

Authority: Item XX, Planning Committee
Report 2____-XXX (PED25077)
CM: XXXXXX, 202____
Ward: City Wide
Bill No. XXX

**CITY OF HAMILTON
BY-LAW NO. 25-XXX**

**A By-law to Establish Municipal Addressing and Street Naming in the City of
Hamilton and to amend By-law 86-077 and to repeal By-law 02-312.**

WHEREAS section 8(1) of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended (“*Municipal Act*, 2001”), provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

AND WHEREAS section 10 (1) of the *Municipal Act*, 2001 provides that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS paragraph 6 of section 10 (2) of the *Municipal Act*, 2001 provides that a municipality may pass by-laws for the health, safety and well being of persons;

AND WHEREAS Council deems the consistent addressing of properties and naming of streets to be necessary for the health, safety and well being of persons;

AND WHEREAS paragraph 8 of section 10 (2) of the *Municipal Act*, 2001 provides that a municipality may pass by-laws for the protection of persons and property;

AND WHEREAS Council deems the consistent addressing of properties and naming of streets to be necessary for the protection of persons and property;

AND WHEREAS paragraph 10 of section 10 (2) of the *Municipal Act*, 2001 provides that a municipality may pass by-laws for structures, including fences and signs;

AND WHEREAS section 23.1 of the *Municipal Act*, 2001 provides that a municipality may delegate certain powers under the *Municipal Act*, 2001 to a person or body subject to certain restrictions;

AND WHEREAS section 23.2(4) of the *Municipal Act*, 2001 provides that a municipality may only delegate legislative powers under the *Municipal Act*, 2001 to an employee of the municipality if the power being delegated is of a minor nature;

AND WHEREAS Council is of the opinion that the act of preparing and approving minor amendments to existing Policies is a power of a minor nature;

AND WHEREAS section 26 of the *Municipal Act*, 2001 defines what constitutes a highway;

AND WHEREAS section 27 (1) of the *Municipal Act*, 2001 provides that a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway;

AND WHEREAS section 48 of the *Municipal Act*, 2001 provides that a local municipality may name or change the name of a private road after giving public notice of its intention to pass the by-law;

AND WHEREAS section 61 (1) of the *Municipal Act*, 2001 provides that a municipality may, at any reasonable time, enter upon land lying along a highway to install and maintain a sign setting out the name of a highway;

AND WHEREAS section 61 (2) of the *Municipal Act*, 2001 provides that if a local municipality has passed a by-law to name or change the name of a private road, the municipality may, at any reasonable time, enter upon land lying along the private road to install and maintain a sign setting out the name of the road;

AND WHEREAS section 116 (2) of the *Municipal Act*, 2001 provides that where a municipality has passed a by-law to establish, maintain and operate a centralized communication system for emergency services it may, at any reasonable time, enter onto land to affix numbers on buildings or erect signs setting out numbers on land;

AND WHEREAS section 227 of the *Municipal Act*, 2001 provides that it is the role of officers and employees of the municipality to implement Council decisions and establish practices and procedures to implement those decisions;

AND WHEREAS section 425 of the *Municipal Act*, 2001 permits a municipality to pass by-laws providing that a person who contravenes the by-law is guilty of an offence;

AND WHEREAS section 426 of the *Municipal Act*, 2001 provides that no person shall hinder or obstruct or attempt to hinder or obstruct any person who is exercising a power or performing a duty under a by-law passed under the *Municipal Act*, 2001;

AND WHEREAS section 429 (1) of the *Municipal Act*, 2001 provides that a municipality may establish a system of fines for offences under a by-law of the municipality passed under the *Municipal Act*, 2001, subject to certain restrictions;

AND WHEREAS section 431 of the *Municipal Act*, 2001 provides that if any by-law of a municipality is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the by-law, the court in which the conviction has been entered may make an order prohibiting the continuation or repetition of the offence by the person convicted;

AND WHEREAS section 434.1 of the *Municipal Act*, 2001 provides that a municipality may require a person, subject to such considerations as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that person

has failed to comply with a by-law of the municipality passed under the *Municipal Act, 2001*;

AND WHEREAS section 446 of the *Municipal Act, 2001* provides that where a person fails to do a matter or thing that is required under a by-law, the municipality may enter upon land at any reasonable time to do the matter or thing required at the person’s expense and the municipality may recover the costs of doing a matter or thing from the person by adding the costs to the tax roll and collecting them in same manner as property taxes;

AND WHEREAS the Council of the City of Hamilton desires to repeal sections 3(1) to 3(5) of the Streets By-law 86-077, as amended, with this By-law;

AND WHEREAS the Council of the City of Hamilton desires to repeal By-law 02-312 in its entirety with this By-law;

NOW THEREFORE the Council of the City of Hamilton ENACTS as follows:

PART I - DEFINITIONS

1. In this By-law:

“Additional Dwelling Unit” means a separate and self-contained Dwelling Unit located within the principal dwelling and shall not include a Farm Labour Residence;

“Additional Dwelling Unit – Detached” means a separate and self-contained detached Dwelling Unit located on the same lot as the principal dwelling but shall not include a Farm Labour Residence;

“Administrative Penalties By-law” means City of Hamilton By-law 17-225, being a By-law to establish a system of Administrative Penalties, as amended or replaced;

“Block Townhouse Dwelling” means a Building divided vertically into a minimum of three Ground-Oriented Dwelling Units by one or more common walls which prevent internal access between Dwelling Units and extend from the base of the foundation to the roof line, with each Dwelling Unit having access to and frontage on a Private Road, but shall not include a Maisonette Dwelling;

