

1. SHORT TITLE

1.1. This By-law may be cited as the "Civic Addressing By-law."

2. CONFLICT WITH OTHER LAWS

2.1 Nothing in this By-law shall be construed as authorizing non-compliance with any laws, regulations, by-law, lawful orders or directives pursuant to any other statute, regulation or statutory or regulatory authority that may require the posting of civic numbering on structures or properties or the posting of street names on private roads or which may specify standards in respect of the posting of civic numbers or street names.

3. DEFINITIONS

3.1 In this By-law:

- a. "building" means a structure used or intended to be used to support or shelter any use or occupancy, 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 and includes an incomplete building once the footings have been constructed;
- b. "Civic Addressing Coordinator" means the staff member appointed by the Chief Administrative Officer of the Town of Mahone Bay to administer this By-law;
- c. "civic number" means the number assigned to a lot or building by this By-law or by the Civic Addressing Coordinator;
- d. "civic address" means the civic number, street name, and community name used to identify the location of a building;
- e. "civic addressing policy" means the official policies, guidelines and procedures dealing with the naming and renaming of the public streets and private roads, the numbering, and renumbering of civic numbers in the Town of Mahone Bay;

- f. "owner" has the same meaning as the owner of property in the Municipal Government Act or successor legislation from time to time;
- g. "private road" or "private right-of-way easement" means any street, road, lane bridge or other thoroughfare accessible to motor vehicles which is not a public street as defined in subsection (h) and which serves as a principal vehicular access to three or more dwellings or buildings requiring a civic number;
- h. "public street" means any public street, highway, road, lane, bridge or thoroughfare accessible to vehicular traffic owned by the Province of Nova Scotia, the Town of Mahone Bay, or any other municipality including a public highway;
- i. "street name" means the official name of a private road or public street and street type as it appears in the Nova Scotia Civic Address File;
- j. "street name sign" means the name plate and the sign post for either private roads or public street;
- k. "Town" means the Town of Mahone Bay.

4. EXISTING CIVIC NUMBERING

4.1 A civic number that was posted on a lot or building or that was customarily in use as a mailing address for a lot of building on the date of first reading of this By-law is hereby assigned to that lot or building until and unless the Civic Addressing Coordinator, by written notice to an owner, otherwise directs.

5. DUTIES OF A CIVIC ADDRESSING COORDINATOR

5.1 The Civic Addressing Coordinator:

- a. Shall be responsible for the further assigning of civic numbers to lots or buildings by written notice to the assessed property owner and shall be responsible for maintaining the Nova Scotia Civic Address File database for the Town;
- b. May assign civic numbers to lots or buildings for which subdivision approval, or a development or building permit is sought or obtained;
- c. Is not obliged to assign civic numbers to undeveloped lots, and may assign more than one civic number to a lot;
- d. May retire or remove a civic address with written notice to the assessed property owner if a building has been removed, demolished or otherwise ceases to exist and has not been replaced;

- e. May carry out the polling process for naming an unnamed public street or private road or renaming an existing public street or private road, as set out in this By-law;
- f. May, by written notice to an owner, change or reassign civic addresses where reasonably necessary to avoid potentially confusing numbering discontinuities or irregularities, a shared private right of way becomes a named private road, and to ensure an adequate supply of civic numbers for existing and future development;
 - i. Unless a shorter notice period is agreed to by the owner of the property, the Civic Addressing Coordinator shall give the owner and occupant of a property at least sixty (60) days notice in writing of any changed or reassigned civic address.

6. CIVIC NUMBER SPECIFICATIONS AND MAINTENANCE

6.1 An owner shall not post or permit to be posted a number which is not assigned to the lot or building on which the number is posted.

6.2 The owner of a lot on which a building is located shall keep posted and maintained on the lot or building the assigned civic number in the following manner:

- a. Civic numbers shall be posted in a location on the same side of the road as the use for which the civic number was assigned and in a manner so that they can be clearly seen from at least 10 meters (32.8 feet) in both directions, except that an intervening tree trunk or vertical pole or post shall not alone be considered an obstruction for purposes of this subsection;
- b. Civic number shall be on both sides of the sign and perpendicular to the public street or private road upon which the lot or building is situated;
- c. Civic numbers shall be in standard Arabic numbers (0,1,2,3,4,5,6,7,8,9) having a left-to-right reading and horizontal orientation;
- d. No other numbers shall be posted that could be reasonably be confused with the assigned civic number;
- e. Lot, unit, or suite numbers shall be posted with the word "lot", "unit", or "suite" proceeding the posted number;
- f. The bottom of the numerals shall be a minimum of 1.2 metres (48 inches) above grade;
- g. The colour of the numerals shall be white on reflective blue background upon which the numbers are displayed. No other numbers, devices or logos shall

be posted in white on reflective blue background that could reasonably be confused with the assigned civic number;

