

Document 2 – Amendments – Temporary Signs on Private Property

A by-law of the City of Ottawa regulating the placement of temporary signs on private property.

The Council of the City of Ottawa hereby enacts as follows.

DEFINITIONS

1. In this by-law,

"A-frame sign" means a self-supporting structure shaped like an "A" with one (1) or two (2) sign faces, with a base dimension not exceeding sixty centimetres (60 cm) in width or seventy-five centimetres (75 cm) in length, and a height not less than fifty centimetres (50 cm) or greater than one metre (1 m);

"address" means the road or street name and the number designated by the City of Ottawa in relation to the location of a place of residence, office, business or other fixed premise;

"agent" means a person designated by another person to act on his or her behalf; "agent" means a person designated by another person to act on his or her behalf;

"applicant" means a person applying for a temporary sign permit under this bylaw;

"banner sign" means a temporary sign other than a poster sign that is of a decorative nature and made of cloth, canvas or other lightweight, non-rigid material that is used or that functions as a sign;

"By-law Officer" means a person appointed by the Council of the City of Ottawa to enforce the provisions of this by-law and who may be referred to as an Inspector or Officer;

"Chief License Inspector" means the person in the position of Director, By-law Services, in the Emergency and Protective Services Department of the City of Ottawa, or authorized representative.

"City" means the municipal corporation of the City of Ottawa or the geographic area of the City of Ottawa as the context requires;

"corner lot" means a lot situated at the intersection of two (2) or more highways or at the intersection of two (2) parts of the same highway which parts have an interior angle of intersection of not more than one hundred and thirty-five degrees (135°);

"curb" means a concrete or asphalt edge or border of a roadway;

~~"election sign" means a temporary sign that supports or opposes a candidate, a political party, or a "yes" or "no" answer to a question on the ballot in a municipal, school board, public utility company, provincial or federal election; (2017-376)~~

"election sign" means a temporary sign, including a poster sign or rigid ground mounted sign, advertising support or opposition for a candidate, a political party, or a "yes" or "no" answer to a question on the ballot in a municipal, school board, provincial or federal election;

"free-standing" means placed on the ground and self-supporting without supports constructed and driven into the ground;

"frontage" means the portion of a lot face fronting on a highway, but not on a lane or alleyway;

"grade" means the average surface elevation of the ground adjoining any building or sign, exclusive of any berm or mound of earth created solely for the purpose of increasing the elevation of the ground at the base of the sign;

"General Manager, Planning and Growth Management Department" means the person in the office of the General Manager of the Planning and Growth Management Department of the City, or an authorized designate; (2012-432)

"ground-mounted" means upheld by one (1) or more supports constructed or driven into the ground for a sign's exclusive support;

"illuminated" means lighting of the sign by artificial means and "illumination" has a corresponding meaning;

"incidental sign" means a sign whose primary function is directional or informative for the control of traffic or designation of areas such as entrance, exit, parking, loading or similar information pertinent to the function of the premise at which it is located, and includes "No Trespassing" signs and similar signs;

"inflatable sign" means a non-rigid, gas or air filled bag or balloon designed or used as an advertising device;

"intersection" means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two (2) or more highways which join one another at an angle, whether or not one (1) highway crosses the other;

"Lansdowne Park" means, for the purposes of this by-law, the lands described in Schedule 2 and includes the buildings and structures located on the lands;

"Lansdowne Signage and Wayfinding Plan" means the Lansdowne Signage and Wayfinding Plan approved by Council of the City of Ottawa on June 27, 2012, as referenced in Planning Committee Report 32A, Item 5, and on October 10, 2012, as referenced in the Finance and Economic Development Committee Report 25, Item 7, and as may be amended by Council from time to time, and is declared to form part of this by-law;

"licensed" means licensed under the provisions of any by-law licensing sign businesses and companies of an old municipality that remains in force, in respect of the part of the municipal area to which it applied on December 31, 2000, until it expires or is repealed and any by-law of the City of Ottawa licensing sign businesses and companies that is enacted in substitution therefore;

"mobile sign" means a sign that is,

- (a) temporary,
- (b) designed for the manual rearrangement of copy on the sign face, and
- (c) part of, or attached to, a readily relocatable wheeled trailer or frame without wheels, for use in another location,

but does not include,

- (d) a portable sign, or
- (e) a sign attached to a vehicle where the principle use of that vehicle is the transportation of people, goods or other materials;

"off-premise sign" means a temporary sign that directs attention to a business, commodity, service or entertainment which is conducted, sold or offered elsewhere than on the premise on which the sign is located;

"old municipality" means the old municipalities of the City of Cumberland, the City of Gloucester, the Township of Goulbourn, the City of Kanata, the City of Nepean, the City of Ottawa, the Township of Rideau, the Township of West Carleton, Township of Osgoode, the Village of Rockcliffe Park and the City of Vanier and "old municipalities" has a similar meaning;

