

Bill No. 356  
2011

By-law No. S.-3775()-

A By-law to amend By-law No. S.-3775-94, as amended, entitled "A by-law prohibiting and regulating signs and other advertising devices, and regulating the placing of signs and canopies upon highways."

WHEREAS section 5(3) of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS sections 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its powers under the *Municipal Act, 2001* or any other Act;

AND WHEREAS the Municipal Council passed By-law No. A.-6653-121 being the Hearings Officer By-law;

AND WHEREAS the Municipal Council desires to amend By-law No. S.-3775-94 being the Sign and Canopy By-law to provide for appeals before a Hearings Officer,

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law No. S.-3775-94 is hereby amended in section 3.1 by adding the following definition after "GROUP USES":  
  
"Hearings Officer" shall mean a Hearings Officer appointed under the City's Hearings Officer By-law A.-6653-121, as amended;
2. By-law No. S.-3775-94 is hereby amended by deleting subsections 13.3 (g), (h) & (i) in their entirety.
3. By-law No. S.-3775-94 is hereby amended by adding a new section 13.3.1 as follows:

**"13.3.1 Appeals**

- (a) The power and authority to conduct hearings of appeals under this By-law are hereby delegated to the Hearings Officer.
- (b) The provisions of the City's Hearings Officer By-law A.-6653-121, as amended, apply to all hearings conducted by a Hearings Officer under this By-law.
- (c) An applicant may appeal the variance application decision of the Chief Building Official to the Hearings Officer.
- (d) A request by the owner for a hearing under this Section shall be made in writing and filed with the City Clerk within fifteen days of the applicant receiving the decision of the Chief Building Official. The request shall consist of a notice of appeal and must comply with the requirements set out in Schedule 1 of the City's Hearings Officer By-law A.-6653-121, as amended.
- (e) The Hearings Officer may authorize the variance or uphold the decision of the Chief Building Official.
- (f) The decision of the Hearings Officer shall be final."

4. This by-law shall come into force and effect on September 19, 2011.

PASSED in Open Council on August 29, 2011.

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading - August 29, 2011  
Second Reading - August 29, 2011  
Third Reading – August 29, 2011