

THE TOWN OF SUSSEX, N.B.

**A BY-LAW TO REGULATE CIVIC NUMBERING
WITHIN THE TOWN OF SUSSEX**

BY-LAW # 751-07

The Council of the Town of Sussex, under authority vested in it by Section 7(1) of the Municipalities Act R.S.N.B. (1973), Chapter M-2 and amendments thereto of the Province of New Brunswick, enacts as follows.

I. TITLE

This by-law may be cited as the Town of Sussex Civic Numbering By-Law.

II. INTERPRETATION

In this By-Law:

- (i) *“Municipality”* means the Town of Sussex;
- (ii) *“Council”* means the Council of the Town of Sussex;
- (iii) *“Clerk”* means the Clerk of the Town of Sussex;
- (iv) *“Building Inspector”* means the Building Inspector of the Town of Sussex Works Department;
- (v) *“building”* includes any structure used or intended for supporting or sheltering any use or occupancy;
- (vi) *“property”* includes any parcel of land whether vacant or built upon;
- (vii) *“civic number”* means the number assigned to a property or building by the Building Inspector;

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II. INTERPRETATION (cont'd)

- (viii) “*owner(s)*” means the person or persons identified as acquiring the fee simple title to a property in the document which purports to convey such interest and was most recently recorded in the Kings County Registry Office;
- (ix) “*roadway*” means that portion of a street improved, designed or ordinarily used for vehicular traffic;
- (x) “*street*” includes a road, lane, alley, park or parking lot; and

III. The Building Inspector is responsible for the assigning of civic numbers to all properties and buildings whether or not they front upon or abut a street. The Town shall keep a record of civic numbers which have been assigned.

IV. A civic number which is displayed on a building or property on the date of the enactment of this by-law shall continue to be it’s civic number until such time as the Clerk may, by written notice, otherwise direct.

V. The owner(s) of a property on which a building is located shall display, on the property, the civic number(s) of the building in the manner provided herein.

VI. An owner shall not display nor permit to be displayed upon his property any number which is not it’s civic number. The Clerk may, by written notice, require an owner to remove from his property any number which is displayed thereon which is not its civic number and an owner shall comply with such notice within seven (7) days of receiving it.

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- VII. (1) Subject to subsections (2) and (3), any civic number shall be displayed upon a property in the following manner:
- (a) it shall be in Arabic numbers;
 - (b) the bottom of the numerals shall be at least 1.2 metres above the ground;
 - (c) the colour of each numeral shall be such as to clearly contrast with the colour 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 of 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 65 millimetres in height; and
 - (f) if it is located on a building which is 15 or more metres from the roadway, then the numerals shall be not less than 100 millimetres in height.
- (2) 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. The post or sign shall be located on the property within five metres of the boundary between the property and the street and the numerals shall face towards and be clearly visible from the roadway.
- (3) The Clerk may, in writing, require an owner to place a civic number on a sign or post located on the property adjacent to the entrance of a driveway which provides emergency vehicle access to a building.

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VIII. Court proceedings, with respect to a breach of this by-law, may be commenced by either the Clerk or the Building Inspector upon instruction from the Town Council.

IX. PENALTIES

Every person who violates or fails to comply with any provision of this by-law is guilty of an offence punishable under Part II of the Provincial Offences Procedure Act as a category B offence to a fine not less than and not more than permitted under category B of Part II of the Provincial Offences Procedure Act and amendments thereto.

X. PLURAL OR FEMININE TERMS

Plural or feminine terms may apply whenever the singular, masculine or feminine is used in this by-law, it shall be considered as if the plural, feminine or masculine has been used where the context of the party or parties hereto so requires.

XI. VALIDITY

The invalidity of any section, clause, sentence or provision of this by-law shall not affect the validity of any other part of this by-law which can be given effect without such invalid part or parts.

XII BY-LAW REPEAL

(a) The by-law entitled "Civic Numbering By-Law", By-Law # 751-00, enacted on the 15th day of May, 2000, and amendments thereto is hereby repealed.

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XII BY-LAW REPEAL (cont'd)

- (b) The repeal of “Civic Numbering By-Law”, By-Law # 751-00, enacted on the 15th day of May, 2000, and amendments thereto, shall not affect any penalty, forfeiture or liability incurred before such repeal or any proceeding for enforcing same, completed or pending, at the time of repeal; or shall it repeal, defeat, disturb, invalidate or prejudicially affect any manner or thing whatsoever completed, existing or pending, at the time of repeal.

READ FIRST TIME BY TITLE	<u>OCTOBER 22, 2007</u>
READ SECOND TIME BY TITLE	<u>OCTOBER 22, 2007</u>
READ IN ENTIRETY	<u>NOVEMBER 26, 2007</u>
THIRD READING BY TITLE AND ENACTED	<u>NOVEMBER 26, 2007</u>

RALPH A. CARR
MAYOR

PAUL I. MAGUIRE
TOWN CLERK