

## THE CORPORATION OF THE COUNTY OF PRINCE EDWARD

BY-LAW NO. 317-1999

BEING A BY-LAW TO PROVIDE STANDARDS FOR THE MAINTENANCE AND OCCUPANCY OF PROPERTY IN THE COUNTY OF PRINCE EDWARD AND TO REPEAL ALL PREVIOUS BY-LAWS OF THE FORMER MUNICIPALITIES THAT DEAL WITH THIS SUBJECT.

**WHEREAS** Section 15.1 of the Building Code Act, 1992, S.O. 1992, Chapter 23, provides that the council of a municipality may pass a by-law to:

1. Prescribe standards for the maintenance and occupancy of property within the municipality or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards.
2. Require property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition.

**AND WHEREAS** the Official Plan of the County of Prince Edward includes provisions relating to property conditions;

**AND WHEREAS** Section 8(1)(a) of the Order of the Minister of Municipal Affairs and Housing dated March 27, 1997 permits the repeal of any by-law of the former Municipalities within the County of Prince Edward.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE COUNTY OF PRINCE EDWARD ENACTS AS FOLLOWS:

1. GENERAL

1.1 **SHORT TITLE**

This by-law may be cited as the "Property Standards By-Law".

1.2 **METRIC MEASUREMENTS**

The measurements contained in this by-law are in metric units. For convenience purposes only, imperial units have been included in brackets following the metric units. In no instance should the imperial units be used to determine any requirement of this by-law.

2. DEFINITIONS

In this by-law, unless the context requires otherwise,

2.1 **“ACCEPTABLE”** shall mean:

- (a) Accepted by the Chief Building Official of the municipality with respect to matters under the Building Code Act, R.S.O. 1990, Chapter B.13, as amended, and the Building Code Act, 1992, S.O. 1992, Chapter 23, as amended, and regulations thereunder;
- (b) Accepted by the Chief Fire Official of the municipality with respect to matters under the Fire Marshal’s Act, R.S.O. 1990, Chapter F.17, as amended, and regulations thereunder; and
- (c) Accepted by the Property Standards Officer with respect to all other matters regulated by this by-law.

2.2 **“ACCESSORY BUILDING”** shall mean a building not used for human habitation customarily incidental to and subordinate to the principal use or building and located on the same lot with such principal use or building, and shall include boat houses.

2.3 **“BALUSTRADE”** shall mean a protective barrier that acts as a guard around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways or other locations to prevent accidental falls from one level to another. Such barrier may or may not have openings through it.

2.4 **“BASEMENT”** shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above the average level of the ground adjacent to the exterior walls of the building.

2.5 **“BATHROOM”** shall mean a room containing at least a wash basin and toilet and bathtub or shower, or two rooms which contain in total at least one wash basin and one toilet and one bathtub or shower.

2.6 **“BUILDING”** shall mean a structure having a roof supported by columns or walls or directly on the foundation and used for the shelter and accommodation of persons, animals or goods.

2.7 **“BULK CONTAINER”** shall mean a refuse container emptied by mechanical means without removal from the property.

2.8 **“C.S.A.”** shall mean the Canadian Standards Association.

2.9 **“CELLAR”** shall mean that portion of a building between two floor levels which is partly or wholly underground but which has more than one-half of its height from finished floor to finished ceiling below the average level of the ground adjacent to the exterior walls of the building.

2.10 **“COMMITTEE”** shall mean the Property Standards Committee as established under this by-law.

2.11 **“CORPORATION”** shall mean The Corporation of the County of Prince Edward.

- 2.12 **“DWELLING”** shall mean a building or structure or part of a building or structure occupied or capable of being occupied in whole or in part for the purposes of human habitation and shall include the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein.
- 2.13 **“DWELLING UNIT”** shall mean one or more habitable rooms designed or intended for use as a single housekeeping unit only, in which sanitary conveniences are provided, in which only one kitchen facility is provided for cooking, and in which a heating system is provided, and which has a private entrance from outside the building or from a common hallway or stairway inside the building.
- 2.14 **“EXTERIOR PROPERTY AREAS”** shall mean the property excluding buildings.
- 2.15 **“FENCE”** shall include a privacy or other screen.
- 2.16 **“GANTRY”** shall mean a frame or platform for carrying a crane or similar structure.
- 2.17 **“GROUND COVER”** shall mean organic or non-organic material applied to prevent erosion of the exterior property area such as concrete, flagstone, gravel, asphalt or grass.
- 2.18 **“HABITABLE ROOM”** shall mean a room commonly used for living purposes, including a bedroom and a kitchen but not including any space in a dwelling used as a lobby, hallway, closet or bathroom or any room having floor space of less than 4.65 sq. metres (50 sq. ft.).
- 2.19 **“MAINTENANCE”** shall mean the preservation and keeping in repair of a property.
- 2.20 **“MEANS OF EGRESS”** shall mean a continuous path of travel provided by a doorway, hallway, corridor, exterior passageway, balcony, lobby, stair, ramp, window or other egress facility for the escape of persons from any point within a building, floor area, room or contained open space and includes exits or access to exits.
- 2.21 **“MULTIPLE DWELLING”** shall mean a building containing two or more dwelling units other than a semi-detached dwelling.
- 2.22 **“MULTIPLE USE BUILDING”** shall mean a building containing both a dwelling unit and a non-residential use.
- 2.23 **“MUNICIPALITY”** shall mean The Corporation of the County of Prince Edward.
- 2.24 **“NON-HABITABLE SPACE”** shall mean any space in a dwelling or dwelling unit other than a habitable room and includes any bathroom, toilet room, laundry, pantry, lobby, communicating corridor, stairway, closet, boiler, unfinished basement, or other space for service and maintenance or common use, and for access to and vertical travel between storeys.
- 2.25 **“NUISANCE”** shall mean a thing or a practice or a condition which is offensive or annoying to individuals or to the community.

- 2.26 **“OCCUPANT”** shall mean any person or persons over the age of eighteen years in possession of property.
- 2.27 **“OFFICER”** shall mean a property standards officer who may from time to time be assigned the responsibility of administering and enforcing this by-law.
- 2.28 **“OWNER”** shall mean the person for the time being paying the municipal real property taxes or managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person’s own account or as agent or trustee of any other person, or who would so receive the rent if such land and premises were let, and shall also include a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of the property.
- 2.29 **“PROPERTY”** shall mean a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected, and includes vacant property.
- 2.30 **“PUBLIC BUILDING”** shall mean a building for the purpose of servicing the public.
- 2.31 **“REPAIR”** shall mean the provision of such facilities and the making of additions or alterations or the taking of such actions as may be required so that the property shall conform to the standards established in this by-law. All repairs shall be made in conformity to the Ontario Building Code, the Ontario Water Resources Act, Plumbing Regulations, the Canadian Electrical Code and Regulations made under the Public Health Act of Ontario or any other applicable regulations.
- 2.32 **“ROLL-OFF CONTAINER”** means a refuse container which is required to be transported from a property for the purpose of emptying.
- 2.33 **“SEWAGE”** shall mean any liquid waste containing animal, vegetable or mineral matter in suspension or solution but does not include roof water or other storm runoff.
- 2.34 **“SEWAGE SYSTEM”** shall mean an adequate system of underground conduits operated either by the Municipality or by the Ministry of the Environment, or a private sewage disposal system or holding tank approved by the Part VIII Director under the Environmental Protection Act or Part 8 of the Ontario Building Code.
- 2.35 **“SIGN”** includes an advertising device or notice and means any medium including its structure and other component parts which is used or capable of being used to attract attention to a specific subject matter other than itself, for identification, information or advertising purposes.
- 2.36 **“STANDARDS”** shall mean the standards of physical condition and occupancy set out in this by-law.

