

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

CIVIC ADDRESSING BY-LAW

1.0 TITLE

This By-law may be cited as the Municipality of the District of West Hants Civic Addressing By-law, and shall apply to the Municipality of the District of West Hants.

2.0 DEFINITIONS

In this By-law:

- 2.1 “building” means any structure used, or intended to be used, to support or shelter any use or occupancy, and includes an incomplete building once the footings have been constructed, except a structure the use of which is accessory to the use of another structure on the same lot and except a structure which, if it were now being built for the first time, would not require a Building Permit to authorize its construction;
- 2.2 “civic address” means the combination of an assigned civic number, the road name, and the community;
- 2.3 “Civic Address File” means the database maintained by the Windsor – West Hants Joint Planning Department containing geographically referenced civic address information, including civic points, street network file, and community boundaries;
- 2.4 “Civic Addressing Coordinator” means the Planning Technician or such other person appointed by Council to administer this By-law;
- 2.5 “civic number” means the number assigned to a lot or building by the Civic Addressing Coordinator in accordance with this By-law;
- 2.6 “community” means a geographic area contained within the municipal unit;
- 2.7 “Municipality” means the Municipality of the District of West Hants;
- 2.8 “owner” includes:
 - a. a part owner, a joint owner, tenant in common or joint tenant of the whole or any part of land or building;
 - b. in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent or mortgagee in possession or a person having the care or control of the land or building;
 - c. a person who occupies shores, beaches, or shoals; and
 - d. in the absence of proof to the contrary, the person assessed for the property;
- 2.9 “private driveway” means an access which is provided for one or two houses;

- 2.10 “private road” means any street or road which is not a public road. A driveway providing access to three or more structures requiring civic numbers may be considered a private road for the purposes of this By-law;
- 2.11 “property” means a lot or land;
- 2.12 “public road” means a road or highway owned and maintained by the Municipality or the Province;
- 2.13 “road name” means the official name of a street, road, or highway as it appears in the Civic Address File.

3.0 MAINTENANCE OF CIVIC NUMBERS

3.1 Existing Civic Numbers

A civic number that is recorded in the Civic Address File for a lot or building on the date of the first reading of this By-law be and is hereby assigned to that lot or building until such time as the Civic Addressing Coordinator, by written notice to an owner, directs otherwise.

3.2 Assignment of Civic Numbers and Maintenance of the Civic Address File

- a. The Civic Addressing Coordinator shall be responsible for the assigning or re-assigning of civic numbers to lots or buildings and shall keep, or supervise the keeping, of the Civic Address File.
- b. The Civic Addressing Coordinator may assign civic numbers to lots or buildings for which a development or building permit is issued.
- c. The Civic Addressing Coordinator may assign civic numbers to buildings that have permanent or temporary occupancy or use and may assign civic numbers to developed sites such as playgrounds or any other area where public activity will occur.
- d. The Civic Addressing Coordinator may assign more than one civic number to a lot or building.
- e. The Civic Addressing Coordinator may assign civic numbers to vacant lots and in the assignment of a number shall take into consideration the public use thereof which may require emergency services, such as parks.
- f. New civic numbers will be assigned using a spatial formatting system, which has all roads divided into intervals and numbers are assigned depending upon where the driveway intersects the road.
- g. Where an existing civic number prevents the use of a spatial formatting system, the Civic Addressing Coordinator may assign a new civic number with a spatial formatting system based on the surrounding civic numbers.
- h. New civic numbers shall be assigned where:
 - i. a building permit has been issued and the Building Inspector has finished the first inspection; or
 - ii. where there is no building permit issued, once a site inspection has been done by the Building Inspector or Civic Addressing Coordinator

3.3 Change and reassignment of existing civic numbers

- a. The Civic Addressing Coordinator may, by written notice to an owner, change or reassign civic numbers where necessary to avoid potentially

confusing numbering irregularities and to assure an adequate supply of civic numbers for existing and future development.

