

CIVIC ADDRESS BY-LAW

1 AUTHORITY

- 1.1 This By-law is enacted by the Council of the Municipality of the District of Lunenburg under the authority vested in it by the Municipal Government Act, Section 313 of Part XII.
- 1.2 This By-law may be cited as the “Civic Address By-law” of the Municipality.
- 1.3 This By-law shall apply within the Municipality of the District of Lunenburg.

2 ADMINISTRATION

- 2.1 This By-law shall be administered by the Civic Address Coordinator appointed by the Chief Administration Officer of the Municipality of the District of Lunenburg.

3 DEFINITIONS

- 3.1 “Building” means a structure, whether permanent or temporary, which is used or intended for the supporting or sheltering of persons, animals, materials or equipment, except a structure the use of which is accessory to the use of another structure on the lot.
- 3.2 “By-law” means the Civic Address By-law of the Municipality of the District of Lunenburg.
- 3.3 “Civic Number” means the number, assigned to a building by the Civic Address Coordinator.
- 3.4 “Civic Address” means the combination of an assigned civic number, the road name, and the GSA.
- 3.5 “Civic Address File” means the database maintained by the Municipality of the District of Lunenburg containing geographically referenced civic address information, including civic points, street network file, and GSA boundaries.
- 3.6 “Civic Address Coordinator” means the person appointed by the Chief Administrative Officer to administer this By-law.
- 3.7 “Council” means the Council for the Municipality of the District of Lunenburg.
- 3.8 “Existing” means in existence on or before the effective date of this By-law, unless otherwise specified.
- 3.9 “GSA” means the 911 General Service Area.

- 3.10 “Municipality” means the Municipality of the District of Lunenburg.
- 3.11 “Owner” means a person controlling the property under consideration and, includes prima facie, the assessed owner of the property whose name appears on the assessment roll prepared in accordance with the Assessment Act.
- 3.12 “Private Road” means any road, street, lane, trail or other thoroughfare, which is not public, and extends to, and has access to a public road except in the case of Islands where there may not be any public roads.
- 3.13 “Public Road” means any street or highway owned and maintained by the Municipality, the Province of Nova Scotia or any other incorporated Municipality.

4 GENERAL REQUIREMENTS

Existing Civic Numbers

- 4.1 A civic number which was assigned to a building prior to the effective date of this Bylaw is hereby assigned to that building until the Civic Address Coordinator, by written notice to an owner, directs otherwise.
- 4.2 A request to change an assigned civic number shall be made to the Civic Address Coordinator, by the owner of the property upon which the building is situated.
- 4.3 The owner of a property on which a building is located shall obtain for that building a civic number, and shall display that civic number at all times, in accordance with 5.11 of this By-law.

5 ASSIGNING OF CIVIC NUMBERS

- 5.1 The Civic Address Coordinator shall be responsible for assigning civic numbers and shall be responsible for maintaining the Civic Address File.
- 5.2 The Civic Address Coordinator may assign civic numbers to buildings and other locations that have permanent or temporary occupancy or use and may assign civic addresses to developed sites, public and quasi-public places, such as but not limited to, ball fields, beaches, trailheads, dry hydrants, parks and RV sites.
- 5.3 The Civic Address Coordinator is not authorized to assign civic numbers to undeveloped lots.
- 5.4 The Civic Address 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.

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- 5.5** Civic numbers shall be assigned, based on a spatial formatting system. All roads shall be broken into intervals of 10 metres (33 ft.) and numbers shall be assigned based on where the building is located along the road or where the driveway intersects the road, the method being the discretion of the Civic Address Coordinator.
- 5.6** In the case of Islands, which do not have a defined road, or a road right of way the civic numbers shall be assigned on a measurement taken along the high water mark of the coastline as determined in Nova Scotia Topographic Database.
- 5.7** Civic numbers for new buildings shall be assigned when the Municipality's Building Official has completed the footing inspection, or when the building has been located on the lot and the first inspection has been completed.

Change, Delete, Suspend or Reassign

- 5.8** The Civic Address Coordinator may, by written notice to an owner, change, delete, suspend or reassign civic numbers where:
- a.** Reasonably necessary to avoid potentially confusing numbering discontinuities or irregularities;
 - b.** Necessary to assure an adequate supply of civic numbers for existing and future development;
 - c.** A road or a driveway becomes a private road or a private road becomes a public road;
 - d.** A building has been removed, demolished or otherwise ceases to exist and has not been replaced;
- 5.9** The Municipality of the District of Lunenburg is not liable for any costs, damages, or events that may be incurred by any property owner and to any third parties due to the reassignment of any civic number
- 5.10** No person shall display, or permit the displaying of, any civic number on a property other than the civic number assigned or approved pursuant to this By-law. 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.

