

THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN

BY-LAW NO. 2023-40

BEING A BY-LAW TO AMEND BY-LAW NO. 2022-34 FOR PRESCRIBING STANDARDS FOR THE MAINTENANCE AND OCCUPANCY OF PROPERTY WITHIN THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN.

WHEREAS, the Corporation of the Township of Matachewan is empowered to enact a By-Law pursuant to the provisions of Section 15.1 of The Building Code Act, S.O., 1992, Chapter 23 and amendments thereto;

AND WHEREAS, there is in effect in the Corporation of the Township of Matachewan, Zoning By-law #2018-16 which includes provisions relating to property conditions;

AND WHEREAS, the Corporation of the Township of Matachewan deems it expedient to enact a By-Law for prescribing standards for the maintenance and occupancy of property, for prohibiting the occupancy or use of such property that does not conform to the standards and for requiring property below the standards prescribed herein to be repaired and maintained to comply with the standards or the land thereof to be cleared and left in a graded and level condition;

NOW THEREFORE the Council of the Corporation of the Township of Matachewan **ENACTS AS FOLLOWS:**

1. By Striking out #00-09 and inserting #2018-16.
2. That By-Law #2022-34 be amended by adding Section 13, to By-Law #2022-34, attached hereto as Part 13 and all Appendixes for the Administration and Enforcement of By-Law #2022-34.
3. That the Clerk of the Township of Matachewan is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or description nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law.
4. That this by-law amendment shall come into force and effect upon final passing thereof and remain in force and effect until such time as it is repealed by the Council of the Corporation of the Township of Matachewan.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 19thTH day of July, 2023.

Mark Stickel,
Mayor

Cheryl Swanson,
Clerk

PART 13
ADMINISTRATION AND ENFORCEMENT

- 13.01** This By-law shall apply to all property within the limits of the Township of Matachewan.
- 13.02** Only the values provided with metric units of measure which appear in this By-law are official. Imperial equivalent values that appear in brackets are included for convenience only.

CERTIFICATE OF COMPLIANCE

- 13.03** Where an officer has inspected a property and is of the opinion that the property complies with the standards established in the By-law, he/she may issue a Certificate of Compliance to the owner.
- 13.04** An officer shall issue a Certificate of Compliance to the owner of a property who has requested one, where the Officer has inspected the property and is of the opinion that the property complies with the standards established in the by-law, and the owner has paid the fee established by Council pursuant to section 15.5(3) of *The Building Code Act*.
- 13.05** The fee for issuance of a certificate of Compliance with the standards established in this by-law by an Officer shall be One Hundred and Fifty Dollars (\$150.00).

OFFICERS

- 13.06** The Council of the Township of Coleman shall appoint, by by-law, a Property Standards Officer(s) to be responsible for the administration and enforcement of this by-law.

PROPERTY STANDARDS COMMITTEE

- 13.07** Council shall appoint, by by-law, members to the Property Standards Committee for a term of office concurrent with Council in accordance with the Terms of Reference laid out in Appendix 5 of this Schedule.
- 13.08** Every person who initiates an appeal of an order made under section 15.2 (2) of the *Ontario Building Code Act*, S.O. 1992, c23, shall submit a Notice of Appeal in the time frame and in the manner as prescribed in section 15.3 (1) of the Act. All Notices of Appeal shall be accompanied by a non-refundable payment of one hundred dollars (\$100).

COMPLIANCE

- 13.09** The owner of any property that does not conform to the standards as set out in this By-law shall repair and/or maintain said property to comply with the standards or the property shall be cleared of all buildings, structures, debris or refuse left in a leveled and graded condition.

PENALTY

- 13.10** If an article of this By-law is for any reason held to be invalid remaining articles shall remain in effect until repealed.
- 13.11** Where a provision of the by-law conflicts with the provision of another by-law in force within the municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

FORMS

- 13.12** The form for use as an "Informal Notice" shall be on Forms PS-A-01 as laid out in Appendix "1" to this Schedule.

ORDERS

- 13.13 Where an "Informal Notice" has been provided, **"AN ORDER TO REMEDY VIOLATION OF STANDARDS OF MAINTENANCE AND OCCUPANCY"** issued pursuant to Section 15.2 (2) of the Building Code Act shall be on Form PS-A-02 as laid out in Appendix "2" to this Schedule.
- 13.14 Where no "Informal Notice" has been provided, **"AN ORDER TO REMEDY VIOLATION OF STANDARDS OF MAINTENANCE AND OCCUPANCY"** issued pursuant to Section 15.2 (2) of the Building Code Act shall be on Form PS-A-03 as laid out in Appendix "3" to this Schedule.
- 13.15 A **"NOTICE OF APPEAL TO THE PROPERTY STANDARDS COMMITTEE"** issued pursuant to Section 15.3 (1) of the Building Code Act shall be on Form PS-A-04 as laid out in Appendix "4" this Schedule.

**APPENDIX 1
TO SCHEDULE A OF BY-LAW 2022-34, as amended
(INFORMAL NOTICE – FORM PS-A-01)**

Corporation of the Township of Matachewan
283 Moyneur Avenue
PO Box 177
Matachewan, ON
P0K 1M0

**THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN
INFORMAL NOTICE**

Date: _____

Owner's Name and Address

Dear Sir/Madam

RE: _____

Roll No.: 5456_____

Be advised that on _____ an inspection of your property, as noted above, revealed certain violations of the Municipality's Property Standards By-law **2022-34, as amended**.