- h. The civic number shall be posted:
 - i. On a dedicated vertically mounted post;
 - ii. At a distance no further than 1 metre (3 feet) from the driveway or entrance to the property;
 - iii. At a distance no further than 3 metres (10 feet) from the edge of the travelled road; and
 - iv. At a height no less than 1 metre (3 feet) and no more than 1.5 metre (5 feet) above the travelled surface grade of the driveway or entrance to the property.
- i. In the event that:
 - i. A building is not located within 90 metres (300 feet) of the closest edge of the traveled portion of the principal public street or private road upon which the building is situated the civic number shall be mounted on the building and shall be visible from the approaching direction in addition to being mounted by the traveled portion of the road as required by this By-law, or
 - ii. A building is located within 3.5 metres (12 feet) of the closest edge of the traveled portion of the principle public street or private road upon which the building is situated the civic number may be mounted perpendicular on the building and shall be visible from both directions.
- j. Civic signs shall be maintained in good condition and replaced as necessary to ensure that the sign is always visible and that the sign does not become obstructed by, but not limited to, vegetation or snow.

6.3 The owner of a property shall post the assigned civic number prior to the issuance of an occupancy permit.

6.4 The Building Inspector for the Town of Mahone Bay shall not issue an occupancy permit for the property before the assigned civic number is posted for the property.

7. STREET/PRIVATE ROAD NAMING

7.1 The Civic Addressing Coordinator shall be responsible for the review, acceptance or rejection of street names, in accordance with the Civic Addressing By-law, as submitted through:

- a. The subdivision process for new public streets and new private roads; or

- b. The process set out in the section for renaming an existing public street or private road or naming an unnamed public street or private road.

7.2 Changes to established public street or private road names shall be discouraged unless there are recognized difficulties with the existing name.

- a. In this instance the Civic Addressing Coordinator is required to present a report to Council for final approval for any such name change requests.

7.3 An unnamed public street or private road may be named upon motion of a majority of Council or, at Council's discretion, by the process set out in section 7.4 of this by-law. Private lanes or driveways that give access to three (3) or more addressed buildings shall be given a name.

7.4 When an existing public street or private road is to be renamed or named at the request of Council, assessed property owners of the said public-street or private road will be polled for a suggested name, and/or given pre-selected names to choose from. A simple majority shall prevail provided all other provisions of this by-law are satisfied. Assessed owners with properties fronting the road shall be given 60 days to submit a road name petition. If after 60 days a petition has not been received the Civic Address Coordinator will submit a report to Council for final road name approval. In circumstances where there is more than one owner of a property, the property will be considered to be in favour of a particular street name when a 66.7% majority of the owners have voted "yes" for a single proposed street name.

7.5 When an existing public street or private road is to be renamed at the request of the property owners of the said public street or private road, the property owners must be polled, and a 66.7% majority of the owners must agree to the change. In circumstances where there is more than one owner of a property, the property will be considered to be in favour of a particular street name when a 66.7% majority of the owners has voted "yes" for a single proposed street name. All other provisions of this by-law must be satisfied.

7.6 When considering renaming a public street or private road, or naming an unnamed public street or private road the Civic Addressing Coordinator shall choose a solution that addresses public safety concerns and shall also have regard for the following:

- a. The potential confusion created for emergency and other municipal services, commercial delivery services, and the travelling public by naming or renaming the public street or private road;
- b. The number of residential units affected and potential costs to residents/owners;
- c. The number and type of business affected and potential costs to owners/occupiers;
- d. The costs of replacing street name and traffic signs;
- e. The historical significance, if any, of the existing street name; and
- f. The appropriateness of the proposed street name in that location.

7.7 All public streets or private roads proposed to be named or renamed shall conform to the Street Naming Guidelines (See Schedule A).

