

BYLAW 1-90

A BYLAW OF THE TOWN OF OKOTOKS, IN THE PROVINCE OF ALBERTA, RESPECTING THE NUMBERING OF PARCELS OF LAND INCLUDING HOUSES AND OTHER STRUCTURES PLACED THEREON

(As amended by Bylaw 23-10)

WHEREAS a Municipal Council may, pursuant to Section 175 of the Municipal Government Act, Revised Statutes of Alberta, Chapter M-26 1980 and amendments thereto, pass a bylaw for the orderly numbering of lots on the streets and avenues and for the renumbering of them from time to time as the Council considers expedient.

NOW THEREFORE, the Municipal Council of the Town of Okotoks, duly assembled, enacts as follows:

1. This Bylaw may be cited as "The Addressing Bylaw"
2. In this bylaw
 - a) "accessory building" means a building or structure naturally and normally incidental, subordinate and exclusively devoted to the principal building, and located on the same lot or site.
 - b) "development officer" means the officer appointed pursuant to Section 2.1.1 of the Land Use Bylaw 1-80 and the person appointed to administer this Bylaw.
 - c) "development permit" means a certificate or document permitting a development and includes a plan or drawing or set of plans or drawings, specifications or other documents upon which the permit is issued.
 - d) "free standing sign" means a display board, screen, structure or material having characters, letters or illustrations applied thereto or displayed thereon which is not attached to or part of any other building or structure located upon the land.
 - e) "highway" means a road or way open to the public as a right of way for the purpose of passing and repassing and includes:
 - i. a road or road allowance surveyed under the Surveys Act or any other Act and;
 - ii. a public roadway provided in a subdivision under the Planning Act or any other Act,

but does not include a lane.

- f) "lane" means a public thoroughfare not exceeding 30 feet in width which provides a secondary means of access to a site or sites.
- g) "owner" means any person registered in the Land Titles Office as owner of a parcel or any person who is beneficially entitled to ownership of a parcel, whether his interest is registered or not, or the authorized agent of such person.
- h) "parcel" means an area of land the boundaries of which,
 - i. are shown on a plan registered in the Land Titles Office,
 - or
 - ii. are described in the Certificate of Title to the land, and that has not been divided into smaller areas by any plan or instrument registered in the Land Titles Office.
- i) "public utility" means a system, works, plan equipment or service whether owned or operated by or for the Town, or by a corporation under agreement with or under franchise from the Town or under a Federal or Provincial statute, which furnishes services and facilities available at approved rates to or for the use of all the inhabitants of the Town, including but not limited to
 - i. communication by way of telephone or telegraph,
 - ii. public transportation by bus or other vehicle,
 - iii. production, transmission, delivery or furnishing of water, gas or electricity to the public at large.
 - iv. collection and disposal of sewage, garbage and other waste.
- j) "structure" means a house, building, sign or fixture of any type that may be built or placed on land.
- k) "Town" means the Town of Okotoks, and where the context so requires, means the area contained within the boundaries of the Town of Okotoks.
- l) "Land Use Bylaw" means the Town of Okotoks' Land Use Bylaw 1-80, as amended.

3. All registered parcels of land in the Town of Okotoks fronting upon a Town highway whether vacant or occupied by a structure, shall be assigned an address by Administration (23-10), whether or not the address is used for postal service, location purposes, or computer retrieval.
4. Every person who obtains a development permit from the Development Officer to permit the construction of commercial, industrial, or multi-unit residential development, or for the moving in of Mobile Homes, where more than one building is involved and where an internal roadway system is utilized, shall be responsible for the construction, erection and maintenance of directional signs to a standard acceptable to Administration (23-10), as may be required by the Development Officer, indicating the location of units therein.
5. Where internal numbering is required as part of an address, whether for postal service or utility computer retrieval purposes, the owner shall assign internal numbering on a plan in accordance with the Policy for Assigning or Revising Addresses for Parcels and Structures and in a manner acceptable to the Development Officer. (23-10)
6. (a) Where a development utilizes a name, to supplement the address for a property, the owner of the property shall forthwith make application to register such name with the Town in writing, including any revision thereof and the Town shall assemble and maintain a registry of name facilities to avoid duplications. (23-10)

(b) Where the name is required for addressing purposes, no fee shall be charged for registration; in all other cases, a fee in accordance with the Council Fee Schedule shall be charged for each such registration. (23-10)
7. All developments requiring public utility services, which developments include but are not restricted to, free standing signs, parking lots, regulator services, telephone booths, and civic and government buildings, shall be processed for assignment of an address.
8. (a) The proper number allotted pursuant to this bylaw, shall be affixed to the appropriate structure in a conspicuous place, plainly visible from the highway, no higher than the first storey of dwelling(s) or in an equivalent height in the case of other structures.

