

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE

BY-LAW NO. 24-25

Being a By-law for prescribing standards for the maintenance and occupancy of Property within the Township of Malahide

WHEREAS subsection 15.1(3) of the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, provides that the Council of the Township may pass a by-law prescribing standards for the maintenance and occupancy of Property within the Township of Malahide, for prohibiting the occupancy or use of such Property that does not conform to the standards, for requiring Property that does not conform to the standards to be repaired and maintained to conform to the standards or for the site to be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition;

AND WHEREAS subsection 15.6(1) of the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, requires that a by-law passed under section 15.1 of the said *Building Code Act* shall provide for the establishment of a Property Standards Committee;

AND WHEREAS the Official Plan of the Township of Malahide includes provisions relating to Property conditions in the Township;

AND WHEREAS the Council of the Corporation of the Township of Malahide has determined that it is desirable for the greater betterment of the Township to prescribe standards for the maintenance and occupancy of Property within the Township;

AND WHEREAS the Council of the Corporation of the Township of Malahide has prescribed these standards with studied moderation in keeping with the character of the Township of Malahide;

NOW THEREFORE the Council of the Corporation of the Township of Malahide
HEREBY ENACTS AS FOLLOWS:

1. SHORT TITLE

(1) This By-law may be cited as the "Property Standards By-law".

2. INTERPRETATION

(2) In interpreting this By-law:

(a) The captions and headings are inserted for convenience or reference only and do not define, limit or enlarge the scope, meaning or intent of any provisions.

(b) Words used in the present tense include the future tense, words in the masculine gender include the feminine and neuter, and the singular number includes the plural and the plural the singular.

(c) The word "shall" is mandatory and not discretionary

Definition

(3) In this By-law, unless the context otherwise requires:

"Building Code Act" means the Building Code Act, 1992, S.O. 1992, c.23, as amended or any successor thereof.

"Clerk" means the person appointed by the Council of The Corporation of the Township of Malahide to the position of Clerk of the Township of Malahide.

"Committee" means a Property Standards Committee established under this By-law.

"Council" means the Council of the Township.

"Derelict" includes Property or a thing that is: (i)ruined or dilapidated; or (ii) missing an integral part (such as a motor or transmission of an automobile) and unable to operate under its own power.

"Dwelling unit" means a building or part thereof operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.

"Medical Officer of Health" means the Medical Officer of Health of the Southwest Public Health Unit.

"Occupant" means any person over the age of eighteen years in possession of the Property.

"Officer" means a Property Standards Officer who has been assigned the responsibility of administering and enforcing this By-law.

"Owner" means any of the following:

a) the registered owner of land;

b) the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person's own account or as agent or trustee of any other person, or who would receive the rent if the land and premises were let; or,

c) the lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for maintenance and occupancy of property.

“Parking Area” means an area, whether covered or uncovered, which is provided for the temporary parking of vehicles and may include ingress and egress driveways, aisles, and parking spaces.

“Property” means a building or structure or part of a building or structure and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences, and erections thereon whether theretofore or hereafter erected, and includes vacant property.

“Refuse” means any discarded, disused or inoperative item, material or thing and includes garbage of any kind and, without limiting the generality of the foregoing, includes rubbish, inoperative vehicles and mechanical equipment, automotive and mechanical parts, appliances, furnaces, heater or fuel tanks, furniture, household goods, table waste, paper, cartons, crockery, glassware, cans, yard or garden refuse, earth or rock fill, material from construction or demolition projects and old clothing;

“Township” means the Corporation of the Township of Malahide, or the geographic Township of Malahide, as context requires.

“Vehicle” means an automobile, truck, motorcycle, motorized snow vehicle, and motorized all-terrain vehicle, but does not include cars or engines running on railway tracks, farm tractor, or self-propelled farm machinery or road building equipment.

“Yard” means a space appurtenant to a building or structure, located on the same lot as such building or structure, and which is open, uncovered, and unoccupied from the ground to the sky except as permitted otherwise by this By-law.

“Yard, Front” means a Yard extending across the full width of a lot between the front lot line and the nearest main wall or supporting member of any main building or structure on the lot.

“Yard, Rear” means a Yard extending across the full width of a lot between the rear lot line and the nearest main wall or supporting member of any main building or structure on the lot.

“Yard, Exterior Side” means a side Yard immediately butting a street.

“Yard, Interior Side” means a side Yard other than an exterior side Yard.

