

OFF-SITE COMMERCIAL SIGNAGE BY-LAW

BYLAW RESPECTING THE REGULATION OF COMMERCIAL SIGNAGE NOT LOCATED ON THE SAME PROPERTY AS THE COMMERCIAL OPERATION THAT IT ADVERTISES

Purpose

1. The purpose of this By-law is to work in conjunction with the Port Hastings Land Use By-law to regulate commercial signage in the Port Hastings Plan Area and more specifically to prohibit off-site commercial signage located in Provincial, Municipal or private road right-of-ways.

Definitions

2. In this By-law:
 - a. **"Commercial Sign"** shall refer to privately-owned structure that is used to advertise or attract attention to any person, place or thing. A commercial sign may provide information such as addressing, announcements, or directions and may be intended to be seen from off of the premises, in order to identify or direct to a particular business.
 - b. **"Council"** shall refer to the Council of the Municipality of the County of Inverness.
 - c. **"Development Officer"** shall refer to the officer of the Municipality of the County of Inverness who is charged by the municipality with the duty of administering the provisions of the Land Use By-law.
 - d. **"Erect"** shall refer to the act of building, constructing, reconstructing, altering or relocating and without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.
 - e. **"Existing"** shall mean legally in place, or operating, at the time of the Land Use By-law having come into effect.
 - f. **"Highway"** shall mean a highway vested in Her Majesty in right of the Province.
 - g. **"Land Use By-law"** shall mean the Land Use By-law adopted by the Council of the Municipality of the County of Inverness for the Port Hastings Planning Area.
 - h. **"Private Road"** shall refer to any street or road that is not public, shown on a Plan of Subdivision approved on or after the first day of August, 1987.

This definition shall be deemed to include any private road approved by the Department of Transportation and Infrastructure Renewal, shown on a Plan of Subdivision approved prior to the first day of August, 1987 and filed with the Registry of Deeds for this Municipality.
 - i. **"Street Line"**: the boundary line of a highway or private road.
 - j. **"Structure"**: anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure.

Control

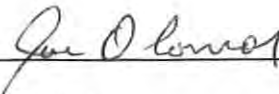
3. This by-law is made pursuant to the provisions of Section 49A of the Public Highways Act. The highways or the portions of the highways located within the municipality set out in Schedule "A" are designated for the purpose of subsection 49A(2) of the Public Highways Act.
4. This by-law does not apply to any part of a highway that has been designated as a controlled-access highway under Section 21 of the Public Highways Act.
5. No person shall erect a commercial sign without first obtaining a permit from the Development Officer and no permit to erect a commercial sign shall be issued unless all the sign provisions of this By-law and the Land Use By-law are satisfied.
6. Commercial signs shall not be permitted within the boundary lines of a highway.
7. Commercial signs that are not located on the same property as the business they advertise shall not be permitted. Commercial signs that are located on the same property as the business they advertise shall be regulated by the Land Use By-law.

Penalty

8. Any commercial sign erected in contravention of this By-law shall be subject to removal:
 - a. By the owner, of either the commercial sign or the land on which the commercial sign is located, within a timeline as determined by the Development Officer, upon being served notice by the municipality; or,
 - b. By an agent of the municipality, if the sign not be removed in accordance with Section 8 (a) of this by-law.
9. Any commercial signs removed by the municipality will be immediately destroyed.
10. Any costs incurred by the municipality for the removal and destruction of a commercial sign will be collected from the owner of commercial sign.

This is to certify that the By-law, of which this is a true copy, was passed at a duly called meeting of the Council for the Municipality of the County of Inverness on Thursday July 26, 2012.

Given under the hand of the Chief Administrative Officer and under the corporate seal of the said Municipality this 27th day of July, 2012.



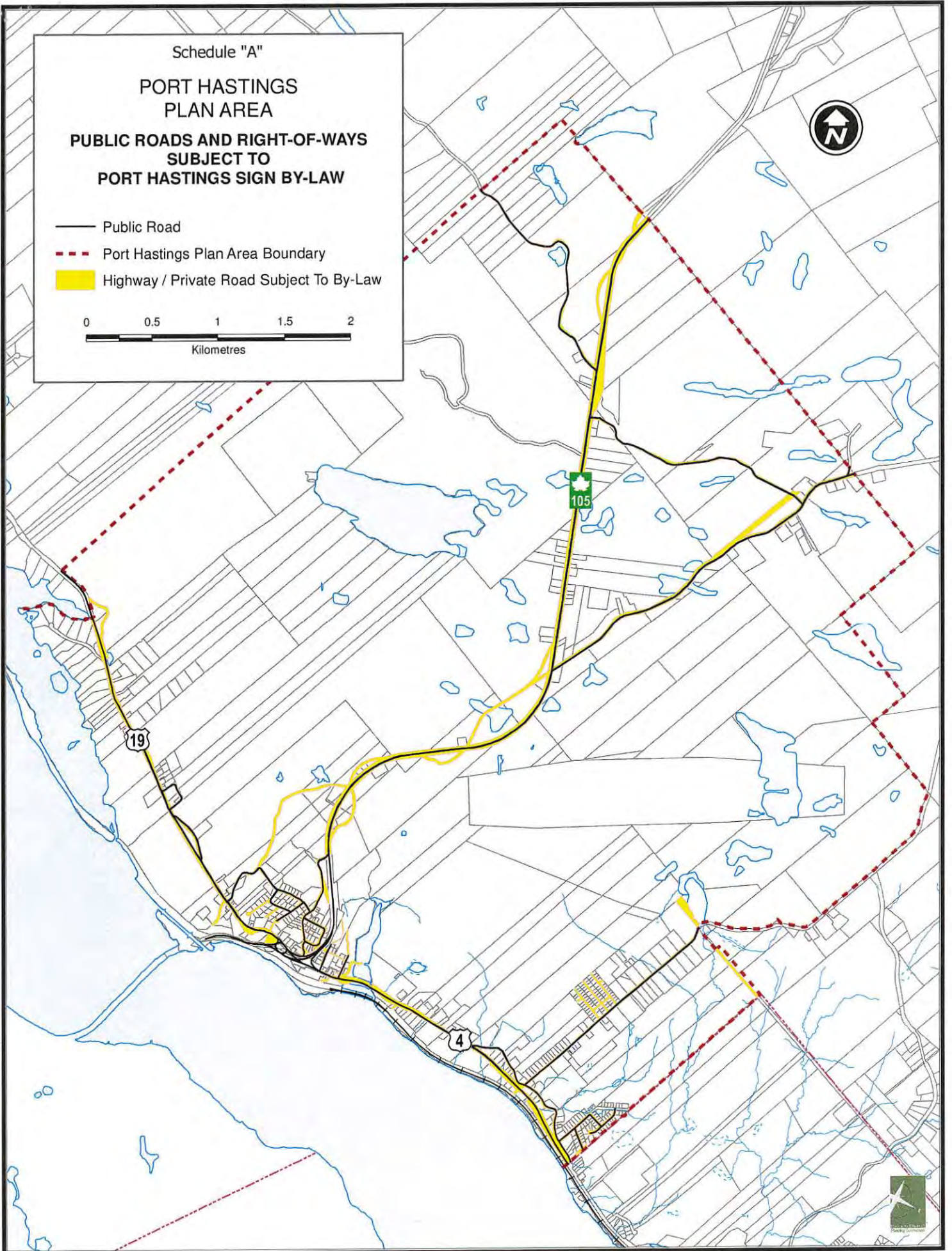
Joe O'Connor
Chief Administrative Officer

