

**BY-LAW # 2015-16**

**BEING A BY-LAW PRESCRIBING STANDARDS FOR THE  
MAINTENANCE AND OCCUPANCY OF PROPERTY WITHIN THE  
TOWNSHIP OF NAIRN AND HYMAN**

**WHEREAS** under Section 15.1(3) of the *Building Code Act, S.O. 1992, c.23*, a By-law may be passed by the Council of a municipality prescribing the standards for the maintenance and occupancy of property within the municipality provided the official plan for the municipality includes provisions relating to property conditions;

**AND WHEREAS** the Official Plan for The Township of Nairn and Hyman includes provisions relating to property conditions;

**AND WHEREAS** the Council of The Corporation of the Township of Nairn and Hyman is desirous of passing a By-law under Section 15.1(3) of the *Building Code Act, S.O. 1992, c.23*;

**AND WHEREAS** Section 15.6(1) of the *Building Code Act, S.O. 1992, c.23* requires that a By-law passed under Section 15.1(3) of the *Building Code Act, S.O. 1992, c.23* shall provide for the establishment of a Property Standards Committee;

**NOW THEREFORE** the Council of The Corporation of the Township of Nairn and Hyman hereby enacts as follows;

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**PART 1  
TITLE AND DEFINITIONS**

**1.01 Title:** This by-law may be referred to as the “Property Standards By-law”

**1.02 In this By-law:**

- 1) **“Accessory Building”** - means a detached building or structure, not used for human habitation that is subordinate to the primary use of the same property.
- 2) **“Act”** - means an enactment or statute of the Province of Ontario.
- 3) **“Approved”** - means acceptance by the Property Standards Officer.
- 4) **“Basement”** - shall mean that portion of a building between two floor levels, which is partly underground and which has at least one-half its height from finished floor to the underside of the first floor joists above the average finished grade level adjacent to the exterior walls of the building.
- 5) **“Building”** - means any structure used or intended to be used for supporting or sheltering any use or occupancy.
- 6) **“Building Code”** - means the Building Code Act and any regulations made under that Act.
- 7) **“Chief Official”** - means the Chief Building Official appointed under Section 3 of the *Building Code Act, 1992, c. 23* and having jurisdiction for the enforcement thereof.
- 8) **“Code”** - means a regulation of the Province of Ontario known,
  - a) with respect to matters relating to building, as the Building Code;
  - b) with respect to matters relating to electricity, as the Electrical Safety Code;
  - c) with respect to matters relating to fire, as the Fire Code; and
  - d) with respect to matters relating to plumbing, as the Plumbing Code.
- 9) **“Committee”** - means a Property Standards Committee established under this By-law.
- 10) **“Council”** - shall mean the Council of the Township of Nairn and Hyman.
- 11) **“Dwelling”** - means a building means a building, structure, mobile home or recreational vehicle with or without kitchen facilities or a part of such a building or structure, which is, or is intended to be used for the purpose of human habitation, and includes such a building, home or vehicle that would be or would be intended to be used for such purposes, except for its state of disrepair.
- 12) **“Dwelling unit”** – means a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and supporting general living conditions usually including cooking, eating, sleeping, and sanitary facilities. Dwelling unit is two or more rooms used or designed to be used by one or more individuals as an independent or self-contained domestic unit or housekeeping establishment.
- 13) **“Exterior property area”** - means the building lot excluding buildings.
- 14) **“Fence”** – means any structure, wall or barrier, other than a building, erected at grade for the purpose of defining boundaries of property, separating open space, restricting ingress to or egress from property, providing security or protection to property or acting as a visual or acoustic screen.
- 15) **“First Storey”** - means that part of a building having a floor area closest to grade with a ceiling height of more than 1.8 metres (6 ft.) above grade.
- 16) **“Ground cover”** - means organic or non-organic material applied to prevent soil erosion such as concrete, flagstone, gravel, asphalt, grass or other landscaping.
- 17) **“Guard”** - means a protective barrier installed around openings in floor areas or on the open sides of a stairway, a landing, a balcony, a mezzanine, a gallery, a raised walkway, and other locations as required to prevent accidental falls from one level to another. Such barriers may or may not have openings through them.
- 18) **“Habitable room”** - means any room in a dwelling unit used or designed to be used for the purpose of living, sleeping, eating, cooking or preparation of food and without limiting the foregoing shall include den, library, sunroom or recreational room or any combination thereof.
- 19) **“Non-habitable space”** - means a bathroom, toilet room, water closet compartment, laundry, pantry, foyer, lobby, hall, corridor, stairway, passageway, closet, storage room, boiler room, furnace room, accessory space for service,

