



REPORT N° INF-2019-001

Date	15/01/2019
Submitted by	Chantal Bégin
Subject	Property Standard By-law
File N°	n/a

1) **NATURE/GOAL :**

The purpose of this report is to adopt a new and revised Property Standard By-law for the City of Clarence-Rockland.

DIRECTIVE/PREVIOUS POLICY :

The previous Property Standard By-law was adopted in September 1999, making this By-law 19 years old.

2) **DEPARTMENT'S RECOMMENDATION :**

THAT the Committee of the Whole recommends that Council adopts the revised Property Standard By-law, as presented in Report no. INF2019-001.

QUE le comité plénier recommande au Conseil municipal d'adopter le Règlement des normes de bien-fonds révisé, tel que présenté au rapport no. INF2019-001.

3) **BACKGROUND :**

For many years, the city of Clarence-Rockland's By-law department was responsible for the administration and enforcement of the Property Standards By-law. The Building department assisted the Property Standard Officers with building related issues in contravention of this By-law. Since June 2016, the City has moved away from appointing By-Law staff as Property Standards Officers and instead has appointed the Building department staff. A Property Standards Officer is required in order to legally enforce and administer the Property Standards By-law.

With that said, many sections of this By-law needed to be reviewed and improved. The Chief Building Official consulted with different related departments for the review of this By-law. It must be noted that the Building Services, relied heavily on the expertise of its staff, mainly on Alain Saumure, in order to review this By-law. Alain Saumure is a certified Property Standards Officer who has successfully completed several Property Standard courses from the Ontario Association of Property Standard Officers. Alain was assigned lead in the review of this By-law and with his expertise has been able to upgrade the By-Law to reflect today's issues and provide clear process and authority to the Property Standards Officer.

4) **DISCUSSION :**

The purpose of this report is to adopt a revised Property Standard By-law. We have reviewed the existing By-law by adding/correcting new definitions and wording to reflect different applicable laws and eliminated repeated sections and/or sections that are enforced in other By-laws. You can see in detail the additions in green and deletions in red in the Attachment 2. Of the deleted section are everything that has to do with non-building issues like trailers, mobile structures, fences, yards, rubble, sewage, vehicles, drainage, garbage, landscaping, safe passage, pools, air conditioners as they all pertain to other By-laws or are covered under other authorities. (Example, sewage is under the authority of South Nation Conservation Authority). Some sections like accessory buildings have been deleted because they are covered under all buildings in this By-law. We have proposed to the By-law department to add some of the deleted sections not covered under other By-laws to the yard maintenance By-law. The other deleted sections were revised to reflect the current Ontario building Code or Fire Code. All sections related to Fire safety was revised to reflect the comments by the Fire department.

Revisions to the administration part of the By-law were also completed, mainly to the honorarium fee of 50\$ was changed to 100\$ and the appeal processing fee was changed from 75\$ to 300\$. We also increased the Certificate of compliance fee from 25\$ to 80\$. As for the financial analysis, there would be less cost on the Building department for training purposes since the Officers are certified Building Officials and continue training relating to this as part of their profession within their duties as Building Inspectors.

In our reviewing process, we have consulted different Municipal Property Standards By-law from the Municipality of Russell, City of Ottawa and the Association of Property Standard Officers. They are all similar in the fact that the main purpose is the maintenance and safety of buildings and varies depending on all other municipal By-laws that enforce the above references. All other Municipalities in Prescott Russel have the By-law department enforce the Property Standard By-law.

In conclusion, the new By-law reflects current regulations and eliminates repeating or conflicting By-law sections found in other city regulations. The revised By-law also better equips the Department with clear authority regarding the application and interpretation of this By-law.

5) **CONSULTATION:**

N/A

6) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

The new proposed Property Standard By-law was circulated to The Clerk, the Director of Infrastructure and Planning, the Fire Chief, the Fire Prevention Officer, the Manager of By-law and the Manager of Planning. All of them approved the proposed version with minor comments from the Fire department on fire damaged buildings and the smoke alarm section. These sections were modified to their satisfaction.

7) **FINANCIAL IMPACT (expenses/material/etc.) :**

A review of the financial impact will be analysed this year and added to the next building budget to cover for the extra inspections, enforcement and occasional training for Building Inspector who now perform the duties of the Property Standard's Officers.

8) **LEGAL IMPLICATIONS :**

The new Property Standard By-law is being revised to reflect the current regulations and existing municipal By-laws to ensure owners maintain their buildings to the minimum standard. This minimum standard will help ensure the health and safety for the residents of the City of Clarence-Rockland.

9) **RISK MANAGEMENT:**

N/A

10) **STRATEGIC IMPLICATIONS:**

N/A

11) **SUPPORTING DOCUMENTS:**

Attachment 1: Original By-law No. 1999-32.doc

Attachment 2: Property Standard By-law highlighted version.doc

Attachment 3: Property Standard Bylaw final 2019.doc