

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 21-051

BEING a by-law to amend The Safe Property By-law No. 21-010.

WHEREAS Clauses 5 and 6 of Section 11(2), and Sections 127, 128 and 131 of the *Municipal Act 2001, S.O. 2001, c. 25*, as amended, authorizes municipalities to pass by-laws for requiring the cleaning and clearing of yards, for prohibiting the depositing of refuse on private and public lands; and for prohibiting automotive wrecking yards; and

WHEREAS Section 127 of the *Municipal Act 2001, S.O. 2001, c.25*, as amended, permits a municipality to pass by-laws requiring an owner or occupant of land to clean and clear the land, not including buildings, or to clear refuse or debris from the land, not including buildings, and for regulating when and how such matters shall be done, for prohibiting the disposal of refuse or debris on land without the consent of the owner or occupant of land and for defining "refuse"; and

WHEREAS Section 446 of the *Municipal Act 2001, S.O. 2001, c. 25*, permits a municipality to enact a by-law to require that a matter or thing be done by a person, and in default the matter or thing may be done by the municipality at the person's expense, and further that the costs of doing so may be added to the tax rolls and collected in the same manner as taxes; and,

WHEREAS it is deemed desirable to enact this by-law to extend the useful life of individual Property, to enhance the quality of communities and neighborhoods, and to ensure the continued enjoyment of property for residents and property owners in the Municipality.

AND WHEREAS Council passed The Safe Property By-law No. 21-010 on February 16th, 2021.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. **THAT** Section 7, Administration and Enforcement of By-law 21-010 is replaced with the following:
 - 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.

2. **THAT** Schedule "A" – Part 1 – Provincial Offences Act, Set Fine Schedule be attached to The Safe Property By-law No. 21-010.

3. **THAT** this by-law shall take effect on the day of its passing.

BY-LAW READ, passed, signed and sealed in open Council this 15th day of June, 2021.

Christa Lowry, Mayor

Cynthia Moyle, Acting Clerk

APPENDIX "A"
THE MUNICIPALITY OF MISSISSIPPI MILLS
SAFE PROPERTIES BY-LAW NO. 21-010
PART 1 - PROVINCIAL OFFENCES ACT
SET FINE SCHEDULE

Item	Column 1 Short Form Wording	Column 2 Section Creating Offence	Column 3 Set Fine
1	Fail to Maintain Property – Refuse/Debris	Section 4 a)	\$200
2	Permit Overgrowth of Vegetation	Section 4 b)	\$200
3	Fail to Maintain Adjacent Property	Section 4 c)	\$200
4	Fail to Maintain Hedge/Shrub/Tree	Section 4 d)	\$200
5	Littering	Section 4 e)	\$200
6	Permit Pest Infestation	Section 4 f)	\$200
7	Prohibited Storage	Section 4 g)	\$200
8	Pool/Hot Tub/Pond – Not Maintained	Section 4 h)	\$200
9	Permit Prohibited Water Discharge	Section 4 i)	\$200
10	Commercial Waste Bin/Dumpster - Overloaded	Section 4 j)	\$200

* Note: The general penalty provision for the offences indicated above is Section 9 of By-law No. 21-010, a certified copy of which has been filed.