

**THE CORPORATION OF THE TOWNSHIP OF WOLLASTON
BY-LAW NO. 66-2021**

WHEREAS the **Municipal Act**, 2001, S.O. 2001, c. 25, Section 5(3), as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9; shall be exercised by By-law;

AND WHEREAS Section 15 of the **Building Code Act**, S.O. 1992, c.23, as amended provides that a Municipality may appoint a Property Standards Committee;

AND WHEREAS the Council for the Corporation of the Township of Wollaston deems it appropriate to establish a Property Standards Committee;

NOW THEREFORE the Council of the Corporation of the Township of Wollaston enacts as follows:

1. That the Terms of Reference for the Property Standards Committee as attached as Schedule "A" and forming part of this By-law be hereby adopted.
2. That the Property Standards Committee be added to the Committee Appointment By-law.
3. That any other By-laws specifically related to the terms of reference for property standards shall be repealed.
4. That this By-law shall come into force and take effect upon final passing hereof.
5. This By-law may be cited as the "Property Standards Committee Terms of Reference By-law".

PASSED THIS 08th day of November, 2021.

MAYOR: LYNN KRUGER

SEAL

CLERK: BERNICE CROCKER

SCHEDULE "A"

TOWNSHIP OF WOLLASTON TERMS OF REFERENCE

Property Standard Committee

1. PURPOSE

In accordance with the **Municipal Act** and the Township of Wollaston Property Standards By-law, the Property Standards Committee rules upon appeals of property standards orders.

The Appeals may consider whether orders were in accordance with provisions under the Property Standards By-law; if remedial action proposed is reasonable or the Property Standards Committee may make decisions regarding the length of time corrective action may take.

2. POWERS OF COMMITTEE

The Property Standards Committee is established by By-law 65-2021 passed under section 15.6 of the **Building Code Act**. The Property Standards Committee considers appeals to orders issued by an enforcement officer directing a property owner to comply with the Property Standards by-law as established under Section 15 of the Act.

3. SCOPE

With respect to Section 15 of the **Building Code Act** the Committee may alter or rescind property standards orders issued by municipal enforcement staff where the Committee determines that such action would be consistent with the Property Standards By-law, the Official Plan and/or an applicable policy statement.

4. COMMITTEE SUPPORT

Township Staff will provide the following support, as Secretary of the Committee:

- i. Assist to develop the Agenda, as required.
- ii. Distribute the Agenda and post notices of meetings on the Township Website, or other approved forum.

iii. Circulate the minutes and any meeting materials. Follow-up on committee issues.

Township Staff will participate in discussions to provide perspective on procedural matters or legislative or regulatory considerations and provide input into any implementation concerns for decisions.

5. PROPERTY STANDARDS COMMITTEE

a. Every person who initiates an appeal of an Order made under Section 15.2(2) of the **Ontario Building Code Act**, S.O. 1992, c23, shall submit a Notice of Appeal in the time frame and manner as prescribed in section 15.3(1) of the Act. All Notices of Appeal shall be accompanied by a non-refundable payment of one hundred (\$100.00) dollars.

b. A Property Standards Committee shall be established and shall consist of a minimum of three (3) people appointed by Council. No member of the committee shall be a paid employee of the Municipality. Preference will be given to candidates with relevant experience in planning and architecture.

c. The term of office for members shall be the Term of Council and hold office until their successors are appointed.

d. Members are eligible for re-appointment at the discretion of Council.

e. When a member resigns from the Committee before the expiration of their term, Council shall appoint another eligible person for the unexpired portion of that term.

f. If a Committee member fails to attend three (3) consecutive meetings of the Committee without reason, their position shall be deemed to be vacant.

g. The Committee shall elect, annually, a Chairperson and such other officers as may be required from its members. In the Chairperson's absence, the Committee shall appoint another member as acting chair.

h. The Committee shall hold regular meetings at the call of the Chair and/or Secretary

i. At any meeting of the Committee, a quorum shall consist of two (2) members of the Committee.

j The Secretary shall keep on file minutes and records of all applications and the decisions thereon and of all other official business of the Committee. The Secretary shall be comprised of a Municipal Staff member, appointed by the Committee.

k. Before hearing an appeal the Committee shall give notice or direct that notice be given of such hearing to such persons as the Committee considers should receive notice.

l. Where an appeal has been taken, the Committee shall hear the appeal and shall have all the powers and functions of the Officer who made the order and may:

- i. Confirm, modify, or rescind the order to demolish or repair;
- ii. Extend the time for complying with the order if, in the Committee's opinion, the general intent and purpose of the by-law and of the Official Plan or policy statement are maintained.

m. Members will follow the Procedural By-law, the Code of Conduct and Conflict of Interest policies of the municipality. All appointed members will be entitled to one vote on decisions. Staff do not count in quorum and do not vote on decisions.