2.37 **“UNSAFE CONDITION”** means:

- (a) a building, structure or other matter structurally inadequate or faulty for the purposes for which it is used or intended to be used; or
- (b) in a condition that could pose a serious hazard to:
  - i) persons in the normal use of a building;
  - ii) persons authorized or expected to be on or about the property; or
  - iii) persons or property in the immediate vicinity of the unsafe property.

2.38 **“WALL”** shall mean the solid vertical structure forming any one of the sides of a building and/or a partition forming the side of a room.

2.39 **“YARD”** means the land around and appurtenant to any property or any part of a building or structure and used or intended to be used or capable of being used in connection with the said property.

3. **MAINTENANCE OF ACCESSORY AND UNOCCUPIED BUILDINGS AND YARDS**

3.1 **ACCESSORY BUILDINGS**

3.1.1 Accessory buildings shall be kept in good repair and free from health, fire and accident hazards.

3.2 **UNOCCUPIED BUILDINGS**

3.2.1 Where any building is unoccupied the owner or his or her agent shall protect every such building against the risk of fire, accident or other danger and shall secure such building to prevent the entrance to it of all unauthorized persons.

3.2.2 Unoccupied buildings shall be kept in good repair and free from health, fire and accident hazards.

3.3 **DRAINAGE**

3.3.1 Storm water shall be drained from the yard so as to prevent recurrent ponding or the entrance of water into a basement or cellar.

3.3.2 All reasonable means shall be employed to prevent the erosion of the soil in the yard.

### 3.4 FENCES

#### 3.4.1 Every fence shall be kept:

- (a) in good repair, structurally sound and free of accident hazards; and
- (b) free from objectionable markings.

#### 3.4.2 The provisions of subsection 3.4.1 herein shall not apply to fences located within the Agricultural Zone, General Rural Zone, Hazard Zone and the Environmentally Sensitive Area Zone as set out in the Comprehensive Zoning By-Laws of the former Townships of the County of Prince Edward.

#### 3.4.3 Fences in a residential zone shall not be higher than 2 metres (6.5 feet) unless the residential zone abuts public, commercial, institutional or industrial property in which case the fence shall not be higher than 3 metres (10 feet). Fences in a commercial, institutional or industrial zone shall not be higher than 3 metres (10 feet).

#### 3.4.4 An outdoor, in-ground swimming pool shall be surrounded by a fence which shall be a minimum of 1.5 metres (5 feet) in height from the ground and set back a minimum of 1.5 metres (5 feet) from the edge of the pool.

#### 3.4.5 No person shall erect a fence or permit a fence to be erected or shall have a fence on his or her property which shall have the effect of interfering with or impeding or preventing the safe use of a driveway located on adjoining property in accessing a public highway or street from that adjoining property.

### 3.5 GARBAGE DISPOSAL

#### 3.5.1 All garbage, rubbish and other debris from a property shall be properly stored in receptacles and made available for removal or be removed in accordance with the Corporation's by-laws. Where private containerized garbage pickup is provided and is appropriate, such containers shall be placed behind the building line and shall be kept in a neat, tidy and reasonably odour-free condition.

#### 3.5.2 Where refuse is to be stored or placed for disposal outside the enclosing walls of a building, the storage and place for disposal shall:

- (a) be maintained at all times in a litter-free and reasonably odour-free condition and in a manner that will not attract pests or create a health or safety hazard due to the nature of the storage or through deterioration, wind or misuse of the storage facility; and
- (b) be screened from a public highway, street, walkway, park or residential or non-residential property so as not to be visible from such locations.

3.5.3 Where an exterior bulk or roll-off container refuse disposal system is used, it shall:

- (a) be equipped with covers or similar devices which shall be readily opened but not left open except when actively being loaded; and
- (b) be large enough to contain all refuse generated by the occupants served between collections; and
- (c) not be loaded beyond the top of the container; and
- (d) be maintained at all times in a reasonably odour-free condition.

3.5.4 Notwithstanding the requirements of this section, temporary storage resulting solely from the construction, demolition or alteration of a building or structure may be placed on the property provided:

- (a) it is removed frequently and in its entirety from the property; and
- (b) it will not cause risk to the health or safety of any person; and
- (c) the storage container is not placed in such a location or in such a manner as to be detrimental to neighbouring properties.

### 3.6 **PARKING, WALKWAYS AND SAFE PASSAGE**

3.6.1 In yards of multiple dwellings and non-residential properties sufficient lighting of exterior areas shall be provided to minimize danger to persons using the walkways.

3.6.2 Lighting standards and fixtures shall be kept in safe condition and in good working order.

3.6.3 Communal walkways, communal driveways, communal ramps, communal parking areas and communal outside stairs and landings shall be promptly cleared of snow and appropriate measures shall be taken to minimize risk to persons using them.

### 3.7 **YARDS AND VACANT LOTS**

3.7.1 All yards, driveways and parking areas shall be kept clean and free from rubbish, garbage, brush or other debris and trash and from objects or conditions that might create a health, fire or accident hazard.

3.7.2 Any vehicle, including a trailer, which is in a wrecked, discarded, dismantled, inoperative or abandoned condition shall not be parked, stored or left in any yard or driveway or parking area. The foregoing shall not prevent the occupant of any premises from repairing one vehicle for non-commercial purposes while such repair is being actively carried on.

3.7.3 All yards shall be kept reasonably free of weeds. Noxious weeds shall be eliminated. Heavy undergrowth shall be controlled except in those areas designated Environmental Protection or Shore Land where natural vegetation is deemed essential.

- 3.7.4 Grass and weeds on yards and vacant lots shall be cut and maintained at a height reasonable in consideration of the location and surroundings of the property.
- 3.7.5 No person shall have a hedge or bush or tree on his or her property the height or shape of which shall have the effect of interfering with or impeding or preventing the safe use of a driveway located on adjoining property in accessing a public highway or street from that adjoining property.
- 3.7.6 All yards and vacant lots shall be kept clean and reasonably free from rodents and vermin and from any conditions which might result in the harbouring of such pests.
- 3.7.7 All yards and vacant lots shall be kept free of dilapidated or collapsed buildings or structures or the accumulation of materials or inoperative machinery, or any parts thereof, or any other unsafe or unsightly condition.
- 3.7.8 All yards and vacant lots shall be kept free of holes or excavations or any unprotected wells which might create an accident or health hazard.
- 3.7.9 All yards shall be protected by suitable ground cover which prevents erosion of the soil.
- 3.7.10 Notwithstanding subsection 3.7.2, operative farm machinery, currently being utilized by an ongoing farm operation, may be stored on any yard or vacant lot of property zoned Agricultural or General Rural Zone.
- 3.7.11 Notwithstanding subsection 3.7.7 inoperative farm machinery may be stored on property zoned Agricultural or General Rural Zone but shall be stored in such manner as not to be readily visible from a travelled road.

