

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: May 18, 2021
TO: Committee of the Whole
FROM: Cynthia Moyle, Acting Clerk
SUBJECT: **Safe Property By-Law (By-Law No. 21-010)**
Section 7 Administration and Enforcement Amendments

RECOMMENDATION:

THAT the Committee of the Whole directs the Acting Clerk to prepare the By-Law Amendment to the Safe Property By-Law.

BACKGROUND:

By-Law No. 21-010, being a by-law respecting the cleaning up of yards and vacant lots in the Municipality of Mississippi Mills was adopted on February 16, 2021 referred to as "The Safe Property By-Law".

It has been brought to the attention of the Acting Clerk of an oversight in preparing this by-law. Recommended changes to Section 7, Administration and Enforcement were not incorporated prior to Council enacting this by-law. The By-Law Enforcement Officer has also reviewed the by-law with changes to Section 7.

The Acting Clerk is recommending Section 7, Administration and Enforcement to strike out in its **entirety**:

~~a) When any property is not maintained to the requirements of this by-law, the officer will notify the property owner, occupant, or other person responsible for the maintenance of the property by attending the property to speak with the owner/occupant, leaving a business card and advising of the concerns. Any questions regarding who complained will always be answered with 'I was driving by and noticed the property did not meet the Safe Property By-Law and stopped by.'~~

~~b) When any property, after being advised about the concerns by the above, and that the property does not maintain the requirements of this by-law, the officer will notify the property owner, occupant, or other person responsible for the maintenance of the property and if it fails to comply with the Safe Property By-Law and that the property has not been brought into compliance with the~~

~~provisions of the by-law within a specified period, but not less than 24 (twenty-four) hours from the date of the notification;~~

~~e) The *Safe Property Notice* shall then be delivered to the property owner, occupant, or other person responsible for the maintenance of the property, by *Registered Mail*, to the last known address of the owner as shown on the tax assessment rolls of the municipality, or *delivered personally*, or *sent electronically*, or issued *verbally* by phone, to the owner or occupant and/or a person responsible for the property.~~

~~d) Where the property owner/occupant is served and refuses to or fails to comply with the '*Safe Property Notice*' the officer may initiate corrective actions to bring the property into compliance with the provisions of this by-law. The costs associated with the work done to bring the property into compliance may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes, pursuant to Section 446(3) of the *Municipal Act 2001, S.O. 2001, C.25*, as amended. The Municipality may apply an administration fee in accordance with the Fees and Charges Bylaw.~~

~~e) Where a '*Safe Property Notice*' has been served on the occupant, pursuant to section 7 a), and, the requirements of the *Safe Property notice* have not been complied with, the officer will notify the property owner of the violation and, if requested, provide the property owner with a copy of the *Safe Property Notice* served on the occupant. If the property owner and/or the occupant refuses or fails to comply with the *Safe Property Notice*, then the provisions of section 7 b) shall apply.~~

~~f) Where a *Safe Property Notice* has been issued under section 7 a) or 7 c) the '*Safe Property Notice*' will remain in full effect for a period of six (6) months from the date of issue or until rescinded, in writing, by a *Property Standards Officer*.~~

And replaced by inserting the following wording:

- a) When any property is not maintained to the requirements of this by-law, the officer may notify the owner, tenant or occupant, or other person responsible for the maintenance of the property, by issuing a *Safe Property Notice* directing that the property be brought into compliance with the provisions of the by-law within a specific period of time, but not less than 24 hours from the date of the Notice. Said Notice shall be sent by registered mail to the last known address as shown on the last tax assessment rolls of the municipality or delivered personally or sent electronically to the owner, tenant or occupant or person responsible for the property.
- b) Where the property owner/occupant is served a *Safe Property Notice* pursuant to Section 7a) and refuses to or fails to comply with the *Safe Property Notice* the officer may initiate corrective actions to bring the property into compliance with the provisions of this by-law. The costs associated with the work done to bring

the *property* into compliance may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes, pursuant to Section 446(3) of the *Municipal Act 2001, S.O. 2001, C.25*, as amended. The Municipality may apply an administration fee in accordance with the Fees and Charges Bylaw.

- c) Where a *Safe Property Notice* has been served on the *occupant*, pursuant to section 7 a), and, the requirements of the *Safe Property notice* have not been complied with, the officer will notify the *property owner* of the violation and, if requested, provide the property owner with a copy of the *Safe Property Notice* served on the *occupant*. If the property owner and/or the occupant refuses or fails to comply with the *Safe Property Notice*, then the provisions of section 7 b) shall apply.
- a. Where a *Safe Property Notice* has been issued under section 7 a) or 7 c) the '*Safe Property Notice*' will remain in full effect for a period of six (6) months from the date of issue or until rescinded, in writing, by a *Property Standards Officer*.

DISCUSSION:

Staff will ensure every effort is made to ensure accuracy in by-laws presented to Council.

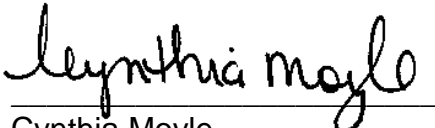
FINANCIAL IMPLICATIONS:

None

SUMMARY:

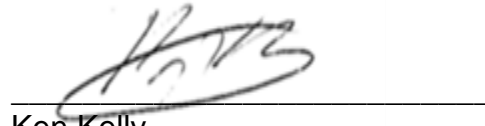
Staff recommendation is to proceed with the amendment.

Respectfully submitted by,



Cynthia Moyle,
Acting Clerk

Reviewed by:



Ken Kelly,
Chief Administrative Officer