Posting of Civic Numbers

- 5.11** The owner shall display and maintain a civic number upon a building or property in the following manner:
- a.** civic numbers shall be in Arabic numerals and displayed in a horizontal arrangement;

- b. the colour of the numerals shall be white with a blue background;
- c. the numerals shall be of a reflective material so that the numerals are clearly visible from the road by operators of vehicles, including emergency vehicles, both by day and by night;
- d. the civic number shall be placed:
 - i. at a distance no further than 1 metre (3 feet) from the driveway or entrance to the property; and
 - ii. at a distance no further than 3 metres (10 feet) from the edge of the traveled road; and
 - iii. placed at a height no less than 1 metre (3') above the traveled surface grade of the driveway or entrance to the property;
- e. the civic number shall be posted on the same side of the road as the building is situated and may be displayed on the mailbox if the mailbox is situated on the same side of the road as the building;
- f. the civic number shall be posted perpendicular to the road, and have the numbers displayed on both sides of the sign;
- g. where a building is accessible only by water, the civic number shall be affixed so that the number is easily visible from an approaching vessel, such as by the dock or other mooring facility.
- h. 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 Address Coordinator.
- i. Civic signs shall be maintained in good condition and replaced as necessary to ensure that the sign is visual at all times, day and night, and that the sign does not become obstructed by, but not limited to, vegetation or snow.

Duplicate Postings or Displays

- j. 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 5.11 of this Bylaw and that the additional or duplicate posting does not hinder the viewing of the civic number sign posted pursuant to Section 5.11.

Occupancy Permit

- 5.12** An occupancy permit may not be issued for a property unless a civic number is posted on that property.

- 5.13** Notwithstanding Section 6.1, civic number signs that were posted prior to the effective date of this by-law which do not meet the standards outlined in section 6.1 will be permitted as long as the civic number remains visible. When the civic number sign is replaced it shall meet the standards outlined in section 6.1.

6 VARIANCES FROM BY-LAW

- 6.1** Upon application by an owner, the Civic Address Coordinator may provide written authorization for the location of civic numbers or street name signs to vary from the standards contained in Part 6 and Part 8 of this By-law, with or without conditions, or when the standard is not practical, or because of the physical features of the lot.
- 6.2** The Civic Address Coordinator may withdraw an authorization under this section if the applicant has provided erroneous information.

7 POSTING ROAD NAME SIGNS

- 7.1** The road name sign shall be posted within ninety (90) days after notice of approval of the road name.
- 7.2** Private road signs shall be posted and maintained in the following manner:
- a.** Only double sided signs shall be used or posted
 - b.** Signs shall consist of non reflective black letters on a white reflective background;
 - c.** Sign blanks shall be a minimum of 158mm in height and shall have thickened top and bottom edges sufficient to resist warping or bending;
 - d.** The typeface used for lettering shall be Clearview Highway or equivalent typeface designed specifically to enhance road sign legibility;
 - e.** Letter height for capital letters shall be a minimum of 100mm and 60mm for road name suffixes;
 - f.** Signage lettering shall be initial capitals followed by lower case;
 - g.** Road name suffixes shall be abbreviated;
 - h.** Private road signs shall be parallel to the private road;
 - i.** 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 ;

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- j. The bottom of the private road sign shall be a minimum of 1.5 and a maximum of 2.8 metres above the traveled portion of the adjacent public road;
- k. Sign posts shall meet the municipal engineering department standard; and
- l. Private road name signs shall be maintained in good condition and replaced as necessary to ensure that the sign is visible at all times, day and night, and that the sign does not become obstructed by, but not limited to, vegetation or snow.

7.3 Notwithstanding Section 8.2, 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 8.2 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 8.2.

Private Road Names

7.4 The owner(s) of a private road which has not been named on an approved plan of subdivision and approved through the civic address file, shall take the following steps to erect and maintain a sign identifying the private road by name:

- a. Obtain from the Civic Address Coordinator the name assigned to the private road.
- b. The Civic Address Coordinator will assign a road name to the new private road. The name for the new private road will be chosen by the Civic Address Coordinator from Schedule "A" --Bank of road names approved by Council.

7.5 Upon approval, of a private road name the Civic Address Coordinator shall notify the affected owners fronting on the road, 911 registry, the local fire department, RCMP, and Land Registration Office of the new civic addresses and road name changes.

7.6 Upon notification of a new private road name, the residents are responsible for obtaining any license, permit or permission that may be required from Nova Scotia Transportation & Infrastructure Renewal or the Municipality respecting the location of the signpost within a public right of way.