- b. The Municipality shall not be liable for any costs or damages whatsoever that may be incurred by a property owner due to the reassignment of their civic number.

3.4 Refusing or failure to comply

It shall be an offence for a person to refuse or fail to comply with a written notice issued by the Civic Addressing Coordinator to an owner which assigns, reassigns, or deletes a civic number of a lot or building.

3.5 Deletion of civic numbers

Deletion of civic numbers shall be at the discretion of the Civic Addressing Coordinator.

4.0 POSTING CIVIC NUMBERS

4.1 Civic Number Specifications

The owner of a property on which a civic number is issued shall keep posted on the lot or building the assigned civic number in the following manner:

- a. civic numbers shall be in Arabic numerals;
- b. the numerals shall be right side up;
- c. the civic number shall be displayed on the same side of the road as the building or property;
- d. the colour of the numerals shall clearly contrast with the background upon which the numbers are displayed;
- e. civic numbers shall either be composed of highly reflective material or be effectively illuminated during the hours of darkness;
- f. the bottom of the numbers shall be a minimum of 36 inches (90 centimeters) above grade;
- g. the height of the numerals shall not be less than 2.5 inches (65 millimeters);
- h. civic numbers shall be posted between 12 feet and 50 feet (3.6 and 15 meters) of the closest edge of the traveled portion of the public road or private road which forms part of the civic address for the lot or building;
- i. the civic number shall be posted on the building or on a gatepost, signpost, or other structure on the lot on which the building is situated, excluding a utility pole for electrical, telephone, or other utility service;
- j. civic numbers shall face towards the public road or private road upon which the lot or building is situated and which forms part of the civic address for the lot or building except that double-sided signage may be used, in which event the civic number shall be on both sides of the sign and perpendicular to the public road or private road;
- k. civic numbers shall be posted in a location which is not obstructed from view when viewed from the closest place on the traveled portion of the public or private road upon which the lot or building is situated or from which it has access and from all points at least 33 feet (10 meters) in either direction from that place, except that an intervening tree trunk or a vertical pole or post shall not alone be considered an obstruction for purposes of this subsection; and
- l. no person shall post or permit to be posted a number that could be reasonably confused with a civic number as determined by the Civic Addressing Coordinator.

4.2 Occupancy Permit

An occupancy permit shall not be issued for a property unless a civic number is posted on that property.

5.0 POSTING ROAD SIGNS

5.1 Public Road Signs

Identification of provincially or municipally owned public roads is the responsibility of the respective jurisdiction.

5.2 Responsibility to Post Private Road Signs

The owners of a private road shall ensure that a road sign is erected according to specifications outlined in the Civic Addressing By-law.

5.3 Posting Private Road Signs through the Nova Scotia Department of Transportation

Private roads which intersect with public roads, and are not already identified by an approved road name sign, shall be provided with a road name sign upon the written request of one or more residents of the road, subject to the following criteria:

- a. prior to approval of a sign by Council, the applicant(s) have paid to the Municipality one hundred percent (100%) of the fees charged by the Nova Scotia Department of Transportation and Public Works for such purchase and installation costs; charges required for maintenance shall also be payable to the Municipality prior to the Municipality requesting the work to be undertaken;
- b. signage standards are to be those established by the Nova Scotia Department of Transportation and Public Works for private roads and all work is to be completed by the Nova Scotia Department of Transportation and Public Works; and
- c. the name of the road is to be that designated by the Civic Address File, unless otherwise approved by Council.