"on-premise sign" means a temporary sign identifying or advertising a business, person, activity, goods, products or services located on the premise where the sign is located and maintained;

"owner", in respect of the sign, means any person described on the sign, or whose name and address or telephone number appears on the sign, or who installed the sign, or who is in lawful control of the sign, or who benefits from the message on the sign, and for the purposes of this by-law there may be more than one (1) sign owner;

"permit holder" means a person who has been issued a permit pursuant to this by-law;

"person" means an individual, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executor or other legal representatives of a person, and for the purposes of this by-law includes owner;

"place" means affixing, attaching, displaying, erecting or installing or causing or arranging for the affixing, attaching, displaying, erecting or installing of a sign and "placing" or "placement" have a corresponding meaning;

"poster sign" means a temporary sign of non-rigid material having dimensions not greater than two hundred and eighty millimetres (280 mm) in width and four hundred and thirty five millimetres (435 mm) in height with the upper extremity of the poster not greater than two hundred and fifty centimetres (250cm) from the ground;

"portable sign" means a rigid free-standing moveable sign not fastened by any means to the ground or any structure, and includes an A-frame sign;

"premise" means specific property, and includes all buildings and necessary structures thereon;

"property" means one parcel of land described in a deed or subdivision plan;

"real estate sign" means an on-premise sign advertising the sale, rent or lease of the premise;

"residential property" means property that is zoned residential and "residential premise" has a corresponding meaning;

"roadway" means that part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and where a highway includes two (2) or more separate roadways refers to any one (1) roadway separately and not all of the roadways collectively;

"shoulder" means that part of a highway immediately adjacent to the roadway and having a surface of asphalt, concrete or gravel for the use of vehicles;

"sidewalk" means those parts of a highway set aside for the use of pedestrians or used by the general public for the passage of pedestrians;

"sign" means any visual medium used to convey information by way of words, pictures, graphics, emblems or symbols, or any device used for the purpose of providing direction, information, identification, advertisement, business promotion or the promotion of a product, activity, service or idea;

"sign face" means that portion of the sign upon, against or through which the message of the sign is displayed, but does not include the sign structure;

"sign height" means the vertical distance measured from the highest point of the sign to grade and includes any support structure;

"sign permit" means a temporary sign permit issued under this by-law for the legal placement of a sign;

"sign structure" means a structure that is constructed to support a sign face at ground level;

"snow plow driveway marker" means a temporary, non-illuminated indicator or guide inserted with a vertical orientation into the ground on private property or a City right of way that serves to mark the edge of a driveway for a licensed snow plow contractor, and which is permitted under and complies with the City of Ottawa's licensing by-laws;

"street" means a highway, road allowance or a lane, and includes the surface, grassed area, boulevard, ditch, curb, gutter, sidewalk, and any other structure constructed thereon by the City or with the City's approval;

"temporary sign" means a sign that is not permanently installed or affixed to any structure or building, and includes:

- (a) a banner sign,
- (b) an election sign,
- (c) an incidental sign,
- (d) an inflatable sign,
- (e) a mobile sign;
- (f) a portable sign,
- (g) a poster sign, and
- (h) a real estate sign;

"traffic control device" means a sign, traffic control signal or other device placed for the purpose of regulating or directing vehicular, pedestrian or other traffic within the highway and includes the utility pole, post or other supporting members, control boxes and other ancillary elements;

"vehicle" includes a motor vehicle and trailer;

"visibility triangle" means the area within a triangle formed by measuring a prescribed distance along two (2) specified intersecting lines and a third line joining the terminal points of the two (2) measured lines;

"zone" means any zone established in Zoning By-laws of the City of Ottawa and includes all special exceptions to the zones and "zoned" has a corresponding meaning;

INTERPRETATION

2. (1) In this by-law:
 - (a) words importing the singular number only, include more persons, parties or things of the same kind than one (1) and the converse; and
 - (b) a word interpreted in the singular number has a corresponding meaning when used in the plural.
- (2) In this by-law, the following abbreviations and symbols stand for the words respectively set forth opposite thereto as follows:
 - (a) cm means centimetre;
 - (b) ° means degree;
 - (c) m means metre;
 - (d) m² means square metre; and
 - (e) mm means millimetre.
- (3) This by-law includes the Schedule annexed hereto and the Schedule is hereby declared to form part of this by-law.
- (4) It is declared that any section, subsection or part thereof be declared by any Court of deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

GENERAL PROHIBITIONS

3. (1) No person shall place or permit to be placed or allow to remain placed on the premise owned, rented, leased or occupied by such person, any temporary sign other than in accordance with the provisions of this by-law.
- (2) No person shall place or permit to be placed or allow to remain placed on the premise owned, rented, leased or occupied by such person, any temporary sign in a location on the premise other than the location approved for which the permit has been issued.
- (3) No person shall place or permit to be placed or allow to remain placed on the premise owned, rented, leased or occupied by such person, a temporary sign referred to in subsection (2) of Section 4 that does not comply with the provisions of this by-law.
- (4) No person shall permit a temporary sign to remain placed on the premise owned, rented, leased or occupied by such person that is deteriorated, damaged, upset or dislodged, or with no message.