3. GENERAL

Application

- (1) The standards for maintenance and occupancy set out in this By-law are hereby prescribed and adopted as the minimum standards for all Property within the geographical boundaries of the Township of Malahide.

Non-conforming Use Prohibited

- (2) The occupancy or use of any Property within the Township of Malahide that does not conform to the standards prescribed in this By-law is prohibited.

Correction and Clearance of Non-Conforming Buildings and Structures

- (3) Any Property that does not conform to the standards set forth in this By-law shall have the offending condition corrected and be maintained to conform to the standards prescribed in this By-law or the site shall be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition.

Removal of Signs, Notices Or Placards Prohibited

- (4) No person other than an Officer or any person acting under the Officer's instructions shall remove from any premises of any sign, notice or placard placed thereon pursuant to the provisions of the *Building Code Act*, as amended, or this By-law.

Application of Other By-laws

- (5) Nothing in this By-law shall relieve any person from any obligation to comply with the requirements of any other By-law or with the requirements to obtain any license, permit, certificate, authority, approval, consent or variance otherwise required.

Zoning

- (6) When a Property is properly zoned and lawfully used for that purpose nothing in this By-law shall prohibit such use.

Validity

- (7) Should any section, clause or provision of this By-law be held by a Court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

Conflicting By-Laws

- (8) Where any provision of this By-law conflicts with any provision of any other By-law of the Township, the provision that establishes the higher standard of protection for the health, safety and welfare of the public shall apply.

Conflict with the *Building Code Act*

- (9) This By-law shall be subject to the provisions of the *Building Code Act*, as amended and where any provision of this By-law conflicts with or is inconsistent with the provisions of the *Building Code Act*, the provisions of the *Building Code Act*, shall apply and shall be deemed to be incorporated into this By-law.

Repairs and Maintenance

- (10) Every Owner of a Property shall:
- (a) repair, maintain and keep the Owner's Property in accordance with the standards set out herein;
 - (b) require all persons who use or occupy the Owner's Property to comply with this By-law; and,
 - (c) comply with any order issued in relation to the Owner's Property pursuant to this By-law.
- (11) In the event that a Property does not meet any of the standards set out herein, the Owner of the Property shall immediately take any and all required action to bring the Owner's Property into compliance with this By-law.
- (12) Every Occupant of a Property shall, in that part of the Property that the Occupant occupies or controls:
- a) maintain all plumbing, cooking, and refrigerating appliances and fixtures and all storage facilities and other equipment therein, if any, in a clean and sanitary condition;
 - b) keep all exits from any building or structure on the Property clean and unobstructed; and
- (13) All work, repairs and maintenance of Property shall be carried out with suitable materials and in a good and workmanlike manner and shall conform to all other by-laws of the Township, codes, statutes and regulations as may be applicable.

4. GENERAL

Compost Heaps

- (1) The Occupant of a residential Property may maintain a compost heap or bin, provided that the compost heap is no larger than 4 metres square and 1.2 metres in height and is enclosed on all sides by concrete block, lumber, a metal frame, or a commercial enclosed container designed for composting.
- (2) Compost heaps or bins shall not be placed in the Front Yard or Exterior Side Yards.
- (3) Compost bins and enclosures shall be maintained in a good state of repair and shall not be overfilled.

Refuse Storage

- (4) External containers and receptacles, where permitted, shall be screened from the view of neighbouring properties and shall be provided with covers so that any material contained therein shall not be exposed to view or to rodents, vermin, insects or other pests. Such covers shall be provided at all times, except when the containers or receptacles are actually being filled or emptied.

Vermin

- (5) Every Property shall be kept free of rodents, vermin, termites and other injurious insects and other pests.

Lighting

- (6) Where exterior artificial lighting is used on a privately-owned Property, it shall be positioned and directed and shall be of an intensity so as not to cause any nuisance or impairment to any neighbouring property, having regard to the character and intended use of the properties in the vicinity.

Water Management

- (7) Every Yard shall be maintained to as to:
 - (a) Facilitate the flow of water through natural drainage, drainage swales, ditches or water courses;
 - (b) Prevent recurrent ponding or the entry of storm water on grade; and
 - (c) Prevent any adverse impact to adjacent properties due to storm water on grade, originally falling in the Yard entering an adjacent property, other than

(i) through an existing natural or artificial drainage swale, ditch or watercourse, or

(ii) in accordance with a grading plan approved by the Township pursuant to subdivision, severance or site plan control, a building permit, a site alteration by-law, or any other approval process.

