

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

BY-LAW NUMBER 20-2020 **MUNICIPAL ADDRESSING BY-LAW**

Being a By-law of the Township of North Glengarry to provide for the assignment and maintenance of municipal address "civic" numbers.

WHEREAS Section 116 (1) of the Ontario Municipal Act, 2001 S.O., c. 24 as amended, permits Councils of a Municipality to establish, maintain, and operate a centralized communication system for emergency response purposes;

AND WHEREAS Section 116 (2) of the Ontario Municipal Act, 2001 S.O., c. 24 as amended, enables Municipalities that passed a by-law under Subsection (1) at any reasonable time to enter upon land to affix numbers to building or erect signs setting out numbers on land;

AND WHEREAS Section 10(2) of the Municipal Act, 2001, as amended, permits councils of local municipalities to pass by-laws and make regulations for the health, safety, and wellbeing of persons within the municipality;

AND WHEREAS Section 10(2) of the Municipal Act, 2001, as amended, permits Councils of local municipalities to pass by by-laws and make regulations for the protection of persons and property within the municipality;

AND WHEREAS this by-law provides for the proper maintenance of municipal address numbers by owners of properties within the Corporation of the Township of North Glengarry;

AND WHEREAS this by-law provides the orderly assignment of municipal address numbers within the Corporation of the Township of North Glengarry;

AND WHEREAS the orderly assignment and the proper maintenance of municipal address numbers is required for the effective and efficient delivery of municipal services, including emergency services, required to protect the health, safety and well being of persons and for the protection of property and persons;

AND WHEREAS it is considered desirable to pass a By-law to provide for the placing and maintaining of civic numbering signs on entrances to rural non-building lots with a view to helping first responders better find locations in the event of an emergency.

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY BY THE COUNCIL THEREOF HEREBY ENACTS AS FOLLOWS:

1. SHORT TITLE

This By-law may be known as the "Municipal Addressing By-law" or the "Civic Number By-law".

2. DEFINITIONS

In this by-law:

2.1 "Building" means a structure occupying an area greater than ten (10) square metres, consisting of a wall, roof and floor or any of them, or a structural or mechanical system serving the function thereof, including all the works, fixtures and mechanical or electrical service systems appurtenant thereto.

2.2 "Chief Building Official" means the Chief Building Official for the Township or designate.

2.3 "Civic Address" shall mean the road or street name and the number designated by the Township of North Glengarry.

2.4 "Corporation" or "Township" means the Corporation of the Township of North Glengarry.

2.5 "Costs" means all monetary expenses incurred by the Township during and throughout the process of any remedial work, including interest at a rate of 15% per annum or such lower rate as determined by the Township commencing on the day the Township incurs the costs and ending on the day the costs, including interest, are paid in full, and may include an administrative surcharge amount as determined by the Township.

2.6 "Council" means the Council of the Township of North Glengarry.

2.7 "Frontage" or "Front lot line" means the portion of the property abutting the roadway.

2.8 "Lot" or "Property" means a parcel of land within the Township including buildings and structures, yards and vacant lots which is capable of being legally conveyed in accordance with the provisions of the Planning Act, RSO 1990, c.P.13.

2.9 "Municipal Number Sign" or "Civic Number" means a horizontal blade describing the number assigned by the Chief Building Official or designate to a building or lot located on a roadway, either before or after the coming into effect of this by-law, which is primarily used to designate and locate such building or lot along such roadway.

2.10 "Owner" means, as the context requires, the registered owner, condominium corporation, assessed owner, occupant, tenant, person who for the time being manages or receives the rent for the property whether on his/her own account or as an agent or trustee or on account of any other person.

2.11 "Peace Officer" or "Officer" means, a Chief Building Official or designate, a Municipal Law Enforcement Officer or designate or an Ontario Provincial Police Officer for the purpose of enforcing municipal by-laws.

2.12 "Person" means an individual human being, a corporation, firm, partnership, unincorporated association or organization, their heirs, executors, assigns, administrators, agents, trustees or other legal representatives of a person with or without share capital, any association, firm, partnership or private club of a person to whom context can apply accordingly.

