

**CORPORATION OF THE TOWNSHIP OF WARWICK  
BY-LAW NO. 110 OF 2017**

**BEING A BY-LAW TO PRESCRIBE THE HEIGHT AND DESCRIPTION OF AND THE  
MANNER OF ERECTING AND MAINTAINING SIGNS WITHIN THE TOWNSHIP OF  
WARWICK**

**WHEREAS** Section 8 of the *Municipal Act, S.O. 2001, c.25*, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

**AND WHEREAS** Section 9 of the *Municipal Act, 2001*, provides that Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs as they consider appropriate and, (b) enhance their ability to respond to municipal issues;

**AND WHEREAS** Section 15 of the *Municipal Act, 2001*, provides a Municipality the power to pass By-laws under section 9, 10 and 11 with respect to fences and any such matters as may be prescribed;

**AND WHEREAS** the Council of the Corporation of the Township of Warwick deem it desirable to prohibit and regulate the erection of signs, billboards and other advertising signs within the municipality;

**NOW THEREFORE**, the Council of the Corporation of the Township of Warwick enacts as follows:

No person shall construct, erect, maintain, keep or permit signs, billboards and other advertising signs within the municipality that is in contravention of any of the provisions of this By-Law upon final reading receiving The Corporation of the Township of Warwick's final passing.

**1. Definitions:**

- a) **"ABANDONED SIGN"** means a sign that no longer identifies or advertises an activity, business, product or service, or identifies or advertises an activity, business, product or service which is no longer conducted or available on the premises on which the sign is located.
- b) **"AWNING"** means a retractable, collapsible or moveable shelter, hood or cover that projects from the wall of a building.
- c) **"BILLBOARD SIGN"** means any sign other than a real estate sign, measuring more than 18.5 sq. m (200 sq. ft.) in Area, that directs attention to products,

goods and services, activities or facilities not provided on the premises on which the sign is located.

- d) "**BUILDING**" means a structure whether temporary or permanent, used or intended for sheltering any use or occupancy but shall not include a boundary wall, fence, travel trailer, camping trailer, truck camper, motor home, or tent. This definition may include a roof supported by columns or walls.
- e) "**CHIEF BUILDING OFFICIAL AND/OR BYLAW ENFORCEMENT OFFICER**" means the officer or employee appointed by the Township of Warwick for duties of Chief Building Official and/or By-Law Enforcement Officer.
- f) "**FRONT LOT LINE**" means in the case of an Interior Lot, the line dividing the Lot from the Street. In the case of a Corner Lot, the shorter lot line shall be deemed the Front Lot Line and the remaining Lot line abutting a street shall be deemed the Exterior Side Lot Line. In the case of a Through Lot or a Corner Lot whose exterior Lot Lines are the same length, the Lot line where the principle access to the Lot is provided shall be deemed to be the Front Lot line.
- g) "**FRONT YARD**" means a yard extending across the full width of the Lot between the Front Lot Line of the Lot and the foundation of any main building on the Lot.
- h) "**FRONTAGE**" means the side of limit of the lot that abuts directly on a street.
- i) "**HEIGHT**" means the vertical distance measured from the grade to the highest point of the sign.
- j) "**HOME OCCUPATION**" means any occupation conducted for gain or profit as an Accessory Use within a Permitted Dwelling or a Permitted Dwelling Unit.
- k) "**INTERIOR SIDE YARD**" means a Side Yard other than an Exterior Side Yard.
- l) "**LOT**" means land within a registered plan of subdivision (but not including plans deemed not to be registered pursuant to Section 50(4) of The Planning Act, R.S.O. 1990, Chap. P. 13, as amended) or any land that may be legally conveyed under the exemption provided in clause (b) or (f) of subsection 3 or clause (a) or (f) of subsection 5 of Section 50 of The Planning Act, R.S.O. 1990, Chap. P. 13 as amended, the boundaries of which are recorded in the Registry Office for the Registry Division of the County of Lambton.
- m) "**LOT LINE**" means any boundary of a Lot or the vertical projection thereof. There shall be deemed to be 2 Lot Lines in cases where a Lot Line changes by a direction which is less than 135 degrees. There shall be deemed to be one

continuous Lot Line in cases where the change in direction is greater than 135 degrees.

