

BE IT ENACTED — by the Council of the Municipality of the District of Digby, pursuant to authority contained in the *Municipal Government Act*, as follows:

**CIVIC ADDRESSING BY-LAW # 2008-01**

**TABLE OF CONTENTS**

**1.0 SECTION I - SHORT TITLE .....2**

**2.0 SECTION II - LEGISLATIVE AUTHORITY .....2**

**3.0 SECTION III - DEFINITIONS.....2**

**4.0 SECTION IV - MAINTENANCE OF CIVIC NUMBERS .....2**

**4.1 Recognition of Existing Numbers: .....2**

**4.2 Assignment of New Numbers and System Maintenance: .....3**

**4.3 Change and Reassignment of Existing Numbers: .....3**

**4.4 Reference to Provincial Guidelines: .....3**

**4.5 Deletion of Civic Addressing Numbers: .....3**

**5.0 SECTION V - POSTING CIVIC NUMBERS.....3**

**5.1 Posting Assigned Numbers: .....3**

**5.2 Duplicate Postings or Displays: .....4**

**6.0 SECTION VI - ERECTION OF SIGNS FOR PRIVATE ROADS AND PRIVATE SERVICE  
ROADS.....4**

**6.1 Procedure for Erecting Signs: .....4**

**7.0 SECTION VII - TRANSITION PERIOD .....5**

**7.1 Where No Civic Number is Posted: .....5**

**7.2 Where Civic Number is not Posted as Specified: .....5**

**8.0 SECTION VIII - COMPLIANCE.....5**

**8.1 Incumbent Upon Owner: .....5**

**8.2 Offences: .....5**

**8.3 Notification of Contravention: .....5**

**8.4 Remedial Action Undertaken by the Municipality:.....6**

**9.0 SECTION IX - EFFECTIVE DATE OF BYLAW .....6**

**SCHEDULE “A” .....8**

## **1.0 SECTION I - SHORT TITLE**

1.1 This Bylaw shall be known as the Civic Addressing Bylaw.

## **2.0 SECTION II - LEGISLATIVE AUTHORITY**

2.1 This Bylaw has been prepared in accordance to the provisions of *The Municipal Government Act, S.N.S. 1998, c.18* and amendments thereto. There is nothing in this Bylaw that would authorize non-compliance with any other laws, regulations, bylaws, lawful orders or lawful directives that may require the posting of civic numbers on buildings or properties or the posting of street names on private roads or private service roads or which may specify standards in respect to the posting of civic numbers or street names.

## **3.0 SECTION III - DEFINITIONS**

3.1 In this bylaw,

- a. "building" means a permanent or temporary structure used or intended to be used to support or shelter any use or occupancy, except for a structure, the use of which is accessory to the use of another structure on the same lot;
- b. "Civic Addressing Coordinator" means the Building Inspector unless another person is so appointed by the Chief Administrative Officer to administer this Bylaw;
- c. "civic number" means the number assigned to a building pursuant to this Bylaw or as specified by the Civic Addressing Coordinator;
- d. "Municipality" means the Municipality of the District of Digby;
- e. "owner" means a person who owns, manages, possesses or controls a building and includes a person shown on the Assessment Roll for the Municipality of the District of Digby as the assessed owner(s) or assessed occupant(s) of the building except where the Municipality has been given notice in writing of a change in ownership;
- f. "private service road" means any privately-owned street, road, lane, driveway, or other thoroughfare accessible by a motor vehicle, which serves as the principal vehicular access to two or more buildings, other than a public road or private road;
- g. "public road" means any street, highway, road, lane, or thoroughfare accessible to vehicular traffic owned by the Province of Nova Scotia, or the Municipality;
- h. "private road" means any street, road, lane, bridge or other thoroughfare assessable to motor vehicles which is not a street as defined in subsection 3.1 (f) and 3.1 (g) above and which serves as a principal vehicular access to three or more dwelling units or buildings

## **4.0 SECTION IV - MAINTENANCE OF CIVIC NUMBERS**

4.1 **Recognition of Existing Numbers:**

A civic number which was assigned to a building prior to the effective date of this Bylaw is hereby assigned to that building until and unless the Civic Addressing Coordinator, by written notice to an owner, otherwise directs.

#### **4.2 Assignment of New Numbers and System Maintenance:**

- a. The Civic Addressing Coordinator shall be responsible for assigning new civic numbers and shall be responsible for maintaining a system for identifying all civic numbers assigned by the Municipality.
- b. The Civic Addressing Coordinator may assign civic numbers to buildings that have permanent or temporary occupancy or use and may assign civic addresses to developed sites.
- c. The Civic Addressing Coordinator is not authorized to assign civic numbers to undeveloped lots.
- d. The Civic Addressing Coordinator shall refuse requests to assign civic numbers to someone who is not the property owner and has not received written permission from the property owner.

#### **4.3 Change and Reassignment of Existing Numbers:**

The Civic Addressing Coordinator may, by written notice to an owner, change or reassign civic numbers. Persons refusing to comply with the assignment or reassignment of civic numbers pursuant to this section shall be considered to be in contravention of this Bylaw.

#### **4.4 Reference to Provincial Guidelines:**

The Civic Addressing Coordinator may assign civic addresses in accordance with the procedures as specified in the Nova Scotia Civic Addressing File (NSCAF) Final Report. However, the Civic Addressing Coordinator may deviate from the procedures if, in the opinion of the Provincial Civic Addressing Coordinator, the deviation is warranted.

