

BY-LAW 2006-01

PROPERTY STANDARDS

**THE CORPORATION OF THE TOWNSHIP OF
PAPINEAU-CAMERON**

THE CORPORATION OF THE TOWNSHIP OF PAPINEAU-CAMERON

BY-LAW NO. 2006-01

Being a by-law to provide standards for
the Maintenance and Occupancy of Property
in the Township of Papineau-Cameron

WHEREAS Section 15.1 (3) of the *Building Code Act, S.O. 1992, c 23*, and amendments thereto, provides that a Council may pass By-laws for:

- (1) Prescribing standards for the maintenance and occupancy of property within the municipality or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform to the standards;
- (2) Requiring property that does not conform to the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition.

AND WHEREAS the Official Plan Amendment # 1 of the East Nipissing Planning Board, Section 2.7 , includes provisions relating to property conditions, and such Official Plan applies to the Township of Papineau-Cameron;

NOW THEREFORE the municipal council of the Corporation of the Township of Papineau-Cameron hereby enacts as follows.

Township of Papineau-Cameron

PROPERTY STANDARDS BY-LAW

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SECTION 1 - GENERAL

1.1 Short Title

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

SECTION 2 - DEFINITIONS

2.A

Accessory Building

Shall mean a building naturally or normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith.

2.B

Balustrade

Shall mean a protective barrier that acts as a guard around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways, or other locations to prevent accidental falls from one level to another; such barrier may or may not have openings through it.

Basement

Shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above the average level of ground adjacent to the exterior walls of the building.

Bathroom

Shall mean a room containing at least a washbasin and toilet and bathtub or shower, or two rooms which contain in total at least one washbasin and one toilet and one bathtub or shower.

Boarding or Lodging House

Shall mean a building in which the owner or lessee provides not more than four (4) guest rooms for accommodation, with or without meals, for monetary gain.

Building

Shall mean any structure used or intended for sheltering any use or occupancy. The word "building" shall include the whole of such structure or part thereof and shall include any building types as regulated by the *Ontario Building Code*.

2.C

Cellar

Shall mean that portion of a building between two floor levels which is partly or wholly underground but which has more than one-half of its height from finished floor to finished ceiling below the average level of ground adjacent to the exterior walls of the building.

Chief of Fire Department - means the Chief of the Volunteer Fire Department of the Corporation of the Township of Papineau-Cameron

Commercial Property

Shall mean a property used for the sale of goods and/or services for the purposes of this By-law shall include office buildings, public halls, licensed premises and private clubs, and any building that is used in conjunction with these.

Committee

Shall mean the Property Standards Committee as established under this By-law.

Corporation

Shall mean the Corporation of the Township of Papineau-Cameron.

2.D

Dwelling

Shall mean a building occupied or capable of being occupied as the home or residence of one or more persons, which shall not include a boarding house, hotel, motel or similar commercial use of a private or semi-private institution.

Dwelling Unit

Shall mean one room or a group of rooms in one (1) building, used for residential occupancy, housing food preparation and sanitary facilities and a private entrance from the outside of the building or from a common hallway or stairway inside the building.

Discarded Motor Vehicle means a vehicle which is unlicensed and/or a vehicle which is in disrepair, having missing parts, including tires or damaged or missing glass or deteriorated or removed metal adjunctions which make its normal use impossible, save and except for any vehicles actively being restored.

2.F

Fire Resistance Rating

Shall mean the time in hours that a material construction or assembly will withstand the passage of flame and transmission of heat when exposed to fire under specified conditions of test and performance criteria as stated in the *Ontario*

Building Code.

2.G

Graffiti

Shall mean one or more letters, symbols or marks, howsoever made, that disfigure or deface a property or object, but does not include an authorized sign.

2.H

Habitable Room

Shall mean a room commonly used for living purposes, including a bedroom and a kitchen but not including any space in a dwelling used as a lobby, hallway, closed, or bathroom or any room having floor space of less than 4.6 m² [49.5 ft.²].

2.I

Industrial Property

Shall mean a property used for the manufacturing and/or processing of goods or used for the storage of goods or raw materials and any property that is used in conjunction with these uses.

2L Land shall mean the land around or appurtenant to the whole or any part of a premises and used or intended to be used, or capable of being used in connection with the building.