### 3.8 **BUFFERING**

- 3.8.1 Properties zoned Commercial, Industrial or Institutional which, because of their use or occupancy or for any other reason, create a nuisance to adjacent premises or to the neighbourhood or to the users of streets or parks, shall be buffered from such premises or public areas so as to minimize the effect of the nuisance.
- 3.8.2 Without limiting the generality of the foregoing, such buffering shall include:
- (a) the provision and maintenance of an effective barrier to prevent wind-blown waste, wrappings, debris and the like from encroaching on the adjacent premises;
  - (b) the provision and maintenance of a screen to minimize the visual impact of nuisances to persons standing on the ground adjacent to the property;
  - (c) the prevention of lighting and vehicle headlights in parking areas from shining directly into dwelling unit windows;

- (d) the screening of transformers and other like equipment; and
- (e) provision of a safe route for persons and vehicles.

### 3.9 **RETAINING WALLS**

3.9.1 Retaining walls shall be maintained in a structurally sound condition, in good repair and free from accident hazards.

3.9.2 Without restricting the generality of subsection 3.9.1 such maintenance shall include:

- (a) redesigning and rebuilding to the requirements of the Ontario Building Code and regulations made thereunder, or replacing of all deteriorated, damaged, misaligned or missing portions of the retaining wall and railings or guards associated therewith;
- (b) installing subsoil drains where required to maintain the stability of the wall;
- (c) grouting masonry cracks; and
- (d) applying a coat of paint or equivalent preservative to prevent deterioration or any unsightly appearance.

### 3.10 **GANTRIES AND ANTENNAS**

3.10.1 Gantries, antennas and like structures shall be maintained so as to be:

- (a) plumb, unless specifically designed to be other than vertical; and
- (b) in good repair, in a relatively rust free condition and free of fire and accident hazards.

### 3.11 **SIGNS**

3.11.1 Signs shall be repaired and maintained:

- (a) so as not to cause any unsafe condition;
- (b) so as to be in a vertical plane unless otherwise erected and approved, in which case the sign shall be maintained as erected and approved;
- (c) without any visible deterioration of the sign and its structure when viewed from any property other than the property on which the sign is situated; and
- (d) to conform in every respect with the requirements of the sign by-law of the municipality.

3.11.2 Signs and sign structures that are not in use and are not cared for or have been discarded shall be removed from the property or shall be stored within a building.

#### 4. MAINTENANCE OF BUILDINGS AND STRUCTURES

##### 4.1 **ROOF**

4.1.1 The maintenance and repair of roofs over and adjacent to public walkways shall include:

- (a) removal of obstructions or loose, unsecured objects and materials;
- (b) removal of dangerous accumulations of snow and ice; and
- (c) removal of other accident hazards and fire hazards.

##### 4.2 **AIR CONDITIONERS**

4.2.1 All air conditioners (including heat pumps) shall satisfy applicable C.S.A. standards, shall be maintained in a safe mechanical and electrical condition and shall not adversely affect areas beyond the limits of the property by reason of noise or condensation drainage.

##### 4.3 **FIRE AND ACCIDENT PREVENTION**

4.3.1 When, because of the existence of a building or accessory structure, or the contents thereof, a condition exists which is unsafe to persons on or about the exterior property areas of a premises the Ontario Building Code shall apply to the extent necessary to abate the unsafe condition.

4.3.2 In the event that strict application of the regulations in the Ontario Building Code is not practicable the Officer may accept alternative measures provided the standard of safety that results is generally equivalent to the standard provided by the detailed Ontario Building Code regulations.

4.3.3 In the event of fire or other disaster, measures shall be taken as soon as possible to make the damaged building or accessory structure compatible with its environment. Without restricting the generality of the foregoing, such measures include making the building or accessory structure safe, repairing damaged surfaces exposed to view and refinishing so as to be in harmony with adjoining undamaged surfaces and the general environment.

4.3.4 In the event that the building or accessory structure is beyond repair, the land shall be cleared of all remains of the building or structure and left in a graded, level and tidy condition.

4.3.5 Materials of a flammable nature shall be safely stored or removed at once from the property.

#### 5. ADMINISTRATION

##### 5.1 **APPLICATION OF BY-LAW**

5.1.1 This by-law shall apply to all property within The Corporation of the County of Prince Edward.

- 5.1.2 The invalidity of any particular provision of this by-law shall not affect any other provision hereof but the by-law shall be construed as if such invalid provision were omitted.
- 5.1.3 Where a provision of this by-law conflicts with a provision of another by-law in force in the Municipality, the provision that establishes the higher standards to protect the health, safety and welfare of the general public shall prevail.
- 5.1.4 Any owner of property which is below the standards prescribed by this by-law is required to repair and maintain such property to comply with the standards prescribed by this by-law. Occupancy and use of property that does not conform to such minimum standards is prohibited and the site of such property shall be liable to be cleared of all buildings, structures, debris or refuse and to be left in a graded and levelled condition.
- 5.1.5 All notices and documents herein required shall be signed by the Officer or by his or her designate.
- 5.2 PROPERTY STANDARDS COMMITTEE**
- 5.2.1 This by-law shall be administered by a Property Standards Committee composed of three non-elected persons to be appointed by Council.
- 5.2.2 The initial appointments to the Committee by Council shall be for terms of one, two and three years respectively, so that the term of one appointment shall expire each year, with all subsequent appointments to be for terms of three years each.
- 5.2.3 Upon a vacancy occurring in the membership of the Committee this vacancy shall be filled by Council forthwith.
- 5.2.4 The members of the Committee shall be paid such compensation as Council may determine.
- 5.2.5 The members shall elect a chairperson from among themselves; when the chairperson is absent through illness or otherwise the Committee may appoint another member as acting chairperson.
- 5.2.6 A majority of the members constitutes a quorum for transacting the Committee's business.
- 5.2.7 The members shall provide for a secretary for the Committee who shall keep on file the records of all official business of the Committee, including records of all applications and minutes of all decisions respecting these applications and Section 74 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, applies with necessary modifications to the minutes and records.
- 5.2.8 The Committee may adopt its own rules of procedure and any member may administer oaths; however, prior to hearing an appeal the Committee shall give notice or direct that notice be given of the hearing of the appeal to such persons as the Committee considers advisable.

