



Township of Amaranth Property Standards Committee Agenda

This meeting will be held in person at the Township Office or
Virtually through Zoom.

To participate, we are using the ZOOM meeting software – **audio
only**

To join the meeting through your computer (or smartphone with the
ZOOM app) go to: <https://us02web.zoom.us/j/82170323249>

If you prefer to phone in and listen live Dial 1 647 558 0588 (long
distance charges to Toronto may apply) Either option requires you
to enter the Meeting ID: 821 7032 3249

**Thursday March 21, 2024
3:00 p.m.**

1. Opening of Meeting

2. Approval of Agenda

Recommendation: That the agenda is approved as circulated.

3. Disclosure of Pecuniary Interest and General Nature Thereof

4. Approval of Minutes

4.1 March 7, 2024

Recommendation: That the minutes are approved as circulated.

5. Discussion

5.1 Discussion on draft property standards by-law.

6. Adjournment/Next Meeting

Recommendation: The Property Standards Committee do now adjourn to meet
again on _____ at _____, or at the call of the Chair.



Township of Amaranth
Property Standards Committee Minutes

Thursday March 7, 2024
3:00 p.m.

Members Present: A. Stirk – Councillor / Chair
 S. Graham – Councillor / Secretary
 L. Melen – Member
 A. Melen – Member
 M. Batra - Member
 K. Barnwell – Member
 N. Martin – Staff
 A. Harris – Staff

Members Absent: P. Hillier - Member

1. Opening of Meeting

 The Chair called the meeting to order.

2. Approval of Agenda

Moved by: K. Barnwell

Seconded by: L. Melen

 That the agenda is approved as circulated.

CARRIED

3. Disclosure of Pecuniary Interest and General Nature Thereof

4. Approval of Minutes – February 21, 2024

Moved by: K. Barnwell

Seconded by: A. Melen

 That the minutes are approved as circulated.

CARRIED

5. Discussion

- Information provided by A. Harris and N. Martin directing the board with respect to clauses in Property Standards as to what is covered in by-laws and therefore not required in Property Standards.
- Concentrate on Health and Safety to our residents.
- We reviewed our clauses and amendments to our Property Standards attached.

6. Adjournment/Next Meeting

Moved by: K. Barnwell

Seconded by: L. Melen

The Property Standards Committee do now adjourn to meet again on March 21, 2024 at 3:00p.m., or at the call of the Chair.

CARRIED

PROPERTY STANDARDS BY-LAW

WHEREAS Section 11 (2)(6) of The *Municipal Act; 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws respecting the health, safety and well-being of persons; and

WHEREAS by Section 127 of The *Municipal Act; 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may require the owner or occupant to clean and clear the property, not including buildings, or to clear refuse or debris from the property, not including buildings; and

WHEREAS by Section 131 of The *Municipal Act; 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality may prohibit and regulate the use of any property for the storage of used motor vehicles for the purpose of wrecking or dismantling them or salvaging parts from them for sale or other disposition.

NOW THEREFORE BE IT ENACTED as a By-law of the Corporation of the Township of Amaranth as follows:

1 DEFINITIONS

1.1 In this by-law:

“Debris” shall mean any material whatsoever capable of holding water, and without limiting the generality of the foregoing, includes, but is not limited to:

- a) Material of any kind which has been discarded by its rightful owner.
- b) Composting heaps, which are not appropriately contained in a composting container for efficient composting purposes, including tree or brush cuttings.
- c) Litter.
- d) Waste, which includes pet excrement.
- e) Items which cannot be used for their rightful or originally intended purpose due to their placement or situation.
- f) Unlicensed items.
- g) Inoperative vehicles.

- h) Construction debris.
- i) Shipping container.
- j) Recovered or recycled materials including firewood, which are haphazardly strewn about and not stored or piled neatly.
- k) Dead and/or decaying trees, that due to their location or situation on private property may be a health or safety hazard to public property or the users of public property.

“Derelict Motor Vehicle” shall mean a vehicle having missing bodywork components or parts, including tires or damaged components, parts, bodywork, glass or deteriorated or removed aides, which prevents its mechanical function, and includes a motor vehicle that is not licensed for the current year.

“Good Repair” means not unsightly by reason of deterioration, neglect, damage or defacement and free from injury accident hazard or health hazard.

“Inoperative Motor Vehicle” means same as derelict motor vehicle and includes any vehicle that does not display a vehicle permit number plate with evidence of the current validation of the permit affixed to it, issued under the Highway Traffic Act, or as issued by another provincial, state or national government.