- (5) No person shall place or permit to be placed or allow to remain placed on the premise, owned, leased rented or occupied by such person, in the neighbourhood known as Blackburn Hamlet more particularly described on Schedule "A" to this by-law, any temporary sign save and except a temporary sign permitted pursuant to subsection 4(2) of this by-law.

PERMIT REQUIRED

4. (1) No person shall place or permit to be placed or allow to remain placed on the premise owned, rented, leased or occupied by such person, any temporary sign without first having obtained a temporary sign permit for that sign.
- (2) Despite subsection (1), the following temporary signs shall be permitted in the City of Ottawa and shall be exempt from the requirements of a permit, provided that these signs shall comply with the provisions of this by-law:
- (a) election signs
 - (b) incidental signs
 - (c) real estate signs
 - (d) signs that pertain to an event or give a message that is political, civic, charitable, philanthropic, educational, artistic, cultural or religious in nature;
 - (e) signs identifying a poster sign, an A-frame sign or a banner sign not exceeding 2.23 square metres (2.23m²) in area that identifies the sale of seasonal farm-site produce provided that these signs are placed on a premise that is zoned agricultural, general rural, rural-agricultural or marginal resource in the applicable zoning by-law of the old municipality or any successor by-law thereto;
 - (f) signs, other than real estate signs, that:
 - (i) contain the message "for sale", and
 - (ii) are no greater in dimension than four hundred and eighty-three mm); and
 - (g) signs affixed to the top of a gasoline pump provided that the top of the sign is no higher than three point five metres (3.5 m) above grade.
- (3) The temporary signs permitted in clauses (b), (d) and (f) of subsection (2) shall remain placed on the premise for a period of time not to exceed ten (10) days.
- (3a) The temporary signs permitted in clause (e) of subsection (2) shall remain placed at a premise only for a period of time not exceeding the duration of the season for the sale of the farm produce.

- (3b) No person shall place a temporary sign permitted in clause (e) of subsection (2) for a period of time that exceeds the duration of the season for the sale of the farm produce.

PROHIBITED SIGNS

5. (1) No person shall place a temporary sign on any premise zoned residential under any Zoning By-law in effect within the City of Ottawa.
- (2) Subsection (1) shall not apply to temporary signs permitted in clauses (a), (c), (d) and (f) of subsection 4(2).
- (3) No person shall use or park a vehicle or any part of a vehicle on any premise for the sole purpose of an advertising device, other than a mobile sign.

LOCATION RESTRICTIONS

6. (1) No person shall place or permit to be placed or allow to remain placed on the premise a temporary sign in a location so as to:
- (a) create a traffic hazard by impeding a pedestrian's or driver's view of a traffic sign, an intersection on any street or a railway grade crossing;
 - (b) create a physical obstruction or safety hazard for either a pedestrian or the operator of a vehicle;
 - (c) interfere with pedestrian or vehicular traffic;
 - (d) impede parking or access thereto or obstruct a legally required parking space;
 - (e) obstruct a window, door or fire escape in such a way that it would preclude emergency ingress or egress; or
 - (f) contact or interfere with any electrical light, power cable or telephone system.
- (2) No person shall place or permit to be placed or allow to remain placed on the premise a temporary sign unless the sign:
- (a) is at least nine metres (9 m) from the edge of the nearest traffic control device and is not posing a line of sight issue by impeding a pedestrian's or driver's view of the traffic control device;
 - (b) is at least nine metres (9 m) from the closest edge of the nearest paved portion of an intersection and is not posing a line of sight issue by impeding a pedestrian's or driver's view of the intersection;
 - (c) is at least one metre (1 m) from the closest edge of the nearest sidewalk;
 - (d) is at least three metres (3 m) from a driveway; and
 - (e) is at least twenty-three metres (23 m) from the closest edge of another temporary sign.

- (3) Every person who places or permits to be placed or allows to remain placed on the premise a temporary sign shall ensure that the temporary sign is:
 - (a) an on-premise sign; and
 - (b) not an off-premise sign.
- (3a) Despite subsection (3), a temporary sign permitted in clause (e) of subsection 4(2) may be an off-premise sign.
- (4) No person shall place or permit to be placed or allow to remain placed a temporary sign by affixing it to a tree, lamp post, sign post or stationary vehicle.
- (5) No person shall place or permit to be placed or allow to remain placed on the premise a temporary sign in such a way that it extends above a roof line of a building or structure.