- maintenance or access within a building or a room or space which does not comply with the minimum standards for residential occupancy.
- 20) **“Non-Residential Property”** - means a building or structure or part of a building or structure not occupied in whole or in part for the purpose of human habitation, and includes the lands and premises appurtenant and all of the outbuildings, fences or erections thereon or therein.
  - 21) **“Occupant”** - means any person or persons over the age of eighteen years in possession of the property.
  - 22) **“Officer”** - means a Property Standards Officer who has been assigned by the Council the responsibility of administering and enforcing the provisions of this By-law.
  - 23) **“Owner”** – includes the owner in trust, a mortgagee in possession, the person for the time being, managing or receiving the rent of the land or premises in connection with which the word is used whether on his own account, or as agent or trustee of any other person, or who would receive the rent if the 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 property.
  - 24) **“Person”** – means and includes any person, firm, partnership, corporation, company, association, or organization of any kind.
  - 25) **“Property”** - means 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.
  - 26) **“Repair”** - includes the provision of such facilities and the making of additions or alterations or the taking of such action as may be required so that the property shall conform to the standards established in this By-law.
  - 27) **“Safe condition”**- means a condition that does not pose or constitute an undue or unreasonable hazard or risk to life, limb or health of any person on or about the property, and includes a structurally sound condition.
  - 28) **“Sewage system”** – means the Township of Nairn and Hyman system of storm sewers, sanitary sewers and combined sewers, or a private sewage disposal system approved by the Sudbury & District Health Unit.
  - 29) **“Sign”** - means any device or notice, including its structure and other component parts, which is used or capable of being used to identify, describe, illustrate advertise or direct attention to any person, business, service, commodity or use.
  - 30) **“Snow disposal site”** -means only those lands on which snow is placed after being brought to the lot from another lot, and shall not include areas to which snow is moved to one portion of a lot after being cleared from the rest of the lot.
  - 31) **“Snow storage site”** -means that portion of lands being used for the storage of snow that has been moved to one portion of a lot after being cleared from another portion or portions of a lot.
  - 32) **“Township”** - shall mean The Corporation of the Township of Nairn and Hyman unless the context requires otherwise.
  - 33) **“Vehicle”** – includes a motor vehicle, trailer, boat, motorized snow vehicle or other mechanical power driven equipment.
  - 34) **“Visual barrier”** – shall mean a continuous, uninterrupted structure and/or fence which completely blocks lines of sight when viewed perpendicularly from either of its sides and shall consist of one or more of the following materials: wood, stone, bricks, mortar, fabricated metal or other similarly solid material approved by the Property Standards Officer or Chief Building Official.
  - 35) **“Waste”**- means any debris, rubbish, refuse, sewage, effluent, discard, or garbage of a type arising from a residence, belonging to or associated with a house or use of a house or residential property and/or from industrial or commercial operations, or belonging to or associated with industry or commerce or industrial or commercial property, which for greater certainty includes all garbage, discarded material or things, broken or dismantled things, and materials or things exposed to the elements, deteriorating or decaying on a property due to exposure or the weather.
  - 36) **“Yard”** - means the land other than publicly owned land around or appurtenant to the whole or any part of a residential or non-residential property and used or capable of being used in connection with the property.

**PART 2**  
**GENERAL STANDARDS FOR ALL PROPERTY AND USES**

**2.01 SCOPE**

1. No owner or occupant of property shall use, occupy, or allow, permit or acquiesce in the use or occupation of the property unless such property conforms to the standards prescribed in this By-law.
2. No person, being the owner or occupant of a property, shall fail to maintain the property in conformity with the standards required in this By-law.
3. The owner of any property which does not conform to the standards in this By-law shall repair and maintain the property to conform to the standards or shall clear the property of all buildings, structures, garbage, rubbish, waste or accumulations of such materials that prevent access to or exit from the property in the case of emergency, or other safety or health hazard and shall leave the property in a graded and leveled condition.
4. All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned.
5. All new construction or extensive repairs shall conform to the Ontario Building Code, where applicable.
6. Unless otherwise stated, this By-law is primarily to improve and protect the aesthetics and the environment and to eliminate unsafe conditions; hence action will be concentrated on those situations that are visible from the public property or a neighbouring property.
7. This By-law does not apply so as to prevent a farm, meeting the definition of "agricultural operation" under the Farming and Food Production Protection Act, 1998, S.O. 1998, c. 1, from carrying out a normal farm practice as provided for and defined under that Act.