“Land” shall mean to include any part of a yard or lot within the Township of Amaranth and is the land in common ownership with, and around to a residential or non-residential building, which is used or capable of being used in connection with the property. The definition includes any land which is not in common ownership with the lot on which the building is situating, but is actually used in connection with the property.

“Nuisance” means that which causes offence, annoyance, trouble or injury.

“Occupant” means any person or persons over the age of eighteen year occupying a lot at any given time.

“Officer” means a bylaw enforcement officer, inspector or other person appointed or employed by the Township of Amaranth to enforce bylaws, statutes and /or regulations.

“Owner” includes:

- a) The registered owner of the lot or land as revealed in the Land Registry Office.
- b) The person managing or receiving the rent from a building on the lot or land whether on the person’s own account or as agent or trustee of any other person, or who would receive the rent if the building on the lot were rented; and
- c) A lessee or occupant of a land on the lot who under the terms of a lease is required to repair and maintain the lot in accordance with the standards set out in this by-law.

“Pests” means rodents, vermin or insects.

“Refuse” means any article or thing, organic or inorganic that.

- a) Has been cast aside, discarded or abandoned, whether of any value or not.
- b) Has been used up, in whole or in part, whether of any value or not; or,
- c) Has been expended or worn out, in whole or in part, whether of any value or not.

“Waste” means garbage, special collection materials, recyclable materials, organic materials, yard waste.

“Weeds” means all noxious and local weeds designated as such under the *Weed Control Act* R.S.O. 1990, C.W. 5.

SECTION 1

1.01 Application of By-Law This By-law applies to all lands within the Township of Amaranth.

(a) No person shall use, permit the use of, rent or offer to rent any property that does not conform to the standards of this By-law.

(b) Where a Property Standards Officer has placed or caused the placing of a placard containing the terms of a notice or order upon the premises under the authority of the Building Code Act, no one shall remove the said placard except with the consent of a Property Standards Officer.

(c) The obligations created by this by-law on the owner or occupant shall be joint and several.

(d) Where a notice or order has been issued by the Property Standards Officer pursuant to this By-law, the owner and occupant thereof shall:

- 1) repair and maintain the property in accordance with the standards or,
- 2) remove or demolish and remove, the whole or the offending part of the property that is not in accordance with the standards, or
- 3) in the event that the property is to be cleared of all buildings, structures, debris or refuse, the owner or occupant shall complete such work and shall leave the property in a graded and leveled condition.

SECTION 2 - PROPERTY MAINTENANCE STANDARDS

2.1 YARDS

(a) Every owner, lessee or occupant shall keep their grounds yard or vacant land clean and free of litter, rubbish, waste, salvage, refuse, decaying or damaged trees, branches and limbs, objects or conditions that might create a health, fire, or accident hazard or unsightly condition.

(b) Yards shall be kept clean and free from rubbish and other debris and from objects or conditions that might create a health, fire or accident hazard to any occupants, or a hazard or detriment to the environment, or surface or ground water. Open, non-forested areas of all yards shall be graded so that a permanent grass cover can be established and maintained, and a permanent grass cover shall be established and, subject to the following limitations, maintained to prevent erosion and sedimentation, control weeds and present an orderly and well-kept appearance.

2.2 Without restricting the generality of Section 2.1, such maintenance includes that every owner, lessee or occupant shall provide for:

- a) The removal of rubbish, refuse, garbage, waste and litter.
- b) The removal of injurious insects, termites, rodents, vermin and other pests, and any condition which may promote an infestation.
- c) The removal of trees, bushes and hedges, including any branches or limbs thereof, which are dead, decayed or damaged, and brush.
- d) Noxious weeds, as defined by the Weed Control Act, R.S.O. 1990, c.W.5, as amended, and regulations passed under the Act, such as

ragweed, poison ivy and thistles, among others, shall be eliminated from the yard.

- e) the removal of wrecked, dismantled, inoperative, discarded or unlicensed vehicles, trailers, machinery or parts thereof, except in an establishment licenses or authorized to conduct a salvage, wrecking or repair business; and wrecked, discarded, dismantled, unlicensed, unplated, derelict and abandoned vehicles, machinery, campers, trucks, tractors, construction equipment, buses, streetcars, trailers, boats and any other similar types of items shall not be parked, stored or left in a yard or on any lot that is not otherwise exempt from the requirements of this by-law, unless it is necessary for and ancillary to the operation of a business enterprise or farm use lawfully established on the property.
- f) Abandoned wells shall be decommissioned in accordance with the requirements of the Ministry of the Environment, or fully protected against accidental opening.
- g) The removal of collapsed buildings, structures or erections.