2.M

Maintenance

Shall mean the preservation and keeping in repair of a property.

Means of Egress

Shall mean a continuous path of travel provided by a doorway, hallway, corridor, exterior passageway, balcony, lobby, stair, ramp, window, or other egress facility for the escape of persons from any point within a building, floor area, room or contained open space to a public thoroughfare or approved open space and includes exits or access to exists.

Multiple Dwelling

Shall mean a building containing two or more dwelling units, other than a semi-detached dwelling.

Multiple Use Building

Shall mean a building containing both a dwelling unit and a non-residential use.

2.N**Non-Habitable Space**

Shall mean any space in a dwelling or dwelling unit other than a habitable room, and includes any bathroom, toilet room, laundry, pantry, lobby, communicating corridor, stairway, closet, boiler room or other space for service and maintenance or common use, and for access to and vertical travel between storeys; and any unfinished basement.

Non-Residential Property - a building or structure not occupied or capable of being occupied in whole or in part for the purposed of human habitation and includes those lands and premises appurtenant thereto.

2.O**Occupant**

Shall mean any person or persons over the age of eighteen years in possession of the property.

Occupancy

Shall mean the use or intended use of a building or part thereof for the shelter or support of persons, animals or property.

Officer

Shall mean a property standards officer as may from time to time by Council be assigned the responsibility of administering and enforcing this By-law.

Outdoor Storage shall mean the land used for the purposes of storing builder's supplies or materials salvaged from any demolition of a building either for storage or salvage for reuse or sale or the storing of any other industrial commercial goods, wares or merchandise.

Owner

Shall mean the person for the time being paying the municipal taxes or managing or receiving the rent of the land or premises in connection with which the word is used whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let, and shall also include a 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 the maintenance and occupancy of the property.

2.P

Property

Shall mean 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 heretofore or hereafter erected and includes vacant property.

Public Building

Shall mean a building which is staffed by government personnel for the purpose of servicing the public.

2.R

Repair

Shall mean the provision of such facilities and the making of additions or alterations or the taking of such actions as may be required so that the property shall conform to the standards established in this By-law. All repairs shall be made in conformity to the *Ontario Building Code*, the *Ontario Water Resources Act*, the Electrical Safety Code, the Fire Code the *Environmental Protection Act*, the *Elevating Devices Act* and similar legislation.

Residential Property

Shall mean any property that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes any land or buildings that are appurtenant to such an establishment.

Roomer or Lodger

Shall mean a person harboured, received or lodged, in a lodging house or boarding house in return for compensation.

2.S

Sewage

Shall mean any liquid waste containing animal, vegetable or mineral matter in suspension or solution, but does not include roof water or other storm runoff.

Sewage System

Shall mean the Township's sanitary sewerage disposal system approved by the Medical Officer's of Health and/or the Ministry of the Environment or an individual on-site sewage system approved under the *Building Code Act* or the *Environmental Protection Act*.

Standards

Shall mean the standards of physical conditions and occupancy set out in this By-law.

2.T**Toilet Room**

Shall mean a room containing a water closet and washbasin.

- 2U Unlicensed** means the lack of a currently validated permit for the vehicle affixed to a number plate displayed on a motor vehicle within the meaning of the Highway Traffic Act, as amended.

2.W**Wall**

Shall mean the solid vertical structure forming any one of the sides of a building and/or a partition forming the side of a room.

Waste Material means any garbage, refuse, debris, litter, domestic waste and, for greater certainty but not so as to restrict the generality of the forgoing, includes, whether of any value or not, the following:

- a) weighty or bulky materials such as stoves, refrigerators and other such appliances, furniture, furnace parts, pipes, water or fuel tanks;
- b) discarded motor vehicles, automotive parts, vehicle parts and accessories, mechanical equipment, mechanical parts, unmounted tires, tires mounted on rims and mechanical equipment.
- c) broken concrete, broken asphalt, patio/sidewalk slabs, bricks, interlocking bricks, unused building materials, pallets, rail road ties;

2.Y**Yard**

Shall mean an open, uncovered space appurtenant to any property or any part of a building or structure and used or intended to be used or capable of being used in connection with said property.

