

TOWNSHIP OF ST. CLAIR

BY-LAW NUMBER 34 of 2007

Being a by-law to provide for the maintaining of land.

WHEREAS Section 10 of the Municipal Act, 2001, as amended gives a municipality authority to pass by-laws respecting health, safety and well-being of persons;

AND WHEREAS Section 446 of the Municipal Act, as amended gives a municipality authority to take the appropriate remedial action for any default of the provisions of a by-law and collect the corresponding related costs on the tax roll;

AND WHEREAS the Township of St. Clair deems it desirable to require that long grass be kept cut to a specified standard in an effort to reduce breeding grounds for West Niles disease, infected mosquitoes and/or disease bearing ticks;

AND WHEREAS the following be established as a minimum standard for lot maintenance relative to the cutting of grass and/or weeds and further that policies and procedures be established for the enforcement of this by-law:

Section 1: Lot Maintenance Standards

- 1.0 Every Owner shall keep their yard, grounds or vacant land cleaned and cleared up.
- 1.1 For the purpose of Section 1.0 "cleaned and cleared up" includes the cutting of weeds and/or grass more than 15 cm (6 inches) in height.
- 1.2 Every Owner shall keep all hedges and trees adjacent to a public sidewalk or roadway cut and trimmed so as to allow safe unhindered passage.

Section 2: Right of Entry

- 2.0 For the purpose of ensuring compliance with the provisions of this by-law the By-law Enforcement Officer and/or other persons acting under the instructions of the Township may at all reasonable times, enter upon and inspect any land.

Section 3: Administration and Enforcement

- 3.1 When any lands are not maintained pursuant to the requirements of this By-law, the By-law Enforcement Officer or designated person shall send Notice to the property Owner at the address shown on the last revised assessment roll or to the last known address or by land delivery. Such notice, in the form of an Order to Comply, shall detail the violation and allow the owner three working days of notice from time of receipt to correct the violation. Such notice shall be deemed received, if delivered other than by hand, five days after the date of the notice. A new notice

shall be issued and served for each violation and further violations, even if of the same nature, shall require a new notice.

3.2 If the Owner of any property fails to comply with anything required to be done in accordance with this by-law, the Township in addition to all other remedies, shall:

3.2.1 Have the right, to cut the grass/weeds accordingly and, for this purpose with its servants and agents from time-to-time to enter in and upon the property.

3.2.2 Not be liable to compensate such owner or any other person having an interest in the property by reasons of any thing done by or on behalf of the Township under provisions of this subsection: and

3.2.3 Have the right to recover from the Owner of the property any amount expended by or on behalf of the Township under the authority of this section together with an administrative fee representing 100% of the amount expended by or on behalf the municipality.

3.3 It is hereby declared that each and every of the foregoing provisions of the By-law is severable and that, if any provisions of this By-law should, for any reasons, be declared invalid by any court. It is the intention and desire of this Council that each and every of the then remaining provisions hereof shall remain in full force and effect.

The Provisions of this by-law do not apply to municipally owned or controlled property.

This by-law shall be supplemental to the municipality's Property Standards By-law and By-law #77 of 2004 shall remain in effect.

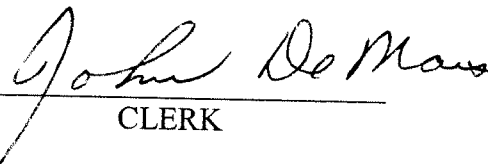
This by-law shall come into force and take effect on the 4th day of June passing thereof.

READ a First and Second time this 4th day of June 2007.

READ a Third time and finally passed this 4th day of June 2007.



MAYOR



CLERK