

RESOLVED by the Council of the Town of Digby, under the authority of the Municipal Government Act of Nova Scotia, 1999 that the following by-law be enacted and that the Clerk forward a copy of it duly certified and sealed to the Minister of Service Nova Scotia and Municipal Relations.

CIVIC ADDRESSING BY-LAW NO. 2011-03

1. This By-law is entitled the "Civic Addressing By-Law".
2. Nothing in this By-law shall be construed as authorizing non-compliance with any laws, regulations, by-laws, 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. In this By-law:
 - (1) **"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;
 - (2) **"Civic Addressing Coordinator"** means the Development Officer unless some other person has been appointed by the CAO or Council to administer this by-law;
 - (3) **"civic number"** means the number assigned to a lot or building by this bylaw or by the Civic Addressing Coordinator;
 - (4) **"owner"** has the same meaning as the owner of property in the Municipal Government Act or successor legislation from time to time;
 - (5) **"private road"** means any street, road, lane, bridge or other thoroughfare accessible to motor vehicles which is not a street as defined in subsection (6) and which serves as a principal vehicular access to three or more dwelling units or buildings;
 - (6) **"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 Digby or any other municipality including a public highway;
4. A civic number that was posted on a lot or building or that was customarily in use as a mailing address for a lot or 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.

CIVIC ADDRESSING BY-LAW NO. 2011-03

5. The Civic Addressing Coordinator shall be responsible for the further assigning of civic numbers to lots or buildings and shall keep or supervise the keeping of a property information record or system identifying all civic numbers assigned by the Town of Digby. The Civic Addressing Coordinator may assign civic numbers to lots or buildings for which subdivision approval, or a development or building permit is sought or obtained. The Civic Addressing Coordinator is not be obliged to assign civic numbers to undeveloped lots, and may assign more than one civic number to a lot.
6. The Civic Addressing Coordinator may, by written notice to an owner, change or reassign civic numbers where reasonably necessary to avoid potentially confusing numbering discontinuities or irregularities and to assure an adequate supply of civic numbers for existing and future development.
7. 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.
8. The owner of a lot on which a building is located shall keep posted on the lot or building the assigned civic number in the following manner:
 - (1) 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 them principal street or private road upon which the lot or building is situated or from which it has access and from all points in at least 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;
 - (2) civic numbers shall face towards the street 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 street or private road;
 - (3) civic numbers shall be in Arabic numerals;
 - (4) the bottom of the numerals shall be a minimum of 1.2 meters above grade;
 - (5) the colour of the numerals shall clearly contrast with the background upon which the numbers are displayed;
 - (6) the height of the numerals shall not be less than the following dimensions for the specified viewing distances measured from the place where the civic number is posted to the closest edge on the traveled portion of the principal street or private road upon which the lot or building is situated:
 - (a) viewing distance of 15 metres or less: minimum numeral height of 65 millimetres;
 - (b) viewing distance of between 15 and 30 metres: minimum numeral height of 1 00 millimetres;
 - (c) viewing distance of between 30 and 45 metres: minimum numeral height of 125 millimetres;

CIVIC ADDRESSING BY-LAW NO. 2011-03

- (d) viewing distance of between 45 and 60 metres: minimum numeral height of 150 millimetres;
 - (e) viewing distance of between 60 and 75 metres: minimum numeral height of 175 millimetres; and
 - (f) viewing distance of between 75 and 90 metres: minimum numeral height of 200 millimetres;
- (7) where the viewing distance measured from the place where the civic number is posted to the closest edge of the traveled portion of the principal street or private road upon which the lot or building is situated is 15 metres or more, the sign shall be artificially illuminated at night to be visible from the street or road, except if there is no electrical service to the lot or building;
- (8) in the event that
- (a) a building is not located within 90 metres of the closest edge of the traveled portion of the principal street or private road upon which the building is situated;
 - (b) the view of the civic number would be obstructed if it were posted on the building; or
 - (c) for any other reason an owner does not post the civic number on the building

the civic number shall be posted 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,, on the same side of the road, and at least 3.5 metres from the closest edge of the traveled portion of the street or private road upon which the building is situated.

9. The owner(s) of a private road which intersects a street shall take the following steps to erect and maintain a sign identifying the private road by name:
- (1) obtain from the Civic Addressing Coordinator the name assigned to the private road by the Town of Digby, and if no name has been assigned, request the Town of Digby to assign a name;
 - (2) 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;
 - (3) where permission is obtained in accordance with subsection (2), erect, maintain in good condition, and replace as necessary, a sign and signpost at the intersection of the private road and the 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:

CIVIC ADDRESSING BY-LAW NO. 2011-03

- (a) lettering of the private road name to be 100 millimeters in height, in highway gothic font style and in upper case character;
 - (b) lettering to be in white against a green background;
 - (c) bottom of the lettering to be 2.5 meters above grade;
 - (d) signpost to be made of pressure treated lumber with cross-sectional dimensions no less than 85 millimeters by 85 millimeters or rigid non-ferrous metal or some other standard and sufficiently fastened to the ground to hold the sign rigidly in place and to prevent turning of the sign in the wind;
 - (e) 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 street and to be set back a minimum of 3.5 meters from the travelled portion of the street.
10. 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:
- (1) compliance with the standards is not reasonably possible, having regard to the physical features of the site or otherwise; or
 - (2) 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.
11. In the event of contravention of this By-Law, in addition to any prosecution or other remedy, the Town of Digby, may
- (1) 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;
 - (2) 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;
 - (3) if the remedial action has not been undertaken or completed within 14 days, the Town of Digby 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.
12. Any person who violates any provision of this By-law is guilty of an offence punishable on summary conviction by a fine of not less than \$100 and not more than \$1000 and to imprisonment of not more than 30 days in default of payment thereof.

CIVIC ADDRESSING BY-LAW NO. 2011-03

- 13. Any person who Contravenes section [8] of this By-Law and who is given notice of the contravention may pay to the Municipality, at the place specified in the notice, the sum of \$50 within 14 days of the date of the notice and shall there by avoid prosecution for that contravention.
- 14. The effective date of this By-Law is July 14, 2011

Clerk's Annotation for Official By-Law Book

Date of first reading: June 6, 2011

Date of advertisement of Notice of Intent to Consider: June 16, 2011

Date of second reading: July 4, 2011

*Date of advertisement of Passage of By-Law: July 14, 2011

Date of mailing to Minister a certified copy of By-Law: July 14, 2011

I certify that this CIVIC ADDRESSING BY-LAW was adopted by Council and published as indicated above.

E. Thomas Ossinger July 18, 2011
E. Thomas Ossinger; Clerk Date

* Effective Date of the By-Law unless otherwise specified in the text of the By-Law