### 5.3 PROPERTY STANDARDS OFFICER

- 5.3.1 The position of Property Standards Officer is hereby created and the person or persons appointed from time to time to this position shall be responsible for the administration and enforcement of this by-law.
- 5.3.2 A Property Standards Officer may, upon producing proper identification to the owner or occupant, enter upon any lands at any reasonable time without a warrant for the purpose of inspecting the lands to determine:
- (a) whether the lands conform with the standards prescribed in this by-law; or
  - (b) whether the requirements of a Notice of Violation issued under Section 5.4 or an Order to Remedy issued under Section 5.7 have been complied with.
- 5.3.3 A Property Standards Officer shall not enter or remain in any room or place actually being used as a dwelling unless the consent of the occupant is obtained except under the authority of a search warrant issued under Section 158 of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.
- 5.3.4 The consent of an occupant, where this is available, as referred to in subsection 5.3.3 shall be obtained by the Property Standards Officer in writing upon a Consent of Occupant (Form 10) as set out on Schedule "J" attached to this by-law. A Consent of Occupant shall be completed and signed in duplicate with the original being retained by the Property Standards Officer and the copy left with the occupant for his or her record.
- 5.3.5 Where a Search Warrant is required the Property Standards Officer shall complete and submit to a Justice of the Ontario Court of Justice or a Justice of the Peace an Information to Obtain Search Warrant (Form 11). The Search Warrant, if approved and authorized, may be in Form 12 (Search Warrant).
- 5.3.6 The Information to Obtain Search Warrant shall be as set out on Schedule "K" hereto and the Search Warrant shall be as set out on Schedule "L" hereto or upon such equivalent forms as may be authorized by the Ontario Court of Justice.
- 5.3.7 A Property Standards Officer shall have all of the rights and powers of a Provincial Offences Officer pursuant to the designation by the Solicitor General of Ontario of all municipal employees, whose duties include the enforcement of by-laws, as Provincial Offences Officers for the purposes of all by-law offences. The said designation was made by the Solicitor General on the 30<sup>th</sup> day of July, 1984.

### 5.4 NOTICE OF VIOLATION

- 5.4.1 When an inspection by the Property Standards Officer reveals that a property does not conform to the standards prescribed by this by-law the Officer shall issue a Notice of Violation (Form 1).

5.4.2 The Notice shall be sent by prepaid registered mail to, or shall be served by personal service upon, the assessed owner, the occupant, and all persons shown by the records of the Land Registry Office, the Land Titles Office and the local Court Administrator's Office to have an interest in the property in question and the occupant thereof, if any.

## 5.5 CONTENTS OF NOTICE OF VIOLATION

5.5.1 The Notice of Violation shall be as set out on Schedule "A" attached to this by-law.

## 5.6 HEARING

5.6.1 Any hearing requested by an owner, as the result of the owner receiving a Notice pursuant to Section 5.4 of this by-law, shall be held by the Property Standards Officer within twenty-one days of receipt by the Officer of the owner's request. The owner shall have the right to make such representations and present such evidence as he or she desires at the hearing before the Property Standards Officer.

5.6.2 Before holding a hearing the Officer shall give notice of it to such persons as the Officer considers should receive notice and in the manner directed by the Committee.

## 5.7 ORDERS

5.7.1 At any reasonable time after the date specified in the Notice of Violation given under Section 5.4 or the hearing under Section 5.6 of this by-law, the Property Standards Officer may issue an Order To Remedy (Form 2) with regard to a property which violates the standards prescribed by this by-law. The Order shall be served in the manner provided in subsection 15.2 (3) of the Building Code Act, 1992, as amended, and regulations thereunder.

5.7.2 Such an Order shall conform with the requirements of subsection 15.2 (2) of the Building Code Act, 1992, as amended, and shall be in Form 2 as set out on Schedule "B" to this by-law.

## 5.8 ORDER TO BE SENT TO LAST KNOWN ADDRESS

5.8.1 A Notice or any Order under Sections 5.4 and 5.7 of this by-law sent by registered mail shall be sent to the last known address of the person to whom it is sent.

## 5.9 PLACARDING

5.9.1 A Property Standards Officer may place or may cause to be placed in a prominent position on the exterior of any building which does not conform to the standards set out in this by-law, a placard in the form (Form 2) set out on Schedule "B" to this by-law and no person shall pull down or remove or deface any such placard. The placing of the placard shall be deemed to be sufficient service of the notice or Order on the owner or occupants thereof.

5.9.2 Any person who removes from the premises any such notice or placard erected pursuant to subsection 5.9.1 of this by-law shall be guilty of an offence and on conviction shall be liable to a penalty pursuant to Section 6.3 of this by-law.

## **5.10 DATE OF SERVICE**

- 5.10.1 When a Notice or Order has been served by or on behalf of a Property Standards Officer, the date of service shall be deemed to be the date upon which the Notice or Order is delivered to a Post Office for mailing by registered mail or when a Notice or Order is personally served upon any person, or shall be deemed to be the date of placarding of a property as provided in Section 5.9 of this by-law.

## **5.11 REGISTRATION AND DISCHARGE OF ORDER**

- 5.11.1 An Order made under Section 5.7 of this by-law may be registered in the proper Land Registry or Land Titles Office and, upon registration, any person acquiring any interest in the land subsequent to the registration of the Order shall be deemed to have been served with the Order on the date on which the Order was served under Section 5.7.

- 5.11.2 When the requirements of the Order have been satisfied, the Clerk of the Municipality shall forthwith register in the proper Land Registry or Land Titles Office a certificate that such requirements have been satisfied, which shall be in Form 3 (Discharge of Order to Remedy). The same shall apply to an Order confirmed or modified by the Committee or by a Justice of the Superior Court of Justice.

- 5.11.3 The Discharge of Order to Remedy shall be as set out on Schedule "C" attached to this by-law.

## **5.12 COMPLIANCE WITH ORDER**

- 5.12.1 Where no appeal is taken, or after all appeals are completed, the Order as confirmed or modified shall be final and binding upon the owner and occupant who shall make the repair or carry out the demolition or otherwise comply with the Order.

## **5.13 APPEAL TO PROPERTY STANDARDS COMMITTEE**

- 5.13.1 When an owner or occupant upon whom an Order to Remedy (Form 2) of the Property Standards Officer has been served is not satisfied with the terms or conditions of the Order, he or she may appeal to the Property Standards Committee by sending a Notice of Appeal (Schedule "D", Form 4) by registered mail or by personal delivery to the secretary within fourteen (14) days after service of the Order to Remedy (Form 2) and if no appeal is taken the Order shall be deemed to have been confirmed.

## **5.14 HEARING OF APPEAL**

- 5.14.1 Where an appeal of an Order has been filed with the secretary within the prescribed time, the Committee shall hear the appeal within thirty (30) days after receipt of the Notice of Appeal by the secretary.

- 5.14.2 Notice of the hearing by the Property Standards Committee of an appeal shall be served by the secretary by registered mail or by personal service upon the appellant(s) and upon any other person(s) that the Committee may direct. The form of the notice shall be Form 5 (Notice of Hearing of Appeal) attached as Schedule "E" to this by-law.
- 5.14.3 The Committee shall have all the powers and functions of the Property Standards Officer and may confirm the Order to demolish or repair or may modify or quash the Order or may extend the time for complying with the Order provided that, in the opinion of the Committee, the general intent and purpose of the by-law and of the County Official Plan are maintained. The decision of the Committee shall be conveyed to the appellant(s) and to any other person(s) served through Form 6 attached as Schedule "F" to this by-law.
- 5.14.4 Notice of a person's intention to appear before the Committee to appeal the Order to Remedy shall be given to the Property Standards Officer who will also be heard by the Committee.