Schedule "A", attached hereto, sets out the work required to remedy such violation and to bring the property into compliance with the By-Law.

Be advised that By-law **2022-34, as amended**, gives the municipality the authority to issue an **ORDER TO COMPLY** pursuant to Section 15.2(2), *Ontario Building Code Act, S.O. 1992, c.23*

It is desired that you will comply with this informal notice so that the aforementioned procedural step will not be necessary.

A follow-up inspection of this property will take place on or about _____ to ascertain compliance.

Should you require further information pertaining to this matter, please do not hesitate to contact the undersigned during normal business hours.

By-Law Officer

**APPENDIX 2
TO SCHEDULE A OF BY-LAW 2022-34, as amended
(ORDER TO REMEDY – FORM PS-A-02)**

Corporation of the Township of Matachewan
283 Moyneur Ave.
Matachewan, Ontario
P0K 1M0

**THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN
ORDER TO REMEDY VIOLATION OF STANDARDS OF MAINTENANCE AND
OCCUPANCY**

Pursuant to Section 15.2 of the Ontario Building Code Act, S.O. 1992, c.23

Date: _____

Owner's Name and Address

Dear Sir/Madam

RE: _____

Roll No.: 5456 _____

WHEREAS on _____ you were served with an Informal **NOTICE** that required you to remedy certain violations of standards of maintenance and occupancy at your property, described above;

AND WHEREAS you have failed to remedy the noted violation(s) as set out in **Schedule "A"** attached hereto and which forms part of this **ORDER**.

THEREFORE, IT IS HEREBY CHARGED THAT the violation(s) as set out in **Schedule "A"** be remedied and the property brought into a condition of compliance with the prescribed standards as set out in the Property Standards By-law **2022-34, as amended**, on or before _____.

TAKE NOTICE that if such violations are not remedied within the time specified in this order, the municipality may correct such violations at the expense of the owner.

APPEAL TO PROPERTY STANDARDS COMMITTEE

*If an owner or occupant upon whom an order has been served is not satisfied with the terms or conditions of the order, the owner may appeal to the committee by sending a **NOTICE OF APPEAL** by registered mail to the Secretary of the committee within fourteen (14) days after service of the order, and, in the event that no appeal is taken, the order shall be deemed to have been confirmed*

FINAL DATE FOR APPEAL: _____

By-Law Officer

**APPENDIX 3
TO SCHEDULE A OF BY-LAW 2022-34, as amended
(ORDER TO REMEDY – FORM PS-A-03)**

Corporation of the Township of Matachewan
283 Moyneur Ave.
Matachewan, Ontario
P0K 1M0

**THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN
ORDER TO REMEDY VIOLATION OF STANDARDS OF MAINTENANCE AND
OCCUPANCY
*Pursuant to Section 15.2 of the Ontario Building Code Act, S.O. 1992, c.23***

Date: _____

Owner's Name and Address

Dear Sir/Madam

RE: _____

Roll No.: 5456_____

Be advised that on _____ an inspection of your property, as noted above, revealed certain violations of the Municipality's Property Standards By-law **2022-34 , as amended,**.

The violation(s) are set out in **Schedule "A"** attached hereto and forming part of this **ORDER.**

IT IS HEREBY CHARGED THAT the violation(s) as set out in **Schedule "A"** be remedied and the property brought into a condition of compliance with the prescribed standards as set out in the Property Standards By-law **2022-34, as amended,** on or before _____.

TAKE NOTICE that if such violations are not remedied within the time specified in this order, the municipality may correct such violations at the expense of the owner.

APPEAL TO PROPERTY STANDARDS COMMITTEE

*If an owner or occupant upon whom an order has been served is not satisfied with the terms or conditions of the order, the owner may appeal to the committee by sending a **NOTICE OF APPEAL** by registered mail to the Secretary of the committee within fourteen (14) days after service of the order, and, in the event that no appeal is taken, the order shall be deemed to have been confirmed*

FINAL DATE FOR APPEAL: _____

By-Law Officer

APPENDIX 4
TO SCHEDULE A OF BY-LAW 2022-34, as amended
(NOTICE OF APPEAL – FORM PS-A-04)

NOTICE OF APPEAL
TO THE PROPERTY STANDARDS COMMITTEE OF
THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN
Pursuant to Section 15.3 (1) of the Ontario Building Code Act, S.O. 1992, c.23

Date: _____

To: The Council of the Corporation of the Township of Matachewan
Corporation of the Township of Matachewan
283 Moyneur Ave.
Matachewan, On
P0K 1M0

RE: **ORDER TO REMEDY VIOLATION OF STANDARDS OF MAINTENANCE AND OCCUPANCY AT** _____

Dear Sir/Madam

TAKE NOTICE of the appeal of the undersigned to the Property Standards Committee because of dissatisfaction with the above referenced Order to Remedy Violation of Standards of Maintenance and Occupancy served upon the undersigned on _____.

Name:

Address:

Telephone Number:

APPEAL TO PROPERTY STANDARDS COMMITTEE

*An owner or occupant who has been served with an Order made un The Building Code Act, S.O. 1992, Chapter 23, Section 15.2 (2) and who is not satisfied with the terms or conditions of the Order may appeal to the Committee by sending **NOTICE OF APPEAL** by registered mail to the Secretary of the Committee within fourteen days after service of the Order, and, in the event that no appeal is taken, the Order shall be deemed to have been confirmed.*

Owner of Authorized Agent