2.13 "Signpost" means the support upon which the horizontal municipal number sign blade shall be placed and shall conform to the requirements contained within the by-law.

2.14 "Order" means any notice of non-compliance or order to comply issued under this by-law.

2.15 "Roadway" or "Highway" means the private or public thoroughfare for the passage of vehicles with reference to which the building is assigned a municipal number and includes a common or public highway, street, avenue, parkway, square, place, bridge, viaduct or trestle.

2.16 "Unit" means a separately rentable area within a building.

3. ASSIGNMENT OF MUNICIPAL NUMBERS

3.1 The Chief Building Official or designate shall assign and thereafter maintain a system for assigning sequential municipal numbers to buildings or lots within the Corporation of the Township of North Glengarry in reference to roadways.

3.2 The Chief Building Official or designate shall assign municipal numbers as per the Civic Address and Road Naming Standards for the United Counties of Stormont Dundas and Glengarry By-law, as amended.

3.3 Numbers shall be sequential in such a pattern as the Chief Building Official sees fit.

3.4 Odd numbers shall be assigned to one side of the road and even numbers assigned to the other.

3.5 Where a civic address is required for a lot or building, and it is found that there is insufficient supply of numbers, the civic number may have a letter or number suffix added to maintain sequential order.

3.6 New civic numbers in existing developed areas will be assigned in a way that is consistent with flow and intervals of existing civic numbering in the area immediately adjacent to the new lot or building to be numbered.

3.7 The Chief Building Official may assign civic numbers to lots or buildings to fulfill conditions of a consent application, or site plan approval upon receipt of a completed application and applicable fees.

3.8 The Chief Building Official is not obliged to assign civic numbers to undeveloped lots.

3.9 The Chief Building Official is not obliged to assign additional civic numbers to a lot which has been previously assigned a number.

- 3.10** Any request for an additional civic address must demonstrate that the additional address is required to improve the effective and efficient delivery of municipal services, including emergency services, required to protect the health, safety and well being of persons and for the protection of property and persons.
- 3.11** After the application has been reviewed and approved, the Chief Building Official shall notify the United Counties of Stormont, Dundas & Glengarry GIS and Mapping Services Department with the location and civic address number.

4. POSTING OF MUNICIPAL NUMBERS

- 4.1** Every owner shall ensure that a municipal number is posted on a building, signpost or fixed object in accordance with the applicable standards prescribed in this by-law when the property has a building located on it.
- 4.2** Every owner of a vacant property outside any urban settlement area as defined in the Official Plan of the United Counties of Stormont, Dundas & Glengarry may apply for a Municipal Number Sign to be posted as per the applicable standards prescribed in this by-law, which may be approved by the Chief Building Official or designate. (Emily – Farm 911 program).
- 4.3** Every owner of a vacant property outside any urban settlement area as defined in the Official Plan of the United Counties of Stormont, Dundas & Glengarry shall ensure that a municipal number, if approved as per 4.2 is posted on a signpost or fixed object in accordance with the applicable standards prescribed in this by-law. (Emily – Farm 911 program).

