

THE CORPORATION OF THE TOWNSHIP OF TINY

BY-LAW NUMBER 09-052

Being a By-law to amend Sign By-law Number 02-073.

WHEREAS Section 8, of The Municipal Act, 2001, S.O., c.25, as amended, provides that powers of a municipality under this Act or any other Act shall be interpreted broadly so as to confer broad authority on municipalities to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9, of The Municipal Act, 2001, S.O., c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 11 of The Municipal Act, 2001, S.O., c.25, as amended, provides that a lower-tier municipality may enact by-laws respecting matters within the spheres of jurisdiction set out therein;

NOW THEREFORE the Council for The Corporation of the Township of Tiny hereby enacts as follows:

1. That By-law Number 02-073, Section 3, Penalty, is hereby deleted and replaced with the following:

"Section 3, Penalty:

- 3.1 When a sign is erected or displayed in contravention of any provision of this By-law, said sign may be removed immediately by a Municipal Law Enforcement Officer or designate without notice, if located on, over, partly on, or partly over, property owned by or under the jurisdiction of the Township of Tiny. Should the Municipal Law Enforcement Officer choose to provide notice, no person shall fail to comply with a notice issued by a Municipal Law Enforcement Officer.
- 3.2 When a sign is erected or displayed in contravention of any provision of this By-law, and said sign is located on property other than property owned by or under the jurisdiction of the Township of Tiny, a Municipal Law Enforcement Officer may send a notice requiring that the sign be removed within 24 hours of the notice and thereafter not replaced with any sign in contravention of this By-law. No person shall fail to comply with a notice issued by a Municipal Law Enforcement Officer. In the event the sign indicated in the notice is not removed, repaired or altered to comply with the provisions of this by-law, The Township of Tiny, its employees or agents may enter upon the property and remove the sign immediately without further notification.
- 3.3 Signs so removed shall be stored by the Township of Tiny for not more than ten (10) days, during which time the owner or agent may be entitled to redeem said sign.
- 3.4 Where a sign has been removed by the Township of Tiny and stored for a period of ten (10) days and has not been redeemed, such sign may be forthwith destroyed or otherwise disposed of by the Township.

- 3.5 All costs and charges incurred by the Township of Tiny for the removal, care and storage of any sign that is erected or displayed in contravention of this by-law is a lien on the sign that may be enforced under the *Repair and Storage Liens Act*.
- 3.6 All costs and charges incurred for disposing of any sign described in Section 3.5 may be recovered by the Township of Tiny as a debt owed by the owner of the sign.
- 3.7 Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Municipal Act, 2001, S.O. 2001, c. 25, as amended.
2. That this by-law shall come into force and take effect on the date of passing.

READ A FIRST AND SECOND TIME THIS 10th DAY OF AUGUST 2009.

READ A THIRD TIME AND FINALLY PASSED THIS 10th DAY OF AUGUST 2009.

THE CORPORATION OF THE TOWNSHIP OF TINY



MAYOR, Peggy Breckenridge



CHIEF ADMINISTRATIVE OFFICER/CLERK, Doug Luker