

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2014-14

BUILDING: (B1) A by-law to regulate the naming of Private Roadways and the numbering of lots and building suites thereon within the City of Sault Ste. Marie.

WHEREAS Section 10(2)(7) of the *Municipal Act, 2001*, S.O. 2001, c. 25 allows for the Council of a municipality to pass a by-law for providing services and things that the municipality deems necessary or desirable for the public;

AND WHEREAS the City of Sault Ste. Marie deems the numbering of lots and building suites on Private Roadways within the City of Sault Ste. Marie to be necessary and desirable for the public;

AND WHEREAS Section 48 of the *Municipal Act, 2001* allows for the Council of a municipality to name or change the name of a Private Road;

NOW THEREFORE the Council of The City of Sault Ste. Marie hereby enacts the following:

1. **DEFINITIONS**

In this by-law:

“Building” means a structure occupying an area greater than ten square metres (10m²) consisting of a wall, roof and floor or any of them or a structural system serving the function thereof;

“Building Suite” means a single room or series of rooms of complementary use, operated under a single tenancy, which may be a Building or a part of a Building, and includes:

- (a) dwelling units; and
- (b) individual stores and individual or complementary rooms for business and personal service occupancies;

“CBO” means the Chief Building Official for the Corporation of the City of Sault Ste. Marie or his/her designate;

“City” means the Corporation of the City of Sault Ste. Marie;

“Highway” has the same meaning as in the *Highway Traffic Act*, R.S.O. 1990, c. H.8;

“Lot” means a portion of land under one ownership, other than a Highway or Private Roadway, located within the City;

“MPAC” means the Municipal Property Assessment Corporation;

“Official Record” means the last revised assessment roll for the City; and

“Owner” means the registered owner of a Lot or a Building Suite within the City; and

“Private Roadway” means any private road, lane, ramp or other means of vehicular access to or egress from a Building or Lot within the City, which has been constructed pursuant to a Building Permit issued by the CBO, and may include part of a parking lot.

2. **OFFICIAL RECORD**

The division of each Private Roadway with boundaries and distances within the City and the numbering of each Lot and each Building Suite located along each Private Roadway as set out in the Official Record, shall be the prescribed record of the Private Roadways and the numbering of each Lot and each Building Suite within the City.

3. **NAMING PRIVATE ROADWAYS**

Whenever a Private Roadway is constructed within the City, the Commissioner of Engineering & Planning or his/her designate, upon giving proper public notice in accordance with Section 48 of the *Municipal Act, 2001*, shall allocate a name to the Private Roadway.

4. **NUMBER ALLOCATION FOR LOTS**

Whenever a new Lot is created along any Private Roadway within the City, the CBO is hereby authorized to allocate to said Lot, a number conforming to the numbers of the other Lots and Building Suites along said Private Roadway according to the Official Record.

5. **NUMBER ALLOCATION FOR BUILDING SUITES**

Whenever a new Building Suite is constructed or created on a Lot within the City, the CBO is hereby authorized to allocate to said Building Suite, a number conforming to the numbers of the other Lots and Building Suites along said Private Roadway according to the Official Record.

6. **CHANGE OF THE NUMBERS**

Whenever, in the opinion of the CBO, it is necessary to have the numbers changed on any Lot or Building Suite located along a Private Roadway within the City, the CBO is hereby authorized to renumber the Lot or Building Suite by allocating a new number for the Lot or Building Suite. Said renumbering shall conform to the numbers of the other Lots and Building Suites along said Private Roadway according to the Official Record.

7. **NOTICE OF ALLOCATION**

Whenever a new number is allocated to a Lot or Building Suite pursuant to Section 6 of this by-law, a notice of such change shall be served to the Owner of said Lot or Building Suite by the CBO.

8. **NOTICE TO MPAC**

- (a) Whenever the CBO acts pursuant to Section 4 or 5 of this by-law, he or she shall forthwith report to MPAC the number allocated to the Lot or Building Suite to allow MPAC to record the number in the Official Record.
- (b) Whenever the CBO acts pursuant to Section 6 of this by-law, he or she shall forthwith report to MPAC the change of the number allocated to the Lot or Building Suite to allow MPAC to record the change of the number in the Official Record.

9. **DISPLAY OF NUMBERS – NEW LOTS AND BUILDING SUITES**

An Owner of a Lot that is created along a Private Roadway within the City, or of a Building Suite that is constructed or created on a Lot, shall display the number allocated for same in the Official Record in accordance with this by-law.

10. DISPLAY OF NUMBERS – PRE-EXISTING LOTS AND BUILDING SUITES

An Owner of a Lot located along a Private Roadway within the City, or of a Building Suite on a Lot within the City, that exists on the day of the passing of this by-law, shall post the number allocated for same in the Official Record in accordance with this by-law.

11. STANDARDS FOR THE DISPLAY OF NUMBERS

Any number displayed pursuant to this by-law shall comply with the following standards:

- (a) The number affixed shall be of such a size as to be easily visible from the Private Roadway named in the address and shall be easily visible at night from said Private Roadway; and
- (b) The number shall be plain block numbering, and shall not be script or written numbers.

12. INCORRECT NUMBERS

- (a) No Owner of a Lot or Building Suite within the City shall display any number so that it is visible from a Private Roadway or Highway, except the number allocated to said Lot or Building Suite in the Official Record.
- (b) No Owner of a Lot or Building Suite within the City shall permit any number to be displayed or remain displayed so that it is visible from a Private Roadway or Highway, except the number allocated to said Lot or Building Suite in the Official Record.

13. DEFAULT IN COMPLIANCE

If the Owner of a Lot or Building Suite within the City has not complied with Sections 9, 10, 11 or 12 of this by-law, the CBO is hereby authorized to display, at the expense of the Owner, the number allocated to said Lot or Building Suite in the Official Record in accordance with this by-law. If the Owner has not complied with Section 12 of this by-law, the CBO is also authorized to remove any number from the Lot or Building Suite that is not allocated to said Lot or Building Suite in the Official Record. Such costs incurred may be recovered by the City from the Owner in like manner as municipal taxes pursuant to Section 446 of the *Municipal Act, 2001*.

14. RECOVERY OF COSTS

The City may recover from the Owner(s) any expenses incurred in the naming of a Private Roadway pursuant to Section 3 of this by-law. For the purposes of this Section, the expenses incurred shall include, but are not limited to, the cost of the street name signs and the poles required. In the event of default by the Owner(s), the City may recover said costs from the Owner(s) in like manner as municipal taxes pursuant to Section 446 of the *Municipal Act, 2001*.

15. MAINTENANCE

The Owner(s) shall be responsible for maintaining in good repair the street name signs and poles erected for the Private Roadway.

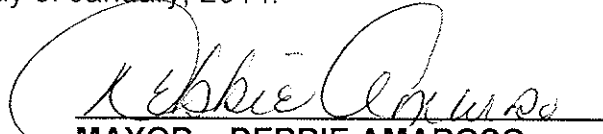
16. PENALTY

Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act, R.S.O. 1990, c. P.33, as amended*.

17. Effective Date

This by-law takes effect on the day of its final passing.

PASSED in open Council this 6th day of January, 2014.



MAYOR – DEBBIE AMAROSO



DEPUTY CITY CLERK – RACHEL TYCZINSKI