On lots, all non-landscaped and non-forested open areas with grass cover shall be mowed and maintained in the following circumstances:

- h) All areas of a lot that is within the boundaries of a settlement area as defined in the Township's Official Plan that is zoned "Hamlet Residential", "Highway Commercial" "General Commercial" "Business ParkBy-law.", "Institutional", "Estate Residential" or "Rural Residential" and all properties with an exception zoning in any of those zones in the Township's Zoning By-law or within an area designated "Estate Residential" in the Township's Official Plan and zoned "Estate Residential" or Estate Residential Chalet" and all properties with an exception zoning in any of those zones in the Township's Zoning By-law;
- i) For lots of less than 2.0 ha. (5 acres) located outside of built-up areas and estate residential areas, and any lot of less than 4.0 ha. (10 acres) within the Niagara Escarpment Plan Area, the front yard and exterior side yard, as well as any interior side yard adjacent to any other lot of less than 2.0 ha. or any other adjacent lot where a dwelling exists on the adjacent lot within 30m. of the common lot line between two adjacent lots.

2.3 CLEAN AND CLEAR NON-RESIDENTIAL YARDS

Every owner, and every occupant in that part of non-residential property that is occupied or controlled by the occupant, shall maintain to the standards of this By-law and shall keep the yard:

- a) in a sanitary and safe condition, free from litter, refuse and waste including such litter and refuse as may be left by customers or other members of the general public and shall provide containers for the disposal of such litter or refuse.
- b) free from objects conditions which are health, fire or safety hazards; and
- c) free from rodents, insects or vermin.

2.4 - SEWAGE AND DRAINAGE

- (a) Sewage or organic waste shall be discharged into a system approved by the Ministry of the Environment and/or the Dufferin County Building Department and no sewage or wastewater of any kind shall be discharged onto the surface of the ground, whether onto a natural or artificial surface, drainage system or into any lake, stream, ditch or watercourse.
- (b) No roof drainage or wastewater of any kind shall be discharged on public sidewalks or neighbouring property. No natural soil, topsoil, road gravel or other fill material shall be permitted to erode by the action of wind or storm-water runoff if such material is being carried onto adjacent property or into lakes, streams, ditches or watercourses.
- (c) Storm water shall be drained from yards in a manner designed to prevent excessive ponding or the entrance of water into a basement or cellar of other property owners.

SECTION 3 - BUILDING STANDARDS

3.01 Vermin Control

- (a) Every property shall be maintained so as to be as free as possible from rodents, insects and vermin, and the methods used for exterminating these pests shall be in accordance with the provisions of The Pesticides Act, and all regulations made thereunder.
- (b) Any opening in a basement, cellar, crawl space or roof space used or intended to be used for ventilation, and other opening in a basement, cellar, crawl space or roof space which might admit vermin, shall be screened in order to effectively exclude vermin

3.02 Building Standards

(a) For the protection of the public, passers by and visitors, the exterior walls, roof, chimneys, eaves, foundations, doors, shutters, balconies, porches, exterior steps or stairs, ramps and signs appurtenant to or attached to any building or structure shall be maintained so as to be free of defects which may constitute possible accident hazards.

(b) Every part of any building shall be maintained in a safe and structurally sound condition so as to be capable of sustaining safely its own weight and any additional weight as may be put on it through normal use. Building materials which have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.

(c) Exterior building walls and components shall be maintained in good repair free from cracked, broken, rotten, loose or warped masonry, stucco and other defective cladding or trim.

(d) Roofs of buildings and their components shall be maintained in a weathertight condition so as to prevent the leakage of water into the building and shall be free from loose or unsecured objects or materials.

(e) The exterior of the foundation walls of buildings shall be maintained in structurally sound condition.

(f) All other exterior surfaces shall be composed of materials which provide adequate protection from the weather.

(g) Any dilapidated or collapsing building(s) and structure(s) shall be repaired and maintained in accordance with the standards herein or such building(s) or structure(s) shall be removed, the property cleared of all remains and left in a graded level and tidy condition.

