
CHAPTER 56
CIVIC ADDRESS BYLAW
TOWN OF MIDDLETON

1.0 This Bylaw is entitled the Town of Middleton Civic Address Bylaw and is developed in accordance with the Municipal Government Act 1998, Part 12 Section 313.

1.1 Nothing in this Bylaw shall be construed as authorizing non-compliance with any laws, regulations, bylaws, 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.

1.2 The objectives of this Bylaw are to facilitate emergency response by adopting a provincially standardized system for assigning civic numbers to buildings and properties; to require property owners to post their civic numbers on their properties and to comply with any changes to their civic numbers.

2.0 Definitions In this Bylaw:

- 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.
- b) **“Civic Addressing Coordinator”** means the person or persons appointed by the Chief Administrative Officer to administer the provisions of this bylaw.
- c) **“Town”** means the Town of Middleton.
- d) **“Lot”** means any parcel of land described in a registered deed or as shown in a registered plan of subdivision.
- e) **“Civic Number”** means the number assigned to a lot or building by the Civic Addressing Coordinator or designate. In the case of multiple tenant buildings, the civic number may also contain a suite or unit identifier.
- f) **“Owner(s)”** means;
 - i) a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building,
 - ii) 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, a mortgagee in possession or a person having the care or control of the land or building,
 - iii) in the absence of proof to the contrary, the person assessed for the lot;

- g) **"Roadway"** means that portion of a street improved, designed or ordinarily used for vehicular traffic.
- h) **"Street or Road"** means the whole and entire right-of-way of every highway, road, or road allowance vested in, or maintained by the Province of Nova Scotia or the Town of Middleton.
- i) **"Private Road, Lane or Drive"** means any road, street, lane, trail or other thoroughfare which is not a street as defined in subsection (h) which serves as a principle vehicular access from a public street to three or more addressable buildings;

3.0 General

- 3.1 The Civic Addressing Coordinator is responsible for the assigning of civic numbers to lots and buildings fronting upon, abutting or accessing any street. The Civic Addressing Coordinator shall keep a record of civic numbers which have been assigned. The Planning Technician at the Annapolis District Planning Commission will be responsible to maintain the record of civic numbers in the Nova Scotia Civic Address File (NSCAF) and the Geographic Information System mapping maintained at the Annapolis District Planning Commission.
- 3.2 The Civic Addressing Coordinator may assign civic numbers to lots for which subdivision approval is requested, or to buildings for which a development and/or building permit is requested. The Civic Addressing Coordinator is not required to assign a civic number to an undeveloped lot, and may assign more than one civic address to a lot or building.
- 3.3 The Civic Addressing Coordinator may, by written notice to an owner, change or reassign civic numbers where reasonably necessary to avoid potentially confusing numbering situations, discontinuities or irregularities.
- 3.4 A civic number which is displayed on a building or lot on the date of the enactment of this bylaw shall continue to be its civic number until such time as the Civic Addressing Coordinator may, by written notice, otherwise direct.
- 3.5 A request to change an assigned civic number shall be made to the Civic Addressing Coordinator, by the owner of the property upon which the building is situated.
- 3.6 Civic numbers for new buildings shall be assigned when the Building Inspector has completed the footing inspection, or when the building has been located on the lot and the first inspection has been completed.
- 3.7 The Town of Middleton is not liable for any costs or hardships whatsoever that may be incurred by any property owner due to the re-assignment of any civic number.
- 3.8 The owner of a property shall post the assigned civic number prior to the issuance of an occupancy permit.
- 3.9 The Building Inspector or Development Officer for the Town of Middleton shall not

issue an occupancy permit for the property before the assigned civic number is posted for the property.

- 3.10 With or without 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 Bylaw, 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 Bylaw 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.

- 3.11 The Civic Addressing Coordinator will use the "Civic Address User's Guide, Version 4.0" or any revision of same, supplied by Service Nova Scotia and Municipal Relations or the Emergency Management Office as the general guideline for assigning civic addresses and resolving issues found with existing numbers.
- 3.12 The Civic Addressing Coordinator may consult with outside persons or agencies concerning situations that arise that are outside the general scope of the aforementioned guidelines.
- 3.13 The Town of Middleton reserves the right to carry out civic number projects which may include the actual posting of civic numbers on or adjacent to private property with minimal costs being assigned to the owner.