8. PRIVATE ROAD SIGN MAINTENANCE

8.1 The owner(s) of, or property owners abutting a private road or private right-of-way easement which intersects a public road shall take the following steps to erect and maintain a sign identifying the private road by name:

- a. Owner(s) shall notify the Civic Addressing Coordinator of the name assigned to the private road, and if no name has been assigned, owner(s) shall assign a name, or the Town may assign a name in accordance to section 7 of this by-law;
- b. Apply for, and use best efforts to obtain, permission to erect an identifying sign and a signpost from any person or regulatory authority whose permission is required by law to erect an identifying sign and a signpost;
- c. Where permission is obtained in accordance with subsection (8.1.2), erect, maintain in good condition, and replace as necessary, a sign and signpost at the intersection of the private road and the public street in a manner consistent with any conditions attached to such permission and other lawful requirements, and, except to the extent of any inconsistency with such conditions or other lawful requirements, in accordance with the following standards:
 - i. Lettering of the private road name to be no less than 100 millimetres (4 inches) in height, in Helvetica font style and in upper case characters;
 - ii. Lettering to be black against a white background with a black border of 25 millimetres (1 inch) in width;

- iii. Bottom of the lettering to measure at least 1.2 metres (48 inches) to a maximum of 2.8 metres above the traveled portion of the adjacent public road;
- iv. Private road signs shall be a minimum of 1.5 metres and a maximum of 6.0 metres from the closest edge of the traveled portion of the intersection of the private road;
- v. Signpost to be made of pressure treated lumber 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 in the wind;
- vi. 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 public street and to be set back a minimum of 3.5 metres (12 feet) from the traveled portion of the public street;
- vii. Road signs shall be double sided;
- viii. Road name suffixes shall be abbreviated;
- ix. Private road signs shall be parallel to the private road.
- x. Private road name signs that were posted prior to the effective date of this by-law which do not meet the standards outlined in section 8.1 will be permitted as long as the private road name sign remains visible. When the private road name sign is replaced it shall meet the standards outlined in sections 8.1.

9. COMPLIANCE

9.1 Upon application by an owner, the Civic Addressing Coordinator may provide written authorization for signage for civic numbers or street 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.

9.2 In the event of contravention of this by-law, in addition to any prosecution or other remedy, the Town may:

- a. Prepare a notice in writing to an owner to undertake remedial action including but not limited to the posting or re-posting of a civic number on a building or lot or the erection of signage for a private road;
- b. Serve the notice upon an owner, which notice shall be deemed to have been sufficiently served if posted on the owner's building, lot or property;
- c. If the remedial action has not been undertaken or completed within 14 days, the Town may enter upon the private property of an owner and undertake the remedial work, and charge and collect the costs of the work, with interest from the date of the completion of the work until the date of payment, as a first lien on the property affected.

10. OFFENSES

10.1 Any person who violates any provision of this by-law is guilty of an offense punishable by summary offense ticket or on summary conviction by a fine of not less than five hundred (\$500) dollars and not more than five thousand (\$5000) dollars and to imprisonment of not more than ninety (90) days in default of payment thereof.

10.2 Any person who contravenes section 6.2 of this by-law and who is given notice of the contravention may pay to the Town, at the place specified in the notice, the sum of \$215.00 within fourteen (14) days of the date of the notice and shall thereby avoid prosecution for that contravention.

10.3 In the event of contravention of this By-law, the Town 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. Pursuant to Section 507 of the Municipal Government Act in the event that the remedial work has not been completed within the specified time period the Town may enter upon the property of the owner and undertake the work to rectify the said violation by use of its own workforce or through a contractor and charge back the costs to the owner by way of a lien on the property.
 - i. The time period for remedial work to be completed when dealing with civic number issues shall be 30 days; and

- ii. The time period for remedial work to be completed when dealing with posting a Private Road Name shall be 90 days.

10.3 The notice required to be served pursuant to this By-law may be served personally, or by mailing it to the person at the last address shown on the Assessment Roll, or by electronic mail.

10.4 A notice is deemed to have been served on the third day after it was sent.

11. EFFECTIVE DATE

11.1 This By-law is effective upon publication.



David W. Devenne, Mayor



Maureen Hughes Town Clerk



This is to certify that the foregoing is a true copy of the by-law passed at a duly convened meeting of the Council of the Town of Mahone Bay, held the 27th day of February 2020.

Given under the hand of the Mayor and the Town Clerk and the seal of the Town of Mahone Bay this 27th day of March 2020

CLERK'S NOTATION

First Reading:	January 30, 2020
"Notice of Intent" Publication:	February 12, 2020
Second Reading:	February 27, 2020
Ministerial Approval:	N/A
Date of Publishing:	March 11, 2020
Forwarded to the Minister:	March 27, 2020
Forwarded to Town Website:	March 27, 2020