SECTION 3 - MAINTENANCE OF ACCESSORY BUILDINGS AND YARDS

3.1 Accessory Buildings, Fences and Other Structures

- 3.1.1** Accessory buildings, fences and other structures, including retaining walls appurtenant to the property shall be maintained in a structurally sound condition and in good repair and free from health, fire and accident hazards.
- 3.1.2** Accessory buildings, fences and other structures shall be protected from deterioration by the application and maintenance of weather resistant materials (i.e. paint or other suitable preservative) or through the use of maintenance free construction materials.
- 3.1.3** Despite **Section 3.1.2**, preservatives may be exempted where the aesthetic characteristics of the building are specifically designed to be enhanced by the lack of such materials and the standards in **Section 3.1.1** are upheld.
- 3.1.4** Fences, approved enclosures and retaining walls around or on a property shall be kept free from posters, signs, notices, advertising materials or defacement or disfigurement. Fences and gates around swimming pools shall also be maintained in accordance with Zoning By-law 2000-11. The height and materials used in the construction or installation of fences shall be in accordance with Zoning By-law 2000-11.
- 3.1.5** Accessory buildings, fences or structures shall be repaired or removed or demolished in part or in whole where the offending part of the building is not in accordance with the prescribed standards.

3.2 Drainage

- 3.2.1** No person shall maintain or change the grade, swales, open ditches or other drainage features on a property so as to cause recurrent or excessive ponding or the entrance of water into a basement or cellar.
- 3.2.2** All stormwater facilities on a property or serving a property shall be maintained in working order and free of blockages that might impede drainage.
- 3.2.3** No natural soil, topsoil, road gravel, salt or other fill material shall be permitted to erode by the action of wind or stormwater runoff if such material is being carried onto adjacent property or into a lake, stream, ditch or water course.

- 3.2.4 No roof drainage or sump pump shall be discharged on sidewalks, stairs of the premises or onto neighbouring property.

3.3 Garbage Disposal

- 3.3.1 Garbage, rubbish and other debris from a property shall be promptly stored in receptacles and made available for removal.
- 3.3.2 Every garbage and refuse receptacle shall be constructed of watertight material, provided with a tight fitting cover and shall be maintained in a clean and odour free condition at all times. Where an exterior bulk or roll-off container refuse system is used, it shall be equipped with covers or similar devices which shall be readily openable, but not left open when actively being loaded or emptied, shall be large enough for the containment of all refuse generated between collections by the occupants served and shall not be loaded beyond the top of the container. Despite this provision, the temporary storage of waste materials from the demolition, repair or alteration of a building or part thereof may be placed on the property or in a designated dumpster, provided it is removed frequently and in its entirety from the property and provided it does not cause a risk to public health or safety.
- 3.3.3 Where private containerized garbage pickup is provided, such containers shall be placed behind the building line and kept in a neat and tidy condition.
- 3.3.4 Garbage of an inflammable, toxic or hazardous nature shall be stored safely or removed immediately from the property unless otherwise authorized under a valid Certificate of Approval issued by the Ministry of the Environment.
- 3.3.5 Every residential property shall be maintained in a clean, sanitary and safe condition and shall dispose of garbage and debris on a regular basis.
- 3.3.6 The occupant of a residential property may provide for a compost pile, provided that the compost pile is no larger than 1 m² [10.76 ft.²] in area and no higher than 1.8 m [5.9 ft.] in height and is enclosed on all sides by concrete block or lumber or other suitable materials or stored within a commercially manufactured plastic container designed for composting, either of which is maintained in a condition to prevent undue odours or vermin.

3.4 Safe Passage for Parking Areas, Walks and Driveways

- 3.4.1** Steps, walks, walkways and driveways shall be maintained so as to afford safe passage under normal use and weather conditions be it in any season or during the day or night
- 3.4.2** All areas used for vehicular traffic and parking shall have a surface of asphalt, concrete, interlocking stone or compacted stone or gravel and shall be kept in a safe condition for vehicular or pedestrian traffic.

3.5 Sewage

- 3.5.1** Sewage or organic waste shall only be discharged into a sewage system approved under the *Building Code Act* or the *Environmental Protection Act*.
- 3.5.2** Sewage of any kind shall not be discharged onto the surface of the ground, whether into a natural or artificial surface drainage system or otherwise.
- 3.5.3** All septic tanks shall be maintained in proper working order and shall be pumped out on a regular basis in accordance with the occupancy of the building or dwelling.