4.0 Display of Numbers

- 4.1 The owner of a lot on which a building is located shall display on the lot the civic number of the building in the manner provided herein, and shall maintain the sign and its support in good order.
- 4.2 An owner shall not display nor permit to be displayed upon his lot any number which is not its' civic number. The Civic Addressing Coordinator may, by written notice, require an owner to remove from his lot any number which is displayed thereon which is not its' civic number.
- 4.3 Subject to subsection (4.1), all civic numbers shall be displayed upon a lot in the following manner:
- (a) civic numbers shall be in Arabic numerals;

- (b) the bottom of the numerals shall be a least 1.2 metres above the ground;
- (c) the color of each numeral shall clearly contrast with the color of the building or post or sign on which it is located;
- (d) the civic number sign shall be placed upon the building in such a location that it faces toward and is clearly visible from the roadway or the street from which it is numbered, and from all points in at least 10 metres in either direction from that place; or placed perpendicular to the street on a two-sided sign.
- (e) if it is located on a sign or post or on a building which is within 15 metres of the roadway, then the numerals shall be not less than 100 millimeters in height;
- (f) if it is located on a building which greater than 15 metres from the roadway, then the numerals shall be not less than 150 millimeter in height;
- (g) where the view of a civic number would be obstructed if it were posted on the building, or would not be easily read when viewed from the traveled portion of the street or private road, the civic number shall be posted at the end of the access driveway, on the owner's property, and on either side of a free standing post located within five (5) metres of the street boundary.
- (h) where the placement, color, contrast, size or reflectivity of the posted numbers adversely affect the visibility of same during hours of low light, the Civic Addressing Coordinator may require the sign or numbers to be illuminated.

4.4 The Civic Addressing Coordinator may, in writing, require the owner to place a civic number on a sign or post located on the lot adjacent to the entrance of a driveway which provides emergency vehicle access to a building.

4.5 The Civic Addressing Coordinator may assign a name to private lanes or driveways that give access to three (3) or more buildings, in accordance with a street naming policy currently in place or adopted by Council.

5.0 Orders

5.1 In event of contravention of this Bylaw the Civic Addressing Coordinator or designated Bylaw Enforcement Officer may serve, or cause to be served an Order to Comply by personal delivery, registered mail or posting on the property.

5.2 Every Order to Comply shall contain:

- (a) the section of the Bylaw which has been contravened;
- (b) actions to be taken in order to bring the property into compliance with the bylaw;

- (c) the date by which the property must be brought into compliance with the order;
- (d) the action which will be taken against the owner should the property not be brought into compliance.
- 5.3 Where an owner fails to comply with the requirements of an Order within the time frame stipulated therein, the Civic Addressing Coordinator or designated Bylaw Enforcement Officer may enter upon the property without warrant or other legal process and undertake the work specified in the Order.
- 5.4 Where the Civic Addressing Coordinator or designated Bylaw Enforcement Officer undertakes the work specified in the Order, the Town may charge and collect the costs thereof either from the owner or as a first lien on the property affected.

Penalty and Payment in Lieu of Prosecution Policy

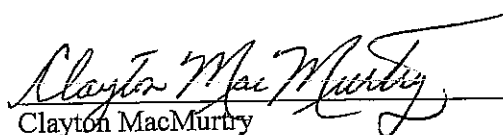
- 6.1 Every person who violates or fails to comply with any of the provisions of this Bylaw shall be liable, upon summary conviction, to a penalty not less than Twenty (\$20.00) and not exceeding Five Hundred Dollars (\$500.00).
- 6.2 Should the Town of Middleton adopt a Payment in Lieu of Prosecution Policy in the future, then any person who is given notice of the contravention may pay to the Town of Middleton at the place specified in the notice; the minimum sum provided under the Payment in Lieu of Prosecution Policy, within 14 days of the date of the notice and shall thereby avoid prosecution for that contravention.

THIS IS TO CERTIFY that this Bylaw, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council by majority vote of the whole Council of the Town of Middleton on the 6th day of December, 2010.


Clayton MacMurtry
Chief Administrative Officer

GIVEN under the hand of the Chief Administrative Officer and under the corporate seal of the Town of Middleton this 8th day of December, 2010.

1. Date of Notice to Council Oct 18/10
2. Date of First Reading Nov 1/10
3. Publication of Notice of Second Reading Nov 18/10
4. Date of 2nd Reading & Passing Dec 6/10
5. Date of Publication of Notice of Passing Dec 16/10*


Clayton MacMurtry
Chief Administrative Officer

*Effective date of the Bylaw unless otherwise specified in the text of the Bylaw.