(h) In the event a building or structure is destroyed by fire or natural disaster: a. Immediate steps shall be taken to prevent or remove a condition which might endanger person(s) in, on or near the property and b. Immediate steps shall be taken to properly support and barricade such buildings or structures; and either c. Repairs shall be undertaken and completed forthwith, to the standards in this By-law and any other applicable law, or d. The said building or structure shall be demolished, the property cleared of all remains and left in a graded level and tidy condition.

3.03 Retaining walls, guards and fences

Retaining walls, guards and fences in exterior common areas shall be maintained in a structurally sound condition and free from hazards.

3.04 **Structural soundness, etc.**

Every floor of a basement, cellar or crawl space, and every slab at ground level, foundation wall, wall and roof shall be structurally sound, weathertight and dampproofed and shall be maintained so as to reasonably protect against deterioration, including that due to weather, fungus, dry rot, rodents, vermin or insects.

3.05 **Required fixtures**

Every dwelling unit shall contain and have accessible the following functional fixtures: a. A toilet. b. A kitchen sink. c. A washbasin. d. A bathtub or shower. Hot and cold running water. Every kitchen sink, washbasin, bathtub and shower shall be provided, by safe equipment, with hot and cold running water.

The ordinary temperature of the hot water provided must be at least 43 degrees Celsius.

3.06 **Washroom requirements**

Every washroom shall be enclosed and shall have, a. a water-resistant floor; and b. a door that can be, secured from the inside, and opened from the outside in an emergency. c. The walls and ceiling around a bathtub or shower shall be water-resistant.

3.07 **Supply of electrical power**

A supply of electrical power shall be provided to all habitable space in a dwelling unit. Where available, electrical facilities complying with the requirements of Hydro One shall be provided for all properties.

The wiring and receptacles necessary to provide electrical power shall be maintained free of conditions dangerous to persons or property.

Every kitchen shall have outlets suitable for a refrigerator and a cooking appliance.

Extension cords shall not be used on a permanent or semi-permanent basis in any dwelling or dwelling unit.

3.07 **Maintenance of room temperature**

Heat shall be provided and maintained so the heating facilities are capable of maintaining a temperature of at least 22 degrees Celsius at 1.5 metres above floor level and one metre from exterior walls in all living spaces and in any area intended for normal use.

No dwelling unit shall be equipped with portable heating equipment as the primary source of heat.

3.08 Maintenance of heating systems

Heating systems, including stoves, heating appliances, fireplaces intended for use, chimneys, fans, pumps and filtration equipment, shall be maintained in a good state of repair and in a safely operable condition.

3.09 Ventilation

All dwelling units shall be provided with natural or mechanical means of ventilation that is adequate for the use of the space.

3.10 Smoke, gases and toxic fumes

Chimneys, smoke-pipes, flues and gas vents shall be kept clear of obstructions and maintained so as to prevent the escape of smoke and gases into a building and in conformance with the Ontario Building Code and as may be approved by the Chief of the Fire Department or his or her agent.

3.11 Doors, windows and skylights

Every existing opening in the exterior surface of a building designed for a door or window shall be equipped with a door or window capable of performing the intended function.

Doors, windows and skylights shall be maintained so that they are weathertight, and any damaged or missing parts are repaired or replaced.

4.0 GARBAGE CONTROL

4.1 Every building and every dwelling unit within every dwelling shall be provided with sufficient receptacles to contain all garbage, rubbish and ashes which are to be stored outside of a building.

4.2 Garbage, rubbish and ashes shall be removed and disposed of at the Corporation's approved landfill site or, where waste collection services are provided by the Corporation, made available for removal in accordance with the pertinent By-law of the Corporation and all amendments thereto.

4.3 Plastic bags containing garbage or rubbish shall not be stored outdoors unless protected from damage.

4.4 Composting shall comply with all health regulations and the compost pile shall be located in the yard so as to not pose a nuisance to adjacent property.

4.5 Manure and other farm by-products shall be disposed of in accordance with the Township of Melancthon By-laws and the applicable Provincial legislation.

5.01 **ACCESSORY BUILDINGS OR FENCES**

(a) Accessory buildings and fences shall be kept in good repair and free from health, fire and accident hazards.

(b) Barbed or razor wire shall not be used for fencing purposes on any lot in any built-up residential community, hamlet or estate residential area except where the fence is on the boundary next to an adjacent agriculture or rural area.

5.02 **SIGN**

Signs shall be maintained in good repair and shall be mounted in a safe manner to prevent any hazard to persons or property.