**2.02 YARDS**

Shall be kept clean and free of litter, rubbish, waste, salvage, refuse, decaying or damaged trees, branches and limbs, excessive growth of grass, objects or conditions that might create a health, fire, accident hazard or unsightly condition.

- 1) Every property shall be kept free from garbage, rubbish, waste or accumulations of such materials that prevent access to or exit from the property, or create an unsafe condition.
- 2) Without restricting the generality of this Section, maintenance shall include the removal of:
  - (a) rubbish, garbage, waste, litter and waste;
  - (b) injurious insects, termites, rodents, vermin and other pests; and any condition which may promote an infestation;
  - (c) excessive growth of grass and brush, and trees, bushes and hedges, including any branches or limbs thereof, which are dead, decayed or damaged, in relation to the neighbouring environment;
  - (d) noxious weeds pursuant to the Weed Control Act and any excessive growth of other weeds, grass and bushes;
  - (e) wrecked, dismantled, inoperative, discarded or unlicensed vehicles, trailers, machinery or parts thereof, except in an establishment licensed or authorized to conduct a salvage, wrecking or repair business and then only if such establishment conforms with any relevant bylaws, regulations or statutes; and
  - (f) dilapidated or collapsed buildings, structures or erections, and the filling in or protecting of any unprotected well.

- 3) The warehousing or storage of materials or operative equipment that is required for the continuing operation of the industrial or commercial or agricultural aspect of a property shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard or any unsightly condition, and shall provide unobstructed emergency vehicle access.

### **2.03 GARBAGE RECEPTACLES**

Every building shall be provided with sufficient proper receptacles to contain all garbage, ashes or waste, which accumulates on the property and such materials shall be placed for collection in proper receptacles in compliance with applicable laws and not allowed to accumulate for longer than fourteen (14) days.

### **2.04 UNENCLOSED PORCH - BALCONY**

1. Every unenclosed porch or unenclosed balcony, and every exterior and common area shall be kept free of garbage, waste, or appliances.

### **2.05 GRASS-TREES- BUSHES-HEDGES-LANDSCAPING**

1. Grass, trees, bushes, hedges and other landscaping, shall be maintained to prevent an unsightly or unreasonable overgrowth in relation to the neighbouring environment.
2. Grass, trees, bushes, hedges and other landscaping, non-organic ground cover and site facilities shall be provided and maintained in living condition or a safe condition.

### **2.06 GROUND COVER- EROSION CONTROL**

1. Suitable ground cover shall be provided and maintained to prevent erosion of the soil and so as to be in harmony with the neighbouring environment. Where grass forms part of the ground cover, it shall be resodded or reseeded as often as is required to maintain the grass in a living condition.

### **2.07 LOT GRADING-DRAINAGE**

1. All yards shall be provided and maintained with adequate surface water drainage, including suitable provisions for its disposal without causing erosion, so as to prevent ponding or the penetration or damage to a building, structure or property.
2. No fill shall be allowed to remain in an unlevelled state on any property for longer than thirty (30) days, unless the property is a construction site for which a building permit is in effect.

### **2.08 PARKING LOTS**

1. Parking lots, driveways and other similar public access areas of a yard shall be maintained so as to afford safe passage under normal use and weather conditions and be free from health and other hazards.
2. Parking lots, driveways and other similar public access areas of a yard shall be kept clean and free of litter, rubbish, waste, salvage, refuse, decaying or damaged trees, branches and limbs, objects or conditions that might create a health, fire, accident hazard or unsightly condition.

### **2.09 SNOW DISPOSAL-STORAGE**

1. A property owner shall cause any snow disposal site or a snow storage site on that property to be:
  - a) maintained so as not to cause a hazard on the property; and
  - b) maintained in such a manner and location on a property so as to prevent a hazard, flooding, erosion and other damage to neighbouring private or public lands.