“Building” means a structure requiring a permit under the Ontario Building Code, with walls or a roof or part thereof, used or intended to be used for shelter, accommodation or enclosure of persons, animals, goods or chattels, and includes an Additional Dwelling Unit – Detached, and does not include structures that are normally ancillary to a Building such as sheds, car ports, or such other similar structures. Within the Rural Area, barns and other agricultural structures are considered ancillary if there is another Building on the property containing a primary use;

“City” means the City of Hamilton;

“Commemorative Street Name” means a name assigned to all or a portion of a Public Highway in accordance with Schedule “B” of this By-law, or a name previously assigned by the City prior to the enactment of this By-law, intended to provide a visible reminder of noteworthy people, places, events, themes, cultures, etc. related to the City of Hamilton;

“Construct” or “Construction” means to do anything in the erection, installation, extension, or material alteration, or repair of a Building and includes the installation of a Building unit fabricated or moved from elsewhere;

“Director, Transportation Division” means the Director, Transportation Operations and Maintenance, of the Public Works Department for the City and shall include their designate;

“Duplex Dwelling” means a Building containing two Dwelling Units, but shall not include a Semi-Detached Dwelling;

“Dwelling Unit” means a room or suite of rooms used or intended to be used by one or more persons living together as one household, in which cooking and sanitary facilities are provided for the exclusive use of the household, and to which an independent entrance is provided from outside the building or from a common interior hallway, vestibule or stairway but shall not include a Farm Labour Residence;

“Farm Labour Residence” means housing accommodation located on agricultural land that is intended to support farm workers whose employment is primarily related to agricultural activities conducted on the same property or within the immediate vicinity;

“Fourplex Dwelling” means a Building containing four Dwelling Units but shall not include a Street Townhouse Dwelling;

“General Manager” means the General Manager of the Planning and Economic Development Department for the City and shall include their designate;

“Ground-Oriented Dwelling Unit” means a type of Dwelling Unit comprised of a room or suite of rooms used or intended to be used by one or more persons living together as one household, in which cooking and sanitary facilities are provided for the exclusive use of the household, and to which an independent entrance is provided from outside the Building, and shall include a Dwelling Unit within a Stacked Townhouse Dwelling, but shall not include an Additional Dwelling Unit, Additional Dwelling Unit – Detached, or a Farm Labour Residence;

“Laneway” means a public highway or road allowance having a width of less than 12.0 metres;

“Maisonette Dwelling” means a Building divided vertically into a minimum of four Ground-Oriented Dwelling Units by two or more common walls which prevent internal access between Dwelling Units and extend from the base of the foundation to the roof line, with each Dwelling Unit having an independent entrance at grade;

“Multiple Dwelling” means a Building or part thereof containing a minimum of five Dwelling Units but shall not include a Block Townhouse Dwelling, Maisonette Dwelling, Stacked Townhouse Dwelling, or Street Townhouse Dwelling;

“Multiple Unit Identification Sign” means a sign used to display Municipal Address Numbers and/or Municipal Address Unit Numbers on a property to provide clear identification of each Building, Dwelling Unit, or Unit, for the purposes of public safety, emergency services, mail delivery, and other municipal services, and installed in accordance with the provisions of this By-law and any relevant Policies;

“Municipal Address File” means the official database containing geo-referenced address and street information including Municipal Address Numbers, Municipal Address Unit Numbers, and Street centreline network;

“Municipal Address Number” means the number or alphanumeric combination assigned by the General Manager under this By-law, or previously assigned by the City prior to the enactment of this By-law, for the purpose of identifying a Building or Property on a particular Street, as reflected in the Municipal Address File;

“Municipal Address Unit Number” means the number or alphanumeric combination assigned by the General Manager under this By-law, or previously assigned by the City prior to the enactment of this By-law, for the purpose of identifying a separately contained Unit or Dwelling Unit within a Building, as reflected in the Municipal Address File;

“Municipality” means the City of Hamilton;

“Officer” means a Municipal Law Enforcement Officer appointed under any City by-law or any other person assigned or appointed by the Senior Director of the Parking and By-law Enforcement Division of the Planning and Economic Development Department and/or their designate, to administer or enforce this By-law and includes a person employed by the City whose duties are to enforce this By-law;

“Order” means an order issued by an Officer pursuant to section 10 of this By-law for the purpose of gaining compliance with a provision or provisions of this By-law;

“Owner” includes the registered owner, condominium corporation, assessed owner, occupant, tenant, and person for the time being managing or receiving the rent of the property whether on their own account or as an agent or trustee or on account of any other person;

“Penalty Notice” means a penalty notice given to a person pursuant to the Administrative Penalties By-law;

“Policies” means any guideline, criteria, policy or procedure respecting municipal addressing or street naming approved by Council under this By-law, as amended from time to time by the General Manager;

“Private Road” means any road owned or controlled by a private person(s), or by any corporation (including the City) which is intended to give access to Buildings or Units along the Private Road including all access driveways, rights of way, fire access routes which are used for such purposes, but does not include Public Highways;

“Private Road Development” means a residential development that includes, but is not limited to, Ground-Oriented Dwelling Units with access on a Private Road, and may include Block Townhouse Dwellings, Maisonette Dwellings, and Stacked Townhouse Dwellings, including any combination thereof;

“Property” means a parcel of land, including any buildings or structures located on it, that is legally defined and recognized by the City of Hamilton through a registered plan or deed. This includes individual lots, Units, or parcels within subdivisions, condominiums, or other developments, as well as any associated easements or rights-of-way;

“Property Identification Sign” means a sign required in the Rural Area pursuant to section 4 of this By-law which contains a Municipal Address Number;