5.03 **POOLS**

Shall be maintained pursuant to the municipal by-law.

6.01 **CONSTRUCTION, STORAGE, SALVAGE and SCRAP YARDS**

All property, whether in operation as a commercial enterprise or not, shall be effectively screened from other property, streets or roads by suitable fences, hedges, trees or landscaping where such property is used for the storage of machinery, goods, salvage or scrap, the parking of vehicles, the operations of machinery or when used for any other purpose which may detract from the good appearance of or from an abutting or neighbouring residential property.

6.02 **EGRESS**

Every building shall have a separate access so as to provide a safe, continuous and unobstructed exit from the interior of the building to the exterior at street or grade level.

15.2 A secondary means of egress, as required by the Building Code Act, shall be provided from every separate dwelling unit located on a floor above the main or first floor, so as to provide a safe and convenient means of egress in case of an emergency.

15.3 The means of egress and fire warning devices in all buildings shall be to the satisfaction of the applicable Fire Department serving that area of the Township.

6.03 **NON-RESIDENTIAL PROPERTIES**

(a) wrecked, discarded, dismantled, unlicensed, unplated, derelict and abandoned vehicles, machinery, campers, trucks, tractors, construction equipment, buses, streetcars, trailers, boats and any other similar types of items shall not be parked, stored or left in a yard or on any lot that is not otherwise exempt from the requirements of this by-law, as identified in Schedule "A", unless it is necessary for and ancillary to the operation of a business enterprise or farm use lawfully established on the property.

6.04 **Retaining walls, guards and fences**

Retaining walls, guards and fences in exterior common areas shall be maintained in a structurally sound condition and free from hazards.

6.05 **Structural soundness, etc.**

Every floor of a basement, cellar or crawl space, and every slab at ground level, foundation wall, wall and roof shall be structurally sound, weathertight and dampproofed and shall be maintained so as to reasonably protect against deterioration, including that due to weather, fungus, dry rot, rodents, vermin or insects.

6.06 **Required fixtures**

Every dwelling unit shall contain and have accessible the following functional fixtures:

- a. A toilet.
- b. A kitchen sink.
- c. A washbasin.
- d. A bathtub or shower
- e. Hot and cold running water
- f. Every kitchen sink, washbasin, bathtub and shower shall be provided, by safe equipment, with hot and cold running water.
- g. The ordinary temperature of the hot water provided must be at least 43 degrees Celsius.

6.07 **Washroom requirements**

Every washroom shall be enclosed and shall have, a. a water-resistant floor; and b. a door that can be, secured from the inside, and opened from the outside in an emergency. c. The walls and ceiling around a bathtub or shower shall be water-resistant.

6.08 Supply of electrical power

A supply of electrical power shall be provided to all habitable space in a dwelling unit. Where available, electrical facilities complying with the requirements of Hydro One shall be provided for all properties.

The wiring and receptacles necessary to provide electrical power shall be maintained free of conditions dangerous to persons or property.

Every kitchen shall have outlets suitable for a refrigerator and a cooking appliance.

Extension cords shall not be used on a permanent or semi-permanent basis in any dwelling or dwelling unit.

6.09 Maintenance of room temperature

Heat shall be provided and maintained so the heating facilities are capable of maintaining a temperature of at least 22 degrees Celsius at 1.5 metres above floor level and one metre from exterior walls in all living spaces and in any area intended for normal use.

No dwelling unit shall be equipped with portable heating equipment as the primary source of heat.

6.10 Maintenance of heating systems

Heating systems, including stoves, heating appliances, fireplaces intended for use, chimneys, fans, pumps and filtration equipment, shall be maintained in a good state of repair and in a safely operable condition.

6.11 Ventilation

All dwelling units shall be provided with natural or mechanical means of ventilation that is adequate for the use of the space.

6.12 Smoke, gases and toxic fumes

Chimneys, smoke-pipes, flues and gas vents shall be kept clear of obstructions and maintained so as to prevent the escape of smoke and gases into a building and in conformance with the Ontario Building Code and as may be approved by the Chief of the Fire Department or his or her agent.

6.13 Doors, windows and skylights

Every existing opening in the exterior surface of a building designed for a door or window shall be equipped with a door or window capable of performing the intended function.

Doors, windows and skylights shall be maintained so that they are weathertight, and any damaged or missing parts are repaired or replaced.