## **2.10 RETAINING WALL**

1. All retaining walls, screen walls and ornamental walls shall be constructed of durable material and shall be maintained in a structurally sound condition.

## **2.11 WELLS –CISTERN-CESSPOOL-PRIVY VAULT-PIT OR EXCAVATION**

1. A well, cistern, cesspool, privy vault, pit or excavation shall be permanently sealed, or secured by a fence, cover or netting, unless it is in active use, in which event it shall be secured by fencing with warning signs until the use has ceased, whereupon they shall be sealed or secured as required above.

## **2.12 ACCESSORY BUILDINGS**

1. The foundations, walls, roofs and all parts of accessory buildings and other structures appurtenant to the main building shall be:
  - a) constructed with suitable materials;
  - b) maintained in good repair;
  - c) protected from deterioration by the application of paint or other suitable protective material.

## **2.13 FENCE**

1. A fence erected on a property or separating adjoining properties shall be:
  - a) maintained in good repair and characteristic to the surrounding neighbourhood;
  - b) reasonably plumb, unless specifically designed to be other than vertical;
  - c) capable of containing farm animals on an active farm in the rural area.

## **2.14 TOWER-GANTRIES-MASTS-ANTENNAE**

1. Towers, gantries, masts, antennae and structures of similar character and any attachment thereto shall be maintained:
  - a) reasonably plumb, unless specifically designed to be other than vertical;
  - b) in good repair;
  - c) in a safe and structurally sound condition.

## **2.15 SIGNS**

1. A sign and any structure connected therewith shall be installed and maintained:
  - a) in good repair without any visible deterioration when viewed from any property other than the property on which the sign is situated;
  - b) in a safe and structurally sound condition.
2. All signage on commercial/industrial properties where the commercial/industrial operation has ceased for 3 months or longer, excluding seasonal operations, shall be covered or removed from the property.

## **PART 3 EXTERIOR PROPERTY AREAS**

### **3.01 STRUCTURAL ADEQUACY-CAPACITY**

1. All repairs and maintenance of property required by the standards prescribed in this By-law shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose.
2. Every part of a property shall be maintained in good repair and in a structurally sound condition so as:
  - a) to be capable of sustaining safely its own weight, and any additional load to which it may normally be subjected, and;
  - b) to be capable of safely and adequately performing its function subject to all reasonable serviceability requirements.

### **3.02 FOUNDATION WALLS-BASEMENTS**

1. All foundation walls and the basement, cellar or crawl space floors shall be maintained in good repair and structurally sound.

### **3.03 EXTERIOR WALLS-SURFACES-CLADDING-MASONRY**

All exterior walls and surfaces of every building or structure shall be sound, plumb, and weathertight, free from loose or unsecured objects and maintained in good repair:

1. In good repair free from broken masonry units, defective or deteriorated wood or metal siding or trim, broken or loose stucco, loose or unsecured objects; and
2. Shall be so maintained by the painting, restoring or repairing of the walls, coping or flashing, by the waterproofing of joints and the walls themselves, by the installation of or repairing of weathertight finishing, or the installation of termite shields, if required.
3. All exterior surfaces that have previously been covered with paint or other protective or decorative materials shall be maintained in good repair and the covering renewed when it becomes damaged or deteriorated, including graffiti.
4. Every part of a building including the exterior shall be maintained in a structurally sound condition and so as to be capable of sustaining safely its own weight and any additional weight that may be put on it through normal use.

### **3.04 DOORS-WINDOWS-CELLAR- HATCHWAYS**

1. Windows, skylights, exterior doors and frames, basement or cellar hatchways, attic access doors including storm and screen doors and storm windows shall be maintained in good working order, good repair, in a safe condition and shall be of such construction so as to prevent the entrance of wind, snow or rain into the building and to minimize heat loss through infiltration.

### **3.05 ROOF**

1. Every roof, and all of its components shall be maintained in good repair and in a safe and structurally sound condition.
2. Without restricting the generality of this Section, such maintenance includes:
  - a) removal of loose, unsecured or rusted objects or materials;
  - b) removal of dangerous accumulations of snow or ice if it endangers the public;
  - c) keeping roofs and chimneys in water-tight condition so as to prevent leakage of water into the building; and
  - d) keeping all roof-related structures plumb unless specifically designed to be other than vertical.

