

TOWN OF WAINWRIGHT BYLAW 2011-03

A BYLAW TO PROVIDE FOR THE ORDERLY NUMBERING OF PARCELS OF LAND AND STRUCTURES

WHEREAS pursuant to the provisions of section 58 of the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended, a municipality may assign a number to buildings or a parcel of land and require an owner or occupant of a building or parcel of land to display the number in a certain manner;

NOW THEREFORE the Council of the Town of Wainwright, in the Province of Alberta, duly assembled, does hereby enact:

PART 1 – TITLE AND DEFINITIONS

1.1 TITLE

This bylaw shall be called the “Addressing Bylaw.”

1.2 DEFINITIONS

For the purposes of this bylaw:

- (1) “Address Number” means the number of a property which is used, or intended to be used, as part of the address for the property;
- (2) “Addressing Officer” means the Director of Planning and Development, or his or her designate, of the Town;
- (3) “Council” means the Council of the Town of Wainwright;
- (4) “Owner” means, with respect to a property, the person who is registered under the Land Titles Act as owner of the property;
- (5) “Peace Officer” means a member of the Royal Canadian Mounted Police, a community peace officer appointed under the Peace Officer Act, S.A. 2006, Chapter P-3.5, and amendments thereto, or a bylaw enforcement officer appointed for or by the Town;
- (6) “Person” means a person or persons, firm, partnership or body corporate;
- (7) “Property” means a parcel of land, a building or a unit or sub-unit within a building;
- (8) “Structure” means any building or structure capable of being occupied by one or more persons; and
- (9) “Town” means the Town of Wainwright, a municipal corporation in the Province of Alberta, and where the context so requires means the area contained within the corporate boundaries of the Town of Wainwright.

PART 2 – ADDRESSING PROVISIONS

2.1 AUTHORITY

An addressing officer is authorized:

- (1) to assign address numbers to properties and structures within the Town in an orderly manner; and
- (2) to revise such address numbers from time to time in the interest of public safety and uniformity.

2.2 ADDRESSING PROCEDURE

Council may, by policy, establish a procedure for assigning address numbers to properties and structures.

2.3 REQUIREMENT TO NUMBER PROPERTIES

The owner of a property on which a structure has been erected, or is being erected, shall cause the address number assigned to the property pursuant to this bylaw to be displayed, at all times, at a location plainly visible from the roadway from which the property is accessed.

2.4 DISPLAYING OF NUMBERS

All address numbers required to be displayed pursuant to this bylaw shall be at least 38 millimetres (1.5 inches) in height if the structure is less than 5 metres from the roadway, or 76 millimetres (3 inches) in height if the structure is 5 metres or more from the roadway, and displayed in a conspicuous manner in contrasting colours so as to be plainly visible from the adjacent roadway.

2.5 DISPLAYING WRONG ADDRESS

No person or owner shall display, or permit the displaying of, any address number on a property other than the address number assigned pursuant to this bylaw.

2.6 CHANGE OF ADDRESS

- (1) Unless a shorter notice period is agreed to by the owner of the property, an addressing officer shall give the owner of a property at least ninety (90) days notice in writing of any change of address to a property.
- (2) Such notice may be given by:
 - (a) delivering the notice personally to the owner,
 - (b) sending the notice to the owner by registered mail at the address for such owner shown on the Tax Roll, or
 - (c) sending the notice to the owner by ordinary mail at the address for such owner shown on the Tax Roll.

PART 3 – ENFORCEMENT

3.1 CONTRAVENTION

Any person who contravenes any of the provisions or requirements of this bylaw is guilty of an offence and is liable for and subject to a specified penalty as stated in Schedule A.

3.2 OFFENCE TICKET

- (1) Where a peace officer has reasonable grounds to believe that a person has contravened any provision of this bylaw, he or she may issue to such person an offence ticket allowing the payment of the penalty specified in section 3.1 to the Town within 14 days of the issuance of the offence ticket. Such payment shall be accepted by the Town in lieu of prosecution for the offence.
- (2) Service of an offence ticket shall be sufficient if it is:
 - (a) personally served, or
 - (b) mailed by registered mail to the owner of the property.
- (3) The offence ticket shall state:
 - (a) the name and address of the person who is alleged to have committed the offence, if ascertainable,
 - (b) the offence,
 - (c) the location, date and time of the offence,
 - (d) the appropriate penalty for the offence, and
 - (e) that the penalty shall be paid within fourteen (14) days of the issuance of the offence ticket to avoid prosecution for the offence.

3.3 CONTINUING OFFENCE

Unless otherwise stated in this bylaw, where a contravention of this bylaw is of a continuing nature, further offence tickets may be issued by a peace officer, provided however that no more than one offence ticket shall be issued for each day that the contravention continues.

3.4 VIOLATION TICKET

- (1) If the penalty specified in the offence ticket is not paid within the prescribed time period, then a peace officer may issue a violation ticket regarding the offence in accordance with the provisions of the Provincial Offences Procedure Act, R.S.A. 2000, Chapter P-34, and amendments thereto.
- (2) Notwithstanding subsection 3.2(1), a peace officer is hereby authorized and empowered to immediately issue a violation ticket to any person who the peace officer has reasonable grounds to believe has contravened any provision of this bylaw.
- (3) A violation ticket issued under this section shall specify a penalty as described in Schedule A.

3.5 MINIMUM FINE

The minimum fine for any contravention of this bylaw is \$50.

PART 4 – IMPLEMENTATION

4.1 REPEAL

This bylaw shall repeal Bylaw 71-29, and amendments thereto, upon this bylaw coming into force.

4.2 EFFECTIVE DATE

This bylaw shall come into full force and effect upon passing of the third reading.

READ a First Time in Council this 15th day of March, A.D., 2011.

Mayor

Director of Finance

READ a Second Time in Council this 5th day of April, A.D., 2011.

Mayor

Chief Administrative Officer

READ a Third Time in Council and Finally Passed this 5th day of April, A.D., 2011.

Mayor

Chief Administrative Officer

Schedule A

Specified Penalties

| Section | Description | Specified Penalty |
|----------------|---|--------------------------|
| 2.3 | Failure to post addressing numbers visible from roadway | \$50 |
| 2.4 | Post addressing numbers less than the required height or in non-contrasting colours | \$50 |
| 2.5 | Displaying invalid addressing numbers on property | \$50 |