- (8) No storm water or roof water shall be permitted to discharge onto a sidewalk, walkway, steps, porch or other pedestrian access to a property.

Water Features

- (9) Every swimming pool, hot tub, and wading pool, as well as accessories and appurtenances thereto including fences and gates, shall be maintained in good repair, in a clean and safe condition, free from leaks and health and safety hazards.

Excavations

- (10) Every Property shall be kept free of all unnecessary or unused excavations, holes, unenclosed wells, pits, shafts, cisterns or reservoirs, and the same shall be filled to grade with clean fill.

Fences and Retaining Walls

- (11) All fences, retaining walls and other structures designed to form barriers shall be:
- (a) Maintained in a good state of repair, in a safe and structurally sound condition;
 - (b) Protected from deterioration by the application of suitable protective materials, or constructed of a material that is inherently resistant to deterioration; and,
 - (c) Kept plumb, unless specifically designed to have a different angle.

Buildings and Structures--General

- (12) Every building or structure and every part thereof shall be maintained in a structurally sound condition so as to be capable of sustaining its own weight and any additional load to which it may be subjected through normal use.
- (13) Every building or structure and every part thereof shall be maintained in a clean and tidy condition and in a good state of repair. Any damage or deterioration to a building or structure or to any part thereof shall be promptly repaired in a good and workmanlike manner, having regard to the nature and extent of the damage, using suitable materials.

- (14) The foundations, walls, columns, beams, floors, roof slabs and balconies of a building shall be maintained in a good state of repair and in a safe and structurally sound condition, free from damaged, decayed or weakened sills, piers, posts or other supports in a manner so as to prevent the entry of moisture, rodents and insects into the building.

Doors and Windows

- (15) All exterior openings for doors and windows to a building shall be fitted with doors or windows.
- (16) Exterior doors, windows and skylights shall be maintained in good repair and weather tight condition. Rotted, damaged and defective materials including but not limited to doors, door frames, sashes and casings shall be renewed. Broken glass shall be replaced or protected.

Stairs, Porches and Balconies

- (17) Outside stairs, porches, balconies and landings shall be maintained so as to be free of holes, cracks and other defects. Broken, loose, rotted or deteriorated materials shall be replaced.

Railings

- (18) Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature capable of sustaining any load to which it may be subjected through normal use.
- (19) A handrail shall be installed in conjunction with every set of stairs containing more than three risers and such handrail shall be adequately secured and maintained in good repair.
- (20) Secure guardrails shall be installed around the perimeter of the higher floor surface where there is a difference in elevation to adjacent surfaces of more than 0.6 metres.

Exterior Walls

- (21) The exterior walls of a building shall be maintained in good repair, free from cracked or broken masonry, defective or deteriorated wood or metal siding or trim, and cracked, broken or loose stucco, and in a weathertight condition.
- (22) The exterior walls of a building shall be protected from deterioration by the application of paint or other suitable protective materials, or constructed of a

material that is inherently resistant to deterioration, and shall be maintained as necessary.

- (23) Eavestroughs, rainwater pipes, flashing, exterior ducts, and other metal surfaces shall be kept free from rust by the application of a suitable protective material.

Roofs

- (24) All roofs of buildings and structures shall be maintained:

- (a) In a good state of repair;
- (b) In a weathertight condition, so as to prevent the admission of water into any part of the roof or building;
- (c) Free from loose or unsecured parts, objects or materials; and,
- (d) Free from dangerous accumulation of snow, ice, or other materials.

Vacant and Damaged Buildings

- (25) Every vacant building shall be maintained in a secure condition to prevent unauthorized entry.
- (26) Every vacant building shall have all services to the building turned off except those services that are required for the security and maintenance of the Property.
- (27) Every building damaged by fire, storm or other cause shall be demolished or restored so that the building is structurally sound within a reasonable time after such damage occurs.
- (28) Every opening in a fire-damaged building shall be boarded up to prevent unauthorized entry into the building until the necessary work is completed.

Demolition

- (29) Upon the demolition or removal of any building or structure, all excavations shall be filled to grade with clean fill and levelled with the surrounding grade and landscaped.

Parking

- (30) All areas used for vehicular traffic and parking shall be surfaced with asphalt, concrete, crushed stone, paving stones arranged in a uniform pattern, or gravel surfacing, and shall be kept free from dirt or other litter and kept in good repair.