3.6 Yards and Vegetation

- 3.6.1** All yards, including vacant lots, shall be kept clean and free from:
 - 1. Garbage, rubble, litter, waste, construction materials or other debris that constitutes an unsafe condition or public health concern.
 - 2. Noxious plants as defined in the *Weed Control Act* such as ragweed, poison ivy, poison oak, poison sumac or similar noxious vegetation.
 - 3. Heavy growth or undergrowth and excessive growth of grass or weeds. Within the Township of Papineau-Cameron, grass on lawns or boulevards or landscaped areas on any lot including a vacant lot shall be maintained in a trimmed, mowed or cut condition with a height not to exceed of 20.2 cm [8 inches] and shall be kept free of weeds and noxious plants. Hedges and bushes shall be kept trimmed to a suitable height and shall not be overgrown or unsightly. A yard which is cultivated to permit natural uncut grasses (i.e. vetch) and alternative gardening or landscaping methods may be permitted at the discretion of the Chief Property Standards Officer.

4. Dead, decaying or damaged trees or other natural growth which create an unsafe condition, fire hazard or public health concern.
5. Holes, pits or trenches, ditches which create an unsafe condition. Holes and excavations which are necessary for or part of a use lawfully situated on private property shall be kept in a safe condition and where necessary for safety reasons, shall be barricaded or fenced.
6. Any vehicle, including a trailer, boat, snowmobile, recreational vehicle, machinery or part thereof or junk which is in a wrecked, discarded, dismantled, inoperative or abandoned condition, except:
 - A. in an establishment licensed or authorized to conduct and operate such a repair or restoration or resale business;
 - B. for an occupant of any premises who is repairing or restoring a vehicle or equipment for personal use provided such repair or restoration is actively carried on;
 - C. for a farmer who is actively trying to sell or dispose of farm vehicles or equipment; or
 - D. for historic vehicles or other vehicles or equipment which are stored inside an enclosed building and are being repaired, restored or conserved for personal use.
7. Dilapidated, collapsed or partially constructed structures where not covered by a currently valid building or demolition permit.

3.6.2 Section 3.6.1.3 shall not apply to any property in the Agricultural (A) Zone, Rural (R) Zone, Open Space (OS) Zone or Environmental Protection (EP) Zone as provided for in By-law ~~2000-11~~, the Zoning By-law, unless the property is used exclusively for residential purposes.

SECTION 4 Fire Damage and Demolition

4.1.1 In the event of a fire, measures shall be taken as soon as possible to make the damaged building safe and compatible with the surrounding environment through such measures as:

1. Cleaning any smoke or water damaged surfaces exposed to view
2. Refinishing such exposed surfaces so that they are in harmony with adjoining undamaged surfaces and the general environment.
3. Repairing of fire damaged surfaces.

In the event a building is destroyed beyond the point of repair or restoration, as a measure of public safety, the building shall be demolished and removed forthwith from the site and the site shall be graded and leveled. In the interim of any authorized repair or, restoration of a fire

damage building or in the interim of the demolition and/or removal, the site and/or building shall be secured to prevent access by the general public.

4.2.2 Where a building or structure is being demolished, every precaution shall be taken to protect any adjoining property and members of the public from accident hazards. Such precautions shall include the erection of fences or barricades and all other means of protection necessary in respect thereto.

4.3.3 No building shall be reoccupied which is deemed to be unsafe for human occupancy.

SECTION 5 - OCCUPANCY STANDARDS FOR DWELLINGS

5.1 No person shall use or permit the use of a non-habitable room in a dwelling for a habitable room purpose.

5.2 The maximum number of occupants in a dwelling or dwelling unit shall not exceed one person per 9.4 m² [101.1 ft.²] of habitable room floor area.

5.3 For the purpose of computing the maximum number of occupants in subsection 6.2 any child under twelve years of age shall be deemed one-half person.

5.4 For the purpose of computing the habitable room floor area in subsection 6.2 the floor area under a ceiling which is less than 2.1 m [6.88 ft.] high shall not be counted. If a finished ceiling is not applied to the underside of the joists, then the area shall not be deemed as habitable room space.

5.5 No room in any dwelling shall be used for sleeping purposes unless there is a minimum width of 2 m [6.56 ft.] and a minimum floor area of 7 m² [75.3 ft.²]. At least one-half of the required minimum floor area shall have a ceiling height of 2.1 m [6.88 ft.] and no floor area with a ceiling height of less than 1.37 m [4.49 ft.] shall be counted.