8 CHANGING ROAD NAMES

8.1 Any private or public road name may be changed upon receipt of a petition in the following manner:

- a. no duplication between the proposed road name and any road names listed in the Nova Scotia Civic Address File for Lunenburg or Queens County; and
- b. the extension of an existing road shall have the same name as the existing road;

and

- c. the petition shall contain the signatures of sixty-six and two-thirds (66.66) percent of the assessed property owners with frontage on the road, in agreement with the proposed name. In determining the petition percentage one lot shall equal one signature.

8.2 Private lanes or driveways that give access to three (3) or more buildings shall be given a name. Assessed owners with properties fronting on the road shall be given 30 days to submit a petition in accordance with Subsection 8.1. If after 30 days a petition has not been received the Civic Address Coordinator will assign a name in accordance with Subsection 7.4.

8.3 Public Roads

- a. Upon Councils approval of a provincially owned public road name change, the Civic Address Coordinator shall forward a copy of the petition and Councils approval to the Nova Scotia Transportation & Infrastructure Renewal for final approval.
- b. Upon approval from the Nova Scotia Transportation & Infrastructure Renewal, the Civic Address Coordinator shall notify the affected owners fronting on the road, the 911 registry, the local fire department, RCMP, and the Land Registration Office of the civic addresses and road name changes.
- c. Upon Council's approval of a municipally owned public road name change, the Civic Address Coordinator shall notify the affected owners fronting on the road, the 911 registry, the local fire department, RCMP, Nova Scotia Transportation & Infrastructure Renewal and the Land Registration Office of the civic addresses and road name changes.

9 GSA RE-DELINEATION

9.1 The Civic Address Coordinator shall ensure that where a road is built or extended across a GSA line and the sole access is through a single GSA, the boundary of the latter GSA shall be re-delineated to include the street and all lots accessing it as shown in a final plan of subdivision;

9.2 Other adjustments to GSA boundaries shall be considered by the Civic Address Coordinator based on the following:

- a. the current boundary poses potential confusion for emergency responders;
- b. a change to reference data upon which the GSA boundary is based on;
- c. a change to Provincial guidelines.

- 9.3** Notification shall be sent to each affected resident where an adjustment has resulted in a mail or civic address change.

10 VIOLATIONS & REMEDIAL ACTION

- 10.1** Any person who violates any provision of this By-law is guilty of an offence punishable by a summary offence ticket or on summary conviction, by a fine as prescribed in the applicable statute.
- 10.2** 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.** Pursuant to Section 505 of the Municipal Government Act in the event that the remedial work has not been completed within the specified time period the Municipality 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 of so doing 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 the person at the last address shown on the Assessment Roll, or by electronic mail or by facsimile
- 10.4** A notice is deemed to have been served on the third day after it was sent.

11 EFFECTIVE DATE AND REPEALED POLICY

- 11.1** The effective date of this by-law is September 1, 2013.
- 11.2** Policy MDL-18 "Policy on Civic Addressing" is hereby repealed on the effective date of this by-law.

CIVIC ADDRESS BY-LAW

| Annotation for Official By-law Book | |
|--|-----------------------|
| Date of First Reading: | <u>March 12, 2013</u> |
| Date of Advertisement of Notice of Intent to Consider: | <u>April 2, 2013</u> |
| Date of Second Reading: | <u>April 23, 2013</u> |
| *Date of advertisement of Passage of By-law/Amendments to Bylaw | <u>May 29, 2013</u> |
| Date of mailing to Minister a Certified copy of By-law: | <u>July 17, 2013</u> |
| I certify that this " <i>Civic Address By-law</i> " was adopted by Council and published as indicated above. | |
| _____ April Whynot-Lohnes, Municipal Clerk | _____ Date |
| *Effective Date of the By-law unless otherwise specified in the text of this By-law | |

Schedule "A"
Bank of Road Names

Approved by Council by policy on *March 12, 2013*

- 1) Bedrock Lane
- 2) Berry Hill Lane
- 3) Buttercup Lane
- 4) Cabot Lane
- 5) Cannonball Lane
- 6) Cobblers Lane
- 7) Don de Dieu Lane
- 8) Drumlin Lane
- 9) Farmstead Lane
- 10) Haskap Lane
- 11) Hodge Podge Drive
- 12) Lake Shore Drive East
- 13) Maple Leaf Lane
- 14) Maple Syrup Lane
- 15) Mud Cove Road
- 16) Oxpull Lane
- 17) Pipsqueak Lane
- 18) Pudding Lane (as in Lunenburg pudding)
- 19) Quilters Lane
- 20) Raven Drive
- 21) Razilly Lane
- 22) River Valley Drive
- 23) Sand Dollar Drive
- 24) Sauerkraut Lane
- 25) Stone Fort Lane
- 26) Sugartree Lane
- 27) Syrup Tree Lane
- 28) Tallship Lane
- 29) Woodenship Lane