

THE CORPORATION OF HALDIMAND COUNTY

By-law No. 1649/16

Being a by-law to amend By-law No. 730/06 to prescribe standards for the maintenance and occupancy of property, to provide for the enforcement of the standards and to appoint a property standards committee

WHEREAS Section 15.1(3) of the *Building Code Act*, S.O. 1992, c.23, as amended, provides that the Council of a municipality may pass a by-law prescribing standards for the maintenance and occupancy of property within the municipality and for prohibiting the occupancy or use of such property that does not conform to the standards and for requiring property that does not conform to the standards to be repaired and maintained to conform with the standards or for the site to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition where the municipality has an Official Plan that includes provision relating to property conditions;

WHEREAS there are such Official Plan policies in effect in Haldimand County;

WHEREAS Section 15.6(1) of the *Building Code Act*, S.O. 1992, c.23, as amended, provides for the establishment of a Property Standards Committee;

WHEREAS Section 391 of the *Municipal Act*, S.O. 2001, c.25 as amended provides that a municipality may pass by-laws imposing fees or charges on any class or persons for services or activities provided or done by or on behalf of it;

WHEREAS the Council of Haldimand County adopted by No. 730/06 on August 8/06 to prescribe minimum standards for the maintenance and occupancy of property, to adopt a set of administration procedures and to appoint a Property Standards Committee;

AND WHEREAS it is deemed necessary and expedient to amend By-law No. 730/06 to reflect the intent of the definition of an "Inoperable Motor Vehicle";

NOW THEREFORE, the Council of the Corporation of Haldimand County enacts as follows:

1. **THAT** Section 1.r. be repealed and replaced with:

"Inoperative Motor Vehicle" shall mean and includes any motor vehicle(s) that are, dismantled, broken or incomplete, decayed or dilapidated by reason of:

- a. missing or damaged part(s), tire(s), engine, drive train or body components or window(s) or;
- b. the removal or damage of other parts or equipment necessary for the motor vehicle's operation or;

- c. being in an unsightly state of disrepair missing doors, glass or body parts or;
- d. being wrecked and incapable of use as a means of lawful transportation or has an industry standard book value as a means of transportation that is less than the cost of repairs required to put it into a lawful operable condition unless otherwise demonstrated by an authorized licensed mechanic.

This does not apply when the motor vehicle's use or storage is permitted under the zoning by-law or is necessary for the operation of a business enterprise lawfully situated on the property.

- 2. **THAT** this by-law shall take precedence with any by-law with which it is inconsistent.
- 3. **AND THAT** the effective date of this By-law shall be the date of the final passing thereof.

READ a first and second time this 7th day of March, 2016.

READ a third time and finally passed this 7th day of March, 2016.

MAYOR

CLERK