(6) Subsections (2), (3) and 3(a) shall not apply to election signs.

APPLICATION OF PERMIT

- 7. The applicant for a temporary sign permit shall:
 - (a) furnish such information as the City may direct to be furnished, including:
 - (i) the name and address of the owner of the temporary sign;
 - (ii) the name and address of the owner or business applying for the permit;
 - (iii) the municipal address of the premise upon which the sign is to be located;
 - (iv) the location of the sign on the premise;
 - (v) the commencement and termination dates for the placement of the sign;
 - (vi) a contact name and number for the individual responsible for the sign; and
 - (vii) written authorization from the property owner or management company to permit the applicant to have the temporary sign located and placed on the premise, and
 - (b) file the completed application together with the permit fee as set out in Schedule I with the Chief License Inspector.

ISSUANCE OF PERMIT

- 8. (1) An applicant for a temporary sign permit is, subject to the provisions of this by-law, entitled to be issued the permit, except where:
 - (a) the application is incomplete;
 - (b) there are reasonable grounds to believe that the issuance of the permit will result in a breach of this by-law or any other by-law;

- (c) there are reasonable grounds to believe that the carrying on of the business in respect of which the permit is sought would infringe the rights, or endanger the health or safety of one (1) or more members of the public;
 - (d) the fee payable in respect of the permit applied for has not been paid;
 - (e) the issuance of the permit will result in the number of temporary sign permits issued for any one (1) business at any one (1) municipal address or location in one (1) calendar year exceeding the number set out in Section 9; or
 - (f) in the case of an inflatable sign, the Chief License Inspector is not satisfied that the criteria set out in Section 17 have been met.
- (2) With respect to the payment of the permit fee as required by clause (b) of subsection (1) of Section 7, if the permit is not issued, the permit fee payment shall be returned to the applicant.
9. (1) The Chief License Inspector shall not issue more than four (4) temporary sign permits pursuant to this by-law for any one (1) business at any one (1) municipal address or premise in one (1) calendar year.
- (2) Despite subsection (1), the Chief License Inspector shall not issue more than two (2) temporary sign permits for an inflatable sign for a single business on the premise on which the inflatable sign is to be placed in one (1) calendar year.

CONDITIONS OF PERMIT

10. (1) Every permit issued for a temporary sign shall permit the placement of the sign on the premise at the address of the owner or occupant for a period not to exceed thirty (30) consecutive days.
- (2) Despite subsection (1), a temporary sign permit that is issued for an inflatable sign shall permit the placement of the sign on the premise at the address of the owner or occupant for a period not to exceed seven (7) consecutive days.
11. The sign permit is valid only for the placement of the sign at the premise and location approved and on the date or dates set forth in the permit.
12. Where a sign permit has been revoked, the applicant shall not be entitled to a refund.

TRANSFER OF PERMIT

13. A sign permit issued under this by-law is personal to the permit holder and shall not be transferred.

GENERAL REGULATIONS

14. (1) No person shall place or permit to be placed or allow to remain placed on the premise a temporary sign that:
 - (a) has more than two (2) sign faces;
 - (b) has one (1) sign face that exceeds three point seven square metres (3.7 m²) in area;
 - (c) has one (1) dimension of the sign face that exceeds two point four metres (2.4 m);
 - (d) has a maximum height, measured from grade, that exceeds two point seven metres (2.7 m);
 - (e) is illuminated; or
 - (f) employs,
 - (i) any flash or sequential light, or
 - (ii) any mechanical or electronic device to provide or simulate motion.
- (2) Despite clause (e) of subsection (1), a temporary sign may be illuminated by indirect lighting reflected off the sign message.
- (3) Every person who places or permits to be placed or allows to remain placed on the premise a temporary sign shall ensure that the temporary sign has all of its illumination lighting arranged to direct light away from any adjacent residential premise and street and downward so as to reduce night light pollution.
- (4) No person shall place or permit to be placed or allow to remain placed on City-owned property a temporary sign without the approval of the Director of Real Property and Asset Management of the City with respect to the use of the property and the Chief License Inspector with respect to compliance with the provisions of this by-law.
15. (1) In the case of a corner lot, no person shall place or cause to be placed a temporary sign that is greater than seventy-five centimetres (75 cm) in height at any point within a visibility triangle formed by measuring three metres (3m) along the lot lines from the intersection of any two (2) highways or at the intersection of two (2) parts of the same highway meeting at an angle of not more than one hundred and thirty-five degrees (135°).
- (2) In the case of any lot, no person shall place or cause to be placed a temporary sign that is greater than seventy-five centimetres (75 cm) in height at any point within a visibility triangle formed by measuring two metres (2 m) along the lot line and a driveway, at the intersection of the driveway and the lot line abutting the highway.
16. (1) No person shall place or permit to be placed or allow to remain placed on the premise a temporary sign unless the sign:

