

THE REGIONAL MUNICIPALITY OF HALTON

BY-LAW NO. 36-01

A BY-LAW TO REPEAL AND REPLACE COUNTY OF HALTON BY-LAW NO. 837 (1948), BEING A BY-LAW TO REGULATE SIGNS, SIGNBOARDS, GASOLINE PUMPS, IN THE REGIONAL MUNICIPALITY OF HALTON (FORMERLY THE COUNTY OF HALTON), AS AMENDED, WITH A BY-LAW TO REGULATE SIGNS WITHIN REGIONAL ROAD RIGHT-OF WAYS.

WHEREAS by By-law No. 837, passed on the 16th day of November, 1948, the Council of the County of Halton authorized passage of a by-law to prohibit or regulate the placing or erecting of signs, signboards and gasoline pumps;

AND WHEREAS Subsection 314(7) of the *Municipal Act*, R.S.O. 1990, c. M.45, as amended, allows for the adoption of a by-law by Regional Council to provide for the placing, regulating and maintaining upon the public highways, traffic signs for the purposes of guiding and directing traffic;

AND WHEREAS Section 33 of the *Regional Municipalities Act*, R.S.O. 1990, c. R.8, as amended, allows for the adoption of a by-law by Regional Council to prohibit or regulate the placing or erecting of any sign on Regional Roads;

AND WHEREAS The Regional Municipality of Halton by virtue of Section 23(9) of the *Regional Municipalities Act*, R.S.O. 1990, c. R.8, as amended, shall pass a by-law from time to time consolidating all by-laws relating to the Regional Road system;

AND WHEREAS Section 32 of the *Regional Municipalities Act*, R.S.O. 1990, c. R.8, as amended, confers on the Region the powers in respect of the roads in the Regional Road system that are authorized by the *Municipal Act*, R.S.O. 1990, c. M.45, as amended.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HALTON HEREBY ENACTS AS FOLLOWS:

1. Definitions

1.1 THAT in this by-law:

- (a) "Area Municipalities" means that municipality or corporation of the City of Burlington, the Town of Oakville, the Town of Milton and the Town of Halton Hills as constituted by the *Regional Municipality of Halton Act*;
- (b) "By-law enforcement officer" means a person duly appointed by the council of the Region or an Area Municipality for the

enforcement of municipal by-laws or a member of the Halton Regional Police Services;

- (c) "Commissioner" means the Commissioner of Planning and Public Works of the Regional Municipality of Halton, or their designate;
- (d) "Person" means any individual, firm, corporation, association or partnership;
- (e) "Region" means The Regional Municipality of Halton;
- (f) "Regional Road" means a road forming part of the regional road system established pursuant to Section 23 of the *Regional Municipalities Act*, R.S.O. 1990, c. R.8, as amended;
- (g) "Right-of-Way" means the lands from property line to property line adjacent to a Regional Road;
- (h) "Sign" means any temporary or permanent device for the purpose of direction, information, identification, advertisement or business promotion and includes a mobile or portable sign.

2. Application of the By-law

- 2.1 THAT this By-law shall regulate the placing or erecting of Signs within a Regional Road Right-of-Way.

3. Prohibited Signs

- 3.1 THAT no person shall erect, place, maintain or display a Sign, including a Sign erected for the purpose of legal public elections, a placard or written notice within the Right-of-Way of any Regional Road, except as exempted by Section 4 of this by-law. **{By-law No. 76-14}**
- 3.2 THAT no person shall erect, place, maintain or display a Sign, signal, marking or device which purports to be or is an imitation of a traffic control device or signal.

4. Exemptions and Permitted Signs

- 4.1 THAT this By-law does not apply to any Sign within any Regional Road Right-of-Way placed or erected with the permission of the Commissioner or any sign placed within the right-of-way as required by federal or provincial legislation.
- 4.2 THAT this By-law shall not apply to any Sign prescribed under the Manual of Uniform Traffic Control Devices, 1995 as amended, for regulatory, traffic control or warning purposes.

- 4.3 THAT this by-law shall not apply to Tourism Oriented Destination Signage as approved by the Region.
- 4.4 THAT this by-law shall not apply to Signs erected for the purpose of construction projects occurring under authority of the Region or the Area Municipalities.
- 4.5 *{Deleted pursuant to By-law No. 76-14}*
- 4.6 THAT this by-law shall not apply to Signs erected for purpose of community services provided that written permission has been obtained from the Commissioner. These signs may include but are not limited to the following:
- (i) directional signs for public recreational and cultural facilities;
 - (ii) directional signs for educational facilities;
 - (iii) directional signs for hospitals;
 - (iv) directional signs for places of worship;
 - (v) signs for service clubs or groups;
 - (vi) bus stop signs;
 - (vii) municipal boundary signs.
5. Roadway Transfers
- 5.1 THAT any Sign existing on a Regional Road that was previously under the jurisdiction of the Province of Ontario or the Area Municipalities, shall be subject to the provisions of this By-law.
- 5.2 THAT the owner or operator of Signs under Paragraph 5.1 that are in contravention of this by-law may be given 60 days written notice of the Region's intent to remove the Signs.
6. Removal of Signs
- 6.1 THAT any Sign erected, placed, maintained or displayed in contravention of the provisions of this By-law may be removed by the Region or its agents without notice or compensation.

7. Enforcement

7.1 THAT the provisions of this by-law may be enforced by:

- (i) a Halton Regional Police Officer; or
- (ii) a By-law Enforcement Officer

8. Offence

8.1 THAT every person who contravenes this by-law is guilty of an offence and upon conviction, is liable to a fine as provided for in Section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33.

8.2 THAT each day that a person contravenes any provision of this By-law shall constitute a separate offence.

9. Validity

9.1 THAT if any one provision of this By-law is held to be or rendered invalid, unenforceable or illegal, then it shall be considered separate and distinct from this By-law and the remaining provisions of this by-law shall remain in force.

10. Repeal

10.1 THAT this By-law hereby repeals and replaces County of Halton By-law No. 837 (1948).

11. THAT this By-law comes into force and effect on the day it is passed.

READ and PASSED this 28th day of March, 2001.

REGIONAL CHAIRMAN

REGIONAL CLERK