

COMMUNICATION 132025

Received From: Lennox Smith, Chief Building Official
Addressed To: Committee of the Whole
Date: February 23, 2021
Topic: Signage Control Download for County Corridors

SUMMARY

Lanark County is currently proposing a new Sign By-Law for the management of signage along its corridors. Within this proposal is a desire to download the approval and enforcement of signage to local Municipalities. The County has asked for comments on their new By-law and the proposal for municipal staff to commence administration of the policy. The purpose of this report is to seek Council direction respecting the delegation of administrative management of the County's Sign By-law.

BACKGROUND

Currently all signage that is placed on or within a specific distance of the County's right of ways is under the jurisdiction of Lanark County. The County controls several criteria about signage within this influence zone including but not limited to:

- size;
- placement for sight line safety;
- types of signs; and
- duration of sign erection.

Currently within the Town of Carleton Place, Lanark County is responsible for all enforcement of non-compliance with its policy. It should also be noted that the County does not have permits for their signage, as they opt for a prescriptive compliance-based policy model. Properties that abut the County's corridors do not require a permit from the Town if compliance with the County's Sign By-law is achieved.

The County has indicated that Mississippi Mills and Perth currently administer and enforce the County's Sign By-law within their urban boundaries, and their desire is for Carleton Place to similarly take on the enforcement responsibilities.

The Town's Building Department administers the permitting process for signage applied for within the Town with the exception of County Roads (McNeely and Townline). The Department has experienced significant challenges in the effective enforcement of illegally erected signs. Due to staffing limitations, enforcement is conducted in a reactive manner on a complaint driven basis. The result is that most signage in Town is erected without a permit and has generally remained in place with no consequence of removal.

Since 2019, the Chief Building Official has noted a high number of signs being erected in all areas of the Town including along the County's corridors. This signage is a by-product of the steadily increasing growth in the Town and influx of new business that emerge as the population grows and development thrives. Even though staff numbers in the Building Department are expanding, they are still insufficient to adequately administer and enforce the Sign By-law.

Council should be cognizant that accepting responsibility for the administration and enforcement of the County's Sign By-law would be subject to similar challenges as our own policy.

If Council provides direction to accept the County's request for service, it is recommended that both the County and Town's policies be amended to reflect the following principals:

- Autonomy in decision making on interpretation to the Local Municipality;
- Delegation of authority and autonomy for Enforcement;
- Identification of a new "zone" and respective provisions;
- Right of entry access

Consistent policies applied across the urban area are the only visible benefit of the acceptance of the County's corridors, however, Council should also be aware that additional control of signage increases the municipality's inherent liability in damages caused by signs.

STAFF IMPLICATIONS

Staff will be required to spend essential time on the implementation and alteration of a new Sign By-law to adopt the changes. This may also create more petitions to council for allowances along the County's corridors as we will now be the approval authority and any person can request that Council reconsider their application if staff turns it down. Overall, this migration in accepting the County's corridors will create more workload, liability, and responsibility for the Town, while eliminating all responsibility for the County.

FINANCIAL IMPLICATIONS

Financial implications may include the possibility of hiring further staff to properly enforce the Sign By-law. It may also include third party review, creation, and/or vetting costs for any new changes to the existing Sign By-law. Actual values are not known at this time.

STAFF RECOMMENDATION

THAT Committee of the Whole refuse accepting the additional Sign By-law responsibility that is proposed to be downloaded from Lanark County to the Town.