Interior Structures and Surfaces

- (31) The interior floors, ceilings and walls of a building shall be maintained:
 - (a) In good repair, free from moisture, holes, loose boards and damaged or decayed materials;
 - (b) In a safe condition.
- (32) All floors and floor coverings in buildings shall be kept in a smooth and level condition, free of loose, warped, protruding or broken coverings.

Water and Plumbing

- (33) Every dwelling shall be provided with an adequate supply of drinkable running water from a source approved by the Medical Officer of Health.
- (34) Every dwelling unit shall contain plumbing fixtures consisting of at least,
 - (a) a toilet;
 - (b) a kitchen sink;
 - (c) a washbasin; and
 - (d) a bathtub or shower.
- (35) A washbasin shall be located in every room containing a toilet unless this is not possible, in which case, a washbasin shall be located in a room adjoining the room containing the toilet.
- (36) No toilet or urinal shall be located in a room that is used for the preparation, cooking, storage or consumption of food, or for sleeping.
- (37) Bathtubs and showers shall be caulked so as to form a continual seal impervious to water penetration.
- (38) Every sink, washbasin, bathtub or shower required by this by-law shall have an adequate supply of hot and cold running water.
- (39) Every toilet required by this by-law shall have an adequate supply of running water.
- (40) All waste water pipes shall either be connected to the municipal sanitary sewer system, or to a septic system.
- (41) No person shall cause, permit, continue or allow the discharge of wastewater or sanitary sewage in any manner other than as required under section 4(40).

(42) All septic systems shall be maintained in good working order.

Kitchens

(43) Every dwelling unit shall include a kitchen which shall contain, in addition to a kitchen sink, an electrical or gas power supply for cooking and refrigeration purposes as approved by the appropriate authority.

Ventilation Systems

(44) Ventilation systems shall be cleaned regularly to prevent the accumulation of materials which could create a fire or explosion hazard, contaminate the air or create any other health or safety hazard.

Heating and Mechanical Systems

(45) Every dwelling shall be provided with a heating system capable of maintaining a room temperature of 20 degrees Celsius (68 degrees Fahrenheit) in the centre of all 3.47 habitable rooms, bathrooms and powder rooms.

(46) The heating system required by section 4(45) shall be maintained in good working condition and be capable of heating the dwelling to the required temperature.

(47) Portable heaters shall not be used as a primary source of heat, except in an emergency.

(48) A portable heater shall not be placed so as to impede the free movement of persons within the room where the heater is located.

(49) In the case of a heating system that burns solid or liquid fuel, every fuel-burning appliance shall be properly vented to the outside air by means of a chimney or flue as required to ensure safe operation of the appliance.

(50) Every fireplace, chimney, smoke pipe, flue, vent and similar construction shall be maintained so as to be free from defects and shall prevent gases and smoke from leaking into the dwelling unit.

(51) Air conditioners shall be maintained in a safe mechanical and electrical condition.

Electrical Systems

(52) Buildings with electrical service shall be connected to the electricity supply system in a manner that provides adequate capacity for the intended use of the building and electrical facilities within the building, including the connections, lines, outlets, fuses, circuit breakers, and any appurtenances thereto shall be maintained in good working order.

- (53) The owner of every Property with electrical service shall ensure that the electrical system is inspected and approved for use by the appropriate authority.

Lighting

- (54) Artificial lighting shall be available in all rooms, stairways, halls, corridors, garages and basements of a dwelling unit that are accessible to its occupants.
- (55) Where interior artificial lighting is used on a privately-owned Property, it shall be positioned and directed and shall be of an intensity so as not to cause any nuisance or impairment to any neighbouring property, having regard to the character and intended use of the properties in the vicinity.

5. ADMINISTRATION AND ENFORCEMENT

Property Standards Committee

- (1) A Property Standards Committee is hereby established which shall be composed of five (5) individuals appointed from time to time by Council.
- (2) Each member of the Committee shall be appointed for a term of one year.
- (3) When a vacancy occurs in the membership of the Committee, the Council shall forthwith fill the vacancy.
- (4) The members of the Committee shall elect one of themselves as chair, and when the chair is absent through illness or otherwise, the Committee may appoint another member acting chair.
- (5) Any member of the Committee may administer oaths.
- (6) The members of the Committee shall be paid such compensation as the Council may provide.
- (7) Secretarial services for the Committee shall be provided through the office of the Clerk.
- (8) The Secretary of the Committee shall keep on file minutes and records of all applications and the decisions thereon and of all other official business of the Committee, and the *Municipal Act, 2001*, as amended, applies with necessary modifications to such documents.
- (9) A majority of the Committee constitutes a quorum.

