



TO: GENERAL COMMITTEE

SUBJECT: SIGN BY-LAW 2005-093 REVIEW

WARD: ALL

PREPARED BY AND KEY CONTACT: J. FORGRAVE, SUPERVISOR OF ENFORCEMENT SERVICES #4330
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SUBMITTED BY: W. COOKE, ACTING CITY CLERK / DIRECTOR OF LEGISLATIVE AND COURT SERVICES

GENERAL MANAGER APPROVAL: D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES

CHIEF ADMINISTRATIVE OFFICER APPROVAL: M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RECOMMENDED MOTION

1. That Sign By-law 2005-093 be amended to:
 - a) Update authorities due to legislative amendments;
 - b) Add or clarify definitions to address enforcement complications, advancements in advertising and advertising technology or provide a clearer understanding;
 - c) Enhance wording in various sections for clarification, alignment of sections of the by-law or with other by-laws;
 - d) Amend to the prohibitions and restrictions to address enforcement complications and advancements in advertising and advertising technology.
 - e) Update of the Penalty Section to align with the *Municipal Act, 2001*;
 - f) Address administrative amendments to various sections related to plain language wording, numbering and organization as deemed necessary.
2. That staff be authorized to make an application to the Ministry of the Attorney General for set fines related to the Sign By-law 2005-093 as amended, with fine amounts ranging from \$100.00 to \$1,000.00 based on the nature of the offence.
3. That the Fees By-law be amended to reflect enhanced cost recovery associated with the Sign By-law violations as set out in Appendix "A" to Staff Report LCS003-18.

PURPOSE & BACKGROUND

Report Overview

4. The purpose of this Staff Report is to review opportunities to make amendments due to technology advancements in the advertising industry, enhance enforcement procedures and improve cost recovery associated with sign by-law processes and violations. This Staff Report recommends enacting provisions to deal with requests by the industry, addressing concerns of residents, clarifying definitions and provisions within various sections to reduce ambiguity within the community and implement legislative changes from higher levels of government. The proposed changes are anticipated to broaden permitted and new styles of advertising by the industry while enhancing the ability of Officers to enforce the Sign By-law.
5. Cost recovery for the enforcement of the Sign By-law has also been reviewed and proposed changes should assist in managing enforcement costs while allowing businesses and the sign industry more opportunities to advertise in a controlled setting.

Background

6. Through the 2017 business plan motion (17-G-024 as amended), Council directed as follows:
 - “20. “That staff in the Legislative and Court Services Department review opportunities to enhance enforcement and increase cost recovery associated with illegal signs and property standards violations including but not limited to implementation of a sign permit fee system and report back to General Committee”.
7. The purpose of this report is specifically to address the Sign By-law aspects of the above motion. A report has previously been presented regarding changes to the Property Standards By-law and the cost recovery associated with its enforcement. Enforcement enhancements and cost recovery related to election signs is being addressed in a separate report.
8. Advertising is important to local businesses and the local economy, providing business identification, communication and wayfinding. Enforcement of the Sign By-law is essential to manage the City’s objectives of dealing with visual clutter/litter, ensure public safety and preserve Barrie’s exceptional character. When advertising is not controlled and kept to a minimum standard, the community as a whole suffers. The Sign By-law 2005-093 prescribes standards and restrictions for the placement and maintenance of signs on public and private property within the City of Barrie, as well as the permitted numbers of signs on a property, sizes and styles.

9. The following is a table with the types of signs, a description of basic provisions related to each sign type and examples of the types of signs currently regulated:

Sign Type	Examples	Requirements
Mobile Sign		<ul style="list-style-type: none"> requires sign permit 30 and 90 day permits available setback requirements to address sight lines
Ground Sign		<ul style="list-style-type: none"> requires building permit height, setback requirements may contain electronic display
Poster Panel		<ul style="list-style-type: none"> requires building permit height, setback requirements may contain digital display
A-Frame Sign		<ul style="list-style-type: none"> no permit requirements size and number allowed restricted not permitted on City lands except on sidewalks in the downtown provided a 1.2 m clearance is maintained
Temporary Sign		<ul style="list-style-type: none"> no permit requirements no restrictions to size or numbers when placed on private property not permitted on City lands

10. The *Municipal Act, 2001, c.25*, as amended, provides that a municipality may pass by-laws in the interest of the health, safety and well-being of its residents.