#### 5.15 APPEAL FROM DECISION OF THE COMMITTEE

- 5.15.1 The Municipality in which the property is situated or any owner or occupant or person affected by a decision under subsection 5.14.3 of this by-law may appeal to a Justice of the Superior Court of Justice by so notifying the Clerk of the Corporation in writing using a Notice of Appeal to a Justice (Schedule "G", Form 7) and by applying for an appointment within fourteen (14) days after the sending of a copy of the decision, and
- (a) the Justice shall, in writing, appoint a day, time and place for the hearing of the appeal and, in his or her appointment, may direct that it shall be served upon such persons and in such manner as he or she prescribes; and
  - (b) the appointment shall be served in the manner prescribed; and
  - (c) the Justice on such appeal has the same powers and functions as the Committee.

#### 5.16 ORDER TO BE FINAL AND BINDING

- 5.16.1 The Order, as deemed to have been confirmed pursuant to subsection 5.13.1 of this by-law, or as confirmed or modified by the Committee pursuant to subsection 5.14.3 of this by-law, or, in the event of an appeal to the Justice pursuant to Section 5.15 of this by-law, as confirmed or modified by the Justice, shall be final and binding upon the owner and occupant who shall make the repair or effect the demolition and clearance within the time and in the manner specified in the Order, and the Order shall also be final and binding upon the Corporation where a modification of any provision of this by-law is entailed.

6

**ENFORCEMENT****6.1 POWER OF THE CORPORATION TO REPAIR OR DEMOLISH**

- 6.1.1 If the owner or occupant of property fails to demolish the property or to repair in accordance with an Order as confirmed or modified, the Corporation, in addition to all other remedies, shall have the right to repair or demolish the property accordingly and for this purpose the employees or agents of the Corporation may enter the property at any reasonable time without a warrant.
- 6.1.2 The Corporation or any person acting on its behalf is not liable to compensate the owner, occupant or any other person by reason of anything done by or on behalf of the Corporation in the reasonable exercise of its powers under this Section.
- 6.1.3 Anything not removed by the owner or occupant by the date stated on the Order to Remedy a violation may be removed by the Corporation at the expense of the owner, and all expenses shall be collected as in subsection 6.1.4. If any vehicle is not claimed within thirty (30) days it shall be sold and all expenses shall be collected in as in subsection 6.1.4.
- 6.1.4 The Corporation shall not demolish any building or structure without the approval of Council. All of the costs of such demolition or removals or repair, including the Corporation's administrative and legal expenses and disbursements, shall be added to the owner's tax bill and shall be collected in the same manner as municipal real property taxes.
- 6.1.5 Where the property does not conform to the standards prescribed by this by-law and an Order to repair and maintain has been given but has not been complied with and the Order as confirmed or modified is final and binding, the Corporation may serve notice on the owner and all persons having an interest in the property requiring that the property be vacated on or before the time specified in the notice and, after such time, the occupancy and use of the property is prohibited.

**6.2 ISSUANCE OF CERTIFICATE OF COMPLIANCE**

- 6.2.1 Following the inspection of a property the Property Standards Officer may, or on the request of the owner shall, issue to the owner a Certificate of Compliance in the form set out on Schedule "H" (Form 8) to this by-law if, in his or her opinion, the property is in compliance with the standards of this by-law.
- 6.2.2 If a Certificate of Compliance is issued at the request of the owner, the owner shall pay a fee therefor as set out in the Corporation's tariff of fees.

**6.3 PENALTIES**

- 6.3.1 Any person who fails to comply with an Order issued under the provision of this by-law, which is final and binding, or who contravenes any other provision of this by-law, is guilty of an offence and on conviction is liable to a fine of not more than \$25,000.00 for a first offence and to a fine of not more than \$50,000.00 for a subsequent offence.

- 6.3.2 If a corporation is convicted of an offence under the provisions of this by-law the maximum penalty that may be imposed upon the corporation is \$50,000.00 for a first offence and \$100,000.00 for a subsequent offence and not as provided in subsection 6.3.1.

7. EMERGENCY PROCEDURES

7.1 **EMERGENCY ORDER**

- 7.1.1 Despite any other provisions of this by-law, if upon inspection of a property the Officer is satisfied that there is non-conformity with the standards prescribed in this by-law to such extent as to pose an immediate danger to the health or safety of any person the Officer may make an Order containing particulars of the non-conformity and requiring remedial repairs or other work to be carried out immediately to terminate the danger. The Order shall be served on the owner of the property and such other persons affected thereby as the Officer determines and a copy shall be posted on the property.

7.2 **EMERGENCY POWERS**

- 7.2.1 After making an Order under Section 7.1 the Officer may, either before or after the Order is served, take or cause to be taken any measures which he or she considers necessary to terminate the danger. For this purpose the Municipality may, through its employees and agents, at any time enter upon the property in respect of which the Order was made without a warrant.

7.3 **COMPENSATION**

- 7.3.1 The Officer, the Municipality or anyone acting on behalf of the Municipality, is not liable to compensate the owner, occupant or any other person by reason of anything done by or on behalf of the Municipality in the reasonable exercise of its powers under Section 7.2.

7.4 **SERVICE OF ORDER AND STATEMENT**

- 7.4.1 Where the Order was not served before measures were taken to terminate the danger, the Officer shall serve copies of the Order in accordance with Section 7.1 as soon as practicable after the measures have been taken, and each copy of the Order shall have attached to it a statement by the Officer (Statement of Emergency Measures Taken, Form 9) describing the measures taken by the Municipality and providing details of the amount expended in taking these measures.

- 7.4.2 The Statement of Emergency Measures Taken shall be as set out on Schedule "I" attached to this by-law.

7.5 **SEPARATE SERVICE OF STATEMENT**

- 7.5.1 If the Order was served before the measures were taken, the Officer shall serve a copy of the statement mentioned in Section 7.4 in accordance with Section 7.1 as soon as practicable after the measures have been taken.

## **7.6 APPLICATION TO A JUSTICE**

7.6.1 As soon as practicable after the requirements of Section 7.4 or 7.5 have been complied with, the Officer shall apply to a Justice of the Superior Court of Justice for an Order confirming the Order made under Section 7.1 and the Justice shall hold a hearing for that purpose.

7.6.2 The Justice in disposing of an application under subsection 7.6.1 shall,

- (a) confirm, modify or rescind the Order; and
- (b) determine whether the amount spent on measures to terminate the danger may be recovered in whole, in part or not at all.

## **7.7 DISPOSITION BY JUSTICE**

7.7.1 The disposition of the application under subsection 7.6.2 is final and binding.

## **7.8 RECOVERY OF EXPENSES**

7.8.1 The amount determined by the Justice to be recoverable by the Municipality shall be a lien on the land and shall be deemed to be municipal real property taxes and may be added by the Clerk of the Municipality to the collector's roll and collected in the same manner and with the same priorities as municipal real property taxes.

8

## **SCOPE OF THE BY-LAW**

### **8.1 REPAIRS**

8.1.1 All repairs carried out to comply with this by-law and any Order issued hereunder shall be carried out with suitable and sufficient materials in a manner acceptable as good and workmanlike for the trades concerned.

