

**THE CORPORATION TOWN OF MATTAWA**

**COMMITTEE: BY-LAW DEPARTMENT**

**CHAIRPERSON: COUNCILLOR G. THIBERT**

**DEPT. HEAD: WAYNE CHAPUT, BY-LAW ENFORCEMENT OFFICER**

**TITLE: PROPERTY NUMBERING BY-LAW**

21-08 Draft By-law                      \_\_\_\_\_ Item                      \_\_\_\_\_ Policy Recommendation

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**Mayor D. Backer and Members of Council:**

Over the past couple of years there has been concerns raised by emergency services regarding properties with no municipal address numbers on their buildings.

After numerous conversations with our Fire Chief and during staff meetings, it was decided that a property numbering By-law be enacted. The reason for the by-law is the safety and well-being of the residents of the municipality for effective and efficient delivery of municipal services including but not limited to emergency services.

**Recommendation:**

**BE IT RESOLVED THAT** the Mayor and Council of the Corporation of the Town of Mattawa adopt By-Law No 21-08 which is a By-law to establish a municipal addressing system within the Town of Mattawa.

Respectfully submitted,

Councillor G. Thibert

# **THE CORPORATION OF THE TOWN OF MATTAWA**

## **BY-LAW NO 21-08**

**BEING** a By-law to establish a municipal addressing system in the Town of Mattawa.

**WHEREAS** Section 9 of the Municipal Act 2001, as amended, provides that a municipality has the capacity, rights, powers, and privileges of a natural person for the purposes of exercising its authority under the Act; and,

**WHEREAS** Section 10 (2) 6 of the Municipal Act, 2001, as amended, permits councils of single-tier municipalities to pass By-laws respecting the health, safety and well-being of persons within the municipality; and,

**WHEREAS** Section 116 (1) and (2) of the Municipal Act, 2001, as amended, authorizes a municipality to establish, maintain and operate a centralized communication system for emergency response purposes, and to enter upon land to affix numbers to buildings or erect signs setting out numbers on land; and,

**WHEREAS** Section 429 (1) of the Municipal Act, 2001, as amended, provides that a municipality may establish a system of fines for a By-law passed under the Municipal Act, 2001, as amended; and,

**WHEREAS** Section 446 (1) of the Municipal Act, 2001, as amended, provides that municipality has the authority under this or any other Act or under a By-law under this or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and for the purposes of subsection (1 ), Section 446 (2) of the Municipal Act, 2001, as amended, provides that the municipality may enter upon land at any reasonable time; and,

**WHEREAS** Section 446 (3) of the Municipal Act, 2001, as amended, provides that the municipality may recover the costs of doing a matter or thing under subsection (1) from the person directed or required to do it by action or by adding the cost to the tax roll and collecting them in the same manner as property taxes; and,

**WHEREAS** the Council of The Corporation of the Town of Mattawa deems it necessary to enact a By-law requiring all property owners to display a municipal address number for each occupied property and for the safety and the well-being of the inhabitants of the municipality for effective and efficient delivery of municipal services including but not limited to emergency services.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MATTAWA ENACTS AS FOLLOWS:**

1. For the purpose of this By-law, the following definitions shall apply.

- 1.1 "Address" means the combination of the assigned numeric civic address (i.e., 200) and the street name inclusive of the post suffix and direction (i.e., John St.).
  - 1.2 "Building" means without generality of the following: any structure of a permanent or temporary nature used or built for any person's use, and includes but not limited to a house, office, retail store, factory, storage facility, warehouse, apartment complex, condominium, business, residence, etc. However, buildings shall not include sheds, pool pump houses, cabanas, dog houses or similar structures.
  - 1.3 "By-law Enforcement Officer " means the By-Law Enforcement Officer of the Town of Mattawa.
  - 1.4 "Council" means the Council of the Corporation of the Town of Mattawa.
  - 1.5 "Highway" Means a common or public highway, street avenue, parkway, driveway, square, place, bridge, viaduct, or trestle, designed and intended for, or used by, the general public for the passage of vehicles.
  - 1.6 "Municipal Address Number" means the number assigned by the Town pursuant to this by-law for the purpose of identifying all private and municipally owned buildings within the Town of Mattawa.
  - 1.7 "Owner" means the registered owner(s) of specific lands or property, or their authorized agent in lawful control of the lands or property.
  - 1.8 "Person" means any human being, firm, association, partnership, private club, incorporated company, corporation, tenants in common, joint tenants, agent or trustee and the heirs, executors, or other legal representatives of a person to whom the context can apply according to the law.
  - 1.9 "Principal address" means the commonly used entrance facing the highway.
  - 1.10 "Property" means a location that may include a building or an occupancy unit.
  - 1.11 "Town" means the Corporation of the Town of Mattawa
2. The Chief Administrative Officer/Treasurer or his/her designate is hereby authorized to assign municipal address numbers within the Town of Mattawa lands to identify all private and municipally owned buildings within the Town of Mattawa by assigning municipal address numbers to all buildings.
  3. Every Owner shall ensure that a municipal address number is affixed or inscribed on the front of the building at the main entrance facing the highway to which the number has been assigned or displayed over the garage facing the highway to which the number has been assigned or other conspicuous location on the building that is clear and visible from the highway to which the number has been assigned. Further, the number shall not be placed or displayed higher than the first storey of the building or garage.