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11. It should be noted that any sign that had been legally located (ie: not on City lands), in accordance with all other By-laws and legislation enforceable in the City of Barrie, on or before the day the By-law was originally enacted (February 1999) are permitted to remain and continue to be used and maintained as a sign even though it does not conform with current, or proposed, regulations provided such sign is not substantially altered or relocated. A court decision regarding past charges laid in Barrie deemed signs that were legally erected prior to the original Sign By-law and not substantially altered, as grandfathered. Therefore, any amendments will not address current sign issues such as mobile signs along the Bayfield Street corridor or wall signs at the 5 Points intersection for example. Any amendments would only impact any new signage installed after the passage of the amending by-law.
 12. Historically, the City of Barrie has regulated the use of signs and other advertising devices within the municipality. Staff have removed thousands of illegally placed signs and assessed fees to the owners where known, when violations have been noted. Service fees and permit fees have assisted to offset the cost of enforcement but have represented, on average, less than 30% of the total cost of enforcement including corporate overhead.

ANALYSIS

13. Staff have undertaken a review of the Sign By-law specifically as it relates to enhanced enforcement opportunities, advancements in technology for the industry, review of public and industry engagement and the ability to increase cost recovery associated with violations and permits.
14. During this review process, staff reviewed other municipalities' by-laws regarding the enforcement of sign standards including the cities of London, Kingston, Hamilton, Mississauga, Richmond Hill, Guelph, Wellington, Sudbury, St. Catharines and Vaughan.
15. The review of comparator municipalities by-laws showed that although the by-laws were structured differently, they were relatively similar in nature. The use of service fees and permit fees varied with some municipalities collecting only monies spent by the municipality to enforce compliance while other municipalities collected permit fees or deposits to offset possible enforcement activities.
16. A survey was undertaken with general questions for both the public, business and sign industry sectors in Barrie regarding their opinions on the use of signs for advertising, including types of signs they believe are acceptable, duration of time the signs should remain on display, if the advertising caused them to change their business activity and what locations were acceptable. Although respondents were not required to identify whether they represented the business/sign industry sector versus the general public, the comments provided generally identified different perspectives.

17. Below is a summary of the general nature of the comments provided: (Complete Survey results are available upon request)

Public Comments	<ul style="list-style-type: none"> • Generally do not like the amount of signage throughout the City • Understand that signs are needed to identify various locations and provide information • Want minimal signage and for a short duration of time • Do not want or agree with any signage on City property • The distance between signs should be spaced out further • That signs interfere with visual sight lines 	<ul style="list-style-type: none"> • Ground Signs are acceptable • Mobile Signs are acceptable for a short duration and as long as they are in good repair • No temporary signs should be permitted on City land or private property • Does not cause them to attend a business where they normally would not
Industry / Business Comments	<ul style="list-style-type: none"> • Would like to increase their ability to use various types of signs • Signage should be permitted for a longer period of time • State it is critical for business success • That Barrie does not have a sign problem 	<ul style="list-style-type: none"> • All types of signs should be permitted • Want longer duration for Mobile signs • Want increased number of signs permitted per property (i.e reduced setback requirements)

18. As evidenced by the nature of the comments above, there is a substantial disparity between the views of the general public and the sign industry/business community.