“Public Highway” means any highway as defined in section 26 of the *Municipal Act*, 2001 and includes any bridge, trestle, viaduct or other structure forming part of the highway and, except as otherwise provided, includes a portion of a highway;

“Public Notice By-law” means City of Hamilton By-law 07-351, being a By-law to Adopt and maintain a policy with respect to the provision of public notice, as amended or replaced;

“Rural Area” means the area within the municipal boundary of the City of Hamilton but outside of the urban boundary, save and except for designated Rural Settlement Areas as defined by the Hamilton Official Plan(s);

“Semi-Detached Dwelling” means a Building divided vertically into two Ground-Oriented Dwelling Units by a common wall which prevents internal access between Semi-Detached Dwelling Units;

“Sign By-law” means City of Hamilton By-law 10-197, being the Hamilton Sign By-law, as amended or replaced;

“Single Detached Dwelling” means a separate Building containing one Ground-Oriented Dwelling Unit;

“Stacked Townhouse Dwelling” means a Building divided vertically and horizontally into a minimum of three Ground-Oriented Dwelling Units by common walls which prevent internal access between Dwelling Units, with each Dwelling Unit having one or more private entrances at grade;

“Street” includes any Public Highway and any Private Road;

“Street Townhouse Dwelling” means a Building divided vertically into a minimum of three Ground-Oriented Dwelling Units by one or more common walls which prevent

internal access between Dwelling Units and extends from the base of the foundation to the roof line, with each Dwelling Unit having access to and frontage on a Public Highway, but shall not include a Maisonette Dwelling;

“Tariff of Planning Fees By-law” means City of Hamilton By-law 04-003 respecting Tariff of Fees, as amended or replaced;

“Triplex Dwelling” means a Building containing three Dwelling Units but shall not include a Street Townhouse Dwelling;

“Unit” means a room or suite of rooms used or intended to be used for commercial, industrial, public or institutional uses and divided by a common wall(s) which prevents internal access between Units within the same Building, and to which an independent entrance is provided from outside the building or from a common interior hallway, vestibule or stairway;

“User Fees and Charges By-law” means the City of Hamilton By-law to Establish Certain User Fees and Charges for Services, Activities or the Use of Property City of Hamilton By-law, as amended or replaced.

PART II – SCOPE

2. (1) This By-law shall apply to all Property within the City and to all Buildings contained thereon.

PART III – DELEGATION OF AUTHORITY

3. (1) Subject to the provisions of this By-law, the authority for the following is delegated to the General Manager:
 - (a) assign and change Municipal Address Numbers in accordance with the provisions of this By-law and any relevant Policies;
 - (b) assign and change Municipal Address Unit Numbers in accordance with the provisions of this By-law and any relevant Policies;
 - (c) assign a name to any Street in accordance with the provisions of this By-law and any relevant Policies;
 - (d) prepare and present to Council the necessary By-laws to name any Public Highway in accordance with the provisions of this By-law;
 - (e) prepare and present to Council the necessary By-laws to name any Private Road in accordance with the provisions of this By-law;
 - (f) prepare and approve minor amendments to existing Policies provided they are consistent with the intention of the By-law; and

(g) administer the provisions of this By-law, including but not limited to prescribing the format and content of any forms or other documents required pursuant to this By-law.

(2) The General Manager shall not assign or change a Municipal Address Number or a Municipal Address Unit Number, or assign the name of a Street unless they are satisfied that:

(a) the proposed Municipal Address Number or Municipal Address Unit Number or change to a Municipal Address Number or Municipal Address Unit Number is in compliance with the provisions of this By-law and any relevant Policies;

(b) the proposed Street name is in compliance with the provisions of this By-law and any relevant Policies; and

(c) any applicable fee(s) set out in the Tariff of Planning Fees By-law have been paid in full by the Owner.

PART IV – MUNICIPAL ADDRESS NUMBER/MUNICIPAL ADDRESS UNIT NUMBER REQUIRED

4. (1) Every Owner of a Building, Dwelling Unit or Unit shall obtain a Municipal Address Number and a Municipal Address Unit Number(s), where applicable, in compliance with the provisions of this By-law and any relevant Policies, by completing and submitting any and all prescribed forms and documents, together with any applicable fee(s) required pursuant to the Tariff of Planning Fees By-law, to the General Manager.

(2) Every Owner of a Building, Dwelling Unit, Unit, or Property, shall display and maintain the Municipal Address Number and Municipal Address Unit Number(s), where applicable, in compliance with the provisions of this By-law and Schedule "A" to this By-law. For certainty, nothing in this section 4(2) requires the affixing of a Municipal Address Number to vacant lands.

(3) No person shall construct or cause to be constructed a Building, Dwelling Unit, or Unit unless the Owner first obtains a Municipal Address Number and a Municipal Address Unit Number, where applicable, from the City.

(4) Every Owner of a Building, Dwelling Unit, Unit, or Property, shall ensure that signage in the form set out in Schedule "A" to this By-law is installed and maintained in accordance with the provisions of this By-law. For certainty, nothing in this section 4(4) requires the affixing of a Municipal Address Number to vacant lands.

(5) Every Owner shall ensure that the Municipal Address Number and Municipal Address Unit Number, where applicable, or sign required pursuant to this By-law, is maintained in a state of good repair so as to ensure that the Municipal Address

Number, Municipal Address Unit Number, or sign is clearly visible from the Street upon which it is addressed in accordance with the provisions of this By-law.

(6) Every Owner shall ensure that any sign displaying a Municipal Address Number or Municipal Address Unit Number complies with the Sign By-law.