- (a) is displaying a message that logically and clearly indicates that the use is for the person or business who originally applied for the sign permit;
 - (b) is in good repair;
 - (c) is situated at grade;
 - (d) has been leased or rented from a licensed sign business or company, where applicable;
 - (e) has the name and telephone number of the sign business or company leasing or renting the sign affixed to the temporary sign at a clearly visible location;
 - (f) is located at the approved location contained in the application;
 - (g) is placed only during the approved dates contained in the application; and
 - (f) is placed for no longer than the time specified on the permit at any one (1) municipal address or premise to which a sign permit has been issued.
- (2) No person shall place or permit to be placed or allow to remain placed on the premise a temporary sign that:
- (a) is structurally unsafe;
 - (b) constitutes a fire or safety hazard;
 - (c) impedes the movement of vehicular or pedestrian traffic;
 - (d) would constitute a risk to the safety of persons or premise; or
 - (e) is harmful to the environment.
- (3) No person shall place or permit to be placed a temporary sign: prior to the commencement date as set out in the temporary sign permit.

INFLATABLE SIGNS

17. An applicant for a temporary sign permit for an inflatable sign shall satisfy the Chief License Inspector that the following criteria have been met:
- (a) the premise has a frontage of at least fifteen metres (15 m);
 - (b) the inflatable sign is located:
 - (i) at least three metres (3 m) from any property line,
 - (ii) at least three metres (3 m) from any driveway entrance and exit,
 - (iii) at least ten metres (10 m) from any other temporary sign on the same premise or abutting premise,
 - (iv) at least ninety-two metres (92 m) measured in a straight line from a residential premise, and
 - (v) at least nine metres (9 m) from a traffic control device;
 - (c) the inflatable sign shall have a maximum height of five metres (5 m) measured from grade and a maximum width of six metres (6 m);
 - (d) only one (1) inflatable sign shall be permitted for each premise at any one (1) time;

- (e) the inflatable sign shall be affixed to the ground and properly secured to the satisfaction of the Chief Licensing Inspector;
- (f) the inflatable sign shall not be placed in such a way that it extends above a roof line of a building or structure; and
- (g) the inflatable sign is for the businesses or uses currently on the premise on which the sign is to be placed.

REAL ESTATE SIGNS

18. (1) One (1) real estate sign shall be permitted for each street line of the premise on which the sign is erected.
- (2) No person shall place or cause to be placed or allow to remain placed more than one (1) real estate sign for each street line of the premise on which the sign is erected.
19. (1) The sign face of a real estate sign shall:
- (a) not exceed one square metre (1 m²) if erected on a premise zoned residential, and
 - (b) not exceed four square metres (4 m²) if erected on a premise zoned agricultural, industrial or commercial.
- (2) No person shall place or cause to be placed or allow to remain placed a real estate sign that does not comply with the provisions of subsection (1).
20. (1) Every real estate sign shall be removed from the premise within two (2) weeks of the premise being sold.
- (2) No owner of a real estate sign shall allow the sign to remain on the premise after two (2) weeks of the premise being sold.

ELECTION SIGNS

21. (1) No person or entity shall place or cause to be placed or allow to remain placed an election sign more than ~~sixty (60)~~ **forty-five (45)** days immediately preceding the **election date in a municipal election, or, in the case of a federal election or provincial election, the sign may be placed upon issuance of the relevant Writ.**
- (2) Every election sign together with its appurtenances shall be removed from the premise within ~~forty-eight (48)~~ **seventy-two (72)** hours following the election date.
- (3) No person shall place an election sign on private property that,**
- (a) is within three metres (3m) of an intersection,**

(b) is within fifty centimetres (50cm) of a sidewalk, or where there is no sidewalk, within two metres (2m) of the roadway or within fifty centimetres (50cm) of the edge of a shoulder where such exists.

(4) Sign dimension requirements contained in this by-law shall not apply to an election sign.

BANNER SIGNS

22. No person shall place a banner sign or cause a banner sign to be placed:
- (a) for more than thirty (30) days at any one (1) municipal address or premise to which a banner sign permit has been issued;
 - (b) on any premise where a temporary sign has already been installed or placed advertising the same business;
 - (c) that is hung from any pole, tree, landscape feature or fixture other than the exterior wall of a building on the subject premise or business;
 - (d) that exceeds an area of forty-six square metres (46 m²); or
 - (e) on any residential property.

REVOCAION OF PERMIT

23. The Chief License Inspector may revoke a permit issued under this bylaw:
- (a) where it was issued on mistaken, false or incorrect information; or
 - (b) where it was issued in error.