### **3.06 EAVESTROUGH SYSTEM- METAL DUCTS-FLASHING**

1. Metal eavestrough, roof gutter, rainwater pipe, downspouts, flashing and all exterior metal ducts shall be properly secured free from loose or unsecured objects, free from obstructions and health hazards, weather-tight, free of holes and maintained in good repair.
2. Every eavestrough, roof gutter, rainwater pipe, downspout and flashing shall be properly secured and be kept in good repair, free from obstructions and health hazards.
3. Every roof drainage shall be discharged onto the ground at least 1 metre (39 inches) from the building or structure, when it is physically possible to do so, providing that it does not adversely affect adjacent properties, or cause erosion.

## **PART 4**

### **NON-RESIDENTIAL PROPERTY STANDARDS**

#### **4.01 YARDS**

1. Every owner, and every occupant in that part of non-residential property that is occupied or controlled by the occupant, shall maintain to the standards as described in Part 2 of this By-law and:
  - a. in a sanitary and safe condition, free from litter, refuse and waste including such litter and refuse as may be left by customers or other members of the



- general public and shall provide containers for the disposal of such litter or refuse;
- b. free from objects conditions which are health, fire or safety hazards; and
  - c. free from rodents, insects or vermin.

#### **4.02 SEPARATIONS**

1. Every dwelling unit shall be maintained and protected so as to prevent the passage of noxious fumes and gases from a part of the building that is not used for human habitation into other parts of the dwelling unit.

#### **4.03 SALVAGE YARD**

1. Salvage yards shall be effectively screened from public view by a visual barrier.

#### **4.04 YARD SALES AND FLEA MARKETS**

1. Yard sales and flea markets shall be of a maximum duration of three days and all articles are required to be removed not later than the end of the third day.

#### **4.05 COMMERCIAL OPERATIONS**

1. Commercial operators may display items for sale outside their building structures between the hours of 6:00 a.m. and 9:00 p.m. At all other times, all articles for sale must be secured within the building structure.
2. Commercial operations for the purpose of the sale of vehicles or farm implements or building supply materials are exempt from the provisions of Section 4.05(1) of this By-law.

### **PART 5 VACANT-DAMAGED-DEMOLITION**

#### **5.01 VACANT LAND**

1. Vacant land shall be maintained to the standards as described in Part 2, of this By-law.

#### **5.02 VACANT BUILDINGS**

1. The owner of a vacant building shall secure and/or board up the building to the satisfaction of the Officer by covering all openings through which entry may be obtained with at least 12.7 mm (0.5 inch) sheet plywood securely fastened to the building and painted a colour compatible with the surrounding walls. The owner shall be responsible for maintaining the ongoing security on the building.
2. No partially or completely vacant building shall remain boarded up for a period longer than two (2) years. After the said two (2) years or an alternate time period set by the Officer, the owner shall forthwith make the necessary repairs to make it fit for authorized uses in accordance with the Township of Nairn and Hyman Zoning By-law.
3. Vacant buildings and lands shall be kept cleared of all garbage, rubbish and debris.
4. Notwithstanding the provisions of Section 5.02(2) above, where a vacant building has not been maintained or fixed in accordance with this By-law, it shall be remedied. The Officer may issue an order to take such action, up to and including demolition of the building and clearing of the site as may be necessary to resolve the matter. Vacant buildings deemed by the Chief Building Official as a health and safety issue and that have not been remedied to the satisfaction of the Officer, shall be removed from the property and the land shall be left in a graded level condition.

#### **5.03 DAMAGE BY FIRE-STORM-OTHER CAUSES**

1. In the event of fire or explosion, damaged or partially burned material shall be removed from the premises, except that such material may be temporarily stored within the barricaded damaged building or structure, provided that such storage does not exceed ninety (90) days.

2. Fire damaged buildings, or portions thereof, shall be repaired to their original condition or shall be demolished accordingly.

#### **5.04 DEMOLISH BUILDING**

1. Where a building, accessory building, fence or other structure is demolished, the property shall be cleared of all rubbish, waste, refuse, masonry, lumber, wood, and other materials and left in a graded and leveled condition.
2. Where a building, accessory building, fence or other structure is being demolished, every precaution shall be taken to protect the adjoining property and members of the public. The precautions to be taken include the erection of fences, barricades, covered walkways for pedestrians and any other means of protection necessary for the protection of the adjoining property and members of the public.