(7) No person shall display any number other than the Municipal Address Number and Municipal Address Unit Number, where applicable, on any Building, Dwelling Unit, Unit or Property.

(8) No person shall remove or cause to be removed from a Building, Dwelling Unit or Unit, the Municipal Address Number or Municipal Address Unit Number, where applicable.

(9) Every Owner of a Building, Dwelling Unit, Unit or Property shall promptly remove from a Building, Dwelling Unit, Unit or Property any number that is not the Municipal Address Number or Municipal Address Unit Number.

(10) Where a number is removed pursuant to subsection 4(9) of this By-law and a Municipal Address Number and Municipal Address Unit Number, where applicable, has not been assigned to the Building, Dwelling Unit, Unit or Property, the Owner shall forthwith submit to the City a Municipal Address Number Request, together with the requisite fee, and shall promptly display the Municipal Address Number and Municipal Address Unit Number, where applicable, on the Building, Dwelling Unit, Unit or Property in accordance with the provisions of this By-law once a Municipal Address Number or Municipal Address Unit Number has been assigned to the Building, Unit or Property by the General Manager.

(11) Where a Building is under Construction and the Owner is unable to comply with the provisions of section 4 of the By-law, the Municipal Address Number and Municipal Address Unit Number, where applicable, shall be displayed and maintained on a temporary sign:

(a) made of a durable material;

(b) located on the Property so as to be clearly visible from the Street;

(c) located in accordance with the Sign By-law; and

(d) maintained in good repair so that the number remains legible until the permanent display or representation of the Municipal Address Number and Municipal Address Unit Number, where applicable, is provided in accordance with this By-law.

(12) Where an Owner displays a Street name along with the Municipal Address Number and Municipal Address Unit Number, where applicable, on a Building, Dwelling Unit, Unit or Property, the Street name shall be the name of the Street for

which the Municipal Address Number and Municipal Address Unit Number, where applicable, was provided by the General Manager.

PART V – PROPERTY IDENTIFICATION SIGNS IN RURAL AREAS

5. (1) In addition to the requirements of Part IV of this By-law, every Owner of Property containing a Building in the Rural Area shall install and maintain a Property Identification Sign, which has been supplied by the City, and for which payment of the applicable fee set forth in the User Fees and Charges By-law has been made, in accordance with the provisions of Schedule “A” to this By-law.

(2) The installation of the Property Identification Sign may be performed by the City upon request and payment of the applicable fee(s) set forth in the User Fees and Charges By-law.

(3) Notwithstanding subsection 5(1) of this By-law, no person shall install a post for the Property Identification Sign, unless and until underground service locates have been undertaken by the relevant utilities to determine that the post may be installed safely and without damage to services.

(4) No person shall remove a Property Identification Sign once it is posted, with the exception of an authorized employee or agent of the City.

(5) Any sign installed pursuant to the City of Hamilton By-law 02-312, being the Rural Municipal Numbering By-law, shall be deemed to be in compliance with the provisions of this By-law provided that the sign is maintained in good repair and the Municipal Address Number displayed is consistent with the Municipal Address File.

(6) Where a Property Identification Sign is removed, is in disrepair, displays a number other than the Municipal Address Number, or requires replacement, the Owner shall forthwith replace the Property Identification Sign in accordance with (1) or (2) of this Part V and Schedule “A” to this By-law.

(7) Where construction of a Building is proposed on a Property in the Rural Area which has been assigned an Emergency Access Point (EAP) number in accordance with the Farm 911 – Emergency Access Point (EAP) Policy, the Owner shall obtain a Municipal Address Number in accordance with 4(1) of this By-law and install and maintain a Property Identification Sign at the full cost of the Owner, in accordance with (1) or (2) of this Part V and Schedule “A” to this By-law.

PART VI – ASSIGNING AND CHANGING STREET NAMES

6. (1) The City has the authority to name or rename any Street.
- (2) Street names shall be selected and assigned in accordance with the criteria set out in Schedule “B” of this By-law and any relevant Policies.

(3) The City may assign a Commemorative Street Name upon confirmation from the General Manager that the proposed name is in accordance with the criteria set out in Schedule "B" of this By-law.

(4) Where, in the opinion of the General Manager, a proposed Private Road or an existing unnamed Private Road must be named to identify the location of a Building or Unit, the General Manager shall give notice to the Owner(s) of the Private Road of the requirement to name the Private Road, prescribing the process and timing of implementation of this requirement, and the Owner shall comply with the said Notice.

(5) Notwithstanding any requirements respecting public notice contained within the Public Notice By-law, public notice for the naming of a Private Road shall be sufficiently provided when posted on the City's website a minimum of five days prior to the passage of any By-law naming a Private Road.

(6) Approval of naming, renaming or addressing of a Private Road does not constitute acceptance or assumption by the City of that Private Road or any part thereof.

(7) Council may, in their sole discretion, hold a public meeting to consider a proposal to rename a Street and pass the necessary By-law to rename a Street upon receipt of the following:

- (a) a petition proposing to change the name of a Street which has been signed in support by not less than 80% of the registered Owners of Property which is addressed upon the Street, in accordance with the relevant Policy;

- (b) Confirmation from the General Manager that the proposed new Street name conforms to the criteria set out in Schedule "B" of this By-law and any relevant Policies; and,

- (c) payment of the fee set forth in the Tariff of Planning Fees By-law.

(8) The City shall not be responsible or liable for any costs associated with or arising from Street naming or naming changes.