6.14 Vacant Lands

Vacant buildings shall be kept clear of all garbage, rubbish and debris and shall have all water, electrical and gas services turned off except for those services the services that are required for the security and maintenance of the property.

7.00 Commercial/Industrial Property Standards

All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned. All new construction or repairs shall conform to the Ontario Building Code where applicable.

The yards of non-residential property shall be maintained to the standards.

8.00 Parking Areas and Driveways

All areas used for vehicular traffic and parking shall have a surface covering of asphalt, concrete, or compacted stone or gravel and shall be kept in good repair, free of dirt and litter. Notwithstanding the foregoing non-residential properties which abut residential, all areas used for vehicular traffic and parking shall have a surface covering of asphalt, or similar hard surfaces.

All gated commercial/industrial properties shall have a driveway long enough to allow commercial vehicles to completely exit the street or road to not obstruct the flow of traffic and create a hazardous condition.

9.00 Structural Soundness

Every part of a building structure shall be maintained in a sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use, having a level of safety required by the Ontario Building Code. Structural members or materials that have been damaged or indicate evidence of deterioration shall be repaired or replaced.

9.01 Walls, roofs, and other exterior parts of a building or structure shall be free from loose or improperly secured objects or materials.

9.02 Exterior Walls

Exterior walls of a building or a structure and their components, including soffits, fascia, windows and doors, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco, and other defective cladding, or trim. Paint or some other

suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.

Exterior walls of a building or a structure and their components, shall be free of unauthorized signs, painted slogans, graffiti and similar defacements.

9.03 **Guardrails**

A guard shall be installed and maintained in good repair on the open side of any stairway or ramp containing three (3) or more risers including the landing or a height of 600 mm (24") between adjacent levels. A handrail shall be installed and maintained in good repair in all stairwells. Guardrails shall be installed and maintained in good repair around all landings, porches, balconies. Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

9.04 **Lighting**

All non-residential establishments shall install and maintain sufficient windows, skylights, and lighting fixtures necessary for the safety of all persons attending the premises or as may be required by the Occupational Health and Safety Act for industrial and commercial properties. However, lighting shall not be positioned so as to cause any impairment of use or enjoyment of neighbouring properties.

EXCEPTIONS

- a) Nothing in this by-law applies to prevent a lawfully licensed premises operating within the scope of a license that specifically permits that which is prohibited by this by-law;
 - i. Construction proceeding under a valid building permit.

INSPECTIONS

- a) The Township may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - i. This by-law; or,
 - ii. An order made under s. 431 of the *Municipal Act 2001, S.O. 2001, c. 25*, as amended.

- b) For the purpose of conducting an inspection pursuant to s. 7 (a) of this by-law, the Township may exercise its rights provisions of Section 436 of the *Municipal Act 2001, S.O. 2001, c. 25*, as amended:
- i. Require the production for inspection of documents or things relevant to the inspection.
 - ii. Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts.
 - iii. Require information from any person concerning a matter related to the inspection; and,
 - iv. Alone or in conjunction with a person possessing special or expert knowledge, make examination or take tests, samples, or photographs necessary for the purpose of the inspection.
 - v. 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.

NOTICE OF REMEDY

An Officer may give an owner notice in accordance with Section 435 of the *Municipal Act 2001, c. 25*, as amended, requiring the Owner within the time specified in the notice to clean, clear or remedy any contravention indicated in section 2.

Every notice sent by the Offices shall:

- a) Give the address of the yard or vacant lot (or the legal description of the property) where the offence has occurred.
- b) Define with reasonable particularity and detail the material on the yard or vacant lot that is the subject of the offence.
- c) Prescribe a time period which is not less than fourteen (14) days and is not more than thirty (30) days, within which the owner is required to remedy the offence.

- d) Notice regarding the fees and charges.

Every notice to an Owner shall be sent to the address shown on the last revised assessment roll or to the last known address of such Owner.

In the event the Officer is unable to serve such notice under the provisions of this Section, the notice may be posted in a conspicuous place on the property, and the placing of the notice shall be deemed to be sufficient service of the notice on the property Owner.

Method of Delivery of Notice: the notice, and any subsequent written notice amending or withdrawing the notice, may be delivered by any one or more of the following methods:

- a) Personal delivery to the person to whom it is addressed.
- b) Personal or couriered delivery to either an adult person, or to the mailbox, of the residential address of the addressee.
- c) Delivered by registered or certified mail.
- d) Delivered by facsimile transmission; or
- e) Posted in a conspicuous location at the site which is the subject matter of the notice.