5.6 Any basement, or portion thereof, used as a dwelling unit shall conform to the following requirements:

1. Each habitable room shall comply with all the requirements set out in this By-law.
2. Floors and walls shall be constructed so as to be dampproofed and impervious to water leakage.
3. Each habitable room shall be separated from the fuel fired heating unit or other similarly hazardous equipment by a suitable fire separation and

- approved under the *Ontario Building Code*.
4. Access to each habitable room shall be gained without passage through a furnace room, boiler room or storage room.

SECTION 6 - VACANT LANDS AND BUILDINGS

6.1 Vacant Lands

- 6.1.1 Vacant land shall be maintained to the standards as described in **Section 3.6** of this By-law.
- 6.1.2 Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent or excessive ponding of water.

6.2 Vacant Buildings

- 6.2.1 Vacant buildings shall be kept cleared of garbage, rubble and debris and shall have all water, electrical and gas services turned off except for those services that are required for the security and maintenance of the building.
- 6.2.2 Every vacant building shall be boarded up to the satisfaction of the Property Standards Officer by covering all openings through which entry may be obtained with at least 12.7 mm [0.5 inch] weatherproof sheet plywood in a color compatible with the surrounding walls and which is securely fastened.

SECTION 7 SIGNS

- 7.1.1 All signs and billboards shall be maintained in good repair and any signs which are excessively weathered or faded, or those upon which the paint has excessively peeled or cracked shall, with their supporting members, be removed or put into a good state of repair.

SECTION 8 - ADMINISTRATION

8.1 Application of By-law

- 8.1.1 This By-law shall apply to all property within the Township of Papineau-Cameron and shall be enforced upon written and signed complaints, only.
- 8.1.2 Where a provision of this By-law conflicts with a provision of another By-law in force in the Township, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall

prevail.

- 8.1.3 If any section of this By-law is for any reason held to be invalid, the remaining sections shall remain in effect until repealed.

8.2 Property Standards Officer and Property Standards Committee

- 8.2.1 This By-law shall be administered by a Property Standards Officer and a Property Standards Committee of three ratepayers of the Township of Papineau-Cameron appointed by Council who shall hold office for three years provided that on the first appointment the members shall hold office concurrent to the term of Council.

- 8.2.2 The Committee shall appoint one of its members as Chairman and shall appoint a secretary.

8.3 Inspection

- 8.3.1 The Property Standards Officer or any person acting under his instructions may, at all reasonable times and upon producing proper identification, enter and inspect any property to determine whether the property conforms with the standards prescribed in this By-law, or whether an order has been complied with.

- 8.3.2 The Property Standards Officer or any person acting under his instructions shall not enter any room or place actually used as a dwelling unless:

1. The consent of the occupier is obtained, the occupier first having been informed that his right of entry may be refused and entry made only under the authority of a warrant issued under the *Building Code Act*; a warrant issued under the *Act* is obtained;
2. The delay necessary to obtain a warrant or the consent of the occupier would result in an immediate danger to the health or safety of any person;
3. The entry is necessary to terminate a danger as determined under the *Building Code Act* (Section 15.7(3));
4. The requirements for giving notice under Section 16.(1) of the *Building Code Act* are met and the entry is necessary to remove a building or restore a site or to remove an unsafe condition or to repair or demolish.

8.3.3 For the purposes of an inspection under the *Building Code Act*; an inspector may:

1. Require the production for inspection of documents or things, including drawings or specifications that may be relevant to the building or part thereof;
2. Inspect and remove documents or things relevant to the building or part thereof for the purpose of making copies or extracts;
3. Require information from any person concerning a matter related to a building or part thereof;
4. Be accompanied by a person who has special or expert knowledge in relation to building or part thereof;
5. Alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs for the purposes of the inspection; and
6. Order any person to take and supply at that person's expense such tests and samples as are specified in the order.