PART VII – STREET NAME SIGNS

7. (1) The Director, Transportation Division, is authorized to affix at the intersections of Public Highways, Public Highway name signs and Commemorative Street name signs of such type and in such number as authorized and directed by the General Manager, and to maintain the same in proper condition.

(2) Upon the passage of a By-law naming or renaming a Private Road, the City shall register the By-law at the full cost of the Owner(s) and the Owner(s) shall install and maintain signage on the private Property as required pursuant to this By-law, at the full cost of the Owner(s). Signage shall be installed prior to occupancy of any units which are addressed from the Private Road.

(3) The Owner(s) shall ensure that Private Road name signs have a different appearance than both Public Highway name signs and Commemorative Street Name signs, contain the words “Private” in smaller lettering, and are in compliance with the provisions of this By-law and any relevant Policies.

(4) The Director, Transportation Division, shall ensure that Commemorative Street Name signs have a different appearance than both Public Highway name signs and Private Road name signs, contain the word “Commemorative” in smaller lettering, and are in compliance with the provisions of this By-law and any relevant Policies.

(5) Where the Owner(s) fails to install name signage on a Private Road as required pursuant to this By-law, the City may enter upon the Private Road and the land lying along the Private Road to install any necessary name signage, and the City may recover all expenses incurred in carrying out this work by adding all of the costs to the tax roll to the Property and collecting them in the same manner as property taxes.

PART VIII –SERVICE

8. (1) Any notice or Order served under this By-law is sufficiently served if delivered personally to the Owner or sent by registered mail, addressed to the Owner’s last known municipal address.
- (2) When service is made by registered mail the service shall be deemed to be effected on the seventh (7th) day after the date of mailing, unless the Owner on whom service is being made establishes that they did not, acting in good faith, through absence, accident, illness, or other cause beyond control, receive the notice or Order until a later date.
- (3) When service is made personally, the service shall be deemed to be effected immediately upon delivery to the Owner.

PART IX – ENFORCEMENT

OFFENCES

9. (1) No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law.

(2) Every person, either by their own actions or through the actions of any other person, who contravenes any provision of this By-law, or fails to comply with an Order issued under this By-law, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, R. S. O. 1990, c. P.33, and the *Municipal Act*, 2001, as both may be amended from time to time.

(3) Every director or officer of a corporation who knowingly concurs in a contravention of this By-law by the corporation is guilty of an offence.

(4) All contraventions of this By-law or of an Order issued pursuant to this By-law are designated multiple and continuing offences pursuant to Subsection 429(2) of the *Municipal Act*, 2001.

(5) Every person who contravenes any provision of this By-law is liable to pay to the City an administrative penalty in the amount specified in the Penalty Notice, and shall follow the procedures as outlined in the Administrative Penalties By-law. If a person is required to pay an administrative penalty, the person shall not be charged with an offence in respect of the same contravention.

ORDERS

10. (1) If an Officer is satisfied that a contravention of this By-law has occurred, the Officer may make an Order requiring the person who contravened this By-law or who caused or permitted the contravention or the Owner of the Property on which the contravention occurred to do the work to correct the contravention.

(2) An Order under subsection (1) shall set out:

(a) reasonable particulars of the contravention adequate to identify the contravention and the location of the Property on which the contravention occurred;

(b) the work to be completed, and

(c) the time by which the work must be completed.

(3) If the Owner(s) fails to comply with an Order served under subsection 10(1) of this By-law, an Officer or agent of the City may enter upon land, excluding Dwelling Units, at any reasonable time without a warrant to perform the required works and the City may recover all expenses incurred in carrying out this work by adding all of the costs to the tax roll to the Property and collecting them in the same manner as property taxes.

POWERS OF ENTRY AND INSPECTION

11. (1) An Officer acting under this By-law may, at any reasonable time, enter upon land, excluding Dwelling Units, for the purpose of carrying out an inspection to determine whether there is compliance with any one of the following:

- (a) this By-law;
 - (b) any Order made under this By-law, or
 - (c) a direction or order made under section 431 of the *Municipal Act, 2001*.
- (2) Where an inspection is conducted under this By-law, an Officer may:
- (a) require the production of documents and things that may be relevant to the inspection;
 - (b) inspect and remove documents or things which may be relevant to the inspection for the purpose of making copies;
 - (c) require information from any person concerning a matter related to the inspection, including but not limited to name(s), address(es), contact information, and proof of identity or other identification; and
 - (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take photographs necessary for the purpose of the inspection.

PENALTIES

12. (1) Every person who is charged with an offence under this By-law upon conviction is liable as follows:
- (a) the maximum fine for an offence is \$100,000;
 - (b) in the case of a continuing offence, for each day or part of a day that the offence continues, the maximum fine shall be \$10,000, and the total of all daily fines for the offence is not limited to \$100,000; and
 - (c) in the case of a multiple offence, for each offence included in the multiple offence, the maximum fine shall be \$10,000 and the total of all fines for each included offence is not limited to \$100,000.
- (2) If any section of this By-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by this By-law, the Court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

PART X – GENERAL

13. (1) The following Schedules form part of this By-law:
- (a) Schedule “A” – Criteria for the Displaying of Municipal Address Numbers, Municipal Address Unit Numbers, and Property Identification Signs; and

(b) Schedule “B” – Criteria for the Naming and Renaming of Public Highways, Private Roads and Commemorative Streets.

(2) A reference to the singular or masculine shall be deemed to refer to the plural or feminine as the context may require.

(3) If a court of competent jurisdiction declares any provision of this By-law invalid or unenforceable for any reason, it is the intention of Council that the remainder of this By-law shall remain in full force.

(4) This By-law comes into force 90 days after it is passed and enacted.