In the case of a multiple unit apartment building or a commercial building with apartments, one municipal address number will be assigned to the building and each apartment shall be identified with either a number or letter.

4. Every owner shall ensure that a municipal address number is displayed on the building in plain legible numbers, on a contrasting background with contrasting numbers, with the numbers having a minimum height of 10 cm. or 4 inches.
5. The Chief Administrative Officer/Treasurer may renumber existing buildings at any time and give notice by first class letter mail of the renumber to the owner of the property as identified in the latest property assessment roll.
6. Notwithstanding the provisions of Section 3 of this by-law, where the building is situated more than 30 metres from the highway allowance, or the main building is in any way obscured from the highway, every owner shall ensure a municipal address number is placed on a contrasting plate attached to a permanent sign or structure at a height of least 1.5 metres (5 feet) above the ground located as close as practicable to the front lot line. Further, such permanent sign or structure shall be located adjacent to any driveway on the highway to which the municipal address number has been assigned or where not applicable in a conspicuous and unobstructed location at the front property line adjacent to the said highway. Every owner shall ensure that the municipal address number and the contrasting plate is not obscured by mailboxes or other obstructions. Where streetlights are not present, every owner shall ensure that reflective white numbers are posted on a contrasting plate and such numbers and plate posted in accordance with the specified height and location as set out in this section.
7. Every owner shall maintain their municipal address number to their building, property, permanent sign or structure as required by the provisions of this by-law, in good repair and visible from both sides of the highway.
8. No owner shall refuse to display the municipal address number when required to do so by this by-law.
9. No person shall remove, deface, or destroy a municipal address number, or contrasting plate installed in accordance with the provisions of this by-law, except for the purpose of replacing said numbers or plates or correcting errors.
10. If the owner of the property fails to post the municipal address number as assigned by Chief Administrative Officer/Treasurer, the municipality, its employees or agents may enter upon the property at any reasonable time and post the municipal address number in accordance with the following provisions:
  - a. the municipal address number will be affixed or inscribed on the front of the building at the main entrance facing the highway to which the number has been assigned or displayed over the garage facing the highway to which the number has been assigned or other conspicuous location on the building that is clear and visible from the highway to which the number has been assigned.

- b. the municipal address number will be placed on a contrasting plate attached to a permanent sign or structure at a height of least 1.5 metres (5 feet) above the ground located as close as practicable to the front lot line and in any case not more than 30 metres from the highway.

## **ENFORCEMENT**

11. The provisions of this by-law shall be enforced by the By-Law Enforcement Officer, Police Officer, or other individual duly appointed for the purpose of enforcing this by-law.

## **COSTS**

12. The Treasurer shall be authorized to apply any uncollected costs associated with the provision of a municipal address number, or the installation of a municipal address number to the corresponding property listing in the current tax roll for collection in the same manner as municipal taxes.

## **LIABILITY**

13. The Municipality shall not be liable for any loss, costs, or expense which the owners of land may incur because of a municipal address number being damaged, missing, obstructed or illegible.

## **PENALTY**

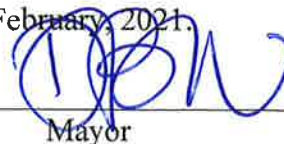
14. Every person who contravenes any provisions of this by-law is guilty of an offence and upon conviction is liable to a fine (the amount of which is set out in Schedule "A" of this By-law) as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

## **SEVERABILITY**

15. Each one of the foregoing provisions of the by-law is servable and if any provisions of this by-law should, for any reason, be declared invalid by any court, it is the intention and desire of this council that each one of the then remaining provisions shall remain in full force and effect.
16. This by-law shall come into force and take effect on the date of its final passing.

READ A FIRST and SECOND time, this 8<sup>th</sup> day of February, 2021.

READ A THIRD time and FINALLY PASSED this 8<sup>th</sup> day of February, 2021.



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Mayor



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Clerk

**Schedule "A"**  
**To By-Law 21-08**

**THE CORPORATION OF THE TOWN OF MATTAWA – SET FINES**

**PART 1 – PROVINCIAL OFFENCES ACT**

A By-law to establish a municipal addressing system in the Town of Mattawa.

<b>ITEM</b>	<b>COLUMN 1 Short form wording</b>	<b>COLUMN 2 Provision creating or defining offence</b>	<b>COLUMN 3 Set fine</b>
1	Owner fail to display a municipal address number on front of building.	3	\$80
2	Owner fail to display a municipal address number on front of garage.	3	\$80
3	Owner fail to identify apartment by number or letter.	3	\$80
4	Owner fail to display a municipal address number in plain legible numbers.	4	\$80
5	Owner fail to display a municipal address number having a minimum height of 10 centimetres or 4 inches	4	\$80
6	Owner fail to display a municipal address number placed on a contrasting plate attached to a permanent sign or structure where building located more than 30 metres from highway allowance.	6	\$80
7	Owner fail to maintain a municipal address number in good repair.	7	\$80
8	Owner fail to display a municipal address number that is visible from both sides of highway	7	\$80
9	Owner refuse to display a municipal address number when required.	8	\$105
10	Person remove a municipal address number	9	\$105
11	Person deface a municipal address number	9	\$105
12	Person destroy a municipal address number	9	\$105

NOTE: the general penalty provision for the offenses listed above is section 14 of By-law No. 21-08, a certified copy of which has been filed.