5. STANDARDS FOR MUNICIPAL NUMBER SIGNS

- 5.1** Every municipal number sign shall be made from durable waterproof material, and bear numbers or characters not less than 76 mm (3 inches) in height in a contrasting white reflective colour on a blue reflective backing affixed on both sides of the number board and shall be located facing the roadway in a manner that the municipal number is clearly visible from the roadway, ideally perpendicular to the roadway.
- 5.2** Where a building to be numbered is 15.2m (50 feet) or more from the front lot line, a municipal number sign shall be posted on a white signpost or other fixed object near the driveway and within 1.0m (3 feet) of the property line at a height between 1.2m and 1.8m (4 - 6 feet) above average grade level, or in such other location as approved by the Chief Building Official or designate.
- 5.3** A municipal number sign installed on an entrance to a vacant property outside any urban settlement area as defined in the Official Plan of the United Counties of Stormont, Dundas & Glengarry, shall be posted on a white signpost or other fixed object near the driveway and within 1.0m (3 feet) of the property line at a height between 1.2m and 1.8m (4 - 6 feet) above average grade level, or in such other location as approved by the Chief Building Official or designate. (Emily – Farm 911 program).
- 5.4** Where a Building to be numbered is less than 15.2m (50 feet) from the Front lot line, the municipal number sign shall be affixed to the portion of the building or displayed over the garage fronting on the roadway or on a signpost or other fixed object located between the building and the front lot line, and not placed or displayed higher than the first storey of the building or garage or installed in such other location as approved by the Chief Building Official.
- 5.5** Where, in the opinion of the Chief Building Official, additional signage is required to identify a building or a property abutting more than one street, the Chief Building Official shall provide thirty (30) day's written notice to the owner that additional signage is required, and in default of the owner erecting such signage, the Corporation may erect a municipal number sign in accordance with the provisions of this section of the By-law.
- 5.6** Where, in the opinion of the Chief Building Official, additional signage is required to provide for the effective and efficient delivery of municipal services, including emergency services, required to protect the health, safety and well being of persons and for the protection of property and persons, the Chief Building Official shall provide thirty (30) day's written notice to the owner that additional signage is required, and in default of the owner erecting such signage, the Corporation may erect a municipal number sign in accordance with the provisions of this section of the By-law.

- 5.7 The Municipal Number shall be displayed in numeral form (e.g. 116) and not written form (e.g. One Hundred and Sixteen).

6. CIVIC ADDRESS FOR NEW CONSTRUCTION

- 6.1 The applicant shall fill out the attached schedule "A" application form of this by-law as amended for a new civic address.
- 6.2 The civic address kit shall be paid in full by the applicant to the Township after receiving the approval, by the Chief Building Official or designate, of the prescribed application form.
- 6.3 The amount shall be set out in the Townships' Fees and Charges By-law as amended.
- 6.4 The Township shall be responsible for contacting the owner to coordinate the pickup of the civic address kit.
- 6.5 The owner shall be responsible for the installation of the civic address in accordance with section 5 of this by-law.

7. CIVIC ADDRESS FOR VACANT LOTS (Emily – Farm 911 program)

- 7.1 The applicant shall fill out the attached schedule "A" application form of this by-law as amended for a new civic address and ensure to check the box for "Emily – Farm 911 program" to identify the use of the civic number.
- 7.2 The civic address kit shall be paid in full by the applicant to the Township after receiving the approval, by the Chief Building Official or designate, of the prescribed application form.
- 7.3 The amount shall be set out in the Townships' Fees and Charges By-law as amended.
- 7.4 The Township shall be responsible for contacting the owner to coordinate the pickup of the civic address kit.
- 7.5 The owner shall be responsible for the installation of the civic address in accordance with section 5 of this by-law.

8. EXISTING CIVIC NUMBERS

- 8.1 A civic number that has been assigned for a lot or building on the date of the passing of this By-law is hereby assigned to that lot or building until such time as the Chief Building Official directs otherwise.
- 8.2 The Chief Building Official may change or reassign civic numbers where necessary to avoid potentially confusing numbering irregularities and to assure an adequate supply of civic numbers for existing and future development. Affected landowners shall be notified in writing thirty (30) days prior to the change or reassignment.
- 8.3 If a property owner uses the assigned civic number for anything other than the use specified when the civic number was applied for, the Chief Building Official may revoke the civic number.
- 8.4 If a civic number is no longer required for its intended use, such as a demolished building, the Chief Building Official may revoke the civic number.

9. WORK PERFORMED BY THE CORPORATION

- 9.1 Where an Owner has failed to install a municipal number sign in compliance with the standards set out in this by-law, or to repair or replace a municipal number sign that has been damaged, removed, stolen, or is missing or incorrectly placed, or as per required by Chief Building Official, the Corporation may erect, repair or replace the municipal number sign and the associated expense may be recovered from the owner of the lot or building or from any person responsible for the cause of damage, obstruction of visibility or loss of legibility, and said expense may be collected from the owner in the same manner as taxes.

9.2 The Township shall not be liable for any damage to property or personal injury resulting from any remedial work undertaken as a result of a default of the owner or any person in complying with the terms of this By-law.