PART XI – SHORT TITLE

14. This By-law shall be referred to as the “Municipal Addressing and Street Naming By-law”.

PART XII - REPEAL

15. (1) Sections 3(1) to 3(5) of By-law 86-077, as amended, are hereby repealed.
- (2) By-law 02-312, being the Rural Signage Program By-law, is hereby repealed in its entirety.

PASSED this XXXX day of April, 2025.

Andrea Horwath
Mayor

Mathew Trennum
City Clerk

Schedule “A” to By-law 25-xxx

Criteria for the Displaying of Municipal Address Numbers, Municipal Address Unit Numbers, and Property Identification Signs

PART I – PLACING MUNICIPAL ADDRESS NUMBERS AND MUNICIPAL ADDRESS UNIT NUMBERS ON BUILDINGS AND SIGNS

GROUND-ORIENTED DWELLING UNITS

(1) The Owner of every Ground-Oriented Dwelling Unit addressed from a Street shall ensure that the Municipal Address Number and / or Municipal Address Unit Number, as applicable, is:

(a) (i) installed and maintained on the front of the Ground-Oriented Dwelling Unit;

(ii) at least 100 millimetres (4 inches) in height; and,

(iii) located so as to be clearly visible from the Street upon which the Ground-Oriented Dwelling Unit is addressed.

(2) In addition to subsection (1) of Part I of Schedule “A” above, where the Ground-Oriented Dwelling Unit is addressed upon a Street, and is set back to such an extent, or is otherwise located on the Property in a manner that prevents the Municipal Address Number from being clearly visible from the Street upon which the Ground-Oriented Dwelling Unit is addressed, the Owner of the Ground-Oriented Dwelling Unit shall display and maintain a permanent sign:

(a) made of durable material;

(b) containing a Municipal Address Number which is at least 100 millimetres (4 inches) in height;

(c) which is placed and maintained on the Property perpendicular to the Street upon which the Ground-Oriented Dwelling Unit is addressed so that the Municipal Address Number is clearly visible from the Street; and

(d) placed only in accordance with the provisions of the Sign By-law.

(3) In addition to (1) and (2) above, where the Ground-Oriented Dwelling Unit abuts more than one Street, the Owner of each Ground-Oriented Dwelling Unit shall not display the Municipal Address Number on the Ground-Oriented Dwelling Unit, nor on a permanent sign made of durable material, in a location that is visible from a Street other than that upon which the Ground-Oriented Dwelling Unit is addressed, unless the Municipal Address Number together with the Street name is displayed.

PRIVATE ROAD DEVELOPMENTS – ADDITIONAL REQUIREMENTS

(4) In addition to (1) above, where a Ground-Oriented Dwelling Unit located within a Private Road Development is addressed from a Private Road but has frontage on both a Private Road and a Public Highway, the Owner shall ensure that the Municipal Address Number is:

- (a) also installed and maintained on the side and / or rear of the Ground-Oriented Dwelling Unit facing the Public Highway;
- (b) at least 100 millimetres (4 inches) in height;
- (c) located so as to be clearly visible from the Public Highway(s); and
- (d) displayed using both the Municipal Address Number and the Private Road name if located on a named Private Road, or using the Municipal Address Number followed by the Municipal Address Unit Number, separated by a dash, if located on an unnamed Private Road.

(5) In addition to (1) above, where there are Municipal Address Unit Numbers assigned to each Ground-Oriented Dwelling Unit and where there are separate Municipal Address Numbers assigned to each Building, the Owner of a Private Road Development shall ensure that the Municipal Address Number of each Building is:

- (a) installed and maintained on the front of the Building(s);
- (b) at least 150 millimetres (6 inches) in height; and
- (c) located so as to be clearly visible from the Private Road on which the Ground-Oriented Dwelling Units have access.

(6) The Owner of a Private Road Development shall ensure that, where required by the relevant Policies, a Multiple Unit Identification Sign which depicts a map showing the layout of the Private Road(s), the layout of the Buildings and Ground-Oriented Dwelling Units, and the Municipal Address Numbers and Municipal Address Unit Numbers for each Ground-Oriented Dwelling Unit, as applicable is:

- (a) installed and maintained at the point(s) of access where the Private Road(s) intersects the Public Highway(s);
- (b) located and oriented so as to be clearly visible from the Public Highway;
- (c) placed only in accordance with the provisions of the Sign By-law; and,
- (d) in compliance with any relevant Policies.

(7) Notwithstanding (6) above, where the provisions of the relevant Policies do not require the installation of a Multiple Unit Identification Sign, the Owner of the Private Road Development shall ensure that the Municipal Address Number of the Private Road Development, if applicable, is displayed and maintained on a permanent sign which is:

- (a) constructed of durable material;
- (b) installed and maintained at the point(s) of access where the Private Road(s) intersects the Public Highway(s); and
- (c) placed only in accordance with the provisions of the Sign By-law.

MULTIPLE DWELLINGS, COMMERCIAL, INDUSTRIAL, PUBLIC & INSTITUTIONAL BUILDINGS

(8) The Owner of a commercial, industrial, public, or institutional Building or a Multiple Dwelling shall ensure:

- (a) the Municipal Address Number of each Building is:
 - (i) installed and maintained on the front of the Building;
 - (ii) at least 150 millimetres (6 inches) in height; and
 - (iii) located so as to be clearly visible from the Street on which the Building has its main driveway access.