Sign By-law 2005-093 Review

Overview

19. The Sign By-law is passed and enforced under the authority of the *Municipal Act*. This by-law was designed to regulate advertising devices including signs, outline permitting requirements, public safety and illegal placement of signs. The by-law has provisions for cost recovery for a portion of the services provided when administering the by-law such as issuing a permit or enforcing illegal placement.
20. The Sign By-law was initially passed in 1999 and previously reviewed in 2005 to allow the City Clerk to grant exemptions, in 2008 to allow provisions for new technology used in advertising and again in 2012 to add fees to aid in the cost recovery for the removal, storage and destruction of signs pursuant to the *Repairs and Storage Liens Act*.
21. Enforcement of the Sign By-law is both time consuming and challenging. In many cases, particularly with temporary signs, minimal contact information is provided on these advertising devices. Staff spend time attempting to determine appropriate contact information to allow for enforcement fees to be invoiced for all illegally placed temporary signs, however, success is often limited. As there are limited resources, the amount of time spent tracking down information can detract from the time available to remove the signs.
22. As a result, there has been a shift in the use of the existing limited resources. Additional focus has been placed on proactive removal of illegal signs to improve the aesthetics of the community and less focus on tracking down the business or organization to recoup the City's enforcement costs. Staff will continue this proactive approach to remove illegal signs. When they are removed quickly, it makes these illegal signs less cost effective for businesses to use, even if staff are unable to obtain sufficient contact information for collection of enforcement fees.

Proposed Enhanced Regulations

23. It is recommended that the By-law be amended to address various items such as those listed below. In addition, staff are proposing to update and/or clarify definitions and wording within the by-law as well as enhanced wording in various sections to align with other sections of the by-law or other City by-laws. These changes would assist in enforcement procedures while setting clear expectations for the industry and business community. The details of the specific changes are identified in Appendix "B".
24. Staff are recommending amendments to the By-law to enhance specific provisions on currently permissible sign types to address advancements in advertising technology and industry standards. Many applications have been made in recent years requesting variances to current restrictions on the size of Digital Displays or Electronic Message Boards that are incorporated in the overall structure of permanent Ground Signs. Staff recommend an increase to 50% from the current 25% to lessen the number of variance requests and align with current industry and comparator municipalities standards. The fact that ground signs were generally perceived by the public as being more acceptable than other sign types was also considered in the decision to recommend this change, as it may reduce the use of sign types that the public finds less acceptable over time.
25. Staff recommend amendments to enhance specific provisions on current permissible signs to address advancements in advertising technology and industry standards regarding Mobile Signs, specifically related to the restrictions on the allowable number of colours. Advancements have made it possible for the industry to create full colour graphics on the sign face rather than individual letters or words. This allows for an overall more aesthetically pleasing form of visual advertising while meeting the needs of the business community and industry.
26. Staff also recommend amendments to implement specific provisions to address industry requests for full digital displays incorporated into permanent Poster Panel signs. Current Poster Panel sign provisions do not specifically address the use of full digital displays however the By-law does prohibit advertising that includes any manner of flashing illumination which varies in intensity or colour. Enhanced provisions would allow such displays with restrictions to minimize visual distractions for passing motorists.
27. Staff further recommend the By-law be amended to enhance current prohibitions and restrictions to the use of trailers, wagons, implements of husbandry etc., as signs, in response to public concerns and the influx of their use. These enhancements will address a portion of previous enforcement complications, specifically as it relates to terms or definitions found in the current By-law. This recommendation had been previously investigated but was not presented to General Committee, as there was legal action before the Courts regarding By-law charges. Staff were waiting for the Court's decision, which was not handed down until mid 2017.
28. Notwithstanding the above, the new regulations will not address all trailers used as signs. Trailers can be considered structures under the Building Code and with the issuance of a building permit can be adapted into permanent structures such as ground signs. Further, many of the issues arising from the use of trailers are not within the jurisdiction boundaries of the City, such as trailers are located within the Highway 400 Corridor. In the case of trailers located within 400 metre distance of Highway 400, the lands are regulated by the Ministry of Transportation's policies (not the City's Sign By-law). The Ministry of Transportation is responsible for enforcement of the Ministry's policies. Concerns regarding trailers used as signs have been brought to the Ministry's attention on numerous occasions by staff and the Mayor.
29. The present By-law does have a Penalty Provision section, however it is required to be updated to meet legislative requirements and/or be aligned with other City by-laws. The penalty section is to be updated to reflect the *Municipal Act* and the *Provincial Offences Act*.