5.4 Posting Private Road Signs by residents

The residents of a private road shall erect their own road name sign upon obtaining the permission of the Council of the Municipality and the Nova Scotia Department of Transportation and Public Works, and in accordance with the following requirements:

- a. the cost of fabrication and installation of such sign shall be the responsibility of the residents;
- b. it will be the residents' responsibility to install, maintain in good condition, and replace as necessary, the sign and signpost;
- c. the name of the road is to be that designated by the Civic Address File, unless otherwise approved by Council;
- d. to the extent possible, the signpost is to be located in an unobstructed line of sight for vehicles approaching the private road from either direction along the intersecting public street, and is to be set back a minimum of 5 feet (1.5 meters) from the outside edge of the travel lane of the intersecting public road;

- e. double-sided signage placed perpendicular to the intersecting road shall be used so that the name of the road is visible for vehicles approaching the private road from either direction;
- f. lettering of the private road name shall be 3 inches (76 millimeters) in height where the speed limit on the intersecting public street is 50 km/hr or less and 4 inches (100 millimeters) in height where the speed limit is greater than 50 km/hr;
- g. the sign shall be painted with reflective paint, with lettering in black against a white background;
- h. the bottom of the sign shall be between 5 feet (1.5 meters) and 8 feet (2.5 meters) above the road grade of the intersecting public road; and
- i. the signpost shall be made of pressure-treated lumber with cross-sectional dimensions not less than 3 3 inches (85 millimeters) by 3 3 inches (85 millimeters), or rigid non-ferrous metal, and sufficiently fastened to the ground to hold the sign rigidly in place and to prevent turning of the sign.

6.0 COMPLIANCE

6.1 Special Conditions

Upon application by an owner, the Civic Addressing Coordinator may provide written authorization for signage for civic numbers or road names to vary from the standards contained in the By-law, with or without conditions, when:

- a. compliance with the standards is not reasonably possible, having regard to the physical features of the site or otherwise; or
- b. compliance would not as effectively meet the objectives of this By-law as an alternative approach.

An authorization under this section may be revoked or varied by the Civic Addressing Coordinator. Owners shall comply with any conditions contained within authorizations granted under this section.

7.0 VIOLATIONS

- 7.1 Any person who violates any provision of this By-law shall be liable on summary conviction to a penalty of not less than \$200.00 and not more than \$5,000.00, and in default of payment to imprisonment for a period of not more than 90 days.
- 7.2 In the event of contravention of this By-law, the Municipality may, initially or in addition to any prosecution or other remedy:
 - a. prepare and serve a notice in writing to an owner to undertake work including, but not limited to, the posting or re-posting of a civic number on a building or lot, the erection or re-erection of signage for a private road, or the removal of a civic number or signage for a private road;
 - b. in the event that the remedial work has not been completed within thirty (30) days from the date of service of the notice, the Municipality, by its servants, agents, or independent contractors, may enter upon the property of the owner and undertake the work and the cost of the work, with interest from the date of completion until the date of payment at the same rates as rates and taxes, shall be a first lien on the property upon which, or for the benefit of which, the work was done.

- 7.3 a. The notice required to be served pursuant to this By-law may be served personally, by mailing it to the person at the last address shown on the Assessment Roll, by electronic mail or by facsimile;
b. A notice is deemed to have been served on the third day after it was sent.

8.0 EFFECTIVE DATE

- 8.1 The effective date of this By-law is September 1, 2005.
8.2 Upon the effective date of this By-law, Sections 5.3 and 5.4 of this By-law will replace the Private Road Signage Policy for the Municipality of the District of West Hants, adopted by a majority of the Whole Council March 14, 2001.

I, Dwight M. Bennett, C.A.O. and Municipal Clerk-Treasurer of the Municipality of the District of West Hants, do hereby certify that the foregoing is a true copy of the Civic Addressing By-law duly passed at a duly called meeting of the Municipal Council of the Municipality of the District of West Hants duly convened and held on the 10 day of May, A.D., 2005 and published in the Hants Journal, a newspaper circulating in the Municipality on the 18 day of May, A.D., 2005.

GIVEN under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this 18 day of May, A.D., 2005.

First Reading: Apr. 12 / 05

Second Reading: May 18 / 05

D.M. Bennett

**DWIGHT M. BENNETT, C.A.O.
MUNICIPAL CLERK-TREASURER**