(9) In addition to (8) above, where a commercial, industrial, public or institutional Building is subdivided into individual Units to which an independent entrance is provided from outside the Building, the Owner(s) of each Unit(s) shall ensure:

- (a) the Municipal Address Unit Number of each Unit is:
 - (i) installed and maintained on the front face of each individual Unit;
 - (ii) at least 150 millimetres (6 inches) in height; and
 - (iii) located so as to be clearly visible from the Street, or internal driveway / parking area.

(10) In addition to (8) of Part I of Schedule "A" above, and except where the requirements of 11(a) below are satisfied, where the Building is set back to such an extent, or is otherwise located on the Property so that the Municipal Address Number is not clearly visible from the Street onto which the Building has its main driveway access, the Owner of the Building shall display and maintain a permanent sign which:

- (a) is made of durable material;
- (b) contains a Municipal Address Number which is at least 150 millimetres (6 inches) in height;
- (c) is placed and maintained on the Property near the Street next to the main driveway access to the Building so that the Municipal Address Number is clearly visible from the Street; and
- (d) is placed only in accordance with the provisions of the Sign By-law.

(11) Where there are three or more commercial, industrial, public, institutional or Multiple Dwelling Buildings on a Property, or where there are two or more of such Buildings on a Property and one or more of such Buildings cannot be seen from the Public Highway upon which the Buildings are addressed, the Owner(s) of the Property shall ensure that:

(a) a Multiple Unit Identification Sign, which depicts a map showing the layout of the drive aisles, the layout of the Buildings, and the Municipal Address Numbers for all of the Buildings, is:

- (i) installed and maintained at each entrance driveway to the Property;
- (ii) located and oriented so as to be clearly visible from the Public Highway;
- (iv) placed only in accordance with the Sign By-law; and
- (v) in compliance with any relevant Policies.

ADDITIONAL DWELLING UNITS AND DUPLEX, TRIPLEX, & FOURPLEX DWELLINGS

(12) The Owner of an Additional Dwelling Unit or a Dwelling Unit contained within a Duplex, Triplex, or Fourplex Dwelling, shall ensure that the Municipal Address Number, followed by the Municipal Address Unit Number, separated by a dash is:

- (a) at least 100 millimetres (4 inches) in height, and,
- (b) installed and maintained on or within 0.5 metres of the principal entrance to each Dwelling Unit, or entrance to the common interior hallway, vestibule or stairway through which access to the Dwelling Unit(s) is gained for Dwelling Unit(s) accessed through a common interior hallway, vestibule or stairway, as applicable.

(13) In addition to subsection (12) above, where the Additional Dwelling Unit or a Dwelling Unit contained within a Duplex, Triplex, or Fourplex Dwelling is set back to such an extent, or is otherwise located on the Property in a manner that prevents the Municipal Address Number and Municipal Address Unit Number from being clearly visible from the Public Highway upon which the Building is addressed, the Owner of the Building shall display and maintain a permanent sign:

- (a) made of durable material;
- (b) containing a Municipal Address Number followed by the Municipal Address Unit Number, separated by a dash which is which is at least 100 millimetres (4 inches) in height;
- (c) which is placed and maintained on the Property perpendicular to the Public Highway upon which the Building is addressed so that the Municipal Address Number is clearly visible from the Public Highway; and
- (d) is placed only in accordance with the provisions of the Sign By-law.

(14) The Owner of an Additional Dwelling Unit - Detached shall ensure:

(a) the Municipal Address Number is:

(i) installed and maintained on the front of the Additional Dwelling Unit - Detached near the entrance;

(ii) installed and maintained on the front of the principal dwelling located on the same property;

(ii) installed and maintained on the façade that faces the Laneway for any Additional Dwelling Unit – Detached that is located on a property that abuts a Laneway; and

(ii) at least 100 millimetres (4 inches) in height.

GENERAL REQUIREMENTS

(15) Every Owner of a Building shall ensure that any Municipal Address Number and Municipal Address Unit Number required pursuant to this By-law is displayed in the following manner:

(a) where numbers are assigned, by displaying them as they are set out in the ten digit Arabic Numerals, specifically the numbers 0, 1, 2, 3, 4, 5, 6, 7, 8, 9;

(b) where letters are assigned, by displaying them as they are set out in the Modern English Alphabet, specifically the capital letters A, through to and including Z; and,

(c) at a rotation of ninety degrees and in a horizontal direction.

(16) Where, in the opinion of the General Manager, additional signage is required to identify a Building, Dwelling Unit, Unit or Property, the General Manager shall notify the Owner of the additional signage requirements and the Owner shall comply with such additional requirements.

PART 2 – PROPERTY IDENTIFICATION SIGNS IN RURAL AREAS

(1) Property Identification Signs shall be maintained to the following specifications at all times:

(a) 125 millimetres (5 inches) in height, by 405 millimetres (16 inches) wide;

(b) printed or marked on painted or coated steel or such other durable material as may be specified by the City; and

(c) composed of 10 centimetre (4 inch) high white retro-reflective numbers on a green retro-reflective background.

(2) Property Identification Signs shall be:

- (a) affixed to a steel post supplied by the City;
- (b) installed at a height of not less than 1.0 metre (3 feet and 3 inches) and not greater than 1.22 metres (4 feet) measured from the grade at the base of the post to the top of the Property Identification Sign;
- (c) erected within 4.5 metres (14 feet and 9 inches) of the edge of the asphalt of the Street, or where gravel, the travelled portion of the Street and within 4.5 metres (14 feet and 9 inches) of the residential side of the driveway as shown in Figure 1 below upon entering such driveway; and
- (d) may be situated on the opposite side of the driveway where approved by the Director, Transportation Division, or their designate.