REMOVAL AND DISPOSAL OF SIGNS

24. (1) A permit holder shall immediately, upon the expiration of the temporary sign permit, or upon his or her permit being revoked, remove the temporary sign from the premise.
- (2) No permit holder shall fail to remove a temporary sign from the premise immediately following the expiration of the temporary sign permit.
25. No person who is the individual named in the application as responsible for the sign shall fail to remove a temporary sign from the premise immediately following the expiration of the temporary sign permit.

26. (1) No person shall fail to remove a temporary sign referred to in subsection (2) of Section 4 immediately following the expiration of the length of time the sign is permitted to remain on the premise from the premise.
- (2) No person shall fail to remove a temporary sign referred to in subsection (2) of Section 4 immediately following the expiration of the event or sale that the sign is identifying or advertising from the premise.
27. (1) Where a temporary sign has been placed in contravention of any provision of this by-law, the Chief Licensing Inspector may issue a Notice to the owner requiring the owner to:
 - (a) repair the temporary sign;
 - (b) pull down or remove the temporary sign; or
 - (c) make the temporary sign comply with the provisions of this by-law or pull down or remove the sign.
- (2) The Notice referred to in subsection (1) shall:
 - (a) specify the time for compliance;
 - (b) include a statement that if the requirements of the Notice have not been complied with within the time specified, the Chief License Inspector may enter the property and pull down or remove the temporary sign or cause the temporary sign to be pulled down or removed at the expense of the owner without any further notice; and
 - (c) be served personally or by prepaid mail to the owner.
28. Where a Notice has been served pursuant to clause (c) of subsection (2) of Section 27 and the requirements of the Notice have not been complied with, the Chief License Inspector may enter the property and pull down and remove the temporary sign or cause the temporary sign to be pulled down or removed at the expense of the owner.
29. Where a temporary sign is placed on City-owned property contrary to any provisions of this by-law, the Chief Licensing Inspector shall pull down or remove the temporary sign or cause the temporary sign to be pulled down or removed at the expense of the owner.
30. (1) No person shall remove or cause to be removed any lawfully placed temporary sign, other than the person authorized by this by-law or the owner of the sign.
- (2) Despite subsection (1), a public utility performing a maintenance function on a utility pole may pull down or remove or cause to be pulled down or removed immediately without notice and at the risk of its owners a temporary sign that interferes with the public utility's maintenance function.

31. (1) A temporary sign that is removed pursuant to this by-law shall be stored by the City for at least thirty (30) days, during which time the owner or agent may claim and retrieve the sign upon payment to the City of the impound and storage fees set out in Schedule I.
- (2) Despite subsection (1), a poster sign that is removed pursuant to the provisions of this by-law shall not be stored by the City and the City may destroy or otherwise dispose of it at any time.
- (3) If the temporary sign that is removed pursuant to this by-law is not claimed and retrieved by the owner or agent within thirty (30) days of its removal pursuant to subsection (1),
- (a) the City is authorized to destroy or otherwise dispose of the temporary sign, and
 - (b) the Chief License Inspector is authorized to destroy or otherwise dispose of any temporary sign, without any notice or compensation to the owner thereof.
- (4) The City shall not be liable for any damage to or loss of a temporary sign that was placed in contravention of the provisions of this by-law and removed by the City or the Chief License Inspector.
- (5) The City shall not be liable for any loss of revenue resulting from the removal of a sign pursuant to the provisions of this by-law.

EXEMPTIONS

32. (1) The provisions of this by-law do not apply to signs erected by federal, provincial or municipal government.
- (2) The provisions of this by-law do not apply to City of Ottawa Public Notification Signs that are supplied and installed for the Development Services Department of the City of Ottawa by a contractor and that are commonly referred to as on site signs.

SPECIFIED AREAS

33. Despite any provision of this by-law, Council may prohibit temporary signs within a specified area of the City subject to such conditions deemed necessary by Council including consultation with the local community.

PRODUCTION OF PERMIT

34. Every holder of a temporary sign permit shall produce his or her permit upon being so directed by a By-law Officer.

TEMPORARY SIGNS AT LANSDOWNE PARK

- 34A. (1) Despite any other section of this By-law, a temporary sign located within Lansdowne Park shall conform to the objectives and applicable policies and guidelines of the Lansdowne Signage and Wayfinding Plan as determined by the General Manager, Planning and Growth Management Department, and to the regulations of the Lansdowne Signage and Wayfinding Plan.
- (2) The provisions of this By-law shall apply to any temporary sign located within Lansdowne Park but in the event of a conflict between the provisions of this By-law and the Lansdowne Signage and Wayfinding Plan, the Lansdowne Signage and Wayfinding Plan shall take precedence to the extent of any such conflict.
- 34B. (1) The Chief License Inspector shall only issue a permit for a temporary sign located within Lansdowne Park upon the approval of the General Manager, Planning and Growth Management Department.
- (2) A permit for a temporary sign issued by the Chief License Inspector pursuant to subsection (1) shall contain any conditions set out in the approval of the General Manager, Planning and Growth Management Department.