- (10) The Committee may adopt its own rules of procedure but before hearing an appeal the Committee shall give notice or direct that notice be given of such hearing to such persons as the Committee considers should receive such notice.

Property Standards Officer—General Duties

- (11) Upon receipt of a written complaint, it shall be the duty of an Officer to administer and enforce the provisions of this By-law, and in the performance of such duty, he shall have all the powers and responsibilities set forth in the *Building Code Act*, as amended, and the Regulations thereto.

Right of Entry

- (12) Subject to section 5(11) an Officer may, upon producing proper identification, enter upon any Property at any reasonable time without a warrant for the purpose of inspecting the Property in relation to the complaint to determine,
- (a) whether the Property conforms with the standards prescribed by this By-law; or
 - (b) whether an order made under section 5(13) has been complied with.

Orders

- (13) An Officer who finds that a Property does not conform with any of the standards prescribed in this By-law may make an order:
- (a) stating the municipal address or the legal description of such Property,

giving reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition;
 - (b) indicating the time for complying with the terms and conditions of the order and giving notice that, if the repair or clearance is not carried out within that time, the Township may carry out the repair or clearance at the Owner's expense; and
 - (c) indicating the final date for giving notice of appeal from the order, and how the order may be appealed.

Service and Posting of Order

- (14) The order shall be served on the Owner of the Property and such other persons affected by it as the Officer determines, and a copy of the order may be posted on the Property.

Removal Prohibited

- (15) Where any sign, notice, order or placard has been placed on any premises pursuant to this By-law, no person shall remove such sign, notice or placard from the premises without the authority of the Officer.

Registration of Orders

- (16) The order may be registered in the proper land registry office, and upon such registration, any person acquiring an interest in the land subsequent to the registration of the order shall be deemed to have been served with the order on the day on which the order was served, and when the order has been fully complied with, the Clerk of the Township shall forthwith cause to be registered in the proper land registry office a notice certifying that such order has been complied with, which shall operate as a discharge of the order.

Appeal to Property Standards Committee

- (17) When the Owner upon whom an order has been served is not satisfied with the terms or conditions of the order, he may appeal to the Property Standards Committee by sending notice of appeal by registered mail or personal delivery to the Secretary of the Property Standards Committee within fourteen days after being served with the order.
- (18) An order that is not appealed within the time referred to in section 5(17) is deemed to be confirmed.
- (19) The Secretary of the Committee shall, upon receipt of the notice of appeal, fix an appointment for hearing thereof and give notice in writing of the appointment for hearing at least fourteen days prior to the date fixed therefore to the appellant and to the Officer who issued the order. The Committee may give further notice or direct that notice be given of the hearing of an appeal to such other persons as the Committee considers advisable.

Powers of Committee on Appeal

- (20) If an appeal is taken, the Committee shall hear the appeal and shall have all the powers and functions of the Officer who made the order and may,

- (a) confirm, modify or rescind the order to demolish or repair; and,
 - (b) extend the time for complying with the order if, in the Committee's opinion, the general intent and purpose of the By-law is maintained.
- (21) The decision of the Committee shall be made in writing and the Secretary of the Committee shall serve a copy of the Committee's written decision to the appellant and the Officer who issued the order.

Appeal to Court

- (22) The Township, or any Owner or Occupant or person affected by a decision under of section 5(21) may appeal the decision to a judge of the Superior Court of Justice by notifying the Clerk of the Township in writing and by applying to the Superior Court of Justice for an appointment within 14 days after being served with the decision appealed from.
- (23) The Superior Court of Justice shall appoint, in writing, a time and place for the hearing of the appeal and may direct in the appointment the manner in which and the person upon whom the appointment is to be served.
- (24) On the appeal, the judge has the same powers and functions as the committee.

Effect of Decision

- (25) An order that is deemed to be confirmed under section 5(18), or that is confirmed or modified by the Committee under section 5(20), or by a judge under section 5(24), shall be final and binding upon the owner who shall carry out the repair or demolition within the time and in the manner specified in the order.

Certificate of Compliance

- (26) Following a satisfactory inspection of a Property, the Officer shall, if requested by the Owner, issue to the Owner a certificate of compliance, if, in the Officer's opinion, the Property is in compliance with the standards set out in this By-law.
- (27) Where the Owner has made a request for a certificate of compliance, the fee of Sixty Dollars (\$60.00) shall be paid prior to the issuance of the certificate of compliance.

