

THE CORPORATION OF THE TOWNSHIP OF EMO

BY-LAW NO. 2020-16

Being a by-law requiring owners or occupants to cut grass on Township boulevards fronting or adjacent to privately owned lands.

WHEREAS the Municipality may pass a by-law requiring the owners or occupants of designated buildings in the municipality to cut grass on Township owned boulevards on highways abutting their lands;

AND WHEREAS section 427(1) of the Municipal Act enables a municipality that has authority by by-law or otherwise to direct or require a matter or thing be done, the municipality may, in the same or another by-law direct that, in default of it being done by the person directed or required to do it, such matter or thing shall be done at the person's expense;

AND WHEREAS section 427(3) of the Municipal Act enables a municipality to recover the costs of doing a thing or matter under section 427(1) from the person directed or required to do it and the municipality may recover the costs by action or by adding the costs to the tax roll and collecting them in the same manner as taxes;

AND WHEREAS the Council of the Corporation of the Township of Emo deems it advisable to enact such a by-law;

NOW THEREFORE, the Council of the Corporation of the Township of Emo ENACTS AS FOLLOWS:

DEFINITIONS

1. In this By-Law:

- a) "township boulevard" means the municipal owned portions of property, including ditches, adjacent to the front, rear and side lot areas of vacant land, occupied or unoccupied institutional, industrial, commercial and residential buildings and occupied dwellings excluding the paved portion of a highway.
- b) "commercial building" means a building used primarily for commercial uses.
- c) "dwelling" includes a single family detached dwelling, a semi-detached dwelling, a townhouse and an apartment.
- d) "dwelling, semi-detached" means a building containing two attached single family dwellings with a common masonry wall dividing the two dwellings vertically.
- e) "dwelling single family detached" means a building containing one single family dwelling.
- f) "industrial building" means a building used primarily for industrial purposes.
- g) "institutional building" means a building used primarily for institutional purposes.
- h) "occupant" includes every person residing in a dwelling who is at least sixteen years of age and who is not a physically handicapped person.
- i) "owner" means the registered owner of land.
- j) "residential building" means a building used primarily for human habitation but does not include dwellings.

k) "highway" means a street or highway being a Provincial Highway or under the jurisdiction of the Corporation of the Township of Emo or assumed by the Township.

l) "townhouse" means a building which abuts a public street, containing three or more attached single family dwellings, each of which has direct access from the outside ground level.

REQUIREMENTS

2. (i) Owners of vacant land, occupied or unoccupied institutional, industrial, commercial and residential buildings and unoccupied dwellings, and

(ii) Occupants of dwellings shall cut grass on city boulevards in front of, alongside, abutting or at the rear of vacant land or the land occupied by such buildings or dwellings when the height of the grass exceeds fifteen (15) centimetres.

ENFORCEMENT

3. When any boulevard is not maintained in accordance with the requirements of this By-law, the Township shall give the Owner or Occupant a notice, in writing, directing the owner or occupant of the property abutting the boulevard to maintain the boulevard, and the notice shall specify the time allowed to comply with the direction but the time specified in the notice shall not be sooner than seven (7) days after the giving of the notice.

4. The notice shall be either delivered personally to the owner or occupant or mailed by registered mail to the last known address of the owner or occupant.

5. If the Township is unable to deliver correspondence personally or by registered mail, notice may be given by placing a placard containing the terms of the notice in a conspicuous place on the property, and the placing of the placard shall be deemed to be sufficient service of the notice on the owner or occupant.

6. Where such owner or occupant has failed to comply with the requirements of this By-law, the Township may do it at the expense of the person required by Section 2 to do so and may recover the expense thereof by action or the same may be recovered in like manner as municipal taxes.

OFFENCES

7. Any person who contravenes any of the provisions of this By-law or who obstructs or attempts to obstruct any Township employee in carrying out his or her duties under this by-law is guilty of an offence and is liable, upon conviction, to a maximum fine as established pursuant to the Provincial Offences Act, R.S.O. 1990, c. P. 33., as amended.

That this by-law shall come into full force and take effect on the date that it receives final reading.

Enacted and passed this 23rd day of June, 2020 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

THIS BY-LAW DEEMED TO BE READ A FIRST, SECOND AND THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED THIS 23rd DAY OF June, 2020.



Mayor



CAO/Clerk-Treasurer