Fees

30. Currently, there are fees associated with the permitting of mobile signs and poster panel signs. There are also fees designated for the removal, storage and ultimate destruction of illegally placed signs. These fees have been developed to work toward full cost recovery and are contained within the Fees By-law.
31. Separate fees are designated depending on the duration of the permit or due to the nature/size of the illegally placed signs, from a nominal fee for small temporary signs to full cost recovery for large poster panel signs. These fees are reviewed annually. Increases to both permit fees have been recommended as outlined in Appendix "A" to enhance cost recovery.
32. Fees for illegally placed signs are issued to an owner or apparent owner of the sign where it is known or discovered. Upon receiving a complaint or noting a violation while on patrol, related to signs posted on municipal lands other than City Official signs or otherwise in contravention of the By-law, an officer will attend the property and remove the sign(s). The By-law does not require a warning be provided prior to the removal of the sign. Subsequently, a Notice is sent to the owner or apparent owner of the sign advising of the removal and the fee(s) due.
33. Failure by the owner to retrieve the sign and or pay the fees associated with its removal, will result in the costs being sent to collections. However, those fees and charges are never recovered in a number of cases. On many occasions the business owners noted on the advertising device have failed to respond to the collection notices or have subsequently closed the business, resulting in no collection of fees.
34. In a significant number of cases, signs that have been confiscated are not able to be traced back to a business location resulting in fees that are not recoverable. Examples of such limitations are 1-800 numbers that only return to a message bank not allowing follow up, websites that do not have contact information such as mailing addresses or direct dial phone numbers. Attempts to contact the businesses to obtain the information that would be necessary for invoicing and collection are met with little or no response. This equates to 37% of staff activities on average per year. Based on the 2016 enforcement fees, this represents a loss of \$38,471 in cost recovery annually. Further collection tools continue to be evaluated in terms of their cost to implement against the likelihood of collection.

Investigation of Additional Permitting Opportunities

35. Staff also investigated the feasibility of additional permit requirements for both A-Frame signs and temporary signs in an attempt to assist in enforcement processes and in cost recovery for administration and enforcement of the By-law.
36. A permit process for mobile and poster panel signs allows the municipality to regulate the location, structure, and setbacks, for the safety of the public. It also provides contact information of the owner and property owner and the ability to have the sign maintained and/or removed by revocation of the permit. Given the nature of mobile and poster panel signs, the volume of permits is currently manageable within existing resources, using a manual permitting system. The enforcement of the requirement to obtain a permit is also easier as they are attached to a property with an address, where ownership of the property or sign can be readily determined.

37. A permit process for either A-frame or temporary signs is not being recommended at this time for the following reasons:
- The existing permit system is a manual one and it is not anticipated that the automation of this process will occur for several years;
 - The volume of signs to be reviewed and inspected under a manual permit system would necessitate additional staff resources;
 - Reasonable permit fees are not expected to recover the full cost of any additional resources required to implement and administer permits under a manual process;
 - Permitting signs creates liability for the City and the mobile nature of these signs would necessitate regular inspections to mitigate risk to the City related to claims of damages or injury from signs placed in a manner that could be alleged to have caused harm to an individual; and
 - As temporary signs are relatively inexpensive to purchase, would be considered grandfathered where legally placed at the time of any by-law change (eg. on private property) and are not permitted on City property, it is staff's opinion that creating a permitting process will not improve the aesthetics of the community or compliance with the By-law.
38. Staff will continue to review opportunities to implement a permitting process for these types of signs as future phases of the Applications, Permits, Licences and Inspections (APLI) system are implemented.