10. PROHIBITIONS

10.1 No Person shall:

- a) Install or post or erect a municipal number sign if the fees are not paid at the Township office;
- b) Fail to post or erect a municipal number sign at each primary entrance to a building, and, if applicable at each entrance to each unit, as per the applicable standards prescribed in this by-law;
- c) Fail to post or erect a municipal number sign as required by the Chief Building Official to identify a building or a property abutting more than one street;
- d) Fail to post or erect a municipal number sign as required by the Chief Building Official to provide for the effective and efficient delivery of municipal services, including emergency services, required to protect the health, safety and well being of persons and for the protection of property and persons;
- e) Post a number, other than the approved number, on a building or on a municipal number sign;
- f) Post a number, other than the approved number, at the entrance of a vacant lot;
- g) Post or erect a municipal number sign other than as per the applicable standards prescribed in this by-law;
- h) Post or erect a municipal number sign as requested/assigned by the Chief Building Official;
- i) Occupy a building until a municipal number sign has been posted on the lot;
- j) Cause or permit a municipal number sign to be obstructed, defaced or misplaced;
- k) Fail to maintain a municipal number sign in a legible condition;
- l) Use the assigned civic number for anything other than the use specified when the civic number was applied for;
- m) Remove a municipal number sign, other than as may be strictly necessary for the immediate repair or replacement of the municipal number sign;
- n) Fail to comply with an order issued under this By-law; or
- o) Hinder, interfere with or otherwise obstruct, either directly or indirectly, the Chief Building Official, any officer, peace officer or any person appointed or designated for the purpose of enforcing this By-law, including any person who may be accompanying such persons, in the lawful exercise of any powers or duties under this By-law.

11. GENERAL PROVISIONS

- 11.1** An officer or the Chief Building Official may issue an order upon the owner of a property for which the municipal number sign is not maintained pursuant to the requirements of this By-law which directs that the owner remedy or rectify the contravention within a specified period of time from the time of the delivery of the order.
- 11.2** Any order given under this By-law may be given by personal delivery or mail and delivery by mail shall be deemed to have been affected five (5) calendar days from the date of mailing.
- 11.3** Every order sent by an officer or the Chief Building Official shall identify the land or structure which is the subject of the order.
- 11.4** Every order to an owner shall be sent to the address shown on the last revised assessment roll or to the last known address of the owner.

- 11.5** The Township and any officer or the Chief Building Official shall be entitled to remove any items in order to remedy or rectify any contravention of this By-law and any such items that are removed in accordance with this section may be disposed of immediately in the sole and absolute discretion of the Township, its officers or the Chief Building Official, which decision shall be final.
- 11.6** In the event that the violation set out in the order is not remedied within the specified period of time as set out in the order, the officer or the Chief Building Official may cause the violation to be remedied at the expense of the owner.
- 11.7** The Township shall not be liable for any damage to property or personal injury resulting from any remedial work undertaken as a result of a default of the owner or any person in complying with the terms of this By-law.
- 11.8** With the exception of matters which pose an immediate risk to public health and safety, which determination shall be made in the sole and absolute discretion of the officer or the Chief Building Official issuing the order and whose decision is final, an order shall provide for not less than seven (7) calendar days from the date of service of the order for the remediation or rectification of the contravention as set out in the order.
- 11.9** Notwithstanding Section 11.8 of this By-law, when there is an immediate risk to public health and safety, which determination shall be made in the sole and absolute discretion of the officer or the Chief Building Official issuing the order and whose decision is final, the order may require immediate action or other remediation or rectification.

12. ENTRY ON LAND & INSPECTIONS

- 12.1** An officer or the Chief Building Official, or other person appointed for the purpose of enforcing this By-law,
- a) has the power to enter upon and examine any lands, yards, vacant lots, grounds at any reasonable time or times, and
 - b) may be accompanied by such other person or persons as they deem necessary to properly carry out their duties under this By-law.
- 12.2** Notwithstanding Section 12.1, no person, including an officer or the Chief Building Official, shall exercise a power of entry under this By-law to enter a place or part of a place that is actually being used as a dwelling unless:
- a) the occupier of the dwelling, having been informed that the right of entry may be refused, consents to the entry; or
 - b) if the occupier refuses to consent, an order is issued pursuant to section 438 of the Municipal Act, 2001 or a warrant is issued pursuant to section 439 of the Municipal Act, 2001, or a warrant is issued under the Provincial Offences Act, R.S.O. 1990, c. P.33.
- 12.3** A person exercising a power of entry on behalf of the Township, under this By-law must on request, display or produce proper identification.
- 12.4** No person shall hinder, interfere with or otherwise obstruct, either directly or indirectly, the Chief Building Official, any officer, peace officer or any person appointed or designated for the purpose of enforcing this By-law, including any person who may be accompanying such persons, in the lawful exercise of any powers or duties under this By-law.

