



## The Corporation of the Town of Tecumseh

Planning & Building Services

**To:** Mayor and Members of Council

**From:** Brian Hillman, Director Planning & Building Services

**Date to Council:** July 14, 2020

**Report Number:** PBS-2020-23

**Subject:** Temporary Moratorium of Fees and Regulations  
Governing Portable Signs During COVID-19 Emergency

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### Recommendations

It is recommended:

**That** Report PBS-2020-23 entitled “Temporary Moratorium of Fees and Regulations Governing Portable Signs During COVID-19 Emergency” **be received.**

### Executive Summary

Matters related to portable signs are deemed to be a Non-Essential Service of the Town. Upon due consideration of the economic conditions currently facing the business community during the COVID-19 pandemic, the CAO has determined that a temporary moratorium regarding fees and certain regulations for portable signs as described in Report No. BS-2020-03 is appropriate. Providing this relief is in accordance with the delegated duties granted to the CAO during the declared local emergency pertaining to COVID-19 and has been put into effect immediately.

### Background

On March 22, 2020, the Town of Tecumseh declared a state of local emergency under the *Emergency Management and Civil Protection Act, R.S.O. 1990, c E.9 s.4.(1)* in response to

the COVID-19 global pandemic and in relation to the Declared Emergency by the Province of Ontario.

Subsequently, on March 24, 2020, Town Council received Report CS-2020-10 entitled “Delegation of Authority during a Declared Emergency By-law,” and on April 14, 2020 adopted By-Law No. 2020-33 being a by-law to Delegate Authority during a Declared Emergency. By-law No. 2020-33 delegated additional authority during a declared emergency to various members of Administration, including the Chief Administrative Officer (CAO), subject to any restrictions on such delegation under the *Municipal Act, 2001*, or any other Act. In particular, the following were included as matters delegated to the CAO:

1. Authority to identify and determine municipal services that are essential and non-essential and to modify services or service levels for non-essential services;
2. Authorize any expenditure, including those related to the acquisition or disposition of real property, included or not included in the Approved Budget, and which would otherwise require Council approval, subject to the following:
  - a. That any decision to modify services or service levels for non-essential services be made with the concurrence of the Mayor or Acting Mayor;
  - b. The Treasurer’s confirmation that the expenditure or liability is not detrimental to the financial interest of the municipality.

In addition, By-law 2020-33 established that the Treasurer, “if satisfied that such action is reasonable in the circumstances, is delegated authority to ... reduce, waive or cancel municipal fees/charges, if such reduction, waiver or cancellation is otherwise in accordance with the law.”

On May 26, 2020, Town Council received Report CAO-2020-02 entitled “Update on Town Services and Construction Activities.” It was established that the review, issuance and inspections related to building permits allowed by O. Reg 82/20 and in relation to the *Ontario Building Code Act* were deemed to be an Essential Service. Signs, as regulated by the Town’s Sign By-law and as adopted under the *Municipal Act, 2001*, were deemed to be a Non-Essential Service. As such, administrative matters related to sign permits are, during the Town’s declaration of emergency, under the purview of the CAO and Treasurer with respect to temporary adjustments in service levels and associated fees.

Tecumseh, along with all of the Windsor-Essex region, is now operating under Stage 2 of the Ontario reopening plan. Under this stage, personal care services (including barbershops, hair salons, beauty parlours, tanning salons, etc.) and restaurants and bars (outdoor areas only) are open for business subject to following proper health and safety protocols. This has allowed local businesses that have been facing financial difficulties to reopen and re-engage in much needed economic activity. If COVID-19 trends continue to improve, it is anticipated that the implementation of Stage 3 of the reopening framework will follow in short order.

With the recent reopening under Stage 2, many businesses are desirous of undertaking additional storefront advertising. In particular, these businesses would like the opportunity for

the expanded use of portable signs during the Town's COVID-19 emergency declaration. Accordingly, it was proposed that a moratorium be brought into effect with respect to the following specific regulations governing portable signs in By-law No. 2018-33 ("the Sign By-law"):

1. the requisite \$50.00 permit application fee;
2. the display period time limits (i.e. one 60-day period or two 30-day periods); and
3. the three-sign maximum at any given time for a multiple-tenant property (i.e. a commercial plaza).

## **Comments**

The Sign By-law currently regulates the placement of permanent and temporary signs within the Town of Tecumseh. This by-law also regulates various other aspects of signs such as size, location on a property, sign lighting and the approval process required in order to erect a sign.

Historically, local businesses would obtain permits from the Town to facilitate the placement of portable signs on their property. These portable signs typically advertise business promotions and merchandise or simply advertise the existence of the business to the public at specific times of the year. The Town has limited the use of these types of signs as they can cause a degree of visual pollution. Accordingly, they are only permitted for short periods of time annually.

As a form of additional support to the local business community, Administration believes that three regulations noted previously in relation to portable signs should be waived for the duration of the Town's declared state of local emergency related to COVID-19.

In order to ensure the portable signs are properly located in accordance with the Sign By-law regulations (size, lot line setback, etc.) and to ensure that they are properly documented and tracked, business owners will be required to file for and receive a sign permit from our Building Services department. This will ensure compliance with all other requirements of the Sign By-law.

Once the declared local emergency is over, these portable signs will be deemed illegal and will need to be removed within 10 days from the ending of the declared local emergency. However, a portable sign will be allowed to remain if the sign was issued a permit and has been located on the property for less than the standard 60-day maximum time period, as established by the Sign By-law. Once the 60-day time period is over, the portable sign will need to be removed.

## **Consultations**

Chief Administrative Officer  
Financial Services

## Financial Implications

On average, the Town issues approximately 44 portable sign permits annually, equating to approximately \$2,200 of revenue for the Building Services department. To date, 33 permits have been issued, accounting for a revenue of \$1,650. The impact of waiving the fee as proposed at this time will be negligible.

## Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input checked="" type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input checked="" type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input checked="" type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

## Communications

Not applicable ☐

Website ☒ Social Media ☒ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

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Reviewed by:

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Reviewed by:

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Reviewed by:

Brian Hillman, MA, MCIP, RPP  
Director Planning & Building Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

**Attachment  
Number**

None

**Attachment  
Name**

None