#### **4.5 Deletion of Civic Addressing Numbers:**

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

### **5.0 SECTION V - POSTING CIVIC NUMBERS**

#### **5.1 Posting Assigned Numbers:**

- a. Civic numbers assigned prior to the effective date of this Bylaw shall be posted in accordance with this Bylaw, within one (1) year of the effective date as follows:
  - i. Civic numbers shall be posted in a location and in a manner so that they can be clearly seen from at least 10 metres (32.8 ft.) in either direction. The civic number must be legible from both directions.

- ii. Civic numbers shall be posted on the same side of the road as the use for which the civic number was assigned;
  - iii. A any replacement of existing and new civic numbers shall be displayed horizontally using standard Arabic numerals, (0,1,2,3,4,5,6,7,8,9) and read from left to right;
  - iv. The bottom of the numerals shall be located at an elevation of 1.2 metres (3.93 ft.) to 1.8 metres (5.9 ft.) above ground (grade);
  - v. The colour of the numbers shall be white on a reflective blue background upon which the numbers are displayed (no other numbers, such as post office numbers, shall be posted with white lettering and reflective blue background); *See Schedule A*
  - vi. Where feasible the civic number shall be posted between 2.4 metres (7.9 feet) to 3.0 metres (9.8 feet) from the closest edge of the traveled portion of the private or public road upon which the building is situated provided that the civic number continues to be visible.
  - vii. In the event that the building is located within 6 metres (19.7 feet) from the closest edge of the traveled portion of the private or public road, the civic number may be posted on the building provided that it is visible from both directions.
  - viii. The size of civic numbers shall be 10 cm (4") in height.
- b. 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.

## **5.2 Duplicate Postings or Displays:**

An owner of the property is permitted to post additional signs displaying the assigned civic number provided that an independent sign is posted pursuant to Section 5.1 of this Bylaw and that the additional or duplicate posting does not hinder the viewing of the civic number sign posted pursuant to Section 5.1.

## **6.0 SECTION VI - ERECTION OF SIGNS FOR PRIVATE ROADS AND PRIVATE SERVICE ROADS**

### **6.1 Procedure for Erecting Signs:**

Pursuant to the Municipality's Road Naming and Community Adjustment Policy, the owner or owners of any land which contain a private road or private service road shall take the following steps to erect and maintain a sign identifying the private road or private service road by name at the point where such road joins into a public road, another private road or private service road:

- a. obtain the name assigned to the private road or private service road from

the Civic Addressing Coordinator. If no name has been assigned, request the Municipality to assign a name in accordance with the Road Naming and Community Adjustment Policy;

- b. apply for and obtain permission from the Municipality and/or Department of Transportation & Public Works to erect an identifying sign and signpost in accordance with the Road Naming and Community Adjustment Policy;
- c. where permission is obtained in accordance with subsection (b); erect, maintain in good condition and replace as necessary, a sign and signpost at all intersections of the private road or private service road to the closest public road. All signs shall be located in a manner consistent with Department of Transportation & Public Works requirements and the standards set out in the Road Naming and Community Adjustment Policy.

## **7.0 SECTION VII - TRANSITION PERIOD**

### **7.1 Where No Civic Number is Posted:**

If there is no civic number posted; on or before the effective date of this Bylaw, the owner of a building shall post the assigned civic number in accordance with Section 5.1 of this Bylaw.

### **7.2 Where Civic Number is not Posted as Specified:**

If the civic number is not posted as specified in Section 5.1 of this Bylaw, on or before the effective date of this Bylaw, the owner of a building shall post the assigned civic number in accordance with Section 5.1 of this Bylaw.

## **8.0 SECTION VIII - COMPLIANCE**

### **8.1 Incumbent Upon Owner:**

Where a civic number is required to be posted, building owners shall take appropriate actions to comply with the provisions of the Civic Addressing Bylaw.

### **8.2. Offences:**

It is an offence to contravene any provision of this bylaw.

### **8.3 Notification of Contravention:**

In the event that a property owner is deemed to have contravened this Bylaw; and in addition to any prosecution or other remedy, the Civic Addressing Coordinator may:

- a. prepare a written notice to the building owner, private road or private service road owner advising of the contravention of the Bylaw, stating the remedial action necessary to be undertaken within a specified time.
- b. notice to be served to the building owner, private road or private service road owner either by personal delivery, regular mail or by posting the notice on the property.
- c. issue a thirty(30)-day notice to undertake the remedial action as specified if the building owner, private road or private service road owner has not complied with the notice as referenced in Section 8.3(a). Thirty (30)-day notice to be served as specified in Section 8.3(b).

#### **8.4 Remedial Action Undertaken by the Municipality:**

If the building owner, private road or private service road owner has not taken or completed remedial action as directed within thirty(30) days pursuant to Section 8.3(c), the Municipality may enter upon the private property 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.

### **9.0 SECTION IX - EFFECTIVE DATE OF BYLAW**

9.1 The effective date of this Bylaw is **May 1, 2008**.

Given under the hands of the Warden and Chief Administrative Officer and the Seal of the Municipality of the District of Digby this 31<sup>st</sup> day of March 2008.

\_\_\_\_\_  
James R. Thurber, WARDEN

\_\_\_\_\_  
Linda Fraser, Chief Administrative Officer

**FIRST READING**  
**“NOTICE OF INTENT” PUBLICATION**  
**SECOND READING**  
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**APRIL 16, 2008**

**FORWARDED TO THE MINISTER**

**APRIL 16, 2008**

*Civic Addressing Bylaw*  
**SCHEDULE "A"**

**2345** White numerals on a  
blue reflective background

