

CORPORATION OF THE COUNTY OF DUFFERIN

By-law Number 2006-20

A by-law to provide for the Emergency Numbering of Buildings and Properties.

WHEREAS Section 116 of the Municipal Act, S.O. 2001, c. 25 (“the Municipal Act, 2001”), provides that a municipality may establish, maintain and operate a centralized communication system for emergency response purposes may at any reasonable time enter upon land to affix numbers to buildings or erect signs setting out numbers on land;

AND WHEREAS the Council of The Corporation of the County of Dufferin deems it necessary for the safety and welfare of its citizens to have every property in the County display an assigned emergency number that is clearly legible from the highway from which the property gains access for the prompt identification of the property by emergency service personnel;

AND WHEREAS Section 427(1) provides that if a municipality has authority by by-law otherwise to direct or require that a matter or thing be done, the municipality may, in the same or another by-law direct that, in default of it being done by the person directed or require to do it, such matter or thing shall be done at the persons expense;

AND WHEREAS for the purposes of subsection (1), Section 427(2) provides that the municipality may enter upon land and into structures at any reasonable time;

AND WHEREAS Section 427(3) provides that the municipality may recover the costs of doing a thing or matter under subsection (1) from the person directed or required to do it and the municipality may recover the costs by action or by adding the costs to the tax roll and collecting them in the same manner as taxes.

NOW THEREFORE BE IT ENACTED BY THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN AS FOLLOWS:

1. For the purpose of this by-law, the following definitions shall apply:
- a) “Building” means any structure of a permanent or temporary nature occupying an area greater than 10 square metres consisting of a wall, roof, and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto in which a person resides or works, and includes but not limited to a house, office, residential trailer, retail store, factory, storage facility, warehouse, apartment complex, condominium, or residence.
 - b) “County” means the Corporation of the County of Dufferin;
 - c) “Driveway” means that portion of the lot designed to provide vehicular access or pedestrian access from a highway to a lot;
 - d) “Emergency Number” means i) in the case of rural property a rural address number; and ii) in the case of an urban property an urban address number.
 - e) “Highway” means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;
 - f) “Local Municipality” means a lower tier municipality within the County;
 - g) “New Development” means any residential, commercial or industrial development for which a building permit has been issued on or after the effective date of this by-law.
 - h) “Owner” means the registered owner(s) of specific lands or property, or their authorized

- agent in lawful control of the lands or property;
- i) “Rural Address Number” means a number assigned by the County for the purpose of identifying all buildings and driveways on rural properties within the County;
 - j) “Rural Property” means a property located in area designated as rural by the Director of Public Works;
 - k) “Urban Address Number” means a number assigned by a local municipality within the County for the purpose of identifying buildings on urban properties within the County of Dufferin;
 - l) “Urban Property” means a property located in an area designated as urban by the Director of Public Works;

Assignment of Emergency Number

2. The Director of Public Works or his/her designate is hereby authorized to assign a rural address number within the County to identify all rural properties within the County.
3. Each local municipality shall assign a municipal address number to identify urban properties within the local municipality.
4. All urban properties fronting on private roads located in private developments shall be numbered as directed by a local municipality.

Display of Emergency Number

5. Every owner shall display the assigned emergency number so as to be clearly legible from the highway to which the property has access.
6. Every owner of an urban property in a new development shall affix or inscribe the assigned emergency number:
 - a. if the building is within 50 ft. of the highway: (1) on the front of the building at the main entrance facing the highway to which the property has access, (2) displayed over the garage facing the highway to which the property has access; or (3) at some other conspicuous location on the building that is clear and visible from the highway to which the property has access, with plain, legible numbers having a minimum height of 10 cm. or 4 inches on a contrasting background. Further, the emergency number shall not be displayed higher than the first storey of the building or garage;

- b. if the building is not within 50 ft. of the highway: on the building with plain, legible numbers, with the numbers having a minimum height of 15 cm. or 6 inches on a contrasting background; or
 - c. if the displayed emergency number in either a) or b) above is not clearly legible from the highway: by attaching a green, reflective, double-sided sign to a post at a height of at least 1.2 metres (4 feet) above the ground adjacent to the highway showing plain, legible numbers having a minimum height of 10 cm. or 4 inches. Such signs shall not be affixed to hydro or other utility poles.
- 7. Every owner of a rural property shall ensure that the assigned emergency number is displayed by attaching a green, reflective, double-sided sign to a post at a height of at least 1.2 metres (4 feet) above the ground adjacent to the highway with plain, legible numbers having a minimum height of 10 cm. or 4 inches. Such signs shall not be affixed to a building, structure, hydro or other utility poles.
- 8. Every owner shall keep and maintain the emergency number and, where applicable, the contrasting plate, in good condition.
- 9. No owner shall refuse to post the emergency number when required to do so by this by-law.
- 10. No person shall remove, deface, obliterate or destroy an emergency number, or contrasting plate installed in accordance within the provisions of this by-law, except for the purpose of replacing said numbers or plates or correcting errors.
- 11. In the event that the owner of the property fails to post the emergency number as assigned by the County or the local municipality, the County, its employees or agents may enter upon the property at any reasonable time and post the emergency number in accordance with the following provisions:
 - a. the emergency number shall be placed on a contrasting plate attached to a post at a height of at least 1.2 metres (4 feet) above the ground at the front property line adjacent to the highway to which it has been assigned; and
 - b. the post shall be located adjacent to any driveway on the highway to which the emergency number has been assigned or where not applicable in a conspicuous and unobstructed location at the front property line adjacent to the said highway.

All costs related to displaying the emergency number in accordance with this section shall be paid by the owner of the land.

ENFORCEMENT:

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

PENALTY:

- 13. Every person who contravenes the provisions of this By-law established and passed by the County, pursuant to the authority contained in the Municipal Act or any other General or

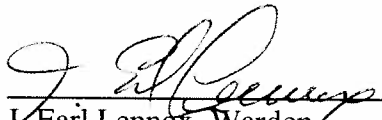
specific Act, is guilty of an offence and liable upon conviction to a penalty not exceeding \$5,000.00 exclusive of costs and the provisions of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, shall apply to the said fine.


SEVERABILITY:

14. Should any section of this By-law be declared by a Court of competent jurisdiction as ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding, and shall be read as if the offending section or part had been struck out.

15. **THAT** this By-law shall come into force and effect on June 1, 2006.

READ a first, second and third time and finally passed this ⁹ day of *march*, 2006.


J. Earl Lennox, Warden


Linda J. Dean, Clerk

