

CORPORATION OF THE MUNICIPALITY OF TWEED

BY-LAW NO. 2015 - 29

Being a By-Law to amend By-Law No. 2001-02, being a by-law to provide standards for the maintenance and occupancy of property in the Municipality of Tweed.

WHEREAS Section 15.1(3) of the Building Code Act, R.S.O. 1992 c.23, authorizes a municipality to enact By-Laws to:

1. Prescribe standards for the maintenance and occupancy of property;
2. Require property that does not conform with the standards to be repaired and maintained to conform with the standards or the site be cleared of all buildings, structures, debris or refuse and be left in a graded and leveled condition; and
3. Prohibit the occupancy or use of property that does not conform to the prescribed standards.

AND WHEREAS there is in effect in the Municipality of Tweed an Official Plan for the County of Hastings, which includes provisions relating to property conditions;

NOW THEREFORE the Council of the Corporation of the Municipality of Tweed hereby enacts as follows:

1. That section 7.2 of the Corporation of the Municipality of Tweed By-Law No. 2001-02 concerning the Property Standards Committee be removed in its entirety and replaced with the following:

7.2 Property Standards Authority

7.2.1 An officer may enter upon any property at any reasonable time for the purpose of inspecting the property for the purpose of determining compliance with the provisions of this By-law, subject to the provisions of Section 430 of the Municipal Act, 2001 as amended from time to time.

7.2.2 Where an officer finds that any property does not comply with the provisions of this By-law, the officer may provide a written Order to the owner and/or occupant of the property in accordance with Section 7.2.3 of this By-law.

7.2.3 An Order pursuant to Section 7.2.2 of this By-law shall:

- a. be served on the owner and/or occupant of the property and a copy of the order may be posted on the property;
- b. specify the work to be done and the time or times within which it shall be completed; and
- c. specify the property upon which the work is to be done, sufficiently enough to enable the owner or occupier to identify it.

7.2.4 The time period stipulated in an Order for work to be completed shall be no less than:

- a. 10 business days for an Order requiring clean-up of domestic waste, cutting and/or disposal of long grass or weeds; and
- b. 21 business days for an Order requiring clean up and/or disposal of vehicles and all other materials other than items included in Section 7.2.4(a) above.

7.2.5 An Order shall be served by delivering the order personally to the owner and/or occupant concerned, or by prepaid mail to the owner and/or occupant at the last-known address as shown on the latest revised assessment roll for the property and the delivery of such Order shall be deemed to be effective on the third day after the Order was mailed.

- a. In the event that the owner or occupant fails to comply with an Order within the time period provided for in the Order, the owner and/or occupant shall be deemed to be in default, and in addition to any other fine or penalty that may be imposed by this or any other by-law or statute, the Municipality may enter onto the property and take such steps as are considered necessary to bring the property into compliance with the provisions of the By-law at the owner's or occupant's expense. The Municipality will recover the costs of taking such steps from the owner or occupant of the property and the Municipality will recover the costs by action or by adding the costs to the tax roll for the property and collecting them in the same manner as taxes.
- b. Any object or thing removed from a property by the Municipality pursuant to this Section 7.2.5 of this By-law may be disposed of by the Municipality at the expense of the owner or occupant of the property, subject to the provisions of the Repair and Storage Lien Act, R.S.O., 1990, c. R 25.
- c. An administrative charge of \$ 50.00 will be added to the costs of bringing the property into compliance with the provisions of the By-law.

7.2.6 Any person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to such fines and penalties as are provided for by the provisions of the Provincial Offences Act, R.S.O., 1990, c. P 33, as amended from time to time.

7.2.7 In this By-law, words importing the neuter gender shall include the feminine gender and masculine gender and vice versa and words importing the singular shall include the plural where the context requires.

2. That all other provisions of By-Law No. 2001-02 shall remain unchanged.
3. This By-Law shall come into force and take effect immediately upon the passing thereof by the Council of the Corporation of the Municipality of Tweed.

Read a first and second time this 6th day of July, 2015.

Read a third and final time, passed, signed and sealed in open Council this 6th day of July, 2015.


MAYOR


ACTING CAO/CLERK

DEPUTY