LIABILITY

35. (1) The owner of a temporary sign and any persons placing or maintaining any sign or sign structure shall be liable and responsible for such sign or sign structure.
- (2) The City is hereby indemnified from and against all manner of claims for damages, loss, expense or otherwise arising from the placement, maintenance, removal or falling of such sign, sign structure or part thereof.

OFFENCES AND PENALTIES

36. (1) Every person who contravenes any of the provisions of this by-law is guilty of an offence.
- (2) Every person who is convicted of an offence under this by-law is liable to a fine as provided for in the Provincial Offences Act, R.S.O 1990, Chapter P. 33, as amended.
37. When a person has been convicted of an offence under this by-law,
- (a) the Ontario Court of Justice, or

- (b) any court of competent jurisdiction thereafter, may, in addition to any other penalty imposed on the person convicted, make an order prohibiting the continuation or repetition of the offence by the person convicted.

VALIDITY

- 38. If a court of competent jurisdiction declares any provision or part of a provision of this by-law to be invalid or of no force and effect, it is the intention of the Council in enacting this by-law, that each and every provision of this by-law be applied and enforced in accordance with its terms to the extent possible according to law.

ENFORCEMENT

- 39. The Chief License Inspector is responsible for the administration of this by-law, including the enforcement thereof.

LAWFULLY EXISTING SIGNS

- 40. This by-law does not apply to a temporary sign that was lawfully placed on the day the by-law comes into force if the temporary sign is not substantially altered, and the maintenance and repair of the temporary sign or a change in the message or contents displayed shall be deemed not in itself to constitute a substantial alteration.

CONFLICT WITH OTHER BY-LAWS

- 41. In the event of any conflict between the provision of this by-law and any other by-law regarding the regulation of temporary signs, including the by-laws referred to in Section 41, the provisions of this by-law shall prevail, but nothing in this by-law shall invalidate the enforceability of other provisions of those by-laws.

AMENDMENT OF OTHER BY-LAWS IDENTIFIED

- 42. (1) By-law No. 72-88 of the Corporation of the Township Cumberland entitled "Being a By-law to regulate and prohibit signs and other advertising devices in the Township of Cumberland", as amended, is amended by adding the following section:

Section 4 – Conflict

4.1 - In the event of any conflict between the provision of this by-law and the Signs on Private Property By-law, regarding the regulation of temporary signs, the provisions of the Signs on Private Property By-law shall prevail, but nothing in the Signs on Private Property By-law shall invalidate the enforceability of other provisions of this by-law.

- (2) By-law No. 71 of 1991 of the Corporation of the City of Gloucester entitled “A By-law for prohibiting or regulating signs and other advertising devices and the posting of notices on private property within the City of Gloucester”, as amended, is amended by adding the following section:

20.2 - Despite Section 20.1, in the event of any conflict between the provision of this by-law and the Signs on Private Property By-law, regarding the regulation of temporary signs, the provisions of the Signs on Private Property By-law shall prevail, but nothing in the Signs on Private Property By-law shall invalidate the enforceability of other provisions of this by-law.

- (3) By-law No. 73 of 1990 of the Corporation of the City of Gloucester entitled “Being a By-law to regulate the use or display of portable signs” as amended, is amended by adding the following section:

17. In the event of any conflict between the provision of this by-law and the Signs on Private Property By-law, regarding the regulation of temporary signs, the provisions of the Signs on Private Property By-law shall prevail, but nothing in the Signs on Private Property By-law shall invalidate the enforceability of other provisions of this by-law.

- (4) By-law No. 23-96 of the Corporation of the Township of Goulbourn entitled “Being a by-law of the Corporation of the Township of Goulbourn regulating the use or display of permanent, portable and temporary signs and other advertising devices”, as amended, is amended by adding the following section:

Section 18 Conflict

In the event of any conflict between the provision of this by-law and the Signs on Private Property By-law, regarding the regulation of temporary signs, the provisions of the Signs on Private Property By-law shall prevail, but nothing in the Signs on Private Property By-law shall invalidate the enforceability of other provisions of this by-law.

- (5) By-law No. 66-98 of the Corporation of the City of Kanata entitled “Being a by-law of the Corporation of the City of Kanata regulating SIGNS and other advertising devices”, as amended, is amended by adding the following section:

10.6 In the event of any conflict between the provision of this by-law and the Signs on Private Property By-law, regarding the regulation of temporary signs, the provisions of the Signs on Private Property By-law shall prevail, but nothing in the Signs on Private Property By-law shall invalidate the enforceability of other provisions of this by-law.

