
**TOWN OF BRIDGEWATER
POLICY ON DEVELOPMENT AGREEMENT
INSPECTIONS AND VIOLATIONS**

Policy No.	32
Approved:	October 28, 1991
Revised:	February 24, 2003
Resolution No.:	91-307 98-072 03-048

It is policy that:

1. The Development Officer shall ensure that there is an annual inspection of every development agreement in force, to ensure that the provisions of the development agreement are being fulfilled.
2. Where violations are noted, the Development Officer shall notify the developer of the violations and require that the violations be remedied within thirty (30) days of the date of sending the letter. Letters shall be either hand delivered or sent by registered mail, pursuant to Section 509 of the *Municipal Government Act*.
3. The Development Officer shall ensure that a second inspection is carried out at the end of the thirty (30) days after the date of sending the letter.
4. Where violations remain, the Development Officer shall notify the developer of the remaining violations in a second letter, requiring that violations be remedied within fifteen (15) days or recommendation will be made to Council to terminate the development agreement or take further steps to enforce the agreement. The letter shall explain that if the agreement is terminated, the use will become an illegal use and prosecution under Section 505 of the *Municipal Government Act* will be commenced.
5. The Development Officer shall ensure that a third inspection is carried out at the end of the fifteen (15) days. This inspection shall be carried out by the Development Officer and Town Planner.
6. Where violations remain, the Development Officer shall recommend that Council terminate the development agreement or take other steps to enforce the agreement.
7. Council shall decide whether to discharge the development agreement. Council shall at this time approve necessary expenditures for prosecution. Council may, as an

alternative, direct that any required work be done at the expense of the developer pursuant to Section 264 of the *Municipal Government Act* (on thirty days' notice to the developer) or that an application be made to court to compel the developer to comply pursuant to Section 266 of the *Municipal Government Act*.

8. Should Council discharge the agreement, the Town Clerk shall advise the developer in writing that the use is now illegal and must be closed within fifteen (15) days. Should Council not terminate the agreement, Council must provide other remedies as specified in Paragraph 7 or accept the continuing violation.
9. The Development Officer shall ensure that a fourth inspection is carried out at the end of this fifteen (15) day period specified in Paragraph 8, by the By-law Enforcement Officer, the Development Officer and Town Planner, to determine whether the use has been terminated. If the use is still operating, the matter shall be referred to the Solicitor for prosecution.