



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 117 - 2018

To authorize an Extended Downtown Brampton A-Frame Sign Pilot Program

WHEREAS subsection 8(3) of the Municipal Act, 2001 S.O. 2001, c. 25, as amended (the "Act") provides that a by-law may regulate or prohibit respecting the matter, require persons to do things respecting the matter, and provide for a system of licences respecting the matter;

AND WHEREAS section 11 (3), paragraphs 1 and 7 of the Act provide that a municipality may pass by-laws within the following spheres of jurisdiction: highways, including parking and traffic on highways and structures, including fences and signs;

AND WHEREAS section 63 of the Act provides that a by-law may prohibit or regulate the placing or standing of an object on or near a highway, and may provide for the removal and impounding or restraining and immobilizing of any object placed or standing on or near a highway;

AND WHEREAS the City passed Sign By-law 399-2002 to regulate the use and erection of signs including A-Frame signs;

AND WHEREAS the City passed By-law 157-2017 to initiate a pilot program to permit business owners in the Downtown Brampton Business Improvement Area to use, erect and display certain A-Frame signs on City sidewalk and/or which otherwise may not comply with By-law 399-2002;

AND WHEREAS the Downtown Brampton BIA has requested the City to conduct an extended pilot program to permit business owners in the Downtown Brampton Area to use, erect and display A-Frame signs on City sidewalk and/or which otherwise may not comply with By-law 399-2002;

AND WHEREAS the City is desirous of permitting owners of eligible Downtown Brampton business establishments located within the Business Improvement Area, an extended opportunity to use, erect and display an A-Frame sign which meets the requirements of this by-law within the City right of way on the sidewalk adjacent to their respective place of business, again on a trial basis limited to the period from and including June 13, 2018 to and including December 31, 2018;

AND WHEREAS the Council of The Corporation of the City of Brampton has heard in person or by counsel, solicitor or agent, all persons claiming that their land or use thereof will be prejudicially affected by this by-law and who applied to be heard;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS AS FOLLOWS:

1. That notwithstanding Sign By-law 399-2002, a person who owns a business within premises located within the Downtown Brampton Business Improvement Area as shown in Appendix 1 hereto shall be entitled to use, erect and display an A-Frame sign advertising the services or wares of such business within or partly within the City owned sidewalk area immediately adjacent to such business provided that person executes a licence agreement with the City which permits such sign and satisfies and continues to comply with the conditions of the agreement which shall include those conditions listed in Appendix 2 hereto.
2. That the Commissioner, Public Works & Engineering be authorized to execute licence agreements pursuant to this by-law on such additional terms and conditions as may be satisfactory to the Director, Economic Development & Culture or designate and in a form acceptable to the City Solicitor or designate.
3. That no licence agreement executed pursuant to this by-law shall become effective earlier than June 13, 2018 or continue beyond December 31, 2018.
4. That the Commissioner, Public Works & Engineering be authorized to terminate any licence agreement executed pursuant to this by-law in the event any of the conditions of such licence agreement are not satisfied or the licensee is otherwise in default thereof.
5. That any person using, erecting or displaying any A-Frame sign other than pursuant to this by-law and in accordance with a licence agreement with the City which remains in good standing and has not been terminated, shall be subject to the provisions of Sign By-law 399-2002.
6. That this by-law shall expire at midnight December 31, 2018.
7. That the revenue generated pursuant to the licence agreements executed pursuant to this by-law be deposited into the net deferred land sales account.