8.3.4 Inspection of Unsafe Buildings

1. An inspector may enter upon land and into buildings at any reasonable time without a warrant for the purpose of inspecting a building to determine whether the building is unsafe or whether an order has been complied with.
2. A building is unsafe if the building is structurally inadequate or faulty for the purpose for which it is used or in a condition that could be hazardous to the health or safety of persons in the normal use of the building, persons outside of the building or persons whose access to the building has not been reasonably prevented.
3. In addition to the criteria set out in Section 8.3.4.2, a sewage system is unsafe if it is not maintained or operated in accordance with the *Building Code Act* and the *Ontario Building Code*.
4. An inspector who finds that a building is unsafe may make an order setting out the reasons why the building is unsafe and the remedial steps necessary to render the building safe and may require the order to be carried out within the time specified in the order. The order shall be served on the owner and each person apparently in possession of the building and such other person affected thereby as the officer determines and a copy of the order may be posted on the site of the building. If an order is not complied with within the time

specified, or where no time is specified, within a reasonable time, the officer may by order prohibit the use or occupancy of the building and may cause the building to be renovated, repaired or demolished to remove the unsafe condition or take such other action as is considered necessary for the protection of the public.

5. **Power of Entry:** For the purposes of Section 8.3.4.4, an officer may enter upon the land and into buildings at any reasonable time without a warrant.
6. **Municipal Lien:** If the building is in a municipality, the municipality shall have a lien on the land for the amount spent of the renovation, repair, demolition or other action taken under Section 8.3.4.4 and an amount shall be deemed to be municipal real property taxes and may be added by the clerk of the municipality to the collector's roll in the same manner and with the same priorities as municipal real property taxes.
7. **Emergency Order:** If upon inspection of a building an inspector is satisfied that the building poses an immediate danger to the health or safety of any person, the officer may make an order containing particulars of the dangerous conditions and requiring remedial repairs or other work to be carried out immediately to terminate the danger. The order shall be served on the owner and each person apparently in possess of the building and such other persons affected thereby as the officer determines and a copy shall be posted on the site of the building. After making the order, the officer may, either before or after the order is served, take any measures necessary to terminate the danger and for this purpose, the officer, an inspector and their agents may at any time enter upon the land and into the building in respect of which the order was made without a warrant. If the order was not served before the measures were taken to terminate the danger, the officer shall serve copies of the order 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 and providing details of the amount spent in taking the measures.

8.4 Order of Non-Conformity

- 8.4.1 When inspection by the Property Standards Officer reveals that a property does not conform with the standards prescribed by this By-law, the Property Standards Officer may make an order.

8.5 Contents and Procedures for an Order of Non-Conformity

8.5.1 The order shall:

1. contain the municipal address or a legal description of the property;
2. give 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.
3. indicate 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 municipality may carry out the repair or clearance at the owner's expense.
4. indicate the final date for giving notice of appeal from the order.

8.5.2 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.

8.5.3 The order may be registered in the proper land registry office and, upon such registration, any person acquiring any 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 where the requirements of the order have been satisfied, the clerk of the municipality shall forthwith register in the proper land registry office a certificate that such requirements have been satisfied, which shall operate as a discharge of the order.

8.6 Appeal of an Order

8.6.1 An owner or occupant who has been served with an order and who is not satisfied with the terms or conditions of the order may appeal to the committee by sending a notice of appeal by registered mail to the secretary of the committee within 14 days after being served the order.

8.6.2 An order that is not appealed within the 14 day period specified shall be deemed to be confirmed.

8.6.3 The committee shall hear an appeal. On appeal, the committee has all the powers and functions of the officer who made the order and the committee may do any of the following things, if in the committee's opinion, doing so

would maintain the general intent and purpose of the by-law and official plan:

1. Confirm, modify or rescind the order to demolish or repair.
2. Extend the time for complying with the order.

8.6.4 Appeal to Court

The municipality in which the property is situate or the owner or person affected by a decision of the committee may appeal to the Superior Court of Justice by notifying the clerk of the municipality in writing and by applying to the court within 14 days after a copy of the decision is sent.

SECTION 9 - AUTHORITY

- 9.1 This By-law shall be read subject to the *Building Code Act*; as amended from time to time, and whenever the provisions of this By-law conflict or are otherwise inconsistent with the provisions of the *Building Code Act*, the provisions of the *Building Code Act* shall be deemed to be incorporated into this By-law.
- 9.2 This By-law shall come into force on the date it is passed by the Council of the Corporation of the Township of Papineau-Cameron.

Read a first time this 10th day of January, 2006.

Read a Second and Third time and finally passed this 10th day of January, 2006.



Mayor



Clerk