for commercial purposes**, when not in conflict with the provisions of Section 3 of this by-law, may be placed on a property on the following basis:

- 1) not more than one sign on the property at any one time and a maximum of 4 such signs per calendar year;
- 2) the provision of paragraph 8.5 1) does not apply to a property having 4 or more individual businesses on it;
- 3) where a property has 4 or more individual businesses on it, a special occasion sign is permitted at a ratio of one sign for each 4 businesses to a maximum of 4 such signs per calendar year per individual business;
- 4) the sign shall be located on the property for not more than 21 days prior to the special event and shall be removed from view within 7 days immediately following the day or last day of the event;
- 5) when such special occasion sign consists of a changeable copy portable sign, the maximum sign face area (on one side) shall be 4.0 square meters;
- 6) an electronic media temporary special occasion sign is not permitted.

- 8.6** Any on-site directional ground or wall sign used specifically and exclusively to regulate traffic direction and speed, for property identification, legal notices, instructions, warnings and or cautions, each sign having a maximum sign face area (on one side) of 1.0 square meter.
- 8.7** One on-site **temporary real estate sign** per street frontage, such sign having a maximum sign face area on one side of 4.0 square meters.

Section 9: Other Signs Permitted in Agricultural Districts

9.1 For a non-residential use:

- 1) One on-site **ground sign** having a maximum sign face area (on one side) of 4.0 square meters and
 - i) a maximum height of 2.0 meters;
 - ii) a maximum of 70 percent of the sign face area may be a changeable copy sign;
 - iii) each ground sign shall have a minimum setback of 3.0 meters from a public right-of-way, if located within 9 meters of a driveway, and not less than 1.2 meters otherwise;
 - viii) an electronic media sign is not permitted.

9.2 An on-site temporary special occasion sign used for commercial purposes, when not in conflict with the provisions of Section 3 of this by-law, may be placed on a property on the following basis:

- 1) not more than one sign on the property at any one time;
- 2) the sign shall be located on the property for not more than 21 days prior to the special event and shall be removed from view within 7 days immediately following the day or last day of the event;
- 3) when the special occasion sign consists of a changeable copy portable sign, the maximum sign face area (on one side) shall be 4.0 square meters;
- 4) an electronic media temporary special occasion sign is not permitted.

9.3 Any on-site directional ground or wall sign used specifically and exclusively to regulate traffic direction and speed, for property identification, legal notices, instructions, warnings and or cautions, each sign having a maximum sign face area (on one side) of 1.0 square meter.

9.4 One on-site temporary real estate sign per street frontage, such sign having a maximum sign face area on one side of 4.0 square meters.

Section 10: Other Signs Permitted in Green, Landfill, Natural Environment and Wetland Districts

10.1 For a non-residential use:

- 1) One **ground sign** having a maximum sign face area (on one side) of 4.0 square meters and
 - i) a maximum height of 2.0 meters;
 - ii) a maximum of 70 percent of the sign face area may be a changeable copy sign;
 - iii) each ground sign shall have a minimum setback of 3.0 meters from a public right-of-way, if located within 9 meters of a driveway, and not less than 1.2 meters otherwise;
 - iv) an electronic media sign is not permitted.

10.2 An on-site temporary special occasion sign:

- 1) for a one time non-commercial celebratory event;
- 2) provided such sign is located on the property for not more than 21 days prior to the event and is removed from view within 7 days after the day or last day of the event;
- 3) an electronic media temporary special occasion sign is not permitted.

10.3 Any on-site directional ground or wall sign used specifically and exclusively to regulate traffic direction and speed, for property identification, legal notices, instructions, warnings and or cautions, each sign having a maximum sign face area (on one side) of 1.0 square meter.

10.4 One on-site **temporary real estate** sign per street frontage, such sign having a maximum sign face area on one side of 4.0 square meters.

Section 11: Special Signs

11.1 For a drive through restaurant, one **menu board** and one **product advertising ground sign** or combination thereof adjacent to the drive through lane.

11.2 For any other use with drive through or drive in facilities, **directional and instructional signage** as necessary to aid any person using the facility.

11.3 For a gas bar or service station having a canopy over the pump islands, a maximum of 50 percent of the vertical surface of the pump island canopy may be used to identify the operator and company.

11.4 Election signs may be erected:

- 1) for a maximum of 21 days before the voting day and shall be removed not later than 3 days after voting day;

- 2) on a public right-of-way, but not between a curb and a parallel sidewalk, within 1.5 meters of a curb or pavement where there is no sidewalk, within 15 meters of a road or sidewalk intersection, nor at such location so as to pose a distraction to motorists or interfere with vehicular or pedestrian sight lines or otherwise pose an unsafe condition;
- 3) but may not display the Town's logo or any other embellishment that characterizes any aspect of the Town, its facilities or agencies;
- 4) but not on lands, buildings or structures owned and or occupied by the Town;
- 5) nor shall it exceed a sign face area of 1.0 square meters on any side.

Section 12: Enactment

12.1 This by-law shall take effect from the date of its passing by Council. Minor revisions to this by-law solely to correct an error or for clarification may be made without prior approval of Council.

12.2 By-law Number 355, being a by-law regulating the erection of signs in the Town of Essex, passed on September 17, 2001, is hereby repealed.

The following by-laws amend By-Law 1350 and now constitute part of By-Law 1350; By-Law 1523 amendments provisions related to signage in public right of way, home occupation and real estate open house signage. (June 20, 2016)

Read a first, second and third time and finally passed on July 13, 2015.

Mayor

Clerk