Deemed delivery:

- f) Where a notice is personally delivered, it is considered to have been delivered at the date and time at which it was handed to the addressee.
- g) Where a notice is personally delivered to the residential address of the addressee, it is considered to have been delivered on the next business day following the date of delivery.
- h) Where a notice is delivered by registered or certified mail, it is deemed to have been delivered on the fifth day after the day of mailing.

- i) Where a notice is posted on occupied property in accordance with section 5.5e, it is considered to have been delivered the next business day following the date it is posted.
- j) Where a notice is posted on unoccupied property in accordance with section 8.5e, it is considered to have been delivered five (5) days after the date it is posted.

REMEDIATION AND FULFILLMENT OF OWNER'S OBLIGATIONS

Where the owner is in default of doing any matter or thing directed or required to be done under this by-law, the Township may:

- k) Issue an Order to discontinue the contravening activity pursuant to Section 444 of the *Municipal Act 2001, S.O. 2001, c. 25*, as amended.
- l) Issue a Work Order pursuant to section 445 of the *Municipal Act 2001, S.O. 2001, c. 25*, as amended.
- m) Where an owner fails to comply with a notice within the specified time frame, a Municipal Law Enforcement Officer, may in addition to any enforcement of this By-law, cause the Township or a representative thereof, to complete the required work by the notice, without further notice to the owner.
- n) Where any matters or things are removed in accordance with subsection 6.1 c), such matters or things may be immediately disposed of by the Officer.
- o) Where Section 6.1 c) or d) of this by-law is invoked, all costs associated with the work shall be added to the tax roll of the property which is the subject of the notice and shall be collected in like manner as municipal taxes.

ENFORCEMENT AND PENALTIES

Any person who contravenes any provision of this By-law is guilty of an offence, and upon conviction is liable to a fine in accordance with the provisions of the Provincial Offences Act, R.S.O. 1990 c.P.33 as amended, and where any provision of this by-law is contravened and a conviction entered, in addition to any other remedy and to any other penalty, a person so convicted may also be prohibited from continuing or repeating the offence in accordance with the provisions of s. 444 of the *Municipal Act 2001, S.O. 2001*, as amended.

MUNICIPALITY NOT LIABLE

The Municipality assumes no liability for property damage or personal injury resulting from remedial action, remedial work and enforcement undertaken with respect to any person or property that is subject of this by-law.

VALIDITY AND SEVERABILITY

Should any section, subsection, clause, paragraph or provision of this by-law be declared by a Court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity of the enforceability of any other provision of this by-law, or of the by-law as a whole.

SEPARATE OFFENCE

For the purpose of this by-law, each day of a continued offence shall be deemed to be a separate offence.

SHORT TITLE

The short title of this by-law is the "Tidy Yards" By-law.

ENACTMENT

This by-law shall come into force and take effect immediately upon the final passing thereof.

ITEM	COLUMN 1	COLUMN 2	COLUMN 3
	SHORT FORM WORDING	PROVISION CREATING OR DEFINING THE OFFENCE	SET FINE
1	Fail to keep grounds clean and free of litter, rubbish, waste, salvage, refuse, decaying or damaged trees, branches and limbs; objects or conditions that might create a health, fire, or accident hazard or unsightly condition	2.1	\$250.00
2	Fail to remove rubbish, garbage, waste, litter and waste	2.2(a)	\$250.00
3	Fail to remove injurious insects, termites, rodents, vermin and other pests; and fail to remove any condition which may promote an infestation	2.2(b)	\$250.00
4	Fail to remove dead or damaged trees, bushes and hedges, branches or limbs	2.2(c)	\$250.00
5	Fail to remove noxious weeds or excessive growth of other weeds, grass and bushes	2.2(d)	\$250.00
6	Fail to remove wrecked, dismantled, inoperative, discarded or unlicensed vehicles, trailers, machinery or parts thereof	2.2(e)	\$250.00
7	Fail to remove collapsed buildings, structures or erections	2.2(f)	\$250.00
8	Fail to keep yard in sanitary and safe condition, free from litter, refuse and waste	3.1(a)	\$250.00
9	Fail to keep yard free from objects or conditions which are health, fire or safety hazards	3.1(b)	\$250.00
10	Fail to keep yard free from rodents, insects or vermin	3.1(c)	\$250.00

DRAFT