

THE CORPORATION OF THE TOWNSHIP OF BECKWITH

BY-LAW NO. 2012- 03

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;

NOW THEREFORE the Council of the Corporation of the Township of Beckwith hereby enacts as follows:

PART 1

COMMUNITY DEVELOPMENT AREA

1. "Community Development Area" means the settlement centre developments in the Greater Black's Corners, Franktown, Prospect, Ashton, Gillies Corners and including any plans of subdivision.
2. No person shall excavate and leave said land in an excavated condition unmarked for longer than fourteen (14) days unless there is an exceptional circumstances.
3. No derelict vehicle, scrap and/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 shall be parked, stored, moored or left on lands or water front property unenclosed except in an establishment licensed or permitted to conduct and operate such a business, and only then under circumstances that prevent unsafe or unsightly conditions.
4. Every yard, including vacant lots, shall be kept clean and free from:
 - (1) appliances such as refrigerators, stoves and freezers and are not permitted to be used as places of storage;
 - (2) wrecked, dismantled, discarded or abandoned machinery or vehicles unless it is necessary for the operation of a business enterprise lawfully situated on the property; and
 - (3) dilapidated, collapsed or partially constructed structures which are not currently under construction that poses a safety hazard.
5. Compost heaps shall not be located in any front yard. All compost heaps located within a rear and/or a side yard must meet the accessory structure setbacks set out in the Municipality's Zoning By-Law.
6. Accessory buildings and other structures shall be maintained in structurally sound condition and in good repair pursuant to the Building Code.

7. Buildings, dumpsters or structures used for the storage of garbage, rubbish, ashes and other refuse, prior to disposal, shall be deemed to be accessory buildings or structures within the meaning of this by-law and the current Municipal Zoning By-Law and shall be deemed as temporary for only a 14 day period unless the property owner can demonstrate an exceptional circumstance exists.

PART 2

RURAL LANDS

8. "Rural Lands" means all lands situated within the Township of Beckwith save and except for the areas locally known as Greater Black's Corners, Franktown, Prospect, Ashton and Gillies Corners as shown on Schedule "A" attached hereto and made part of this By-Law.
9. No derelict vehicle, scrap and/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 shall be parked, stored, moored or left on lands or water front property unenclosed except in an establishment licensed or permitted to conduct and operate such a business, and only then under circumstances that prevent unsafe or unsightly conditions.
10. Every yard shall be kept clean and free from:
 - (1) rubbish or debris and objects or conditions that may create a health, fire, or accident hazard;
 - (2) appliances such as refrigerators, stoves and freezers and permitted to be used as places of storage, only if such appliances are out of site;
 - (3) wrecked, dismantled, discarded or abandoned machinery or vehicles unless it is necessary for the operation of a business enterprise lawfully situated on the property; and
 - (4) dilapidated, collapsed or partially constructed structures which are not currently under construction that poses a safety hazard.

PART 3

ENFORCEMENT

11. By-Law Enforcement Officer ("Officer") means a municipal employee who has been assigned the responsibility of administering and enforcing this by-law.
12. 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.
13. An officer who finds a contravention of this 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.
14. 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.
15. 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.
16. 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.
17. Every person who fails to comply with an order issued under the provisions of this By-Law, or who contravenes any other provision of this By-Law is guilty of an offence and on conviction is liable to a minimum fine of not less than \$500.00 and not more than the maximum fine of \$5,000.00.
18. 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 shall recover the expense of performing such work by action or in like manner as municipal taxes.

19. Any owner or occupant of a property, who has been served an order, may appeal this order, or any part thereof to the Council of The Corporation of the Township of Beckwith.
20. Any owner or occupant of a property who is appealing an order, or any part thereof, to Council must do so within twenty-one (21) days of receipt of the order.

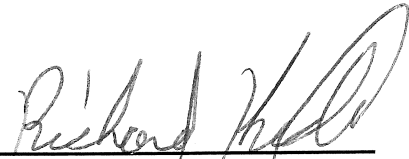
PART 4

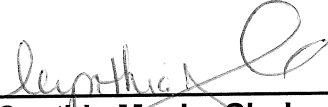
GENERAL

21. That this By-Law shall come into force and take effect from the final date of reading.
22. This By-Law shall be referred to as the "Property By-Law".

BY-LAW READ a first time and second time this 3rd day of January, 2012.

BY-LAW READ a third time, passed, signed and sealed in open council this 3rd day of January, 2012.


Richard Kidd, Reeve


Cynthia Moyle, Clerk