Set Fine Application

39. It is recommended staff be authorized to make application to the Ministry of the Attorney General for set fines related to the Sign By-law with fine amounts ranging from \$100.00 to \$1000.00. Set fines allow for the issuance of Provincial Offence Notices (tickets) for non-compliance with the By-law where the owner is known or found within a short period of time. This does not negate the use of services fees within the Fees By-law.

ENVIRONMENTAL MATTERS

40. There are no environmental matters related to the recommendation.

ALTERNATIVES

41. The following alternatives are available for consideration by General Committee related to the Sign By-law 2005-093:

Alternative #1

General Committee could maintain the existing Sign By-law with respect to current permit requirements, current prohibitions and restrictions and current allowable sign styles, structures and format (i.e. Status Quo).

This alternative is not recommended as the cost of enforcement continues to rise and tax payers are currently paying to offset the cost to enforce the Sign By-law when it is the violators, usually businesses, who should pay for such violations. The sign industry has expressed a desire for updates to the By-law particularly as it relates to advancements in the technology to create more appealing signs or to create fully digital displays. Citizens continue to express a aversion for the use of some structures used as signs, particularly old trailers/wagons/vehicles. Enforcement would continue to have challenges relating to the successful enforcement of a number of provisions of the By-law.

Alternative #2

General Committee could alter the proposed recommendation by amending or deleting specific proposed enhancement provisions as it deems appropriate.

This alternative is not recommended as the changes identified are as a result of observed enforcement challenges, public opinion, complaints and demands of the citizens and the requests of the industry

Alternative #3

General Committee could amend the proposed recommendation to implement a permitting process for temporary and/or A-frame signs.

At this time, this alternative is not recommended. The volume of these signs and their ability to be easily moved would require additional staff resources to administer the permitting process using the current manual system as well as to conduct inspections to ensure that the placement of the sign did not create a hazard for the public. These sign types are relatively inexpensive and it is anticipated that many businesses using these signs would continue to place the signs illegally even with a permitting system. When the APLI system is expanded to include permitting for signs, staff will undertake a review of the potential for a permit system for these types of signs again.

FINANCIAL

42. It is anticipated that the proposed changes to the enforcement fees in the Sign By-law could generate additional revenue that would offset the costs of enforcement, should the number of violations and response to violations remain unchanged. However, as a result of the enhanced enforcement provisions, fee increases and/or other proposed changes to the by-law, the volume of violations and responsiveness to notices and invoices regarding illegal signs may vary.
43. Such revenues will continue to be utilized to offset the overall cost of enforcement of the By-law throughout the community.

LINKAGE TO 2014-2018 STRATEGIC PLAN

44. The recommendation(s) included in this Staff Report are not specifically related to the goals identified in the 2014-2018 Strategic Plan. However through the enhanced provisions for the industry and enhanced enforcement measures, the recommendations relate to building a safer and more vibrant community.

APPENDIX "A"

Proposed Permit Fees and Enforcement Fee Increases and Cost recovery

Fee Structure	Current Fee (2017)	Cost of processing	Proposed Fee (2018)	Difference of (\$)
Sign By-law				
Removal and confiscation of signs – A-Frames	\$ 82.00	\$264.87	\$105.00	\$159.87
Removal of confiscation of signs – Poster, Wire Framed "bag" and Similar Temporary Signs	\$ 55.25	\$264.87	\$75.00	\$189.87
Mobile Sign Permit (30 days)	\$ 66.50	\$254.28	\$84.00	\$170.28
Mobile Sign Permit (90 days)	\$ 121.00	\$254.28	\$141.00	\$113.28
Mobile Sign Permit (non-profit/charitable)	\$ 33.25	\$254.28	\$50.00	\$204.28
Poster Panel Sign Permit	\$ 61.00 per application plus \$24.75 per sq metre	\$264.87	\$80.00 per application plus \$24.75 per sq metre	
Minor Sign Variance Application Fee (fee is non-refundable, requests for non-profit or charitable events are exempt)	\$118.00	\$241.06	\$145.00	\$96.06
Removal and confiscation of signs – All Other signs	Actual cost of removal and storage, not to exceed full cost recovery per contractors and staff			

