

TOWN OF BRIDGEWATER

Land Use By-Law Inspections & Violations

POLICY NO. 118

Approved: 12 January 2026

Motion#: 26-004

1. PURPOSE

Ensure compliance with municipal land use regulations, protect public health and safety, and maintain orderly development through inspection monitoring and reporting on Land Use By-law noncompliance matters.

2. DEFINITIONS

- **DEVELOPMENT OFFICER** | the officer(s) of the Town of Bridgewater appointed by Town Council to administer the provisions of the Land Use By-law, in accordance with Section 243 of the *Municipal Government Act*.
- **LAND USE BY-LAW** | the Town of Bridgewater Land Use By-law as approved by Council and amended from time to time.

3. PROCEDURE FOR INVESTIGATION OF A LAND USE BY-LAW OFFENCE

The development officer is responsible for the investigation of alleged violations of the Land Use By-law. Upon determination of the development officer that a violation has occurred, reasonable steps shall be taken to have the owner of the lands upon which the violation has occurred, remedy the violation.

The steps taken by the Development Officer shall include:

- a) A violation may be identified by either the development officer or other staff members, or through a report/complaint received by the development officer. Once a violation of the Land Use By-law is brought to the attention of staff, it shall be inspected. Powers for the right of entry are outlined in Section 267 of the *Municipal Government Act*.
- b) After a thorough inspection of the site confirming a violation, the development officer shall initiate contact with the property owner to provide information regarding the violation, seeking immediate remedy with seven (7) days. Initial contact may be made by phone, email, or via in-person visit, or any combination.

- c) Notwithstanding subsection (b), violations that may pose an immediate risk to human life, health and/or safety, or negative impact on the natural environment, the development officer shall immediately prepare and send a written order to the property owner.
- d) If the violation persists upon re-inspection, in accordance with subsection (b), the development officer shall prepare and send a written order to the owner (“Letter of Non-Compliance”), outlining the steps necessary to remedy the violation. The development officer shall set a reasonable time limit within which the violation must be remedied per subsection e.
- e) The length of time to remedy will be dependent upon several factors, including, but not limited to a risk to human life health and safety, impact to adjacent property, or negative impact on the natural environment. Timelines shall be taken from the date the notice was served, whether in-person or by registered mail. A copy of the Letter of Non-Compliance shall be provided to the Director of Community Development and the Chief Administrative Officer.
- f) The timeline imposed upon the property owner to remedy the violation will vary and be based on the following:
 - i. Typical violations may specify seven (7) days or fourteen (14) days to re-inspection.
 - ii. Complex violations that are more difficult or time consuming to remedy may specify fourteen (14) days, thirty (30) days or forty-five (45) days to re-inspection.
 - iii. Complex violations that may pose an immediate risk to human life, health and/or safety or negative impact on the natural environment may specify seven (7) days or fourteen (14) days to re-inspection.
 - iv. Violations concerning residential tenancies may specify a longer time to remedy with consideration given to timelines associated with the *Residential Tenancies Act*.
 - v. Notwithstanding the above, in situations where the remedy may necessitate a longer period, the development officer may specify an amount of time different than those stated above. For example, if the work can only be done in the spring or summer, when the violation is investigated and noted in the fall or winter.
- g) Where the order has not been complied with, the development officer shall forward a recommendation to proceed to prosecution in accordance with Section 2 of this Policy upon approval of the Town’s Chief Administrative Officer.

4. PROSECUTION PROCEDURES

- a) The development officer may make a recommendation to Town Council that a remedy be sought pursuant to one or more of the following legislative powers:
- i. The remedy be sought pursuant to Section 266 of the *Municipal Government Act*.
 - ii. The remedy be sought pursuant to Section 265 of the *Municipal Government Act*, concerning the breach of an approved site plan.
 - iii. The remedy be sought pursuant to Section 505 of the *Municipal Government Act*, in accordance with the *Summary Proceedings Act* and the Schedule 16 of the Summary Offence Ticket Regulations.
- b) Notwithstanding subsection (a), where the owner(s) have applied to amend the Land Use By-law to achieve compliance, the process as laid out in this Policy shall be paused until such application is either approved or refused by Council.
- i. When Town Council renders a decision, if the decision does not bring the owner into compliance with the Land Use By-law, the owner shall remedy the violations within thirty (30) days of Council's decision or otherwise be subject to prosecution pursuant to this Policy.
 - ii. If the Owner(s) appeals the decision of Council, the process as laid out in this Policy shall be paused until the appeal decision is rendered.
 - iii. If the Owner(s) applies to amend the Land Use By-law again, enforcement under this Policy shall not be paused or delayed.