

## **Town of Amherst Civic Address By-Law (P-3)**

**1.0** This By-Law is entitled the Town of Amherst Civic Address By-Law and is developed in accordance with the Municipal Government Act 1998, Part 7 Section 313.

### **2.0 Definitions**

In this By-Law:

- a) **“Building”** means any structure whether temporary or permanent, used or capable of being used for the shelter, accommodation or enclosure of persons, animals, materials or equipment. Any tent, awning, bin, bunk, or platform, vessel or vehicle used for any of the said purposes shall be deemed a building.
- b) **“Town”** means the Town of Amherst.
- c) **“Lot”** means any parcel of land described in a registered deed or as shown in a registered plan of subdivision.
- d) **“Civic Number”** means the number assigned to a lot or building by the Development Officer or designate. In the case of multiple tenant buildings, the civic number may also contain a suite identifier.
- e) **“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;
- f) **“Roadway”** means that portion of a street improved, designed or ordinarily used for vehicular traffic.

- g) “**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 Amherst.

### **3.0 General**

- 3.1 The Development Officer is responsible for the assigning of civic numbers to lots and buildings fronting upon or abutting a street. When the situation warrants, the Development Officer may assign a separate civic number to an accessory building on a lot. The Development Officer shall keep a record of civic numbers which have been assigned.
- 3.2 The Development Officer 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 Development Officer is not required to assign a civic number to an undeveloped lot.
- 3.3 The Development Officer 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 by-law shall continue to be its civic number until such time as the Development officer may, by written notice, otherwise direct.

### **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.
- 4.2 An owner shall not display nor permit to be displayed upon his lot any number which is not it's civic number. The Development Officer may, by written notice, require an owner to remove from his lot any number which is displayed thereon which is not it's civic number.
- 4.3 Subject to subsection (4.1), all civic numbers shall be displayed upon a lot in the following manner:
- (a) it 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) it 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;
- (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;

4.4 A civic number shall be displayed on a post or a sign if a civic number which is located on a building cannot be easily read from the roadway from which the building is numbered. The post or sign shall be located on the lot within five (5) metres of the street boundary and the numerals shall face towards and be clearly visible from the roadway.

4.5 The Development Officer 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.

## **5.0 Orders**

5.1 In event of contravention of this Bylaw the Development 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 Development Officer may enter upon the property without warrant or other legal process and undertake the work specified in the Order.
- 5.4 Where the Development 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**

- 6.1 Every person who violates or fails to comply with any of the provisions of this By-law shall be liable, upon summary conviction, to a penalty not less than One Hundred Dollars (\$100.00) and not exceeding One Thousand Dollars (\$1,000.00) and in default of payment to imprisonment for a period not exceeding ten (10) days.

IN WITNESS WHEREOF the Town of Amherst has caused the Corporate Seal of the said Town to be affixed to this by-law the \_\_day of \_\_\_\_\_, 2004, A.D. and signed by:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CAO