- (6) By-law No. 147-95 of the Corporation of the City of Kanata entitled “Being a by-law of the Corporation of the City of Kanata to regulate signs and other advertising devices within the lands described in Schedule “A” hereto” is amended by adding the following section:

23.Conflict

23.1 In the event of any conflict between the provision of this bylaw and the Signs on Private Property By-law, regarding the regulation of temporary signs, the provisions of the Signs on Private Property By-law shall prevail, but nothing in the Signs on Private Property By-law shall invalidate the enforceability of other provisions of this by-law.

- (7) By-law No. 165-93 of The Corporation of the City of Nepean entitled “Being a by-law of The Corporation of the City of Nepean to regulate the use or display of portable and temporary signs”, as amended, is amended by adding the following section;

7.0 Conflict

In the event of any conflict between the provision of this by-law and the Signs on Private Property By-law, regarding the regulation of temporary signs, the provisions of the Signs on Private Property By-law shall prevail, but nothing in the Signs on Private Property By-law shall invalidate the enforceability of other provisions of this by-law.

- (8) By-law No. 002-99 of The Corporation of the City of Nepean entitled “Being a by-law of The Corporation of the City of Nepean regulating permanent signs and other advertising devices”, as amended, is amended by adding the following section:

11.0 Conflict

In the event of any conflict between the provision of this by-law and the Signs on Private Property By-law, regarding the regulation of temporary signs, the provisions of the Signs on Private Property By-law shall prevail, but nothing in the Signs on Private Property By-law shall invalidate the enforceability of other provisions of this by-law.

- (9) By-law No. 30-1998 of the Corporation of the Township of Osgoode entitled “Being posting of notices within the Township of Osgoode”, as amended, is amended by adding the following section:

19.2 Despite Section 19.1, in the event of any conflict between the provision of this by-law and the Signs on Private Property By-law, regarding the regulation of temporary signs, the provisions of the Signs on Private Property By-law shall prevail, but nothing in the Signs on Private

Property By-law shall invalidate the enforceability of other provisions of this by-law.

- (10) By-law Number 36-2000 of the Corporation of the City of Ottawa entitled “A by-law of the Corporation of the City of Ottawa regulating or prohibiting the construction, erection, alteration and placing of signs and other advertising devices within its territory; and regulating the size, design, operation, maintenance and appearance of signs and other advertising devices”, as amended, is amended by adding the following section:
Conflict
312. In the event of any conflict between the provision of this bylaw and the Signs on Private Property By-law, regarding the regulation of temporary signs, the provisions of the Signs on Private Property By-law shall prevail, but nothing in the Signs on Private Property By-law shall invalidate the enforceability of other provisions of this by-law.
- (11) By-law No. 84-82 of the Corporation of the Township of Rideau entitled “Being a By-law to regulate the size, use, location and maintenance of signs within the Township of Rideau, as amended, is amended by adding the following section:
10. Conflict
In the event of any conflict between the provision of this by-law and the Signs on Private Property By-law, regarding the regulation of temporary signs, the provisions of the Signs on Private Property By-law shall prevail, but nothing in the Signs on Private Property By-law shall invalidate the enforceability of other provisions of this by-law.
- (12) By-law 88-33 of the Corporation of the Village of Rockcliffe entitled “A Bylaw of the Corporation of the Village of Rockcliffe Park respecting signs and advertising devices”, as amended, is amended by adding the following section:
9. In the event of any conflict between the provision of this by-law and the Signs on Private Property By-law, regarding the regulation of temporary signs, the provisions of the Signs on Private Property By-law shall prevail, but nothing in the Signs on Private Property By-law shall invalidate the enforceability of other provisions of this by-law.
- (13) By-law No. 3256 of the Corporation of the City of Vanier entitled “Being a By-law for prohibiting and regulating signs and other advertising devices and the posting of notices within the City of Vanier”, as amended, is amended by adding the following section:
Section 20 – Conflict
20.1 In the event of any conflict between the provision of this bylaw and the Signs on Private Property By-law, regarding the regulation of temporary signs, the provisions of the Signs on Private Property By-law

shall prevail, but nothing in the Signs on Private Property By-law shall invalidate the enforceability of other provisions of this by-law.

- (14) By-law No. 55-1997 of the Corporation of the Township of West Carleton entitled "Being a by-law to regulate billboard signs in the Township of West Carleton", as amended, is amended by adding the following section:
- 15.0 Conflict
- In the event of any conflict between the provision of this by-law and the Signs on Private Property By-law, regarding the regulation of temporary signs, the provisions of the Signs on Private Property By-law shall prevail, but nothing in the Signs on Private Property By-law shall invalidate the enforceability of other provisions of this by-law.

EFFECTIVE DATE

43. This by-law shall come into force and effect on the 1st day of July, 2004.

SHORT TITLE

44. This by-law may be referred to as the "Temporary Signs on Private Property By-law". ENACTED AND PASSED this 26th day of May, 2004.