

THE CORPORATION OF THE TOWNSHIP OF FRONTENAC ISLANDS

BY-LAW NO. 8-2001

BEING A By-law to provide for the safety of properties.

WHEREAS Section 102 of the Municipal Act R.S.O. 1990, and amendments thereto, authorizes the Council of a Municipality to pass by-laws for the health, safety, morality and welfare of the inhabitants of the municipality;

AND WHEREAS Section 210(44) of the Municipal Act R.S.O. 1990, and amendments thereto, authorizes the Council of a Municipality to pass by-laws for requiring buildings and yards to be put in a safe condition to guard against fire or other dangerous risk or accident;

AND WHEREAS Section 210(80) of the Municipal Act R.S.O. 1990, and amendments thereto, authorizes the Council of a Municipality to pass by-laws for requiring and regulating the filling up, draining, cleaning and clearing of any grounds, yards and vacant lots and the altering, relaying or repairing of private drains;

AND WHEREAS Section 210(93) of the Municipal Act R.S.O. 1990, and amendments thereto, authorizes the Council of a Municipality to pass by-laws for regulating and inspecting the construction and erection of scaffolding and other apparatus and appliances used in erecting, repairing, altering or improving buildings, chimneys, or other structures, and for making regulations for the protection and safety of workers and others employed thereon;

NOW THEREFORE the Council of the Corporation of the Township of Frontenac Islands enacts as follows:

1. That no owner or occupant of any property shall cause, allow or permit any building, yard, lot or grounds to be or remain in a condition contrary to the requirements of this by-law.
2. That every property in the Municipality shall be kept in a neat, tidy and safe condition consistent with surrounding properties, and free from:
 - (a) rubbish, garbage, waste and other debris on the property, or which may blow or drift or otherwise be transported onto neighbouring properties;
 - (b) long grass, discarded brush and clippings, excessive weed growth, or any other condition that may promote or be susceptible to fire or infestation by weeds, rodents or other noxious conditions;
 - (c) timber, lumber, building materials or any other type of product or material stored or kept under conditions that are unsafe from fire or other dangerous risk or accident;
 - (d) scrap or junk material including, without limiting its generality, wrecked, dismantled, unused, unlicensed or non-restorable vehicles, trailers, machinery, tools, tires, appliances, equipment or any part thereof, except in an established licensed place or place otherwise permitted to conduct and operate such a business, and only then under circumstances that prevent unsafe or unsightly conditions;
 - (e) any pit, precipice, excavation or deep waters that are unfenced or unprotected against dangerous risk or accident;

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- (f) buildings, fences, scaffolding, retaining walls or any other erection that, by reason of its ruinous or dilapidated state, faulty construction or otherwise, is in an unsafe condition as regards to danger from fire or risk of accident;
 - (g) any combustible, flammable, volatile, caustic or explosive substance unless stored under conditions that are safe and free from risk of fire or accident.
3. That the owner of every property shall be responsible for the rubbish, garbage, waste or other debris which has blown, drifted or otherwise been transported from his/her property including the collection and removal of the rubbish, garbage, waste or other debris as directed by a by-law enforcement officer or peace officer.
 4. That any by-law enforcement officer or peace officer, or any person acting on the officer's instructions, may at all reasonable times and upon producing proper identification, enter onto any property for the purpose of inspecting the property to determine whether there has been a contravention of this by-law.
 5. That an officer who finds a contravention of this by-law may, in addition to any other legal remedies or enforcement procedures available to the municipality, make an order directing compliance with this by-law and may require the order to be carried out immediately or within such time as is specified in the order.
 6. That the order shall be served by personal service or registered mail on the owner of the property as appears on the last revised assessment rolls of the municipality, and any other person whom the officer believes is contravening this by-law.
 7. That the order shall contain sufficient information to specify the nature of the contravention, its location, a description of the work required to bring the property into conformity with this by-law, and a statement that failure to comply with the order within the time specified shall entitle the municipality itself, or by its contractors or agents, to enter onto the property, without further notice, for the purpose of performing the work set out in the order and otherwise bringing the property up to the standards prescribed by this by-law and recovering all expenses incurred in so doing by action or in like manner as municipal taxes.
 8. That notwithstanding the foregoing, if upon inspection of a property, an officer is satisfied that the property poses an immediate danger to the health or safety of any person, the officer may perform or cause to be performed at the owner's expense, such remedial repairs or other work necessary to terminate the immediate danger.
 9. Every person who contravenes this by-law is guilty of an offence and, upon conviction, liable to pay a fine of not less than \$ 250.00 and not more than \$ 5, 000.00.
 10. If an owner or occupant of a property fails to comply with an order issued pursuant to this by-law, the municipality shall have the right to enter onto the property without further notice and to carry out such work as to otherwise bring the property up to the standards prescribed in the order at the expense of the owner, and the municipality may recover the expense of performing such work by action or in like manner as municipal taxes.

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11. That any person who wishes to file a complaint under the terms of this By-law must make a signed written statement of complaint to the Council of the Corporation of the Township of Frontenac Islands.
12. That any by-laws, resolutions or other actions of Council which are inconsistent with this by-law are hereby repealed.
13. That this by-law shall be referred to as the "Safe Property By-law".
14. That this by-law shall come into force and take effect on the date of its passing.

READ a first and second time this 12th day of March, 2001.

READ a third time and finally passed this 11th day of June, 2001.



Jim Vanden Hoek - Mayor



Terry J. O'Shea - Clerk/CAO

