

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-140

BEING A BY-LAW TO AMEND BY-LAW 2006-143, AS AMENDED TO RESTRICT AND REGULATE SIGNS AND OTHER ADVERTISING DEVICES WITHIN THE CITY OF NORTH BAY.

WHEREAS Section 99 of the Municipal Act, 2001, Subsections 1 to 5, authorizes the Council to pass By-laws regulating signs and other advertising devices;

AND WHEREAS to further this objective Council passed By-law 2006-143 being a By-law to regulate signs and other devices;

AND WHEREAS Council deems it desirable to amend By-law 2006-143 to amend existing sign regulations for the purpose of avoiding unnecessary hardship for businesses and community groups;

AND WHEREAS Notice of the Public Meeting in the matter of the amendments to the Sign By-law was given by way of advertisement in the North Bay Nugget on April 20th and April 27th, 2013;

AND WHEREAS a Public Meeting under the *Municipal Act* in the matter of the amendments to the Sign By-law was held on May 21st, 2013;

AND WHEREAS Council approved the amendment to the Sign By-law pursuant to Community Services Committee Report No. 2013-12 passed on the 3rd day of June, 2013.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

Definitions:

1. Section 1.0 is amended by removing numbering of the definitions.
2. Section 1.0 is amended by adding the following definition:

"Decorative Banner" means a banner placed on a utility pole or similar structure designed to support such banner by:

- (a) The Downtown Improvement Area, Heritage North Bay, the City of North Bay, the Capitol Centre or any community organization to decorate or promote an area or a major special event or holiday;
- (b) A major tourist attractor to decorate the boulevard areas adjacent to the attraction and along the approaches to, and within, the attraction within ½ kilometer of the attraction;
- (c) A public institution or non-profit organization to temporarily promote a special celebration or anniversary;
- (d) No commercial advertising shall be permitted on the decorative banner except for where corporate sponsorship is recognized which shall be permitted on only 30% of the banner area on every banner, or one banner for every four decorative banner erected, except along Memorial Drive where the sponsorship component, in relation to Heritage North Bay, may occupy up to 50% of the total banner signage along Memorial Drive; and

- (e) In no case shall the decorative banner be used as exclusive advertising of a corporation, services, individual or political affiliation.

General Provisions:

1. Section 2(b) is amended by adding the following sentence: "This does not pertain to decorative banners".
2. Section 2(e) is amended by adding the following at the end of the sentence "unless otherwise specified in this by-law".

Signs Permitted in Commercial and Industrial Zones:

1. Section 8.4(c) be amended to state "as set out with the designated signs in 8.4.1 to 8.4.10"
2. Section 8.4.1 "Awnings/Canopies" is amended by adding item (e) as follows:
 - (e) In the case where the canopy does not encroach over public roads, sidewalks or City-owned lands, a minimum height above grade is not required.
3. Section 8.4.2 "Fascia Signs", be amended by increasing the maximum number of building faces permitted to have signage from 2 to 3.
4. Item (a) be amended by removing the words "of the front".
5. Item (b) is hereby deleted and the following inserted in lieu thereof "in the case of an interior lot located within the C1 zone (Inner Core of City), only 2 fascia signs shall be permitted and the maximum area of the fascia signs is 25% of the front of the building's first storey face and a maximum area of 3sq.m on the interior side face or rear face of the building".
6. Item (c) is hereby deleted.
7. Section 8.4.3 "Freestanding Signs" item (a) be amended by adding the wording "per side" at the end of the sentence.
8. Section 8.4.3 is amended by adding item (g) "in the case of a building consisting of more than five businesses where one additional freestanding sign is not an option as stated in item (e), the maximum area of the sign may be increased to 20sq.m./side.
9. Municipal Address Numbers shall not be calculated towards the total sign face area or height of the freestanding sign.
10. That a new Section be added after Section 8.4.9 as follows:

"Section 8.4.10 Ground Signs

Ground signs are permitted as outlined in Section 8.2.1 however for ground signs located in Commercial or Industrial Zones the following regulations may apply:

- (a) The ground sign shall have a maximum height of 2.4m;
- (b) The ground sign face area shall not exceed 3.3sq.m in size;
- (c) Municipal Address numbers shall not be calculated toward the total sign face area or the height of the ground sign; and
- (d) Illumination shall be permitted for ground signs."

11. That a new Section be added after Section 8.4.10 as follows:

"Section 8.4.11 Decorative Banners

- (a) Decorative banners may be permitted by permit only issued by the Zoning Administrator;
- (b) Decorative banners shall be permitted in the Downtown Improvement Area, as indicated on Schedule 'C' of By-law No. 2006-143, the Community Waterfront Area, and along arterial roads such as Fisher Street, Cassells Street, Algonquin Avenue, Oak Street, Lakeshore Drive, McIntyre Street, Main Street and Memorial Drive subject to Item (f);
- (c) Written permission must be obtained from the owner or lessee of the utility pole or similar structure to which the decorative banner will be attached;
- (d) The applicant abides by specific fastening conditions stipulated by the owner or lessee of the utility pole or similar structure to which the decorative banner will be attached;
- (e) Where deemed necessary by the Managing Director of Community Services Business Unit, the decorative banner will be erected by the City at the applicant's cost;
- (f) Decorative banners will only be permitted where approved by the Managing Director of Community Services Business Unit and the Managing Director or Engineering, Environmental and Public Works;
- (g) All decorative banners must be issued a Sign Permit but will be exempt from this fee other than said fee identified in item (e) of this Section, and;
- (h) The applicants shall be required to enter into an agreement with the City to indemnify and save harmless the City and the owner or lessee of the utility pole or similar structure from all claims of liability that may occur as a result of the presence of the decorative banners."

3. This by-law comes into effect upon being passed.

READ A FIRST TIME IN OPEN COUNCIL THE 17TH DAY OF JUNE, 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 17TH DAY OF JUNE, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF JUNE, 2013.

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Mayor Allan McDonald

Deputy Clerk Karen McIsaac