APPENDIX "B"

Proposed Amendments

Section Number	Title	Current Wording	Proposed Wording
2.1.2.0.0	"Applicant"	NEW	shall mean the owner of the land upon which a sign is to be erected or displayed, or a tenant of the land, who shall provide written permission from the owner of the land, or an agent of the owner or tenant, who shall provide written permission of the owner and tenant of the land.
2.1.4.0.0	"City Property"	NEW	means any lands owned by The Corporation of the City of Barrie, utilities or local boards and includes but is not limited to Streets, Highways, Boulevards, Parks, and Road Allowances.
2.1.5.0.0	"Digital Display/Electronic Message Board"	"Electronic Message Board" means a section of a sign which is electronically controlled and which displays information in a pre-arranged sequence, and on which the intensity of the illumination is maintained at a consistent level.	means an advertising device, sign or section of a sign which is electronically controlled and which displays information in a pre-arranged sequence, and on which the intensity of the illumination is maintained at a consistent level and the image remains static for a pre-determine amount of time as set out in this by-law. Shall include but not be limited to electronic text message boards and LED displays.
2.1.10.0.0	"Officer"	NEW	means a Municipal Law Enforcement Officer or any other law enforcement officer as appointed by the Council of The Corporation of the City of Barrie or designate, the Barrie Police Services Board, or a Provincial Offences Officer or other duly appointed individual.

2.1.14.0.0	"Real Estate Sign"	NEW	means a temporary non-illuminated sign erected on a property for the notification that said property, a building thereon, or a portion thereof is offered for sale, rent or lease.
2.1.20.0.0	"Temporary Sign"	NEW	means an advertising device or sign that is not permanently erected or affixed to the ground, onto a building or other structure including but not limited to plastic bag signs, corrugated plastic signs and other portable signs designed for short term advertising but does not include an A-Frame sign or Mobile sign.
2.1.21.0.0	"Third Party"	NEW	means advertising which identifies or provides information on goods, products, services or facilities that are not available at the location where the advertising device or sign(s) is located.
2.1.22.0.0	"Trailer"	NEW	means a vehicle or device that is intended to at any time be drawn, temporarily drawn, propelled or moved upon a highway by a motor vehicle and for the purposes of this by-law shall include but not be limited to a wagon, implement of husbandry, a trailer designed for recreational purposes or commercially registered vehicle or trailer.
11.1.10.0.0	Prohibited Signs	signs erected or painted on a vehicle or trailer where the vehicle or trailer is not in weekly operation for transportation and is parked or located in a manner so as to make the sign visible from a street for the purpose of functioning as an identification, information or advertising sign	signs affixed, attached or painted on a motor vehicle or trailer

11.1.10.1.0	Prohibited Signs	NEW	Notwithstanding section 11.1.10.0.0, signs affixed, attached or painted on a commercially registered motor vehicle or trailer where said motor vehicle or trailer is in weekly operation for the transportation of goods or products or to provide a service, shall be permitted
11.1.12.0.0	Prohibited Signs	signs which advertise, or are deemed by the City Clerk to portray an unlawful activity, or which contains any profanity or obscenity.	signs which advertise, or are deemed by the City Clerk or designate to portray an unlawful activity, or which contains any profanity or obscenity or other message that may be offensive or discriminatory as defined in the <i>Ontario Human Rights Code</i> .
12.1.6.0.0	Poster Panel Signs	NEW	Digital Display/Electronic Message Board Poster Panel Signs
12.1.6.1.0	Poster Panel Signs	NEW	Digital Display/Electronic Message Board Poster Panel sign faces are permitted to be on or incorporated within a Poster Panel sign which is erected, located or displayed in accordance with this by-law subject to the following:
12.1.6.1.1	Poster Panel Signs	NEW	the intensity of an illumination of the digital display/electronic message board shall be maintained at a constant level and depict only static images that do not contain any motion, animation, flashing or scrolling
12.1.6.1.2	Poster Panel Signs	NEW	notwithstanding section 12.1.6.1.1 Digital Display/Electronic Message Board Poster Panel signs must be equipped with functioning automatic dimming technology which will automatically adjust the intensity of the illumination in direct correlation with the ambient light conditions.