- n) **“OWNER”** means the owner of the sign and includes the owner of the property on which the sign is erected and the owner of the business being advertised.
- o) **“REAL ESTATE SIGN”** means a temporary sign indicating the property on which the sign is located, or any part thereof is for sale, rent or is open for viewing for the purpose of such sale or rent of the property.
- p) **"REQUIRED YARD"** means a Yard with the minimum Front Yard Depth, Rear Yard Depth, or Side Yard Width required by the provisions of this By-law. A required Side Yard shall extend from the required Front Yard to the required Rear Yard, or in the case of a Lot which has no Rear Lot Line, the required Side Yard shall extend from the required Front Yard to the opposite required Side Yard.
- q) **"SIDE LOT LINE"** means a Lot Line other than a Front or Rear Lot Line, and shall include Interior Side Lot Line and Exterior Side Lot Line.
- r) **"SIGHT TRIANGLE"** means the triangular space formed by the Street Lines of a Corner Lot and a line drawn from a point in one street line to a point in the other street line, each such point being a minimum distance specified in the Township of Warwick Zoning By-law from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.
- s) **"SIGN"** means a name, identification, description, device, display or illustration which is affixed to or represented directly or indirectly upon a Building, Structure or Lot which directs attention to an object, product, place, activity, Person, institute, organization or business.
- t) **“STREET”** means a common and public highway, street, avenue, parkway, square, place, bridge, viaduct or trestle any part of which is intended for or use by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
- u) **"YARD"** means a space, appurtenant to a building or structure, located on the same Lot as the building or structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in this By-law.
- v) **"VACANT LOT"** means a parcel of land separately assessed that has no building or structure located on the parcel.

- w) “**ZONING BY LAW**” means any by-law administered by the Township of Warwick passed pursuant to the provisions of the Planning Act R.S.O 1990, or a predecessor or successor thereof, as may be amended from time to time.

## **2. Administered**

- a) This provision shall be administered and enforced by the Chief Building Official and/or the By-law Enforcement Officer.

## **3. Provisions for All Types of Signs**

- a) All signs shall not be erected, constructed or displayed in any matter which:
- Obstructs pedestrian or vehicular traffic
  - Obscures clear visibility of normal approaching pedestrian and vehicular traffic or interfere with the visibility of traffic control measures
  - Is located within a sight triangle as defined in the Township of Warwick Zoning By-Law.
  - Is located within any road allowance or shall be erected on municipal property or municipal road allowance without written permission of Council.
  - Contains images or messages which may be considered offensive.
  - Contains images or messages which may be considered politically driven.
  - Interferes with any fire escapes, fire exits, fire hydrants or access routes
- b) Every sign in the Township of Warwick shall be maintained in good structural condition at all times. All signs shall be clean and free of debris.
- c) All signs must not be located at a height greater than the maximum allowable building height as regulated in the Zoning by-Law.
- d) All signs are subject to the provisions of this by-law, and the Ontario Building Code as applicable.

## **4. Exemptions**

- a) The provisions of this by-law shall not apply to the erection of signs by the Township of Warwick or any government boards thereof, any utility companies, union gas and boards of education.

- b) Historical murals shall be exempted from the sign by-law.
- c) Any exemption to the by-law shall be approved by a motion of Council.

## **5. Regulations**

- a) No signs, billboards or other advertising devices shall be erected on municipal property or municipal road allowance without written permission of Council.
- b) All signs, billboards or other advertising device shall be maintained in good repair and in a structurally sound condition, any excessively weathered or faded, or those upon which paint has excessively peeled or cracked, shall be removed or put into a good state or repair along with their supporting members, upon the instructions of the Chief Building Official.
- c) No sign, billboard or other advertising device shall be erected, displayed or altered that would contain contents that in the opinion of the Township of Warwick Council are obscene, indecent, appeal to erotic or sexual appetites or inclinations , are offensive or are aesthetical incompatible to the surrounding neighbourhood.