13. ENFORCEMENT

- 13.1** This By-law shall be enforced by an officer or the Chief Building Official or peace officer or any other person appointed by the Township for the purposes of enforcing this By-law.

- 13.2** If compliance herewith would be impractical, the provisions of this By-law shall not apply to ambulance, police and fire department vehicles and any vehicles while actually engaged in works undertaken for on behalf of the Township, the United Counties, federal or provincial government or any utility.
- 13.3** The Township may recover its costs of remedying a violation of this By-law by invoicing the owner, by instituting court proceedings or by adding the cost, including interest, to the tax roll in the same manner as municipal taxes in accordance with section 446 of the Municipal Act, 2001 and the exercise of any one remedy shall not preclude the exercise of any other available remedy.

14. OFFENCES & PENALTIES

- 14.1** Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act R.S.O. 1990, c. P. 33.
- 14.2** Every person who contravenes any provision of this By-law, including an order issued under this by-law, is guilty of an offence.
- 14.3** Every person who is convicted of an offence under this By-law shall be subject to a fine not exceeding \$10,000.00 for each offence and such fine shall be recoverable under the Provincial Offences Act.
- 14.4** A director or officer of a corporation who knowingly concurs in a contravention of this By-law by the corporation is guilty of an offence and is liable upon conviction to a fine not exceeding \$100,000.00 for each offence and such fines shall be recoverable under the Provincial Offences Act.
- 14.5** An offence under this By-law constitutes a continuing offence and for each day or part of a day that the offence continues, the fine shall not exceed \$10,000.00.
- 14.6** The conviction of a person under this By-law shall not operate as a bar to a prosecution against the same person upon any continued or subsequent breach of any provision or order under this By-law and the court may convict such person repeatedly for continued or subsequent breaches of this By-law and the provisions of section 431 of the Municipal Act, 2001 shall further apply to any continued or repeated breach of this By-law.
- 14.7** Upon a conviction being entered, the court in which the conviction was entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed in this By-law, make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 14.8** Every person who is guilty of an offence under this By-law may, if permitted under the Provincial Offences Act, pay a set fine, and the Chief Judge of the Ontario Court, Provincial Division, shall be requested to establish set fines as set out in Schedule 'B' to this By-law.

15. VALIDITY & SEVERABILITY

- 15.1** Notwithstanding any section, subsections, clause, paragraph or provision of this By-law, this By-law or parts thereof may be declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or beyond the powers of Council to enact, such section or sections or parts thereof shall be deemed to be severable and that all other sections or parts of this By-law are separate and independent there from and enacted as such as a whole. Same shall not affect the validity or enforceability of any other provisions of this By-law or of the By-law as a whole.
- 15.2** Any reference to a statute, regulation, by-law or other legislation in this By-law shall include such statute, regulation, By-law or other legislation or provision thereof as amended, revised, re-enacted and/or consolidated from time to time and any successor legislation thereto.
- 15.3** Where there is any conflict between the provisions of this By-law and any other By-law or legislation, the provisions of this By-law shall prevail to the extent of the conflict.

16. REPEAL

16.1 This By-law repeals By-law No 24-2012 in its entirety, as of the date of the enactment of this By-law.

17. FORCE AND EFFECT

17.1 This By-Law shall come into force and take effect on the date of enactment.

READ a first, second, third time and enacted in Open council this 27th day of April, 2020

Clerk/Deputy Clerk

Mayor

I, hereby certify that the forgoing is a true copy of By-Law No. 20 -2020, duly adopted by the Council of the Township of North Glengarry on the 27th of April, 2020.

Date Certified

CAO/Clerk / Deputy