### **PART 6 ADMINISTRATION AND ENFORCEMENT**

**6.01** This By-law shall apply to all property within the limits of the Township.

**6.02** The imperial measurements contained in this By-law are given for reference only.

#### **6.03 ACTION**

1. Only upon receiving a signed written complaint requesting an investigation of an infraction shall the Officer commence such action. If the Officer deems that the request is of a frivolous or vexatious nature, or has intent to harm, there is no requirement to accept the complaint or follow up with the investigation.

#### **6.04 NON-COMPLIANCE**

1. The owner of any property which does not conform to the standards as set out in this By-law shall repair and /or maintain said property to comply with the standards or the property shall be cleared of all buildings, structures, waste or refuse and left in a levelled and graded condition.
2. Where any person fails to comply with an order issued, the Township may cause the required work to be done. The cost of such work may be recovered by invoice, action or the amount may be given priority lien status, and shall be added to the tax roll, pursuant to Part 1 Section 1 of the Municipal Act, 2001.

#### **6.05 CONFLICTS-BY-LAWS-STANDARDS-REGULATIONS**

1. Where a provision of this Chapter conflicts with the provisions of another By-law, Act or Regulation in force within the municipality, the provision, which establishes the higher standards to protect the health, safety and welfare of the occupants and the general public, shall prevail.

#### **6.06 VALIDITY**

1. If any provision or article of this By-law is for any reason found to be invalid by a court of competent jurisdiction, the provision or article found to be invalid shall be severed from the By-law and the remaining provisions or article shall remain in effect until repealed.

#### **6.07 PENALTY**

1. An owner who fails to comply with an order that is final and binding under this By-law is guilty of an offence under Section 36(1) of the *Building Code Act*, S.O. 1992, c.23, and is liable to a penalty or penalties as set out in Section 36 of that Act.
2. Every person who contravenes the provisions of this By-law is guilty of an offence and upon conviction thereof is liable to a penalty as provided for in the Provincial Offences Act, as amended from time to time.

**6.08 REPEAL / TRANSITIONAL RULES**

1. Notwithstanding that By-law 2012-26 is hereby repealed, after the date of the passing of this Bylaw, By-law 20012-26 shall apply only to those properties in which an Order to Comply has been issued prior to the date of passing of this By-law, and then only to such properties until such time as the work required by such Order has been completed or any enforcement proceedings with respect to such Order, including any demolition, clearance, or repair carried out by the municipality shall have been concluded.

**6.09 PROPERTY STANDARDS COMMITTEE**

1. Council shall appoint no fewer than three (3) persons to the Property Standards Committee for a term of office concurrent with Council.

READ A FIRST AND SECOND TIME THIS 11<sup>TH</sup> DAY OF MAY, 2015.

(Original Signature on File)

\_\_\_\_\_  
MAYOR

(Original Signature on File)

\_\_\_\_\_  
CLERK

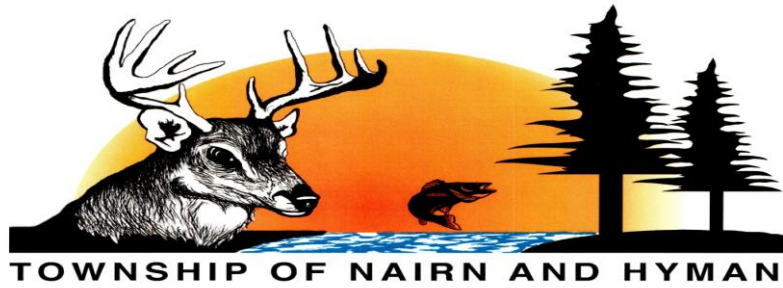
READ A THIRD TIME AND FINALLY PASSED IN OPEN COUNCIL THIS 11<sup>TH</sup> DAY OF MAY, 2015.

(Original Signature on File)

\_\_\_\_\_  
MAYOR

(Original Signature on File)

\_\_\_\_\_  
CLERK



**TOWNSHIP OF NAIRN AND HYMAN**  
**SCHEDULE 'A'**  
**BY-LAW 2015-16**  
**Schedule 'A' – Service use and activity charges**

**Service or Activity Fee**

**Appeal Property Standards Order**

Every person who initiates an appeal of an Order made under Section 15.2(2) of the Ontario Building Code shall submit a Notice of Appeal in the time frame and in the manner as prescribed in Section 15.3(1) of the Act.  
Each Notice of Appeal shall be accompanied by a non-refundable payment of \$125.00.