## **6. Billboard Signs:**

- a) Billboard signs shall only be permitted on properties zoned agricultural, industrial and highway commercial as defined in the Zoning By-Law.
- b) The maximum area of a billboard sign shall not exceed 18.5 sq m (200 sq. ft.).
- c) A billboard sign shall not be located within 300m (984 sq. ft) distance from another Billboard sign.
- d) A billboard sign shall not be located within 152m (500 ft) distance from a residential use.
- e) A billboard shall not be located within the setback requirement under the zoning by-law or interfere with the required sight triangles as regulated in the Zoning By-Law.
- f) All billboard signs shall be maintained in a neat and clean manner free from any loose material at all times.

## **7. Awnings and Canopies**

- a) Awnings and canopies shall be permitted provided that it does not interfere with pedestrian activity or obstructed of public road allowances and maintenance.

- b) The maximum projection of the awning or canopy shall not be greater than 2m (6.5 ft.) beyond the face of the wall to which it is attached and extend no greater than 2.0m (6.5 ft) to the vertical plane projected up from the street line.

## **8. Abandoned Signs**

- a) The owner of land on which a sign is erected shall be responsible for ensuring that all signage is removed. In the event that the sign is not removed, the Township of Warwick or its agent(s) may enter upon the property and carry out a removal of the sign(s) at the expense of the owner.

## **9. Home Occupation**

- a) A sign displaying a business permitted as a home occupation shall comply with the regulations as outlined in the Township of Warwick zoning by-laws.

## **10. Election and campaign signs**

- a) Election and campaign signs shall be installed in accordance to Township of Warwick by-laws.

## **11. Real Estate Signs**

- a) One non-illuminated real estate Sign having a maximum area of 0.5 square metres advertising the sale, rental or lease of the Building, Structure or Lot upon which the Sign is displayed shall be permitted.

## **12. Installation, Guidelines and Restrictions**

- a) Any person who erects a sign is responsible for repair, replacement and maintenance without visible deterioration.
- b) Maintenance of the sign(s) is the sole responsibility of the property owner of the lands the sign is located on and/or the owner of the sign.
- c) No sign shall be erected on municipal property, road allowances, or encroach on municipal property, since they may create a safety hazard and it could potentially create a liability to the Township of Warwick and the installer, unless permitted under other Municipal by-laws.
- d) All signs are to be erected on privately owned lands within the surveyed property boundaries.

- e) Lighting used to illuminate signs shall be directed away from adjacent lands and streets.
- f) All abutting land owners should be consulted with prior to erection of a sign.
- g) No person shall erect, construct or permit to be erected or constructed, any sign in the Township of Warwick that does not comply with the provisions of this By-Law. Unless such sign was erected prior to the passing of this By-Law and is not moved, altered or enlarged in any way.
- h) This By Law shall come into full enforcement on the final passing.

**13. Enforcement**

- a) Any person who contravenes any provisions of this by-law is guilty of an offence and upon conviction is liable to a fine or penalty of not more than the general penalty for an offence as set out in this by-law.

**14. Contravention-fine**

- a) If any person, firm or Corporation who deliberately fails to comply with the regulations as set out in this by-law; shall immediately comply to the provisions set out in this by-law and be assessed a penalty of:
  - I) Five hundred Dollars (\$500) for the first offence
  - II) One Thousand Dollars (\$1000) for the second offence
  - III) Two Thousand Dollars (\$2000) for the third or more Offence(s).

READ A FIRST AND SECOND TIME THIS 2nd DAY OF October, 2017.

READ A THIRD TIME AND FINALLY PASSED THIS 2nd DAY OF October, 2017.

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Mayor – Todd Case

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Administrator/Clerk – Amanda Gubbels