8.1.2 Nothing in this by-law shall require repairs to be carried out inside an unused building or structure or inside an unused part thereof, except as necessary to remedy an unsafe condition.

8.1.3 Nothing in this by-law shall require, under the authority of this by-law, repairs to be made to property where such repairs are matters regulated by any other Act of the Province of Ontario and regulations thereunder.

## 8.2 GENERAL


8.2.1 The following Schedules form part of this by-law:


Schedule "A" (Form 1)	-	Notice of Violation
Schedule "B" (Form 2)	-	Order to Remedy
Schedule "C" (Form 3)	-	Discharge of Order to Remedy
Schedule "D" (Form 4)	-	Notice of Appeal
Schedule "E" (Form 5)	-	Notice of Hearing of Appeal
Schedule "F" (Form 6)	-	Decision of Property Standards Committee
Schedule "G" (Form 7)	-	Notice of Appeal to a Justice
Schedule "H" (Form 8)	-	Certificate of Compliance
Schedule "I" (Form 9)	-	Statement of Emergency Measures Taken
Schedule "J" (Form 10)	-	Consent of Occupant
Schedule "K" (Form 11)	-	Information to Obtain Search Warrant
Schedule "L" (Form 12)	-	Search Warrant

8.2.2 The following by-laws are hereby repealed:

Town of Picton By-Law Nos. 29-1978, 38-1984 and 39-1984;  
Village of Bloomfield By-Law No. 673;  
Village of Wellington By-Law No. 1141;  
Township of Ameliasburgh By-Law No. 1187-89;  
Township of Hallowell By-Law No. 791; and  
Township of Sophiasburgh By-Law No. 1353.

Read a FIRST, SECOND and THIRD time and finally passed this 8<sup>th</sup> day of November, 1999.

  
Glen R. Knox, Clerk

  
James A. Taylor, Q.C., Mayor

CORPORATION OF THE COUNTY OF PRINCE EDWARD  
SCHEDULE "A" TO BY-LAW 317-1999

**NOTICE OF VIOLATION  
OF STANDARDS OF MAINTENANCE AND OCCUPANCY  
(FORM 1)**

Date of Inspection \_\_\_\_\_ Time \_\_\_\_\_ By-Law No. \_\_\_\_\_  
Municipal Address of Property \_\_\_\_\_

Name of Occupant where Occupied \_\_\_\_\_ Unoccupied \_\_\_\_\_  
Name and Address of Assessed Owner \_\_\_\_\_

**PENALTIES ARE PROVIDED FOR VIOLATION OF THE PROPERTY STANDARDS  
BY-LAW.**

Description of Violation	Location	By-Law Reference

**NOTICE**

**YOUR ATTENTION** is directed to the above-stated violation(s) of property standards established by By-Law in this Municipality and you are requested to take action to comply with the by-law requirements not later than \_\_\_\_\_.

**YOU ARE FURTHER** advised that you are entitled to appear before the undersigned Officer to make representations in connection with the above-stated violation(s).

**IF NO ACTION IS TAKEN** to correct the violation(s), an Order to Remedy will be issued to compel compliance with the Property Standards By-Law.

\_\_\_\_\_  
Date Notice Given

\_\_\_\_\_  
Signature of Property Standards Officer

72 King Street, P.O. Box 1670,  
Picton, Ontario.  
K0K 2T0

476-3880

Municipal World - Form 321  
Reg. T.M. in Canada. Municipal World Inc.  
Municipal Form - PRESS FIRMLY

Building Code Act, 1992  
c. 23, s. 15.2 (3)

# ORDER TO REMEDY NON-CONFORMITY WITH STANDARDS FOR MAINTENANCE AND OCCUPANCY

Reference No.

No. of Municipality ..... Phone .....

Date of inspection	Time	:	a.m./p.m.	By-law No.
Municipal address or legal description of property				
Name of owner / occupant (attach separate list if required)		Occupied	<input type="checkbox"/>	Unoccupied
			<input type="checkbox"/>	<input type="checkbox"/>

DESCRIPTION OF NON-CONFORMITY	LOCATION	BY-LAW REFERENCE

**REQUIRED ACTION**

There must be compliance with the terms and conditions of this order before \_\_\_\_\_ (Date)

Repairs to be carried out - reasonable particulars:

\_\_\_\_\_

\_\_\_\_\_

Site to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition.

Emergency Order - above work to be carried out immediately to terminate danger. Subsection 15.7 (1).

**TAKE NOTICE THAT** if such repair or clearance is not done within the time specified in this order, the municipality may carry out the repair or clearance at the expense of the owner. Clause 15.2 (2) (c).

**APPEAL TO PROPERTY STANDARDS COMMITTEE** - An owner or occupant upon whom this order has been served, if not satisfied with the terms or conditions of the order, may appeal to the property standards committee by sending notice of appeal by registered mail to the secretary of the committee on or before \_\_\_\_\_ and, in the event that the order is not appealed, it shall be deemed to be confirmed. Subsection 15.3 (1).

.....  
Date order served Signature of Property Standards Officer

**DISTRIBUTION OF ORDER TO REMEDY\*** - The order shall be served on the owner of the property and such other persons affected by it as the officer determines and a copy of the order may be posted on the property. Subsection 15.2 (3).

**REGISTRATION OF ORDER** - Where a copy of this order is registered in the proper land registry office, any person acquiring any interest in the land, subsequent to the registration of the order, shall be deemed to have been served with the order on the day on which the order was served. Subsection 15.2 (4).

**OFFENCE** - A person is guilty of an offence if the person fails to comply with an order, direction or other requirement made under the *Building Code Act, 1992*. A person who is convicted of an offence is liable to a fine of not more than \$25,000 for a first offence and to a fine of not more than \$50,000 for a subsequent offence. Subsections 36 (1) (b) and 36 (3).

Personal information contained on this form, collected pursuant to a by-law passed under the *Building Code Act, 1992* will be used for the purposes of that by-law. Questions should be directed to the Municipal Freedom of Information and Privacy Coordinator at the institution responsible for the procedure under that Act.

CORPORATION OF THE COUNTY OF PRINCE EDWARD  
SCHEDULE "B" TO BY-LAW 317-1999  
(FORM 2)

Municipal World - Form 322  
Reg. T.M. in Canada, Municipal World Inc.  
Multicopy Form - PRESS FIRMLY

Building Code Act, 1992  
c. 23, s. 15.2 (4)

# DISCHARGE OF ORDER TO REMEDY NON-CONFORMITY WITH STANDARDS FOR MAINTENANCE AND OCCUPANCY

Reference No. \_\_\_\_\_

Name of Municipality ..... Phone .....

Date of inspection	Time a.m./p.m.	By-law No.
Municipal address or legal description of property		
Name of owner / occupant (attach separate list if required)	Occupied <input type="checkbox"/>	Unoccupied <input type="checkbox"/>

TAKE NOTICE that whereas an Order to Remedy Non-conformity with Standards for Maintenance and Occupancy  
 v registered against the above-stated property on \_\_\_\_\_  
 (date of registration)  
 a \_\_\_\_\_;  
 (registration reference)

AND WHEREAS the non-conformity with the standards referred to therein have been remedied, and all other  
 conditions of the said order have been complied with;

THEREFORE I hereby certify that all non-conformity with standards referred to has been remedied, and all other  
 requirements of the said order have now been satisfied and that the said order is hereby discharged.