(b) In addition to complying with subsection (a) above if the property has access to a lane, the number allotted pursuant to this bylaw, shall be displayed, at all times at a location plainly visible from the lane.
9. Nothing in this bylaw shall be construed so as to prevent any owner or occupier of any structure required by this bylaw to be numbered, from affixing numbers of such size or type as the owner or occupier prefers, provided that such numbers are not located above the height specified in Section 8(a) hereof, the numbers are

the proper numbers allotted to such structure by the Town and are clearly visible from the highway and/or lane.

10. (a) No owner or occupier of a structure bearing a number shall continue to use the said number if notified in writing by Administration (23-10) that such structure is wrongly numbered, or that the number has been revised, as may be necessary from time to time.

(b) Written notice pursuant to (a) above shall be sent to the owner or occupier by registered mail and shall require alteration of the wrong number to a correct number designated by the Town within thirty (30) days of the date of the notice.
11. No person shall remove, deface, or obliterate or destroy the numbers placed upon or affixed to any structure that has been duly numbered.
12. (a) Where a Bylaw Enforcement Officer believes that a person has contravened any section of this bylaw set out in Schedule "A" to this Bylaw, which said Schedule forms a part of the Bylaw, he may serve upon such a person a voluntary payment tag in the form designated by the Municipal Commissioner allowing payment of the penalty specified in Schedule "A" for such offence to the Municipal Treasurer of the Town and such payment shall be accepted by the Town in Lieu of prosecution for the offence.

(b) If the person upon whom a voluntary payment tag is served fails to pay the required sum within the time specified in the voluntary payment tag, the provisions of this section regarding acceptance of payment in lieu of prosecution do not apply.

(c) Nothing in this section shall:
 - (i) prevent any person from exercising his right to defend any charge of committing a breach of any of the sections referred to in Schedule "A";
 - (ii) prevent any Bylaw Enforcement Officer from laying an information or complaint in lieu of serving a voluntary payment tag; or
 - (iii) prevent any person from exercising any legal rights such person may have to lay an information or complaint against any person (whether such person has made payment under the provisions of this Bylaw, or not) for a breach of any of the sections listed in Schedule "A".
(d) Where any person has made payment pursuant to the provisions of this section and is subsequently prosecuted at the instance of some person other than the Town, for the offence in respect of which such payment has been made, such payment shall be refunded.

13. Wherever in this Bylaw it is directed that a person shall do any matter or thing, then in default of its being done by such a person, the same may be done by the Town at the expense of such person and the Town may recover the expenses thereof, with costs, in any court of competent jurisdiction or in like manner as municipal taxes.
14. Any person who contravenes any provision of this bylaw is guilty of an offence and is liable upon summary conviction to a fine of not more than ONE THOUSAND (\$1,000.00) DOLLARS or in default of payment of the fine to imprisonment for a period of not more than three (3) months.
15. This bylaw comes into full force and effect upon third and final reading.

Bylaw 1-90 received third and final reading February 26, 1990.

ORIGINAL SIGNED BY
MAYOR AND MUNICIPAL SECRETARY

Bylaw 23-10 received third and final reading June 28, 2010.

ORIGINAL SIGNED BY
MAYOR AND MUNICIPAL SECRETARY

**THIS IS SCHEDULE "A"
TO THE ADDRESSING BYLAW (1-90)**

The voluntary payment which may be accepted in lieu of prosecution for a contravention of any of the provisions of any of the sections set out below shall be that sum set out opposite the section number:

<u>Section</u>	<u>Specified Sum For Voluntary Payment</u>
4	\$25.00
5(a)	\$25.00
5(b)	\$25.00
5(c)	\$25.00
6(a)	\$25.00
8(a)	\$25.00
8(b)	\$25.00
10(a)	\$25.00
10(b)	\$25.00
11	\$25.00