

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 96- 41

BEING A BY-LAW CONCERNING PROPERTY MAINTENANCE

WHEREAS the *Municipal Act*, as amended, Section 210 (80), (82), (135), and (136), and Section 326, allows municipalities to pass by-laws enforcing Property Maintenance.

THE COUNCIL OF THE CORPORATION OF THE CITY OF PETERBOROUGH ENACTS AS FOLLOWS:

DEFINITIONS

1. In this by-law:

“Act” means the *Municipal Act*, R.S.O. 1990, c.M.45, as amended;

“City” means The Corporation of the City of Peterborough;

“Officer” the Chief Building Official of the City of Peterborough or designate;

“owner” means the registered owner and/or person in possession of property;

“property” means lands and premises including all mobile homes, buildings or structures located thereon, excluding property owned by the City;

“waste material” means any waste material, including, without limiting the generality of the foregoing, wrecked, discarded, dismantled, inoperative, or abandoned appliances, vehicles, machinery, furniture, tools, or parts thereof.

ADMINISTRATION OF BY-LAW

2. The administration of this by-law is assigned to the Chief Building Official who shall investigate alleged contraventions of this by-law upon written complaint.

MAINTENANCE OF PROPERTY

3. No owner shall permit:

(a) the growth of grass or weeds in excess of 20 centimetres in height on any lawn area; or

(b) the accumulation of waste material on any property; and

(c) subsection (b) shall not prevent an owner from maintaining a properly managed composter or compost heap.

OFFICER'S AUTHORITY

4. An Officer:

(a) may, at all reasonable times, enter and inspect a property or the part of a property

to which this by-law applies for the purpose of determining compliance with this by-law or a direction given under this by-law;

- (b) may direct, in writing, an owner of property to bring the property into compliance with this by-law within seven (7) days of the date of such direction;
- (c) may, in the event that the owner fails to comply with a direction, arrange for the provision of such services as are necessary at a property to which this by-law applies to bring the property into compliance with this by-law; and
- (d) shall provide sufficient information to enable the City Clerk to add any expense so incurred by the City to the collector's roll.

EXPENSES AND COLLECTION

5. Any expenses incurred in bringing a property into compliance with this by-law may be recovered in like manner as municipal taxes.

CERTIFICATE

6. The certificate of the City Clerk as to the amount spent by the City is proof, in the absence of evidence to the contrary, of the amount.

OFFENCES AND FINES

7. Any person who contravenes any provision of this by-law is guilty of an offence and is liable, upon conviction, to a fine as prescribed by applicable law for each offence, recoverable under the provisions of the *Provincial Offences Act*.

BY-LAW read a first and second time this 25th day of March, 1996.

BY-LAW read a third time and finally passed this 25th day of March, 1996.

(Sgd.) John A. Doris

John A. Doris, Mayor

(Sgd.) S.F. Brickell

Steven F. Brickell, Clerk