\_\_\_\_\_ Date of discharge of order  
 \_\_\_\_\_ Signature of Clerk

REGISTRATION OF ORDER — The order may be registered in the proper land registry office and, upon such  
 registration, any person acquiring any interest in the land subsequent to the registration of the order shall be  
 deemed to have been served with the order on the day on which the order was served under subsection 15.2 (3)  
 and, when the requirements of the order have been satisfied, the clerk of the municipality shall forthwith register in  
 the proper land registry office a certificate that such requirements have been satisfied, which shall operate as a  
 discharge of the order. Subsection 15.2 (4).

Personal information contained on this form, collected pursuant to a by-law passed under the Building Code Act, 1992 will be used for the  
 purposes of that by-law. Questions should be directed to the Municipal Freedom of Information and Privacy Coordinator of the institution  
 responsible for the processing of the Act.

CORPORATION OF THE COUNTY OF PRINCE EDWARD  
 SCHEDULE "C" TO BY-LAW 317-1999  
 (FORM 3)

Municipal World\* - Form 323  
\* Reg. T.M. in Canada, Municipal World Inc.  
Multicopy Form - PRESS FIRMLY

SCHEDULE "D" TO BY-LAW 317-1999 (FORM 4)

Building Code Act, 1992  
c. 23, s. 15.3 (1)

# NOTICE OF APPEAL TO PROPERTY STANDARDS COMMITTEE

Reference No.

To: Secretary of Property Standards Committee of the \_\_\_\_\_  
Name of municipality

Address \_\_\_\_\_

From: Name of appellant \_\_\_\_\_

Owner  Occupant

Mailing address \_\_\_\_\_ Phone \_\_\_\_\_

Municipal address or legal description of property \_\_\_\_\_

TAKE NOTICE THAT WHEREAS an Order to Remedy Non-Conformity with Standards for Maintenance and Occupancy was issued on \_\_\_\_\_ pursuant to an inspection conducted on \_\_\_\_\_;

AND WHEREAS I am not satisfied with the terms or conditions of this order;

THEREFORE I HEREBY appeal to the Property Standards Committee.

Where corporation  
affix  
corporate seal

\_\_\_\_\_  
Date Signature of appellant (or authorized officer of a corporation)

APPEAL TO COMMITTEE — An owner or occupant who has been served with an order made under subsection 15.2. (2) and who is not satisfied with the terms or conditions of the order may appeal to the committee by sending a notice of appeal by registered mail to the secretary of the committee within 14 days after being served with the order. Subsection 15.3. (1).

Personal information contained on this form, collected pursuant to a by-law passed under the *Building Code Act, 1992* will be used for the purposes of that by-law. Questions should be directed to the Municipal Freedom of Information and Privacy Coordinator at the institution responsible for the procedures under that Act.





Reference No. \_\_\_\_\_

**CORPORATION OF THE COUNTY OF PRINCE EDWARD  
SCHEDULE "G" TO BY-LAW 317-1999**

**NOTICE OF APPEAL TO A JUSTICE AGAINST  
DECISION OF PROPERTY STANDARDS COMMITTEE  
(FORM 7)**

To the Clerk of the Corporation of the County of Prince Edward

Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_

Municipal Address or Legal Description of Property Affected \_\_\_\_\_

\_\_\_\_\_

**TAKE NOTICE** that the above named party being a person affected by the above referenced decision of the Property Standards Committee hereby makes application for an appointment for a hearing of an appeal against such decision.

Nature of Dispute \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date of Application

**APPEAL TO JUDGE** - The municipality in which the property is situate or any owner or occupant or person affected by a decision under subsection (3) of Section 15.3 of the Building Code Act, 1992, may appeal to a Justice of the Superior Court of Justice of the judicial district in which the property is located by so notifying the Clerk of the Corporation in writing and by applying for an appointment within fourteen days after the sending of a copy of the decision. *Building Code Act, 1992, ss. 15.3(4).*

Municipal World - Form 327  
Reg. T.M. in Canada, Municipal World Inc.  
Multicity Form - PRESS FIRMLY

Building Code Act, 1992  
c. 23, s. 15.5 (1)

# CERTIFICATE OF COMPLIANCE WITH STANDARDS FOR MAINTENANCE AND OCCUPANCY

Reference No. \_\_\_\_\_

Name of Municipality \_\_\_\_\_ Phone \_\_\_\_\_

Name and Address of Owner \_\_\_\_\_

Owner's Lawyer - Name and Address (if applicable) \_\_\_\_\_

Property - municipal address or legal description \_\_\_\_\_

Date of inspection \_\_\_\_\_ By-law No. \_\_\_\_\_  
Time \_\_\_\_\_ A.M./P.M.

Fee payable for certificate requested by owner (ss. 15.5 (2), (3)) \$ \_\_\_\_\_

I HEREBY CERTIFY that, upon an inspection of the above property on the date stated, and from a description of the use or proposed use, supplied by or on behalf of the owner, it would appear that the property is in compliance with the standards for maintenance and occupancy established by by-law in the municipality.

In making this certification, the undersigned has relied upon the available records and the description of the use or proposed use supplied by or on behalf of the owner, but makes no representation as to the accuracy of such information. The by-laws of the municipality and any amendments thereto, should be reviewed to ensure that the lands are used only in accordance with such by-laws.

.....  
Date certificate issued

.....  
Signature of Property Standards Officer

**CERTIFICATE OF COMPLIANCE** - An officer who, after inspecting a property, is of the opinion that the property is in compliance with the standards established in a by-law passed under section 15.1 may issue a certificate of compliance to the owner. Subsection 15.5 (1).

**REQUEST FOR CERTIFICATE** - An officer shall issue a certificate to an owner who requests one and who pays the fee set by the council of the municipality in which the property is located. A council of a municipality may set a fee for the issuance of a certificate. Subsections 15.5 (2), (3).

Personal information contained on this form, collected pursuant to a by-law passed under the *Building Code Act, 1992* will be used for the purposes of that by-law. Questions should be directed to the Municipal Freedom of Information and Privacy Coordinator at the institution responsible for the conducting the procedures under that Act.

CORPORATION OF THE COUNTY OF PRINCE EDWARD  
SCHEDULE "H" TO BY-LAW 317-1999  
(FORM 8)

CORPORATION OF THE COUNTY OF PRINCE EDWARD  
SCHEDULE "I" TO BY-LAW 317-1999 (FORM 9)

Municipal World\* - Form 320  
\* Reg. T.M. in Canada, Municipal World Inc  
Multicopy Form - PRESS FIRMLY

Building Code Act, 1992  
c. 23, s. 15.7 (5)

# STATEMENT OF EMERGENCY MEASURES TAKEN RE PROPERTY STANDARDS

Roll / Reference No.