6. EMERGENCY POWERS

Emergency Orders

- (1) Despite any other provision of this By-law, if, after an inspection of a Property, an Officer is satisfied that there is nonconformity with the standards prescribed in this

By-law to such extent as to pose an immediate danger to the health or safety of any person, the Officer may make an order containing particulars of the nonconformity and requiring remedial repairs or other work to be carried out immediately to terminate the danger.

Service of Emergency Order

- (2) The Order shall be served on the Owner of the Property and such other persons affected thereby as the Officer determines and a copy shall be posted on the Property.

Emergency Powers

- (3) After making an order under section 6(2), the Officer may, either before or after the order is served, take any measures necessary to terminate the danger and, for this purpose, the Township may, through its employees and agents, at any time enter upon the Property in respect of which the order was made without a warrant.

No Liability

- (4) The Officer, the Township or anyone acting on behalf of the Township is not liable to compensate the Owner, Occupant or any other person by reason of anything done by or on behalf of the Township in the reasonable exercise of its powers section 6(3).

Service

- (5) Where the order was not served before measures were taken by the Officer to terminate the danger, the Officer shall forthwith after the measures have been taken serve or send copies of the order in accordance with section 6(2) as soon as practicable after the measures have been taken, and each copy of the order shall have attached to it a statement by the Officer describing the measures taken by the Township and providing details of the amount expended in taking the measures.

Service of Statement

- (6) If the order was served before the measures were taken, the Officer shall serve a copy of the statement mentioned in section 6(5) in accordance with section 6(2) as soon as practicable after the measures have been taken.

Application to Court

- (7) As soon as practicable after the requirements of sections 6(5) and 6(6) have been complied with, the Officer shall apply to a judge of the Superior Court of Justice for

an order confirming the order made under section 6(1) and the judge shall hold a hearing for that purpose.

Powers of Judge

- (8) The judge in disposing of an application under section 6(7) shall:
- (a) confirm, modify, or rescind the order; and
 - (b) determine whether the amount spent on measures taken to terminate the danger may be recovered in whole, in part, or not at all.

Order Final

- (9) The disposition under section 6(8) is final.

7. FAILURE TO COMPLY - ENFORCEMENT - PENALTIES

Enforcement—Remedial Action

- (1) If an order made under this By-law that has been confirmed or deemed confirmed has not been complied with, the Township may cause the Property to be repaired or demolished in accordance with the order.
- (2) For the purpose of repairing or demolishing a Property in accordance with section 7(1), employees or agents of the Township may enter the Property at any reasonable time without a warrant.
- (3) The Township or a person acting on the Township's behalf is not liable to compensate the Owner, Occupant, or any other person by reason of anything done by or on behalf of the Township in the reasonable exercise of its powers under section 7(1).
- (4) The Township may recover its costs of effecting any repair or demolition done pursuant to section 7(1) by action or by adding the costs to the tax roll for the Property and collecting them in the same manner as municipal taxes. Any cost so added to the tax roll shall bear interest from the date the first demand for payment is made at the same rate as overdue taxes.

Enforcement—Statutory Injunction

- (5) In addition to any other remedy and to any penalty imposed under this By-law, a contravention of any of the requirements of this By-law may be restrained by application at the instance of a taxpayer or of the Township in accordance with the provisions of the *Municipal Act, 2001*.

Enforcement—Offence

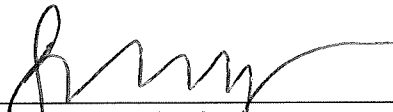
- (6) Every person who contravenes any provision of this By-law is guilty of an offence and is liable, upon conviction, to a fine of not more than fifty thousand dollars (\$50,000) for a first offence and to a fine of not more than (\$100,000) for a subsequent offence.
- (7) Notwithstanding section 7(6), if the person convicted is a corporation, the corporation is liable to a fine of not more than five hundred thousand dollars (\$500,000) for a first offence and to a fine of not more than one million, five hundred thousand dollars (\$1,500,000) for a subsequent offence.

8. **REPEAL AND REPLACE**

- (1) By-law No. 20-12 is hereby repealed.
- (2) This By-law shall come into force immediately upon being finally passed.

READ a FIRST and SECOND time this 20th day of June, 2024.

READ a THIRD time and **FINALLY PASSED** this 20th day of June, 2024.



Mayor, D. Giguère



Clerk, A. Adams