12.4.6.1.3	Poster Panel Signs	NEW	the intensity of an illumination of the digital display/electronic message board shall not exceed 6,000 nits during the period between sunrise and sunset and further shall not exceed 500 nits during the period between sunset and sunrise, as provided by industry standards and may be amended from time to time.
12.4.6.1.4	Poster Panel Signs	NEW	advertisements will have a minimum dwell time (time on the ad) of 8 seconds and an average transition time (time to change ad) of 1 second.
12.2.1.1.0	Mobile Signs	Every mobile sign shall bear, in a visible location on such sign, the name, address and telephone number of the owner of the sign. In addition, the lettering on every mobile sign shall be limited to a maximum of two colours on a single colour background, provided that all letters within each single word displayed on the mobile sign are of one colour but shall not include those colours incorporated in any business logo or approved corporate illustration	Every mobile sign shall bear at minimum, in a visible location on such sign, the name and telephone number of the owner of the sign. (restrictions on permitted colours removed)
12.2.2.2.4	Mobile Signs	notwithstanding section 12.2.3.2; 12.2.3.2.2 and 12.2.3.2.3 above, no more than three (3) mobile signs shall be permitted on any lot at any one time	DELETE - Number of signs to be determined using the provisions in sections 12.2.3.1.0, 12.2.3.2.1, 12.2.3.2.2, and 12.2.3.2.3 to a maximum of 4 mobile signs
12.3.5.0.0	Ground Signs	Electronic Message Board	Digital Display/Electronic Message Board
12.3.5.1.2	Ground Signs	a maximum of <u>25%</u> of the sign area may be used for the purpose of an electronic message board	a maximum of <u>50%</u> of the overall sign area may be used for the purpose of a digital display/electronic message board

12.3.5.1.3	Ground Signs	the intensity of an illumination of the electronic message board shall be maintained at a constant level	the intensity of illumination of the digital display/electronic message board shall be maintained at a constant level and there shall be no flashing or variation in colour
12.3.5.1.4	Ground Signs	NEW	notwithstanding section 12.3.5.1.3 the digital display/electronic message board must be equipped with functioning automatic dimming technology which will automatically adjust the intensity of the illumination in direct correlation with the ambient light conditions
12.3.5.1.5	Ground Signs	NEW	advertisements will have a minimum dwell time (time on the ad) of 8 seconds and an average transition time (time to change ad) of 1 second
12.3.5.1.7	Ground Signs	NEW – Currently a maximum of one (1) ground sign containing a digital display/electronic message board may be permitted <u>per lot or property.</u>	notwithstanding section 12.3.5.1.4, where a lot abuts two or more streets, one (1) ground sign containing a digital display / electronic message board may be erected on each street frontage provided that the said street frontage is greater than 15.0m
27.0.0.0.0	Enforcement	NEW	To align with other City By-laws
27.1.0.0.0	Enforcement	A Municipal Law Enforcement Officer, Provincial Offences Officer, Police Officer, or other duly appointed individual shall enforce the provisions of this by-law.	
27.2.0.0.0	Enforcement	No person shall obstruct, hinder, or otherwise interfere with a Municipal Law Enforcement Officer, Provincial Offences Officer, Police Officer or other duly appointed individual in the lawful carrying out of their duties and responsibilities under the provisions of this by-law.	
28.0.0.0.0	Penalty	NEW	To align with other City By-laws and the Municipal Act and Provincial Offences Act