

POLICY NUMBER                    2001-6

BY                                    WOODSTOCK TOWN COUNCIL

SUBJECT                            PROTOCOL FOR BUILDING /  
PROPERTY INFRACTIONS

TYPE                                EXTERNAL

COUNCIL APPROVAL NOVEMBER 26, 2001

EFFECTIVE DATE                IMMEDIATELY

**PREAMBLE**

THE TOWN OF WOODSTOCK ADMINISTERS LEGISLATION REGARDING THE BUILDING, MAINTENANCE, DEMOLITION AND STANDARDS FOR BUILDINGS, SIGNS AND STRUCTURES WITHIN THE MUNICIPALITY. SPECIFICALLY THE FOLLOWING LEGISLATION APPLIES:

1. ZONING BY-LAW (BY-LAW #83)

SUBJECT TO LEGISLATION IMPOSED BY THE PROVINCIAL COMMUNITY PLANNING ACT, THE ZONING BY-LAW REGULATES SIGNS, PARKING REQUIREMENTS, SWIMMING POOLS, SET-BACKS FROM PROPERTY LINES, MINIMUM SIZES OF LOTS, MUNICIPAL SERVICES, HEIGHT OF STRUCTURES, LANDSCAPING, FENCES, WALLS & HEDGES, EXCAVATIONS AND ZONING CONFORMITY.

2. MOBILE HOME PARKS (BY-LAW # 136)

REGULATES THE REQUIREMENT FOR MINIMUM STANDARDS FOR MOBILE HOME OR MINI HOME PARKS, INCLUDING STREETS, LOT SIZES (MINIMUM), SERVICES, AUXILIARY BUILDINGS, MOBILE HOME STANDARDS (APPURTANCES), BUFFER AREAS, GARBAGE STORAGE AND DISPOSAL AND REQUIREMENT FOR BUILDING PERMITS.

3. OCCUPANCY AND MAINTENANCE (BY-LAW #R-2)

- A) ESTABLISHES STANDARDS TO GOVERN THE CONDITION, OCCUPANCY AND MAINTENANCE OF RESIDENTIAL PROPERTIES; AND
- B) TO PROVIDE SAFEGUARDS FOR THE SAFETY, HEALTH AND WELFARE OF OCCUPANTS AND USERS OF RESIDENTIAL PROPERTIES BY REQUIRING OWNERS THEREOF TO REPAIR AND MAINTAIN SUCH PROPERTY IN ACCORDANCE WITH ESTABLISHED STANDARDS.
- C) SETS OUT STANDARDS (REG 84-86)

4. BUILDING BY-LAW (BY-LAW #41-A)

ADOPTS THE NATIONAL BUILDING CODE AS THE TOWN'S BUILDING STANDARD AND SETS OUT REQUIREMENTS FOR BUILDING PERMITS.

5. SUBDIVISION BY-LAW (BY-LAW #122)

REGULATES THE DEVELOPMENT OF LAND. SETS OUT STANDARDS FOR LOTS AND STREETS. ALSO COVERS ALLOWANCES (MONITORY OR LAND IN LIEU) FOR PUBLIC PURPOSES.

6. DANGEROUS OR UNSIGHTLY PREMISES (BY-LAW #53)

REGULATES PROPERTY WITH RESPECT TO DANGER (HAZARDS) UNSIGHTLINESS AND HEALTH. SETS OUT SPECIFIC ENFORCEMENT PROVISIONS AND PROCESS.

## **POLICY**

THE INTENT OF THIS POLICY IS TO SET OUT A UNIFORM PROCESS FOR HANDLING INFRACTIONS OR DEFICIENCIES ARISING FROM THE CONSTRUCTION OR LOCATION OF BUILDINGS (INCLUDING REPAIRS & MAINTENANCE) AND THE DEVELOPMENT OF LAND.

## **ENFORCEMENT PROCESS**

### 1. **BUILDING PERMITS**

THE BUILDING INSPECTOR SHALL MAKE ALL NECESSARY INSPECTIONS AND MANY REQUEST ANY INFORMATION THAT HE REQUIRES IN ORDER TO DETERMINE IF A PROPOSED BUILDING OR RENOVATION MEETS THE STANDARDS SET OU IN MUNICIPAL OR PROVINCIAL LEGISLATION.

### 2. **INSPECTION**

THE BUILDING INSPECTOR SHALL INFORM THE CHIEF ADMINISTRATIVE OFFICER OF ANY INFRACTIONS THAT HE IDENTIFIES, EITHER BY ROUTINE INSPECTION OR FOLLOWING UP ON A COMPLAINT LODGED BY ANY PERSON. HE SHALL RECORD ALL INFORMATION IN THE FORM OF A DETAILED REPORT SETTING OUT INFORMATION RELEVANT TO THE INSPECTION AND SPECIFYING THE DEFICIENCY. THE BUILDING INSPECTOR SHALL, IN WRITING, PROVIDE THE PROPERTY OWNER WITH DETAILS OF SAID INFRACTION, CORRECTIVE ACTION TO BE TAKEN, AND A TIME PERIOD IN WHICH TO HAVE CORRECTIVE ACTION TAKEN.

### 3. **ENFORCEMENT**

A) THE BUILDING INSPECTOR SHALL INSPECT THE BUILDING OR PREMISES UPON EXPIRY OF THE DATE SET OUT IN THE NOTICE OF CORRECTIVE ACTION MENTIONED IN PARAGRAPH 2. IF IT IS DETERMINED THAT THE CORRECTIVE ACTIONS INCOMPLETE, HE SHALL IMMEDIATELY NOTIFY THE CHIEF ADMINISTRATIVE OFFICER BY WRITTEN REPORT. THE CHIEF ADMINISTRATIVE OFFICER MAY ORDER SUCH FURTHER INVESTIGATIONS ON CLARIFICATIONS AS HE DEEMS APPROPRIATE AND FOLLOWING THIS STEP IF THE INFRACTION OR DEFICIENCY IS UNRESOLVED, PROVIDE A DETAILED WRITTEN REPORT TO WOODSTOCK TOWN COUNCIL. COUNCIL,

UPON REVIEW OF THE REPORT, SHALL DETERMINE IF CHARGES ARE TO BE PURSUED. SHOULD COUNCIL DETERMINE THAT CHARGES ARE IN ORDER, THE CHIEF ADMINISTRATIVE OFFICER OR HIS DESIGNATE SHALL FORTHWITH PROVIDE SUCH INFORMATION TO A SOLICITOR WITH DIRECTION TO PROCEED WITH LEGAL ACTION. PRIOR TO CHARGES BEING LAID, SHOULD THE SOLICITOR RECOMMEND THAT ACTION NOT BE PURSUED, A WRITTEN REPORT WILL BE PROVIDED TO COUNCIL FOR CONSIDERATION.

- B) THE PROVISIONS OF BY-LAW #53 AND THE MUNICIPALITIES ACT SECTION 190 APPLY TO ANY PROPERTY THAT IS DETERMINED BY COUNCIL TO BE DANGEROUS, UNSIGHTLY OR UNHEALTHFUL. UPON RECEIPT OF ANY COMPLAINT, A DETAILED REPORT WILL BE PREPARED BY THE BUILDING INSPECTOR, PROVIDED TO THE CHIEF ADMINISTRATIVE OFFICER OR HIS DESIGNATE WHO WILL PREPARE A REPORT FOR THE CONSIDERATION OF COUNCIL.