ENACTED and PASSED this 13th day of June, 2018

Approved as to form. 2018/06/06 Bob Darling

Approved as to content. 2018/06/06 Christopher Pratt



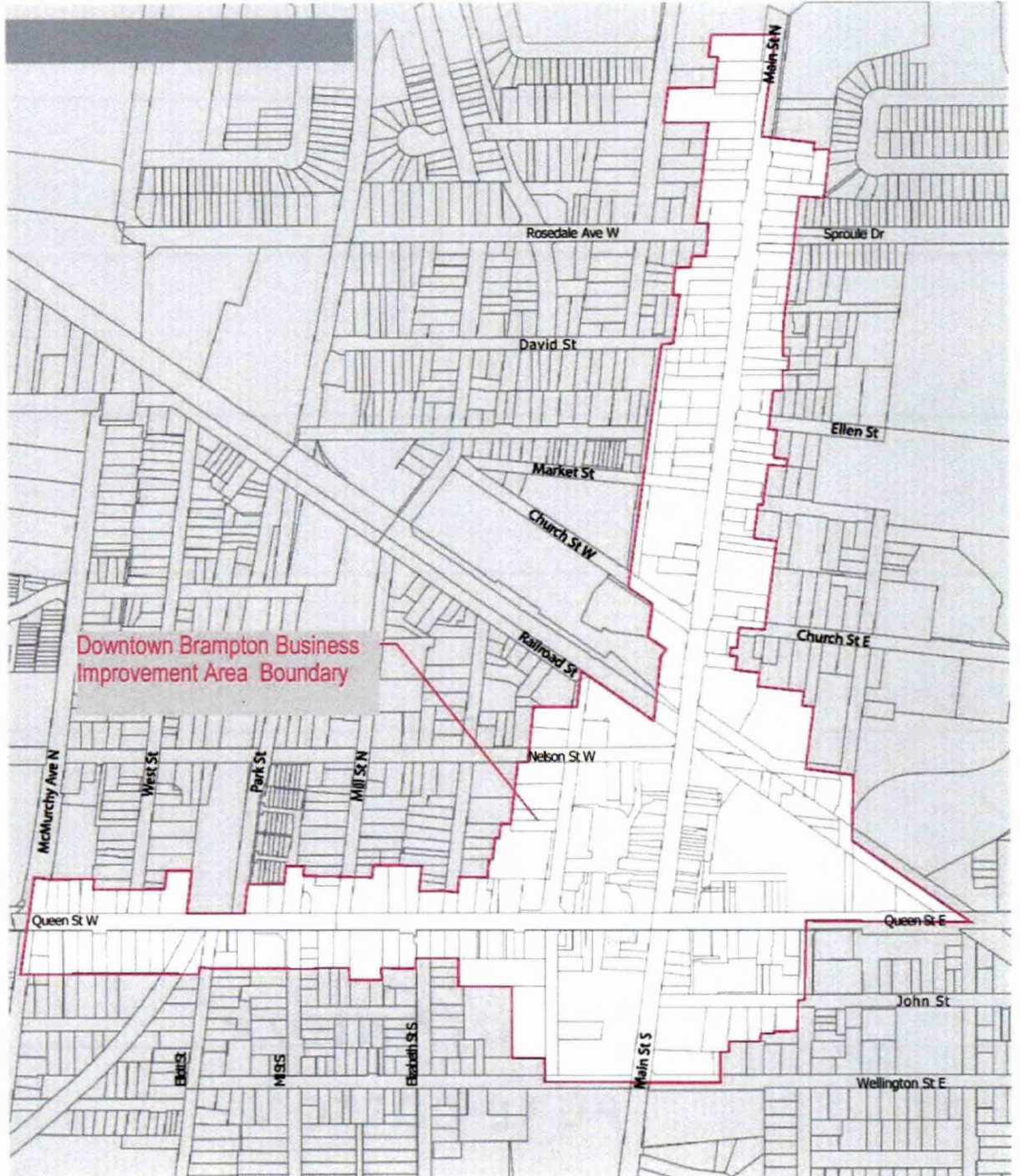
Linda Jeffrey, Mayor



Peter Fay, City Clerk

(CE.x)

Appendix 1 - Downtown Brampton Business Improvement Area



Appendix 2 - Conditions for A-Frame Sign Licence Agreement

1. No more than one A-Frame sign shall be used, erected or displayed for any one business fronting the City sidewalk
2. The maximum size of any A-Frame sign shall be 24" wide by 36" high
3. The A-Frame sign shall require the special sticker issued by the City for the licence agreement relating to such sign to be affixed to the display surface of the sign throughout the term of the licence agreement
4. The A-Frame sign must clearly indicate the name and/or municipal address of the licensee's business as identified in the licence agreement
5. No A-Frame sign may be affixed to the sidewalk or any building or structure
6. No A-Frame sign shall contain advertising or other copy unrelated to the lawful use and operation of the premises and business identified in the licence agreement
7. The A-Frame sign shall be located as close as possible to the front wall of the licensee's business and in the location identified by and marked on the City sidewalk in accordance with the licence agreement
8. The A-Frame sign shall only be used, erected and displayed during the hours of operation of the business identified in the licence agreement and shall be removed from City sidewalk at all other times, provided that no A-Frame sign shall be used, erected or displayed after 5:00pm on the day of the Brampton Board of Trade's Santa Claus parade currently scheduled for Saturday, November 17, 2018
9. The A-Frame sign shall be removed from City sidewalk during periods of inclement weather including high winds, snow or freezing rain and shall not be used, erected or displayed such that it interferes with or obstructs snow removal or sidewalk maintenance
10. No A-Frame sign shall be used, erected or displayed within the travelled portion of any public highway
11. No A-Frame sign shall be electrically powered or include or display any lights, sounds or contain any moving parts or contain any luminescent material
12. No A-Frame sign shall be used, erected or displayed within 3 metres of any other A-Frame sign
13. The A-Frame sign shall be located a minimum distance of 1 metre from all pay and display machines, street furniture and waste receptacles
14. No A-Frame sign shall be used, erected or displayed in a location which does not provide a minimum barrier free path for pedestrian travel on the City sidewalk having a width of at least 1100 mm or otherwise fails to meet the City's Accessibility Standards as determined by the City's Accessibility Co-ordinator

15. No A-Frame sign shall be used, erected or displayed that is not made of plastic, metal or wood or such other material which is acceptable to the City's Urban Design Coordinator
16. The A-Frame sign shall include additional weights or bracing attached for stability and shall be maintained in a good state of repair
17. No A-Frame sign shall be used, erected or displayed that is not visually distinctive in relation to the colour of surrounding surfaces
18. No A-Frame sign shall be used, erected or displayed unless the City has been provided with a certificate of insurance for commercial general liability for no less than \$2 Million naming the City as additional insured and otherwise as described in the licence agreement and such coverage is maintained throughout the term of the licence agreement
19. No A-Frame sign shall be used, erected or displayed other than in compliance with all applicable laws, by-laws, policies and standards including the City's Advertising on City Property Policy