

SECTION 21: ADMINISTRATION, ENFORCEMENT AND PENALTIES

21.1 Administration

This By-law shall be administered by the Chief Building Official or such other officer as may from time to time be appointed by the Council of The Corporation of the Township of North Dumfries.

21.2 Buildings or Other Permits

Notwithstanding any other provisions of the Building By-law or any other By-law of the Township of North Dumfries, the Chief Building Official shall not issue any building permit, occupancy permit or other permit where the proposed building, structure or use would be in violation of any of the provisions of this By-law

21.3 Certificate of Occupancy

No person shall make or cause to be made any change in the type of use of any land, building or structure until a Certificate of Occupancy has been issued by the Chief Building Official.

Amended by By-law 1207-89

21.4 Inspection

The Chief Building Official or any officer or employee of the Township acting under his direction is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his duties under this By-law.

21.5 Application for Permits

In addition to all the requirements of the Building By-law, or any other By-laws, every application for a building permit shall be accompanied by a plan in duplicate (One copy of which shall be retained by the Chief Building Official) drawn to scale and showing the following:

- 21.5.1 The true dimensions of the lot to be built upon or otherwise used;
- 21.5.2 The proposed location, height and dimension of any building, structure or use proposed for such lot;
- 21.5.3 Any yards, off-street parking space or off-street loading facilities required by this By-law;
- 21.5.4 The location of all existing buildings or structures on the lot shown on the plan;
- 21.5.6 In addition to the foregoing, application for building permits shall include:
 - a) If within a Zone 1 (Z.1), a report from the Ministry of Agriculture and Food to indicate whether or not the proposed building will comply with the Minimum Distance Separation Formula devised by that Ministry;
 - b) If within an area designated as Restricted Land Use Area by the Official Plan of the North Dumfries Planning Area, a letter of approval from the Waterloo Regional Health Unit and a report from the Grand River Conservation Authority;
 - c) If within an area subject to regulations made by the Grand River Conservation Authority and approved by Order in Council, a letter from the Grand River

Conservation Authority granting permission for the construction of the building or structure;

- d) If within an area requiring sub-surface sewage disposal, a letter of approval from the Waterloo Regional Health Unit.

21.6 Penalty

- a) Every person who owns or uses any lot, or erects, owns or uses any building or structure or any part of any lot, building or structure in a manner contrary to any requirement of this By-law, or who causes or permits such use or erection, or who violates any provisions of this By-law or causes or permits such a violation, shall be guilty of an offence, and upon conviction thereof, shall forfeit and pay a fine not exceeding Twenty Thousand (\$20,000) Dollars on a first conviction and Ten Thousand (\$10,000) Dollars on a subsequent conviction for each day or part thereof upon which the contravention has continued after the day upon which there was a first conviction.
- b) Where a corporation, other than the Corporation of the Township of North Dumfries, is convicted under this By-law, the maximum penalty that may be imposed is Fifty Thousand (\$50,000) Dollars for the first conviction and Twenty-Five Thousand (\$25,000) Dollars for each day or part thereof upon which the contravention has continued after the date on which the corporation is first convicted. Every such penalty shall be recoverable under the Provincial Offenses Act R.S.O. 1980, Chapter 400, as amended.
Amended by By-law 1207-89
- c) Any building or structure which contravenes any requirement of this By-law may be removed or altered at the instance of the Corporation of the Township of North Dumfries, pursuant to the provisions of The Municipal Act (R.S.O. 1980) or the Planning Act, as amended from time to time.

21.7 Additional Remedies

In case any building or structure is or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or structure or part thereof is or is proposed to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation of the Township of North Dumfries pursuant to the provisions of the Municipal Act in that behalf.

21.8 Validity

If any provisions of this By-law, including anything shown on the Zoning Maps, is for any reason held to be invalid, it is hereby declared to be the intention that all the remaining provisions of the said By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

21.9 By-laws Repealed

The following By-laws of the Township of North Dumfries be and the same are hereby repealed:

- 21.9.1 By-law Number 1137, being a by-law of the former Township of Beverly, now a by-law of the Township of North Dumfries and all amendments thereto;
- 21.9.2 By-law Number 72-22, being a by-law of the former Township of Beverly, now By-law Number 73-35 of the Township of North Dumfries and all amendments thereto;
- 21.9.3 By-law Number 723 being a by-law of the former Village of Ayr, now By-law Number 73-33 of the Township of North Dumfries and all amendments thereto;
- 21.9.4 By-law Number 1289, being a by-law of the Township of North Dumfries and all amendments thereto.

21.10 Effective Date of By-law

This By-law shall come into effect on the final passing thereof by the Council of The Corporation of the Township of North Dumfries subject to compliance with the provisions of The Planning Act, R.S.O. 1980, as amended.

READ a first and second time in the Council Chambers of the Township of North Dumfries this 18th day of July, 1983.

<u>Franklin A. Lisso</u>	<u>Harry Griffin</u>
Mayor	Clerk

READ a third time and finally passed in the Council Chambers of the Township of North Dumfries this 18th day of July, 1983.

<u>Franklin A. Lisso</u>	<u>Harry Griffin</u>
Mayor	Clerk