

THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE



BY-LAW

NO. 2023 –

**Being a By-law to Amend By-law No. 2003 – 136,
The Municipality of Kincardine Sign (2003) By-law**

Whereas Section 8 (1) and 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provide that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues and has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a lower tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public and authorizes a lower-tier municipality to pass by-laws respecting matters within the sphere of jurisdiction of structures, including fences and signs, both subject to certain rules; and

Whereas the Council for the Corporation of the Municipality of Kincardine passed By-law 2003 - 136 to regulate or prohibit signs and other advertising devices within the Municipality; and

Whereas Council deems it advisable to amend By-law No. 2003 - 136; now therefore be it

Resolved that the Council for The Corporation of the Municipality of Kincardine **Enacts** as follows:

1. That Section 9.0 of By-law 2003 – 136 be deleted and replaced with the following:

9.0 **MOBILE HOME PARK, TRAILER PARK, COMMERCIAL
CAMPGROUND OR OPEN SPACE**

No person shall erect or cause to be erected any sign in a Mobile home park, trailer park, commercial campground or open space except as follows:

- a) Signage located on fencing on municipal property in open spaces bordering active parks for the purposes of the Municipality of Kincardine Advertising and Partnership Program only; or
- b) One pylon or standard sign per frontage may be erected or displayed provided that:
 - (i) The pylon sign should not exceed 12 meters (39.4 feet) in height nor 26 square metres (279.9 square feet) in area.
 - (ii) The pylon sign shall not be erected within 10 metres (32.8 feet) of another pylon sign.

Page 2 of 2
Sign By-law Amendment (8) By-law
By-law No. 2023 -

- (iii) The pylon sign or any portion thereof shall not be closer than 1 metre (3.3 feet) to the street line.
 - (iv) The pylon sign shall have a minimum clear distance of 2.3 metres (7.5 feet) from grade to underside of sign.
 - (v) In the parks/campground areas, one accessory sign with a maximum area of 1 square metre may be erected at each point of entry or exit on a pole or pylon provided no portion of said sign is closer than 45 centimetres (17.7 inches) to the street line. Direction signs may also be erected within the parks to facilitate the operation of the roads and the movement of vehicles. No standard or pylon sign shall be erected within 60 centimetres (23.6 inches) of the vehicular traveled portion or private lane or roadway or of a motor vehicle parking area unless the minimum vertical distance between grade and the bottom of the sign is a least 4.3 metres(14.1 feet).
2. That this By-law shall come into full force and effect at the time of its passing.
 3. That this By-law may be cited as the “Sign By-law Amendment (8) By-law”.

READ a FIRST and SECOND TIME this 14th day of August, 2023.

READ a THIRD TIME and FINALLY PASSED this 14th day of August, 2023.

Mayor

Clerk