



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 157-2005

A by-law to provide for the numbering of lots and buildings within the City of Brampton and to repeal By-law 134-97

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**WHEREAS** Section 8 of the *Municipal Act, 2001* S.O. 2001, c. 25, as amended (the "*Municipal Act, 2001*"), provides that the municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

**AND WHEREAS** Section 9 of the *Municipal Act, 2001*, provides that Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs as they consider appropriate and, (b) enhance their ability to respond to municipal issues;

**AND WHEREAS** Section 9(3) provides that without limiting the generality of subsections (1) and (2), a by-law passed under section 11 respecting a matter may:

- (b) as part of the power to regulate or prohibit respecting the matter, require persons to do things respecting the matter, provide for a system of licences, permits, approvals or registrations respecting the matter and impose conditions as a requirement of obtaining, continuing to hold or renewing a licence, permit, approval or registration;

**AND WHEREAS** Section 11 of the *Municipal Act, 2001* provides that a lower-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein including, *inter alia*, structures, including fences and signs;

**AND WHEREAS** Section 116(1) provides that a municipality may establish, maintain and operate a centralized communication system for emergency response purposes, and subsection (2) provides that a municipality that has passed a by-law under subsection (1) may at any time enter upon land to affix numbers to buildings or erect signs setting out numbers on land;

**AND WHEREAS** the Council of the Corporation of the City of Brampton deems it necessary for the safety and welfare of its citizens to have all occupied buildings in the City display an assigned municipal number for prompt identification by emergency service personnel;

**AND WHEREAS** Section 427(1) provides that if a municipality has authority by the by-law to otherwise direct or require that a matter or thing be done, the municipality may, in the same or another by-law direct that, in default of it being done by the person directed or required to do it, such matter or thing shall be done at the person's expense;

AND WHEREAS for the purposes of Section 427(1), Section 427(2) provides that the municipality may enter upon land and into structures at any reasonable time;

AND WHEREAS Section 427(3) provides that the municipality may recover the costs of doing a thing or matter under subsection (1) from the person directed or required to do it and the municipality may recover the costs by action or by adding the costs to the tax roll and collecting them in the same manner as taxes.

THE COUNCIL of the Corporation of the City of Brampton hereby ENACTS as follows:

**Definitions**

1. For the purposes of this By-Law:

- (a) **“Builder”** means the person who applied for and obtained a building permit for construction of a new building;
- (b) **“Building”** means a structure occupying an area greater than ten square metres, consisting of a wall, roof and floor or any of them, or a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto.
- (c) **“Commissioner”** means the Commissioner of the Planning, Design and Development Department for the City of Brampton, or designate;
- (d) **“Fire Chief”** means the Fire Chief of the City of Brampton, or designate;
- (e) **“Frontage” or “Front lot line”** of a property, means the portion of the property abutting the roadway;
- (f) **“Lot”** means a parcel of land which is capable of being legally conveyed in accordance with the provisions of the Planning Act, R.S.O. 1990, c. P.13;
- (g) **“Municipal Number”** means the number assigned by the City to a building or lot located on a roadway, either before or after the coming into effect of this by-law, which is primarily used to designate and locate such a building or lot along such a roadway;
- (h) **“Owner”** includes the registered owner, condominium corporation, assessed owner, occupant, tenant, person for the time being managing or receiving the rent for the property whether on his/her own account or as any agent or trustee or on account of any other person;
- (i) **“Roadway”** means the private or public thoroughfare for the passage of vehicles with reference to which the building is assigned a Municipal Number.

**Assignment of Municipal Numbers**

2. The Commissioner shall maintain a system for assigning sequential Municipal Numbers to Buildings or Lots within the City of Brampton in reference to Roadways.

**Posting of Municipal Numbers**

3. Every person, including, but not limited to, the Builder and the Owner, shall ensure that, prior to any person inhabiting or using a residential, industrial, or commercial Building, the assigned Municipal Number is posted on the

Building, signpost or fixed object, in accordance with the applicable standards prescribed in this by-law.

#### **Standards for Municipal Numbers**

4. A Municipal Number, when posted, shall be made from durable waterproof material, and bear numbers or characters not less than 102 mm (4 inches) in height in a contrasting colour to the background and be located facing the Roadway in a manner that the Municipal Number is clearly visible from the Roadway, both in daylight and at night.
5. Where a Building fronts onto two Roadways, the Municipal Number shall be affixed such that it is clearly visible from the Roadway to which the Municipal Number applies.
6. Where the Building to be numbered is 15.2 m (50 feet) or more from the front lot line, a Municipal Number shall be posted on a signpost or other fixed object near the driveway and within 1.0 m (3 feet) of the property line at a height of between 1.2 m and 1.8 m (4 -6 feet) above grade level, such number shall be clearly visible from the roadway, or in such other location as is approved by the Fire Chief.
7. Where the Building to be numbered is less than 15.2 m (50 feet) from the front lot line, the Municipal Number shall be affixed to the portion of the Building fronting on the Roadway within 15.2 m from the front lot line, or on a signpost or other fixed object located between the Building and the front lot line, at a height of between 1.2 m and 1.8 m (4-6 feet) above grade level, such number shall be clearly visible from the roadway, or in such other location as may be approved by the Fire Chief.
8. Where in the opinion of the Fire Chief, additional signage is required to identify a building or property fronting onto more than one street, the Fire Chief shall provide 30 days written notice to the Owner that additional signage is required and in default of the Owner erecting such signage, the City may erect a Municipal Number in accordance with the provisions of Section 9 of this by-law.

#### **Work Performed by the Corporation**

9. Where a person has failed to install a Municipal Number in compliance with the standards set out in this by-law, or to repair or replace a Municipal Number that has been damaged, removed, stolen, missing or incorrectly placed, the City may erect, repair, or replace the Municipal Number and the associated expense may be recovered from the person responsible for the cause of damage, obstruction of visibility or loss of legibility, and said expense may be collected by the City in the same manner as taxes.

#### **Prohibitions**

10. No person shall:
  - (a) fail to post or erect a Municipal Number;
  - (b) post a number other than the assigned Municipal Number on a Building or the related property;
  - (c) post, install, maintain or permit to be maintained, a Municipal Number other than in accordance with the provisions of this by-law;
  - (d) obstruct or deface a Municipal Number;

- (e) fail to maintain a Municipal Number;
- (f) remove a Municipal Number other than as may be strictly necessary for the repair or replacement of the sign.

**Severability**

- 11. Should any section, subsection, clause or provision of this by-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this by-law as a whole or any part thereof, other than the part so declared to be invalid.

**Enforcement**

- 12. The provisions of this by-law shall be enforced by a Municipal Law Enforcement Officer, Police Officer, Peace Officer, or other individual duly appointed for the purpose of enforcing this by-law.

**Offence**

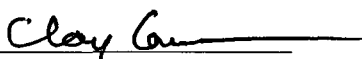
- 13. Any person who contravenes any provision of this by-law is guilty of an offence and is liable upon conviction to a fine as set out in the *Provincial Offences Act*.

READ a FIRST, SECOND and THIRD TIME and PASSED THIS 25<sup>th</sup> day of May, 2005.

  
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 SUSAN FENNELL MAYOR

  
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 LEONARD J. MIKULICH CLERK

Approved as to form and content

  
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 Clay Connor  
 Director of Real Property  
 and Commercial Law