Name of municipality \_\_\_\_\_ Phone \_\_\_\_\_

To: Name of owner / occupant		Occupied <input type="checkbox"/>	Unoccupied <input type="checkbox"/>
Mailing address / location address and / or legal description of property		Phone	

WHEREAS there is non-conformity to such extent as to pose an immediate danger to the health or safety any person;

AND WHEREAS immediate measures were necessary to terminate the danger;

THEREFORE the following measures were taken by the municipality \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following amount was expended in taking these measures \$ \_\_\_\_\_

\_\_\_\_\_  
Date Signature of Property Standards Officer

COPIES OF ORDER - If the order was not served before measures were taken to terminate the danger, the officer shall serve copies of the order in accordance with subsection 15.7 (2) as soon as practicable after the measures have been taken, and each copy of the order shall have attached to it a statement by the officer describing the measures taken by the municipality and providing details of the amount expended in taking the measures. Subsection 15.7 (5).

Personal information contained on this form, collected pursuant to a by-law passed under the Building Code Act, 1992 will be used for the purposes of that by-law. Questions should be directed to the Municipal Freedom of Information and Privacy Coordinator at the institution responsible for the procedures under that Act.

CORPORATION OF THE COUNTY OF PRINCE EDWARD  
SCHEDULE "J" TO BY-LAW 317-1999

CONSENT OF OCCUPANT

(FORM 10)

Date of Inspection \_\_\_\_\_ Time \_\_\_\_\_ By-Law No. \_\_\_\_\_

Municipal Address of Property \_\_\_\_\_

Name of Occupant \_\_\_\_\_

Name and Address of Assessed Owner \_\_\_\_\_

TO: \_\_\_\_\_  
Name of Property Standards Officer

DATE: \_\_\_\_\_

I have been advised by you of my rights under Section 5.3 of the Property Standards  
By-Law of the County of Prince Edward.

I hereby consent to your inspecting the premises which I now occupy, in response to  
the request for this consent which you have made to me.

I am over the age of eighteen years.

\_\_\_\_\_  
Witness

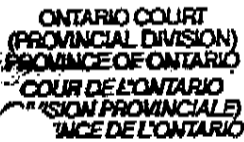
\_\_\_\_\_  
Occupant

**INFORMATION TO OBTAIN SEARCH WARRANT  
DÉNONCIATION EN VUE D'OBTENIR UN MANDAT DE PERQUISITION**

Under Section 158 of the Provincial Offences Act  
aux termes de l'article 158 de la Loi sur les infractions provinciales

Form 140  
Formule 140

Courts of Justice Act  
Loi sur les tribunaux judiciaires  
R.R.O. 1990, Reg. 200  
L.R.Q. 1990, Régl. 200



This is the information of  
Les présentes constituent la dénonciation de

(name / nom)

of / de

(address / adresse)

(occupation / profession)

I have reasonable grounds to believe and do believe that in a certain building, receptacle, or place, namely  
J'ai des motifs raisonnables de croire que, dans un bâtiment, contenant ou lieu, à savoir

(building, receptacle or place / bâtiment, contenant ou lieu)

of / de

(owner / propriétaire)

at / à

(address / adresse)

there are the following thing(s) / se trouvent les objets suivants :

(check appropriate box /  
cochez la case appropriée)

- upon or in respect of which an offence has been or is suspected to have been committed / une chose sur laquelle ou concernant laquelle une infraction a été commise ou est soupçonnée avoir été commise.
- that there are reasonable grounds to believe will afford evidence as to the commission of an offence. / Il existe des motifs raisonnables de croire qu'elle fournira une preuve concernant la perpétration d'une infraction.

And further say that my grounds for so believing are: / Et je le crois pour les motifs suivants :

Therefore I request that a search warrant be issued to search the said  
Je demande donc qu'un mandat de perquisition soit décerné pour fouiller ledit

(building, receptacle, or place / bâtiment, contenant ou lieu)

for the said thing(s)  
dans le but d'y trouver la(les) dite(s) chose(s)

(signature of informant / signature du dénonciateur)

Sworn before me at /  
Assermenté devant moi à

this day of  
le jour de

19

Judge or Justice of the Peace in and for the Province of Ontario  
Juge ou juge de paix dans et pour la province de l'Ontario

CORPORATION OF THE COUNTY OF PRINCE EDWARD

SCHEDULE "K" TO BY-LAW 317-1999

(FORM 11)

ONTARIO COURT  
(PROVINCIAL DIVISION)  
COUR DE L'ONTARIO  
VISION PROVINCIALE

SEARCH WARRANT  
MANDAT DE PERQUISITION

Under Section 142 of the Provincial Offences Act  
aux termes de l'article 142 de la Loi sur les infractions provinciales

Form 141  
Formulaire 141  
Courts of Justice Act  
Loi sur tribunaux judiciaires

To / À  
and all the police officers of Ontario / et aux agents de police de l'Ontario

Whereas, on the information upon oath of / Attendu que, à la suite de la dénonciation faite sous serment par

I am satisfied that there are reasonable grounds to believe that  
je me suis assuré qu'il existe des motifs raisonnables de croire que  
(describe things to be searched for / décrire ce qui fait l'objet de la perquisition)

(check appropriate box / cocher ce qui s'applique ici)

upon or in respect of which the offence / sur lequel ou au sujet duquel l'infraction  
of / de

contrary to / par dérogation à  
is suspected to have been committed, or / est soupçonnée avoir été commise, ou

section / article

that there is reasonable ground to believe will afford evidence as the commission of the  
offre un motif raisonnable de croire qu'il fournira une preuve de la perpétration de  
offence of / l'infraction

contrary to / par dérogation à

section / article

may be found at / peut être trouvé dans

(building, place, receptacle / bâtiment, lieu, contenant)

of / de  
at / à

(address / adresse)

hereinafter called the premises / ci-après appelé les lieux.

This is therefore to authorize you to enter such / À ces causes, vous êtes autorisés par les présentes à entrer dans

(name of building, receptacle or place / nom ou endroit du bâtiment, contenant ou lieu)

between the hours of 6:00 a.m. and 9:00 p.m. standard time, or / entre 6 h 00 et 21 h 00, heure normale, ou

(time warrant to be executed / heure à laquelle le mandat doit être exécuté)

and to search there for the said things and to seize them and carry them before me or another justice in the county or district in which the  
Ontario Court (Provincial Division) having jurisdiction in respect of the offence is situated so that they may be dealt with according to the law  
et à y faire une perquisition pour y trouver ce que vous recherchez et pour vous en saisir et pour me l'apporter ou pour l'apporter devant  
autre

judge qui siège dans le comté ou le district dans lequel est située la Cour de l'Ontario (Division provinciale) qui a compétence pour traiter  
cette infraction, afin qu'il en soit fait usage selon la loi.

The warrant expires on the / Ce mandat expire en date du day of / jour de

a day not later than the fifteenth day after its issue / une date qui n'est pas postérieure au 15<sup>e</sup> jour qui suit l'émission du mandat

Issued at / Décerné

this / ce day of / jour de , 19

Judge or Justice of the Peace in and for the Province of Ontario  
Juge ou juge de paix dans et pour la province de l'Ontario

CORPORATION OF THE COUNTY OF PRINCE EDWARD  
SCHEDULE "L" TO BY-LAW 317-1999

(FORM 12)