**Township undertakes to complete the work**

Where the Township undertakes to have the work completed, 100% of the costs required to comply with any final order, plus a further administrative fee of an additional 10%.

**Certificate of Compliance**

Where after inspecting a property, an officer, may, or on the request of the owner, issue the owner a certificate of compliance for a fee of \$50.00.

## NOTICE OF VIOLATION

Owner's Name and  
Address

Date

Dear Sir/ Madam

**RE: Description and Location of Property in Violation**

Be advised that on (Date of Inspection) an inspection of your property, as noted above, revealed certain violations of the Municipality's Property Standards Bylaw No.

**Schedule "A"** attached hereto, sets out the work required to remedy such violation and to bring the property into compliance with the Bylaw.

Be advised that By-law No. \_\_\_\_\_ gives the municipality the authority to issue an **ORDER TO COMPLY** pursuant to Section 15.2-(2), *Ontario Building Code Act, S.O. 1992, c.23*.

It is desired that you will comply with this informal notice that the aforementioned procedural step will not be necessary.

A re-inspection of this property will take place on or about 14 day ( Date ) to ascertain compliance.

Should you require further information pertaining to this matter please do not hesitate to contact the undersigned during normal business hours.

Property Standards Officer  
Telephone Number



Corporation of the Township of Nairn and Hyman

**O R D E R**

Pursuant to Section 15.2 of the Ontario Building Code Act, S.O. 1997, c.23

*Owner's Name and  
Address*

*Date*

Dear Sir/ Madam

**RE: Description and Location of Property in Violation**

**BE ADVISED** that on (Date of Inspection) an inspection of your property, as noted above, revealed certain violations of the Municipality's Property Standards By-law No. \_\_\_\_\_.

The violation(s) are set out in **Schedule "A"**, attached hereto, and forms part of this **ORDER**.

**IT IS HEREBY ORDERED THAT** the violation(s) as set out in **Schedule "A"** be remedied and the property brought into a condition of compliance with the prescribed standards as set out in the Property Standards By-law No. \_\_\_\_\_ on or before:  
**Date**

**TAKE NOTICE** that if such violation(s) are not remedied within the time specified in this order, the municipality may commence legal action and/or correct such violations at the expense of the owner.

**APPEAL TO PROPERTY STANDARDS COMMITTEE**

If an owner or occupant upon whom an order has been served is not satisfied with the terms or conditions of the order the owner or occupant appeal may to the Property Standards Appeals Committee by sending a NOTICE OF APPEAL by registered mail to the Secretary of the committee within **fourteen (14) days** after service of the order, and, in the event that no appeal is taken, the order shall be deemed to be final and binding..

**FINAL DATE FOR APPEAL:** *Date*

Property Standards Officer  
*Telephone Number*

**NOTICE OF APPEAL**  
**TO PROPERTY STANDARDS COMMITTEE**  
**TOWNSHIP OF NAIRN AND HYMAN**  
Pursuant to Section 15.1 of the Ontario Building Code Act

**RE: Order to Remedy Violation of Standards of  
Maintenance and Occupancy at:**

**(Location and Description of Property in Violation)**

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**TAKE NOTICE** of the appeal of the undersigned to the Property Standards Appeal Committee because of dissatisfaction with the above referenced order to remedy violation of standards of maintenance and occupancy served upon the undersigned on \_\_\_\_\_ .  
(date)

Name (Owner or Agent) \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

**APPEAL TO PROPERTY STANDARDS COMMITTEE**

If an owner or occupant upon whom an order has been served is not satisfied with the terms or conditions of the order the owner or occupant appeal may to the Property Standards Appeals Committee by sending a NOTICE OF APPEAL by registered mail to the Secretary of the committee within **fourteen (14) days** after service of the order, and, in the event that no appeal is taken, the order shall be deemed to be final and binding.

Ontario Building Code Act, S.O. 1992, Chapter 23, Section 15.3(1)

Signature of Owner or Authorized Agent:

Date:

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