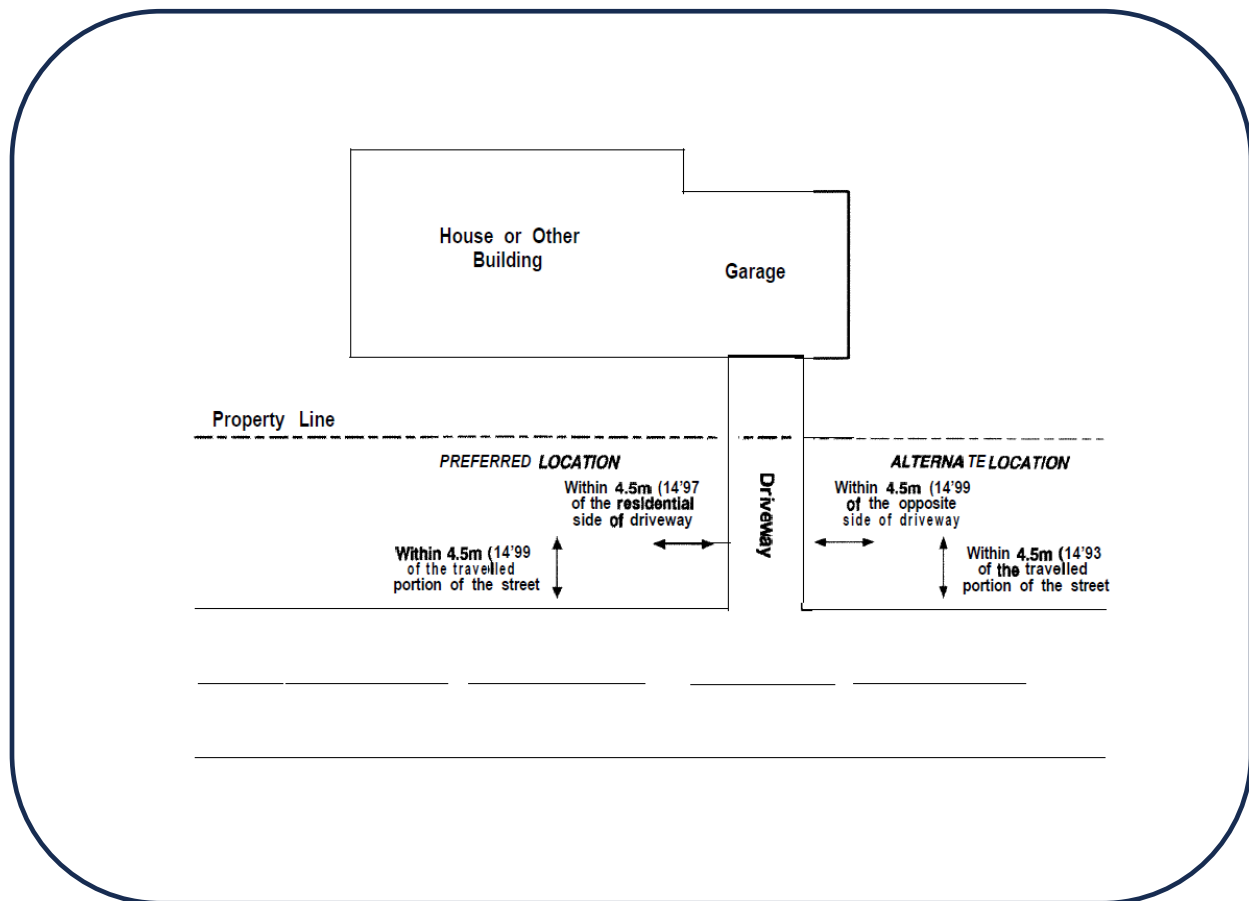


Figure 1: Location Requirements for Property Identification Signs

Schedule “B” to By-law 25-_____

Criteria for the naming and renaming of Public Highways, Private Roads and Commemorative Streets.

- (1) That consideration will be given to choose Street names from the City of Hamilton pre-approved street name list for any new developments;
- (2) Proposed Street names should generally be in reference to people, groups, indigenous communities, places, geographical features, events, natural heritage, cultural heritage and things related to the area;
- (3) No Streets shall be named after living individuals unless approved by Council;
- (4) No Streets shall be named after existing businesses and industries unless approved by Council;
- (5) Street names shall not include awkward, corrupt, discriminatory or derogatory names, in regard to race, sex, colour, creed, political affiliation, or other social factors such as inappropriate humour, parody, slang or double meanings in any language;
- (6) Proposed Street names must not be identical or similar sounding to any existing Street name within the City of Hamilton or similar sounding to any other Street name being reserved or held on the City of Hamilton pre-approved street name list. Note that the Street type / suffix alone does not uniquely identify a Street name, i.e., “Fair Street” and “Fair Court” are considered identical and therefore shall only be considered for use when the two Streets proposed to be so named are continuous and where there will be no duplication of Municipal Address Numbers;
- (7) Proposed Street names must not have special characters, such as hyphens, apostrophes, or dashes, nor contain the words “or”, “and”, “the”, “old” and “new”;
- (8) Proposed Street names may contain the words North, South, East, West, Upper, or Lower. Note that cardinal directions and / or prefixes alone do not uniquely identify a Street name, i.e., “Fair Street North” and “Fair Street South” are considered identical and therefore shall only be considered for use when the two Streets proposed to be so named are continuous and where there will be no duplication of Municipal Address Numbers;
- (9) Proposed Street names shall not contain abbreviations, suffixes, numbers or a single letter of the alphabet as a base name;

(10) The assignment of a Commemorative Street Name to all or a portion of a Public Highway will not change the official Street name nor require any existing municipal addresses to be altered.