

**CORPORATION OF THE TOWNSHIP OF LEEDS AND THE THOUSAND
ISLANDS**

BY-LAW NO. 06-045

BEING A BY-LAW TO PROVIDE FOR THE SAFETY OF PROPERTIES.

WHEREAS Council has the authority to pass by-laws for the health, safety and welfare of the municipality and it's inhabitants including, without limiting its generality,

- (a) *Requiring buildings and yards to be put in a safe condition to guard against fire or other dangerous risk or accident pursuant to Section 127 of the Municipal Act S.O. 2001, c.25;*
- (b) *Requiring and regulating the filling up, draining, and clearing of any grounds, yard and vacant lots pursuant to Section 118 of the Municipal Act S.O. 2001, c.25;*
- (c) *Authorizing the pulling down or repairing or renewing of any building, fence, scaffolding or erection that, by reason of its ruinous dilapidated state, faulty construction or otherwise, is in an unsafe condition as regards danger from fire or risk of accident pursuant to Section 118 of the Municipal Act S.O. 2001, c.25;*

NOW THEREFORE the Council of the Corporation of the Township of Leeds and the Thousand Islands enacts as follows:

GENERAL PROVISIONS

- 1. *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. *Every property in the Township of Leeds and the Thousand Islands 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 and 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 or 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.*
 - (f) *Any combustible, flammable, volatile, caustic or explosive substance unless stored under conditions that are safe and free from risk of fire or accident.*
- 3. *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 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. *Any By-law Enforcement Office 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. *An officer who finds a contravention of the By-law may, in addition to any other legal remedies or enforcement proceedings 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. *The order shall be served by personal service or registered mail on the owner of the property as appears on the last revised rolls of the municipality, and any other person whom the officer believes is contravening this By-law.*
- 7. *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.*
- 8. *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 such remedial repairs or other work necessary to terminate the immediate danger.*
- 9. *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.*

EXPENSES

- 10. *Any expense incurred by the municipality in the enforcement of this by-law shall be the responsibility of the owner(s) of the subject property and may be recovered by the municipality in the same manner as municipal taxes.*

PENALTIES

11. *Every person who contravenes this By-law is guilty of an offence and, upon conviction, liable to pay the following:*

(a) A minimum fine of not less than \$500.00, and not more than the maximum fine of \$5,000.00.

VALIDITY

12. *If any section, clause or provision of this by-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of the by-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.*

REPEALS

13. *Any by-laws, resolutions or other actions of Council, which are inconsistent with this By-law, are hereby repealed – By-law #04-03.*

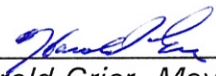
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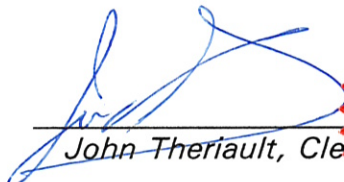
14. *This By-law shall be referred to as the "Safe Property By-law".*

EFFECTIVE DATE

15. *That this By-law shall come into force and take effect from the date of reading.*

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 10th DAY OF JULY, 2006.


Harold Grier, Mayor


John Theriault, Clerk