Schedule "A"

**PORT HASTINGS
PLAN AREA**

**PUBLIC ROADS AND RIGHT-OF-WAYS
SUBJECT TO
PORT HASTINGS SIGN BY-LAW**

- Public Road
- - - Port Hastings Plan Area Boundary
- Highway / Private Road Subject To By-Law



Schedule "B" - Affected Rights-of-Way As Shown in Schedule "A"

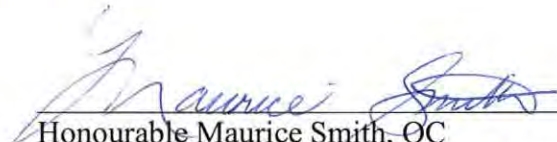
STREET	ROADCLASS	Length (km)	Extent Affected
Highway 105	Trans-Canada	6.51	From intersection of Hwy 105 North/South Bound, north to plan area boundary
Highway 19	Arterial	3.41	From intersection of Hwy 105 Rotary, west to plan area boundary
Highway 4	Arterial	3.13	From intersection of Hwy 105 Rotary, east to plan area boundary
Brown St	Local	0.20	All: Inside Plan Area
Cemetery Rd	Local	0.52	All: Inside Plan Area
Charles MacLean Rd	Local	1.30	All: Inside Plan Area
Church St	Local	0.19	All: Inside Plan Area
Davis Dr	Local	0.16	All: Inside Plan Area
Downard Rd	Local	1.87	All: Inside Plan Area
Field St	Local	0.12	All: Inside Plan Area
Mildreds Ln	Local	0.42	All: Inside Plan Area
General Line Rd	Local	1.93	From intersection of Hwy 105 to plan area boundary
Grant St	Local	0.13	All: Inside Plan Area
Highview St	Local	0.28	All: Inside Plan Area
Hilltop Dr	Local	0.31	All: Inside Plan Area
Kings Rd	Local	1.77	From intersection of Charles MacLean Rd to plan area boundary
Long Stretch Rd	Local	2.79	From intersection of Hwy 105 to plan area boundary
Lovers Lane	Local	0.22	All: Inside Plan Area
MacFarm Lane	Local	0.06	From intersection of Long Stretch Rd to plan area boundary
MacKenzie Crt	Local	0.27	All: Inside Plan Area
Newtown Rd	Local	0.39	All: Inside Plan Area
Old Victoria Rd	Local	0.88	All: Inside Plan Area
Saddler St	Local	0.10	All: Inside Plan Area
Timmons MacLean Rd	Local	0.36	All: Inside Plan Area
William St	Local	0.24	All: Inside Plan Area

**In the Matter of Section 49A of Chapter 371
of the Revised Statutes of Nova Scotia, 1989,
the *Public Highways Act***

ORDER

I, Maurice Smith, QC, Minister of Transportation and Infrastructure Renewal for the Province of Nova Scotia, pursuant to Section 49A of Chapter 371 of the Revised Statutes of Nova Scotia, 1989, the *Public Highways Act*, do hereby, approve the attached *Off-Site Commercial Signage By-Law* as passed by the Council for the Municipality of the County of Inverness on July 26, 2012.

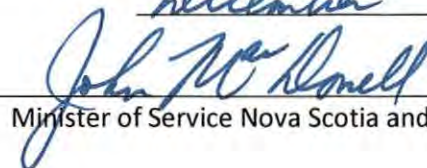
Dated and made at Halifax, in the Halifax Regional Municipality, Nova Scotia, this
4 day of DECEMBER, 2012.



Honourable Maurice Smith, QC
Minister of Transportation and Infrastructure Renewal

Service Nova Scotia
And Municipal Relations

Approved this 19th Day
of December 20 12



Minister of Service Nova Scotia and Municipal Relations