

THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE



**BY-LAW**

**NO. 2025 -**

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

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**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 4.8 be deleted and replaced with the following:

**4.8 Portable, Mobile or Sandwich Board Signs**

There are numerous amenities already occupying sidewalks, from garbage receptacles, lamp and sign posts, benches, bike racks, to trees, all of which are at a pre-established location. To ensure safety and adequate pedestrian clearance and to prevent unnecessary congestion on road allowances the following guidelines have been established:

- a) One (1) Sandwich Board Sign shall be permitted for display along the frontage of the building for which the business it is promoting is located, or one (1) Sandwich Board Sign for every 8.0 metres (26 ft.) of frontage.
- b) A Sandwich Board Sign shall have a maximum single face sign area of 0.6 square metres (6 sq.ft.), with a maximum sign height of 1.06 metres (3.5 ft.) and a maximum width of 0.6 metres (2 ft.). No sign shall incorporate more than two sides for advertising.
- c) A Sandwich Board Sign shall be setback from the street curb and shall not be located within a sight triangle or impede a pedestrian's or driver's view of any intersection. A sign shall be located within the median/boulevard/utility strip area between parking stalls directly adjacent to the sidewalk to prevent impact from swinging doors. Signage shall not impede a pedestrian's or driver's view of any parking or traffic control sign, signal or device.

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- d) A Sandwich Board Sign shall not be erected within 3.0 metres (10 ft.) of another Sandwich Board Sign.
  - e) A Sandwich Board Sign may advertise more than one occupant or business contained within a single building or storefront.
  - f) A Sandwich Board Sign shall be displayed only during normal business hours, and shall not be on display during winter months (November 1 through April 30).
  - g) A Sandwich Board Sign shall not be placed on a municipal sidewalk to ensure it does not impede the free flow of pedestrians on the sidewalk and shall not adversely affect the parking of vehicles or access. A Sandwich Board Sign shall not be placed on snowbanks, planters, or street furniture.
  - h) A Sandwich Board Sign shall not be animated, contain any video display elements, be illuminated, have flashing lights, emit sound or have electronic device to create or simulate motion.
  - i) A Sandwich Board Sign must display only information on products and services available from the business.
  - j) The area around a Sandwich Board Sign must be kept free of litter, debris and weeds.
  - k) Where a Sandwich Board Sign is located on a median/boulevard/utility strip or other public property, such applicant shall obtain a permit and provide confirmation that a minimum of \$2 million liability insurance is in effect and the Municipality is named as an additional insured on the policy.
  - l) Where adequate frontage exists, a Sandwich Board Sign may be directly located against the building providing it is recessed from the sidewalk, and you have space. Placement directly in front of a building is only permitted when signage does not project onto a sidewalk and the clear path of travel.
  - m) No person shall place a free standing or mobile sign except that only one free standing or mobile sign shall be permitted for a two (2) week period once in each six (6) month period for any given property in the Municipality.
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 (9) By-law".

**Read a First, Second and Third Time and Finally passed** this 12th day of March, 2025.

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Mayor

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Clerk